

ITEM NUMBER: 5b

23/02235/FUL	Demolition of existing stable buildings. Construction of 1 no. residential dwelling and alterations to vehicular access.	
Site Address:	The Stables, 11 Piccotts End Lane, Hemel Hempstead, Hertfordshire, HP2 6JH	
Applicant/Agent:	Karl Bonney	Peter Biggs
Case Officer:	Lois-May Chapman	
Parish/Ward:	No Parish (Hemel Hempstead)	Grovehill
Referral to Committee:	Neighbourhood Petition	

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 development is considered to meet one of the defined exceptions for development within the Green Belt (previously developed land) and the proposed building would have no greater impact on the openness of the Green belt than the buildings it is replacing such that the proposal is appropriate development in the Green Belt and acceptable in principle. The dwelling is considered to result in less than substantial harm to the general character of the conservation area but there are public benefits to outweigh the harm identified. The proposed scale and design of the dwelling are considered appropriate to the plot and locality whilst avoiding harm to and preserving good quality living conditions of neighbouring properties. The potentially adverse impacts of the development can be mitigated against through the use of condition removing permitted development and securing soft landscaping enhancements.

2.2 The amenity space and parking provision are considered acceptable and, whilst visible from surrounding units, the proposal will not have a significant impact on the living conditions of neighbouring properties. There is no change to the existing vehicular access such that there would be no harm to the safety or operation of the adjacent highways.

2.3 The proposal is therefore in accordance with Policies CS5, CS10, CS11 CS12, and CS27 of the Core Strategy Saved Appendix 3 of the Dacorum Borough Local Plan and the NPPF.

3. SITE DESCRIPTION

3.1 The application site lies to the east of Piccotts End Road and to the north of Piccotts End Lane, the latter being where the access is also located. The north-eastern boundary benefits from a strong hedge along its entire length, trees and hedging along the north-western and south-western boundaries. The south-western boundary adjoining the highway also benefits from a brick and flint wall. The vast majority of dwellings to the west and north-west along Piccotts End Road are listed buildings.

3.2 The site is shown to fall within the Metropolitan Green Belt. The site also falls within the Piccotts End Conservation Area.

3.3 Presently, the site is used for equestrian purposes with a stable and several smaller buildings.

4. PROPOSAL

4.1 The application seeks full planning permission for the demolition of the existing stables its replacement with a single storey dwelling. The dwelling would comprise four bedrooms and would have on-street parking for three vehicles.

4.2 This application follows on from 22/00835/FUL, which was withdrawn due to harm to the conservation area and greenbelt, as well as unresolved issues regarding fire access and refuse collection.

5. PLANNING HISTORY

Planning Applications:

22/00835/FUL - Demolition of existing stable buildings and construction of 2 No. residential dwellings and alterations to vehicular access.

WDN - 28th October 2022

23/02236/FUL - Demolition of existing stable buildings and construction of 1 No. residential dwelling and alterations to vehicular access.

APPRET -

6. CONSTRAINTS

Advert Control: Advert Spec Contr
Area of Archaeological Significance: 59
CIL Zone: CIL3
Conservation Area: PICCOTTS END
North And East Hemel Hempstead Growth Areas
Green Belt: Policy: CS5
Green Belt: Policy: CS5
Parish: Hemel Hempstead Non-Parish
RAF Halton and Chenies Zone: Yellow (45.7m)
Smoke Control Order
Smoke Control Order
Parking Standards: New Zone 3
EA Source Protection Zone: 3
EA Source Protection Zone: 2

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)

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - Green Belt
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS25 - Landscape Character
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil, and Water Quality
CS35 - Infrastructure and Developer Contributions

Dacorum Local Plan

Saved Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents

Parking Standards (2020)
Planning Obligations (2011)
Environmental Guidelines (2004)
Energy and Conservation
Water Conservation
Landscape Character Assessment
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The principle of development and Green Belt implications.
Heritage Implications for the Conservation Area,
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Green Belt - National Planning Policy Framework (NPPF)

9.2 The site lies within the Metropolitan Green Belt, Section 13 of the NPPF provides guidance upon development within the Green Belt. The Government attaches great

importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The concept of "openness" is a broad policy concept understood to have a spatial and visual aspect, relevant to the underlying aims of the Green Belt policy is "to prevent urban sprawl by keeping land permanently open" and wider five purposes outlined in NPPF paragraph 143.

9.3 Paragraph 154: A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

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

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

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

Assessment -

9.4 Previously developed land, as defined by the NPPF as 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure Exclusions include land last used for agriculture or forestry, land developed for minerals extraction or waste disposal with restoration, residential gardens, parks, recreation grounds, allotments, and land where structures have blended into the landscape'.

9.5 The site in question is in equestrian use and not agriculture. Its primary activities focus on horse-related purposes such as riding and stabling, and the keeping of horses for recreational use, rather than the grazing of horses. Stables have existed on the site since 2000, and smaller buildings have been added over the years, but these are in a random ad-hoc order and are primarily used for storage.

9.6 The site is concluded to amount to previously developed land and therefore its redevelopment complies with point g of paragraph 154 of the NPPF as long as the development has no greater impact on the Green belt.

9.7 The proposed dwelling is concluded to have no greater impact than the existing buildings. Comparison plans have been submitted which show the existing buildings dotted over the proposed such that an accurate assessment can be made. Spatially, the proposed development would result in a decrease in built form within the site. In that sense, and at least volumetrically, the proposed extension would have a lesser impact on Green Belt openness than the existing situation. Visually, it is considered that there would be limited impact on Green Belt openness. The proposal result in a reduction in gross floor area from 300 sq. m to 220 sq. m which clearly demonstrates a lesser impact. This reduction in footprint reduces the impact of the development on the openness of the Green Belt, when compared to the existing. Whilst the proposed ridge height, is slightly higher than that of the existing stables, the reduced footprint and sprawl from the demolition of multiple buildings across the site mean overall it is concluded that there is less impact.

9.8 The existing buildings on the site are sprawled out and follow a scattered arrangement, whereas the proposed dwelling and associated outbuilding will take the form of a more compact L-shaped structure. This design choice ensures that the proposed development

occupies a smaller footprint and maintains a more consolidated presence within the Green Belt area such that it has a lesser impact and thereby preserves and increases the area's openness

9.10 Furthermore, the decision to sink the dwelling into the landscape further mitigates its impact on the Green Belt. By integrating the structure into the terrain, its overall visual prominence is reduced, maintaining the openness and character of the area. Additionally, the incorporation of a sedum roof on the northern arm of the dwelling serves to decrease the length of the main ridge and lessen its impact in long distance views when compared to the existing structures. The proposed dwelling will assimilate into the surrounding landscape far better than the existing buildings.

9.11 Upon assessment, it is determined that the proposed development will have a lesser impact on the openness of the Green belt than the existing buildings, and therefore complies with g) of paragraph 154 of the NPPF. The proposal therefore amount to appropriate development in the Green belt and are thus acceptable in principle.

9.11 Given the balanced approach on whether the development would have a greater impact on the openness of the Green Belt and its allowance based solely on this principle, to enable the dwelling when built to utilise unlimited permitted development rights, would then tip the balance and result in inappropriate development in the Green Belt which would result in greater harm to the openness of the GB. As such, in order to protect the openness and going to the heart of the reasoning behind this decision, it is considered necessary and reasonable to remove permitted development rights for classes A, B, C, E and AA of the GDPO

Local Policies -

Dacorum Core Strategy Green Belt Policy CS5

9.12 CS5 echoes the NPPF and permits the redevelopment of previously developed land sites provided;

- i. it has no significant impact on the character and appearance of the countryside; and**
- ii. it supports the rural economy and maintenance of the wider countryside.**

Assessment -

9.13 Firstly, the development must have no significant impact on the character and appearance of the countryside. In this case, as already set out above the reduction in gross floor area and sprawl across the site, the use of dark natural materials and sedum roof, and sinking the dwelling into the landscape all contribute to minimising visual intrusion and preserving the openness and character of this part of the countryside. The proposals would have no significant impact to comply with (i) above.

9.14 Secondly, the development should support the rural economy and maintenance of the wider countryside. By replacing existing structures with a new dwelling, the proposal contributes to maintaining the viability of the site while respecting the surrounding rural context. Additionally, the proposed compact L-shaped structure minimises spatial impact and prevents further urban sprawl, aligning with the objective of preserving the rural character of the area. The proposed development can support the rural economy by creating job opportunities for local tradespeople during construction and attracting residents who support local businesses. Additionally, it may enhance property values, stimulating economic growth in the area.

9.15 Overall, the proposed development aligns with the objectives of Policy CS5 by facilitating the appropriate reuse of previously developed land within the Green Belt while ensuring minimal impact on the countryside and supporting the rural economy.

Heritage Implications for the Conservation Area

9.16 The site is located within the Piccotts End conservation area. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities should have special regard to preserving the setting of listed buildings. This requirement should be given great weight in the planning process. The impact of the development proposals on local conservation areas must also be assessed as required by section 72(1) of the Act.

9.17 Paragraph 205 of the Framework states that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development. Policy CS27 requires development to protect, conserve and where appropriate enhance the integrity, setting and distinctiveness of heritage assets.

9.18 The Council's Design and Conservation Team have been consulted upon the application and raised no objection following additional hedging being secured to reduce the visual impact and enhance views within this part of the Conservation area. The comments have been summarised below:

The proposed single dwelling in Piccotts End mitigates previous concerns about narrowing gaps between village sections and is considered appropriate with minimal harm to the conservation area. The planning officer should balance this minor harm against the benefits of removing visual clutter.

9.19 The comments of the conservation officer have been followed as a result of the pre-application and during this application. The lower profile design of the dwelling further contributes to its appropriateness within the context and ensures its harmonisation with the general character of the conservation area. While acknowledging that some level of harm to the conservation area will occur, it is emphasised that this harm is at a low level and when weighed against the benefits of removing structures that contribute to visual clutter is considered acceptable. At current these buildings are sprawled across the site and are of no architectural value noting they are several small sheds and farm buildings, as such removing these structures will improve the appearance of the site overall.

9.20 During the course of the application amended plans to include the planting of new hedging to the bottom of the site, adjacent to the brick wall have been secured. This in conjunction with the setting down of the dwelling will allow the dwelling to be obscured from Piccotts End Road and thus not have a significant adverse impact on this part of the Conservation Area. The new hedging will provide public benefits when compared to the current unsightly views and will be secured via a landscaping condition.

9.21 Given the siting of the development within the conservation area careful consideration has been given to its visual impact. It is considered necessary and reasonable to remove permitted development rights to safeguard the character, appearance and historic significance of this part of the Piccotts End Conservation Area. In particular large scale additions to the dwelling especially to its roof possible under permitted development rights, such as large box dormers in the roof slope and large single storey additions and outbuildings which may lead to a cramped and visually more prominent development should be controlled in the future. Likewise additional hardstanding and means of enclosure would further erode the character of the plot and locality.

9.22 In summary it is concluded that the proposal would have a less than substantial impact to the Piccotts End Conservation Area but the public benefits of the scheme (namely the improve public views across the site and enhanced hedgerows) outweigh the harm identified. As such the proposal complies with CS27 and Paragraph 205 of the NPPF.

Quality of Design and Impact on Visual Amenity

9.23 Saved Appendix 3 of the Dacorum Local Plan (2004), Policies CS11 and CS12 of the Core Strategy (2013) and paragraph 130 of the NPPF (2023) all seek to ensure that any new development will function well and add to the overall quality of the area. Proposals should be visually attractive and sympathetic to local character, respecting adjacent properties in terms of scale, massing, materials, layout, bulk and height. Paragraph 139 of the NPPF states “Development that is not well designed should be refused”.

9.24 The creation of high quality, beautiful and sustainable buildings and places is fundamental to the planning process as set out in Chapter 12 of the NPPF and is reflected in the strong policy framework objectives for good design. Policies CS10, CS11 and CS12 of the Core Strategy indicate that the design of individual buildings should reflect the scale, density and character of the areas in which they would be located with Policy CS12 placing an emphasis on having an appropriate relationship with neighbouring properties in terms of layout, site coverage, scale, height, bulk, materials and landscaping. In this case, the proposed dwelling also needs to have an appropriate relationship with Piccotts End.

9.25 The proposed dwelling represents a carefully considered addition to the Piccotts End landscape, incorporating both traditional and modern design elements. Its acceptability rests upon several key factors, each contributing to its quality of design and contextual relevance within the area.

9.26 The significant separation distances from nearby residential properties (approximately 59.18m from No 92 Piccotts End Road, 68.88m from No 87 Piccotts End Road, and 110.18m from Rainbow Piccotts End Lane) mean that the proposed dwelling is viewed as a stand-alone structure.

9.27 Piccotts End boasts a rich architectural heritage characterised by diverse styles, including Tudor, Georgian, and local agricultural buildings. The proposed dwelling draws upon inspiration from traditional farmyard developments and incorporating materials such as charred timber cladding, grey long-format brick, and slate roofing. The use of natural materials ensures that the proposed dwelling harmonises with its surroundings, enhancing rather than detracting from the village landscape.

9.28 Additionally, the proposed dwelling will be situated in the same location as the existing stables but with a smaller footprint. This placement maintains the historical continuity of the site and also minimises any visual disruption, ensuring that the new structure seamlessly integrates with its surroundings while preserving the open and spacious character of the area.

9.29 The access point to the site is proposed to have planted bank hedging to screen the driveway from public view which is welcomed

9.30 The proposal seeks to incorporate dark natural materials, such as charred timber cladding, and within the design. These materials are regarded to blend organically with the natural rural environment of the site.

9.31 The dwelling adopts an L-shaped layout reminiscent of historic farmsteads in Piccotts End (Field Cottage, Piccotts End Road and The Old Farmhouse Piccotts End Lane). The

design pays homage to the area's rural character. The proposed dwelling is sited upon a smaller footprint than the existing stables but will be located within the same location such that the overall visual impact on the wider landscape would be similar.

9.32 The placement of the proposed dwelling, coupled with its low-density profile minimises its visual impact from public viewpoints such as Piccotts End Road. Landscape details and enhancements will be secured by condition to ensure the verdant character of the locality is maintained and mitigate any loss of planting through the creation of the access and clearance of vegetation on site. Furthermore, this can ensure views are limited from public view points.

9.33 In summary, the proposed dwelling respects the unique character and heritage of Piccotts End. The proposal is considered to be of an acceptable appearance and impact upon the broader locality consistent the objectives of policies CS10, CS11 and CS12 of the Core Strategy and the NPPF.

Residential Amenity –

9.34 The NPPF paragraph 135 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 outlook, loss of light and privacy.

9.35 The proposed dwelling is located considerable separation distances between nearby residential dwellings (approx. 59.18m from No 92 Piccotts End Road, 68.88m from No 87 Piccotts End Road and 110.18m from Rainbow Piccotts End Lane).

9.36 Given this separation distance the proposed dwelling will not have a detrimental impact on the residential amenity of any neighbouring dwellings.

9.37 Turning to the residential amenities of future occupants, the proposal has had regard to the Technical housing standards - nationally described space standards which is a material consideration and an indicator if adequate floor space is being provided for the new dwellings in relation to potential number of occupants/bedroom numbers.. The proposed dwelling is in excess of this requirement (2000 sq.).

9.38 In accordance with Appendix 3 of the DBLP a private garden of a generous size for this family house is provided and affords ample opportunity for outdoor amenity for future occupants. All habitable windows are provided with an acceptable level of light and open aspect.

Impact on Highway Safety and Parking

9.39 NPPF paragraph 115 states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

9.40 Core Strategy Policy CS8 requires amongst other things to ensure well integrated and connected transport system, other forms of transport should be prioritised over the motor vehicle, create after footpath and cycle networks, improve road safety and safeguard residential amenity and highway safety and maintain the rural rights of way network. Whilst Core Strategy policy CS12 seeks safe and accessible forms of development for all. The

development is located near other residential dwellings and would have accessibility to facilities of Piccotts End and other nearby settlements such as Hemel Hempstead. Whilst there would be some reliance on private motor vehicle the location is considered sustainable in the village setting context.

9.41 The highway aspect of the access is not proposed to be altered and the access onto the highway network is to be maintained as per the existing situation. The internal access route is to be widened to 4.1 metres with a passing point which highways have raised no objection to.

9.42 The site is located within parking zone 3 as defined by the Parking Standards SPD (2020). The proposals would provide a large area of hardstanding capable of accommodating 3 cars with room to come and go in a forward gear. This is in line with the requirements of the Parking SPD.

9.43 Parking provision is expected to be provided with electric charging points. This is now a building regulations requirement and is unnecessary to use in a planning condition. EV chargers have been included in the submitted plans.

9.44 Secure bicycle parking should be provided with each dwelling. A secure cycle store is included on plans.

9.45 The proposed new hardstanding 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 existing and the new hardstanding would need to be collected and disposed of on site.

Sustainability

9.46 Sustainable building design and construction is an essential part of the Council's response to the challenges of climate change, natural resource depletion, habitat loss and wider environmental and social issues. The Council therefore expects all new developments to meet a high standard of sustainable design. There is limited information provided in relation to the requirements of policies CS29, CS31 and CS32 of the Core Strategy and therefore further information should be provided by condition.

Area of Archeologically Significance

9.47 The proposed development site is sandwiched between two areas of ridge-and furrow ploughing, and the Desk-Based Assessment produced by HCUK in August 2023 identifies a high likelihood of Post-medieval archaeology, as well as a moderate likelihood of Roman archaeology. Hertfordshire County Council Archaeology has found that the proposed development should be regarded as likely to have an impact on heritage assets of archaeological interest and has requested three conditions on any planning consent. In order to provide for the level of investigation that this proposal warrants it is considered necessary and reasonable to include these conditions. Given the proposals include the demolition of buildings and ground works these conditions need to be pre-commencement conditions. The agent has agreed to this.

Ecology

9.48 Decision makers must have regard to their duties to protect wildlife under other sources of legislation including:

- The Environment Act 2021
- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

- Wildlife and Countryside Act 1981 as amended.
- Countrywide and Rights of Way Act 2000.
- Natural Environment and Rural Communities Act 2006.

9.49 Paragraphs 180 of the NPPF and the Core Strategy Policies CS26 and CS29 seek to enhance ecology, biodiversity and natural environment on development sites.

9.50 The site appears to be well connected via tree lines and hedgerows to adjoining semi natural areas and the surrounding countryside. A bat report produced by Greengage for the site has been submitted as part of this application. Hertfordshire Ecology have reviewed the proposals and the submitted information and have concluded that the proposals are unlikely to have any significant ecological impacts, therefore the application can be determined accordingly. No further investigations or conditions are required. The requested informatives will be included.

Other Material Considerations

Contamination

9.51 The Council's scientific officer has confirmed that there are no objections to the proposals on grounds of contamination. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present that it will be remediated.

9.52 This is considered necessary because the application is for a residential end use on a site that was historically occupied by buildings that appear to have been used for agricultural and miscellaneous associated activities, which may have resulted in ground contamination. Therefore, the vulnerability of the proposed end use to the presence of contamination and the fact that ground contamination cannot be ruled out at this stage.

9.53 As such conditions relating to this will be included if the permission is granted.

Services Accessibility

9.54 Waste collection would be accessible from placing bins at the roadside on collection day.

9.55 Amendments have been made to the application to allow for a turning point for emergency services particularly fire access.

Chilterns Beechwoods Special Area of Conservation

9.56 As part of its ongoing work to prepare the Local Plan, Dacorum Borough Council is required by law to undertake a Habitats Regulations Assessment (HRA) to understand the impacts that current and planned future growth is having on sites designated under the Habitats and Birds Directive. Evidence gathered to date concludes that the integrity of the Chilterns Beechwoods SAC, particularly at Ashridge Commons and Woods SSSI, is being harmed as a result of public access and disturbance.

9.57 Natural England recognises that there could be a serious potential conflict between the plans for any new housing development in the area surrounding the Chilterns Beechwoods SAC, and the conservation objectives for the protected features there. As such, a mitigation strategy needs to be developed to offset the current harm to the sites.

9.58 The application site resides within the Chilterns Beechwoods 'zone of influence', therefore following advice from Natural England, a mitigation strategy is needed, which sets out the actions necessary to protect the SAC from both existing and future pressures. At a meeting held on 15 November 2022, Dacorum Borough Council Cabinet approved the Chilterns Beechwoods Special Area of Conservation Mitigation Strategy. It also approved two Suitable Alternative Natural Greenspace (SANG) Management Plans for Bunkers Park and Chipperfield Common.

9.59 The new Mitigation Strategy sets out targeted measures to protect the site and to accommodate the predicted pressures associated with future growth within the 12.6-kilometre Zone of Influence that extends from Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). These measures will be delivered through a range of projects by the National Trust over a period of around 80 years (to 2102-2103).

9.60 The National Trust has confirmed that these Strategic Access Management and Monitoring (SAMMS) measures will cost a total of £18.2million. This cost will be shared across all of the affected local authorities. In Dacorum, this means that developers will be required to pay a tariff for each new home built.

9.61 To help to reduce recreational pressures on Ashridge Commons and Woods, alternative green spaces need to be identified. All new developments within the Zone of Influence will need to make provision for a new Suitable Alternative Natural Greenspace (SANG), or alternatively contribute towards the maintenance of a suitable SANG project elsewhere.

9.62 Larger developments (10 or more new homes) must be located close to a suitable SANG. Smaller developments can contribute towards an existing SANG. Developers that are unable to provide a suitable new SANG will be required to make a payment to us towards the long-term management and maintenance of these sites.

9.63 The proposed development would be eligible to financially contribute to the two SANG Management Plans for Bunkers Park and Chipperfield Common, which would be secured via legal agreement should planning permission be granted.

9.64 The applicant has confirmed their intention to enter into legal agreement to secure appropriate mitigation to the Chilterns Beechwoods Special Area of Conservation should the application be found acceptable.

9.65 On this basis the proposals could be acceptable with Policies CS25 and CS26 of the Core Strategy, NPPF and Habitat regulations.

Community Infrastructure Levy (CIL)

9.66 All new developments are expected to contribute to the cost of the on-site, local and strategic infrastructure required to address the needs arising from the development in accordance with Policy CS35 of the Core Strategy. In most instances, such contributions will extend to the payment of the Council's Community Infrastructure Levy (CIL). The proposals would be CIL liable if approved and appropriate charges will need to be levied in accordance with the adopted Charging Schedule at the index linked rate relevant at the time of commencement.

Tilted Balance

9.67 Paragraph 11(d)(i) of the NPPF states that the presumption in favour of sustainable development should be engaged unless the application of policies in the Framework that

protect areas or assets of particular importance provide a clear reason for refusing the development; or, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. However footnote 7 also makes clear this presumption in favour of sustainable development does not apply in designated areas such as Green Belt.

9.68 The site is situated within the Green belt such that the tilted balance is not engaged.

9.69 Notwithstanding this no reasons for refusal have been identified and it is acknowledged the Council do not currently have a 5 year land supply and the contribution of 1 dwelling would make a modest but valuable contribution to the local housing choice and supply which is welcomed.

Response to Neighbour Comments

9.70 A petition has been received by the LPA with approx. 101 signatures from local residents which has subsequently become the reason this application has been called into committee.

9.71 The petition opposes a planning application for residential development on green belt land in the Piccotts End Conservation Area. The objection relates to the site being seen as a green field with stables and horses, which are valued by residents and visitors for their contribution to the rural character and heritage of the area. The stables are seen as an essential part of the conservation area and must be protected. The objectors disagree with Dacorum Borough Council's view that the harm to the conservation area would be minimal, arguing that the development would have a detrimental effect. They assert that there are no special circumstances to justify the harm to the green belt and emphasise that local opposition is strong, with over 100 petition signatures against the proposal.

9.72 An assessment on this has been made in the sections above but in summary the site can be considered as previously developed land, as such under para 154 criteria g) its redevelopment is acceptable provided there is no greater impact. In addition it has been identified that there is less than substantial harm to the conservation area, mitigation has been secured by improving the hedgerow along Piccotts End Road.

10. CONCLUSION

10.1 On balance the proposed development is considered to meet one of the defined exceptions for development within the Green Belt. The dwelling is considered to have less than substantial harm to the general character of the conservation area. The proposed scale and design is considered appropriate to the plot and locality whilst preserving good quality living conditions of neighbouring properties overall. The potentially adverse impacts of the development can be mitigated against through the use of conditions and legal agreement.

11. RECOMMENDATION

11.1 That planning permission be DELEGATED with a view to APPROVAL subject to appropriate conditions and an appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to prevent harm to the Chiltern Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Condition(s) and Reason(s):

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents (unless otherwise required by any other condition associated with this Planning permission):**

PCTe GA 100/2 F

PCTe GA 101 F

PCTe EX 400 D

PCTe GA 300 C

PCTe GA 301 C

Arboricultural Impact Assessment and Method Statement - TCTC-18353-AIA Rev B

Bat Report produced by Greengage

Archaeological Report produced by HCUK Group

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

- 3. 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, C, E, F, G of Part 1 and Class B of Part 2

Reason: The proposal has been concluded to have no greater impact on the Green belt than the existing buildings. To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the future openness and visual amenity of the Green Belt, in accordance with Policy CS5, CS12 of the Dacorum Borough Core Strategy (2013) and the National Planning Policy Framework (December 2023).

- 4. No development shall take commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:**
 - a. The programme and methodology of site investigation and recording**
 - b. The programme for post investigation assessment**
 - c. Provision to be made for analysis of the site investigation and recording**
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation**

e. Provision to be made for archive deposition of the analysis and records of the site investigation

f. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

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

5. i) Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 4.

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

6. All structures (including those structures not substantially completed), other than those shown for retention on the approved plans or permitted by this permission, 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 accord with the approved plans and for the avoidance of doubt.

7. Prior to first occupation 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:

- **Hedgerow planting and enhancements along western boundary along Piccotts End Road;**
- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure, including gates;**
- **all other soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**

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, its contribution to biodiversity and the local environment and neutralise impact upon the Green Belt and the Piccotts End Conservation Area, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS1, CS6, CS12 (e) and CS27 of the Dacorum Borough Council Core Strategy (2013) and the NPPF

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

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

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

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

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

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

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

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

9. **Any contamination, other than that reported by virtue of Condition 8 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

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

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

10. **The development hereby permitted shall be carried out in accordance with the submitted and approved Sustainable Development Checklist, and notwithstanding any details submitted, no development (excluding demolition and tree protection works) shall take place until details of the following shall have been submitted to and approved in writing by the local planning authority;**

Sustainable drainage measures

Development shall be carried out in accordance with the approved details.

Reason: To ensure the sustainable development of the site and a satisfactory appearance and setting to the designated heritage assets in accordance with the aims of Policies CS12, CS27, CS28, CS29 and CS31 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016), Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and 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. The above conditions are considered to be in line with paragraphs 180 (e) & (f) and 189 and 190 of the NPPF 2023.

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

3. "If European Protected Species (EPS), including bats and great crested newts, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed."

4. Working Hours Informative

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

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

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

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

5. 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.

6. 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.

7. Air Quality Informative.

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

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this

new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

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

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

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

8. Invasive and Injurious Weeds - Informative

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

AN 1) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be

carried out on the applicant's behalf. Further information is available via the County Council website at:

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

AN 2) 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 3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:

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

AN 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.

AN 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 overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary

Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Historic Environment (HCC) (11.03.24)	<p>ARCHAEOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>The proposed development site is sandwiched between two areas of ridge-and-furrow ploughing, and the Desk-Based Assessment produced by HCUK in August 2023 identifies a high likelihood of Post-medieval archaeology, as well as a moderate likelihood of Roman archaeology.</p> <p>I therefore believe that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> 1. The archaeological monitoring of all groundworks related to the development, including foundation trenches, service trenches, ground reduction, hard landscaping, access, and any other ground impact; This should include a contingency for preservation or further investigation of any remains encountered; 2. the analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results; 3. such other provisions as may be necessary to protect the archaeological interests of the site; <p>I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these</p>

recommendations closely follow the policies included within Policy 16 (para. 205, etc.) of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation

approved under condition (A)

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

If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

I hope that you will be able to accommodate the above recommendations. www.hertfordshire.gov.uk

	Please do not hesitate to contact me should you require any further information or clarification.
Hertfordshire Ecology (29.02.24)	<p>I am not aware of any existing habitat or species data for this site. After carrying out a rapid assessment of this application, we have concluded that the proposals are unlikely to have any significant ecological impacts, therefore the application can be determined accordingly. However, in the unlikely event that protected species are found, I advise a precautionary approach to the works is taken and recommend the following Informative is added to any permission granted for the below species:</p> <ol style="list-style-type: none"> 1. Bats 2. Great crested newts 3. Reptiles 4. Badgers 5. Nesting birds <p>"If European Protected Species (EPS), including bats and great crested newts, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.</p> <p>To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.</p> <p>In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed."</p>
Conservation & Design (DBC)	<p><u>Original Comments – 28.11.23</u></p> <p>The site in question is an area of open land within the Piccotts End conservation area. At present it includes stables and associated</p>

paraphernalia. Otherwise it is an open field between the terraces of dwellings. Opposite is the former pub of the boars head which is now converted into a dwelling. It is two storey brick 19th century building with a clay tiled roof. Adjacent to this is a two storey rendered terrace adjacent to the former pub the buildings are rendered to the façade below a mixture of slate and concrete tile roof. Adjacent is a set back brick terrace of painted brick with a slate roof. This is grade II listed building. The buildings then sit forward onto the street line in painted brick with a slate or clay tiled roofs. Windows tend in the terrace to be timber and small panes. Adjacent to the site is a mall two storey detached painted brick cottage with a slate roof with later extensions to the rear.

The spacing within the conservation area is of particular importance. Rather than there being a long linear development the village can be seen to be in three distinct sections with green open space in the form of either agricultural land or garden in between the sections.

Within the conservation area it is split between three clusters of housing. To the south and central area the buildings are terraced or individual buildings which face onto the street of either Piccotts End Rd or Piccotts End Lane. There is an exception in the grade II* Marchmont Arms which is an 18th century house now pub formally the London home of the Earl of Marchmont. This formally looked out over Gadebridge Park and was set within the top end of the park. It is now separated from the main area of the formal parkland by a carpark, tree screening and the link road constructed as part of the new town.

However at the north end of the conservation area the character is slightly different. This is due to the grade I listed houses. This is a range of 15th century cottages which are set back from the road. They became used as a cottage hospital which was later extended and backland areas were developed as part of the hospital. In addition the mill development was set in away from the road. Later redevelopment of the site including the restoration of the mill has resulted in set backs from the street and a somewhat more typical suburban pattern to this area. Therefore the top of the northern section of the village is outwith the conservation area.

The proposed development is on the southern edge of the central section.

We had highlighted previously that we have concerns with regards to the narrowing of the gap between the sections of the village However this has now been reduced through the reduction of the scale of development to one dwelling and the additional landscaping. The design is lower and would have less visual impact on the character of the conservation area. Overall the design is considered appropriate for the context and in keeping with the general character of the conservation area.

	<p>The development would not harm the setting of the adjacent listed buildings.</p> <p>We would continue to believe that the redevelopment of the site would result in a level of harm to the character of the conservation area at less than substantial and at a low level. This harm needs to be balanced against the benefits of removing the structures across the site which add visual clutter. We note that the enclosure area and a couple of the structures noted which were previously outside the red line have now been included and removed. The hedging to the roadside is to be reinforced with mixed native species hedging. This is now more beneficial than the previous proposals.</p> <p>Recommendation The planning officer should weigh the less than substantial harm caused through the change of the site to a dwelling and the narrowing of the gap between the sections of the conservation area against the public benefits of the scheme (visual appearance of the site) as per the framework.</p> <p>If the officer is minded to grant consent we would recommend external materials and finishes, hard and soft landscaping to be subject to approval and that all structures within the red line to be removed from the site prior to occupation. Given the sensitivity of the site within the conservation area it would be useful to consider removing permitted development rights.</p> <p><u>Re-Consultation Amended Comments – 29.02.24</u></p> <p>As per the previous application comments.</p>
<p>Environmental And Community Protection (DBC) (26.10.2023)</p>	<p>Having reviewed the planning application submissions and the records held by the Environmental and Community Protection (ECP) Team I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present that it will be remediated.</p> <p>This is considered necessary because the application is for a residential end use on a site that was historically occupied by buildings that appear to have been used for agricultural and miscellaneous associated activities, which may have resulted in ground contamination. Therefore, the vulnerability of the proposed end use to the presence of contamination and the fact that ground contamination cannot be ruled out at this stage means that the following planning conditions should be included if permission is granted.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental</p>

Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

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

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

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

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

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

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

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

Condition 2:

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

	<p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative:</p> <p>The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm and here https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8</p>
<p>Environmental And Community Protection (DBC)</p>	<p><u>Original comments 25.10.23:</u></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 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.</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.

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

	<p>Invasive and Injurious Weeds - Informative</p> <p>Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p> <p><u>Re-Consultation Comments (12.02.24):</u></p> <p>Please be advised the pollution team have no comments on this application over and above the informatives already sent under reference R834772.</p>
<p>Natural England (16.10.2023)</p>	<p>NATURAL ENGLAND'S ADVICE</p> <p>OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERNES</p> <p>BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilternes 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"> o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. o Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy. <p>Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced 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>Hertfordshire Highways (HCC)</p>	<p><u>Original comments (02.11.23)</u></p> <p>This is an interim to obtain more information regarding fire appliance access. There has been provided a swept path illustrating a fire appliance turning at the entrance of the site. However, as per building regulation a fire appliance should only reverse 20 metres down a track which should still be within 45 metres of a dwelling. The proposed dwelling is over 80 metres from the highway network and therefore the remaining 60 metres is still larger than the 45 metres maximum. Therefore, the swept path must illustrate a fire appliance turning</p>

nearer the site in case of an emergency and therefore turning closer to the access which is currently not shown. Once this shown then HCC

Highways can make an informed recommendation.

Re-Consultation Comments (02.02.24)

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

Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN 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.

AN 3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked

(fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 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.

Comments

The proposal is regarding amendments for the demolition of existing stable buildings. Construction of 1 no. residential dwelling and alterations to vehicular access at The Stables, 11 Piccotts End Lane, Hemel Hempstead. Piccotts End Lane is a 60 mph rural dead-end unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing bellmouth junction which serves the existing stable building. The highway aspect of the access is not proposed to be altered and the access onto the highway network is to be maintained. The internal access route is to be widened to 4.1 metres with a passing point which is considered acceptable. If there is alterations to the adopted highway network then this will have to be completed under as section 278 agreement - see informative 1. The trips to and from the existing dwelling are considered to be low and would not create major movements as compared to the existing use. The applicant has provided a highway note which illustrates swept paths for service vehicles entering and existing the site via the narrow lane (drawing number SK02 REV C). This is considered acceptable. The applicants amendments are in relation to a fire appliance turning on site in case of an emergency which is deemed acceptable and is shown on the new site plan layout in drawing number PCTe GA 100 E. The layout of the dwelling and its access route is considered acceptable for a single dwelling in terms of highways. Any additional units in the future would need additional improvement to highway aspects of the site to make them acceptable. Especially in relation to sustainability regarding highways as one dwelling is not considered enough for a refusal on these grounds currently.

	<p>The proposed new hardstanding 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 existing and the new hardstanding would need be collected and disposed of on site.</p> <p>Refuse / Waste Collection</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 TDBC waste management.</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 informatives.</p>
<p>Thames Water (05.10.2023)</p>	<p>Dear Sir/Madam</p> <p>Re: The Stables 11 Piccotts End Lane, LOMOND ROAD, -, HEMEL HEMPSTEAD, Hertfordshire County, HP2 6PA</p> <p>WASTE COMMENTS:</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</p>

	<p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>WATER COMMENTS: The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at https://www.gov.uk/government/publications/groundwater-protection-position-statements) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
27	102	0	101	2

Neighbour Responses

Address	Comments
<p>Petition of Objection with 101 signatures</p>	<p>The petition notes that the signatories all oppose the planning application on the following summarised grounds</p> <ul style="list-style-type: none"> residential development on green belt land in the Piccotts End Conservation Area is unacceptable and will result in urban sprawl. The site is a green field with stables and horses, which are valued by residents and visitors for their contribution to the rural character and heritage of the area.

	<ul style="list-style-type: none"> • The stables are seen as an essential part of the conservation area and must be protected - • the objectors disagree with Dacorum Borough Council's view (conservation Officer comments) that the harm to the conservation area would be minimal, arguing that the development would have a detrimental effect. • They assert that there are no special circumstances to justify the harm to the green belt • mphasize that local opposition is strong, <p>T</p>
One letter of support from neighbouring site	The design will be in keeping with the village and will be a visual improvement to the building currently there.
Rainbow, Piccotts End Lane	<p>Support</p> <p>Proposal will enhance the area, design will add to the areas openness</p> <p>The petition made this out to be a huge development which needs to be stopped.</p> <p>However upon reviewing the development we can see it is a well designed, one unit application, not what it was made out to be</p>