

**ITEM NUMBER: 5a**

<b>23/02972/MFA</b>	<b>Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping</b>	
<b>Site Address:</b>	<b>Proposed SANG Site Castle Hill, Berkhamsted, Hertfordshire</b>	
<b>Applicant/Agent:</b>	<b>Taylor Wimpey and Barratt David Wilson</b>	<b>Mr Roger Smith</b>
<b>Case Officer:</b>	<b>James Gardner</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted Castle</b>
<b>Referral to Committee:</b>	<b>Contrary views of Berkhamsted Town Council</b>	

**1. RECOMMENDATION**

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

**2. SUMMARY**

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

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

2.3 Following an assessment of the criteria set out in the Chiltern Beechwoods Mitigation Strategy, it is considered that the site is considered to be suitable and capable of becoming a SANG. Natural England are also in agreement that the site complies with the relevant criterion and is a good candidate for a SANG.

2.4 The level of parking is in accordance with Natural England Guidance and thus does not give rise to concerns.

2.5 Full consideration has been given to the transport impacts associated with the development which has included input from the Highway Authority, who have raised no concerns in respect highway safety.

2.6 New built development in the form of a surface car park would be introduced into the landscape and have an urbanising influence. However, it is to be built at ground level; and, once fully established, the planting scheme would circumscribe views, such that it would only be perceived from limited vantage points. Further, it would also be seen in the parking associated with Berkhamsted Cricket Club and the sports facilities and parking associated with Berkhamsted School. On this basis, it is not considered that there would be any harm to the landscape character of the area; rather, if anything, the proposal is likely to result in an improvement by way of additional landscaping and ongoing maintenance and care. Accordingly, the development is considered to comply with Policies CS11 and CS25 of the Dacorum Core Strategy.

**3. SITE DESCRIPTION**

3.1 The application Site, which measures approximately 25.60ha, occupies the slopes of a narrow valley which extends north of Castle Hill, at the northern edge of Berkhamsted. It is located within an

area of undulating, mixed arable and pastoral farmland. A second valley landform follows the route of the Hertfordshire Way public footpath to the east of the Site, with the landform rising on the side of Berkhamsted Hill beyond the footpath. To the south, housing on Castle Hill occupies rising ground. The properties at Castle Hill Farm and several properties formerly associated with Berkhamsted Place, lie at the western extent of Castle Hill. The Scheduled Monument at Berkhamsted Castle is located to the south east of the Site at the base of the valley. Due to intervening tree cover there is little intervisibility between the Site and the remains of the castle.

3.2 In the south east of the Site are the cricket pitches and pavilion building associated with Berkhamsted Cricket Club. There is a Scheduled Monument to the east of the cricket club, the site of a Roman Building (north of Berkhamsted Castle). Opposite the Cricket Club are further sports facilities at Kitcheners Field, including artificial pitches, a bowling green, changing rooms and club facilities, car parking and a grass running track and pitches. Access to the Cricket Club and sport facilities is from Castle Hill.

3.3 To the north of the Site, the woodland at Berkhamsted Common (much of which lies within the Chilterns Beechwoods SAC and is designated as a Site of Special Scientific Interest ['SSSI']), and Ashridge Estate wrap around the farmland at the northern edge of Berkhamsted. There are several footpaths which cross the Site and the surrounding farmland, linking Berkhamsted to the Common and to the wider countryside.

#### **4. PROPOSAL**

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

4.2 The car park would be located adjacent to the boundary with Berkhamsted Cricket Club and have an area of approximately 620m<sup>2</sup>. It is proposed to be enclosed by native hedge planting, although to the north there would also be a 2m high mesh fence to restrict access to the ballstrike mitigation zone.

4.3 A new access road would link the car park to the existing access road that currently serves Berkhamsted Cricket Club. The majority of the road would be limited to approximately 3m in width, though there would be wider parts (i.e. at the site entrance, as well as the passing bays), and enclosed on either side by 300mm high timber bollards in order to prevent erosion of the adjacent grassland and provide an additional layer of protection to the nearby scheduled monument. The strategic positioning of passing areas ensures that the width of the road is kept to a minimum and the potential for urbanisation reduced. Type 1 MOT crushed granite is proposed for the access road surface material as well as the car park. The entrance to the car park is to include a height restriction barrier to prevent unsuitable vehicles from accessing the site, which would also include a gate to prevent vehicular access outside of specified hours.

4.4 A 2.3km circular route that both starts and finishes at the SANG car park is proposed. It would not be formally surfaced and would comprise of mown grass, resulting in a more naturalistic appearance.

4.5 Ancillary development in the form of dog waste / litter bins and information boards is also proposed.

#### **5. BACKGROUND**

##### *Suitable Alternative Natural Greenspace and Interaction with Planning Permission*

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

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

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

## **6. PLANNING HISTORY**

Planning Applications: None.

Appeals: None

## **7. CONSTRAINTS**

Advert Control: Advert Special Control

Area of Archaeological Significance: 21

Area of Outstanding Natural Beauty: CAONB outside Dacorum

BCA Townscape Group

CIL Zone: CIL1

Former Land Use (Risk Zone)

Green Belt: Policy: CS5

Green Belt: Policy: CS5

Parish: Berkhamsted CP

Parish: Northchurch CP

RAF Halton and Chenies Zone: Red (10.7m)

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

Residential Character Area: BCA13

Rural Area: Policy: CS7

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

Tree Preservation Order: 53, Details of Trees: A1 -Several trees of various species

## **8. REPRESENTATIONS**

### Consultation responses

8.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

## **9. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (2023)

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

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

Relevant Policies:

### Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – The Green Belt  
CS8 – Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS24 – The Chilterns Area of Outstanding Natural Beauty  
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

### Local Plan

Policy 51 – Development and Transport Impacts  
Policy 54 – Highway Design  
Policy 55 – Traffic Management  
Policy 79 – Footpath Network  
Policy 80 – Bridleway Network  
Policy 97 – Chilterns Area of Outstanding Natural Beauty  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 101 – Tree and Woodland Management  
Policy 108 – High Quality Agricultural Land

### Supplementary Planning Guidance/Documents

Chiltern Beechwoods Mitigation Strategy  
Accessibility Zones for the Application of Car Parking Standards (2020)  
Chilterns Area of Outstanding Natural Beauty Management Plan 2019 – 2024  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Landscape Character Assessment for Dacorum (2004)

## **10. CONSIDERATIONS**

### Main Issues

The main issues to consider are:

- The policy and principle justification for the proposal;
- The suitability of the site as a SANG;
- The impact on the Chilterns Area of Outstanding Natural Beauty;
- The impact on landscape character;
- The impact on the significance of heritage assets;
- The impact on residential amenity;
- The impact on highway safety and car parking; and
- The impact on ecology.

## Principle of Development

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

10.2 Policy CS5 of the Dacorum Core Strategy states that the Council will apply national Green Belt policy<sup>1</sup> to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

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

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

....

*(b) engineering operations;*

.....

.....

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

## Whether Development Preserves Openness of Green Belt

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

10.5 Case law<sup>2</sup> has established that “*whether the development would 'preserve' the openness of the Green Belt*” does not mean that a proposal can only be regarded as ‘not inappropriate in the Green Belt’ if the openness of the Green Belt would be left entirely unchanged; rather, the verb ‘preserve’ should be understood in the sense of “keep safe from harm” – rather than “maintain (a state of things)”.

10.6 R (on the application of Boot) v Elmbridge Borough Council [2017] EWHC 12 (Admin) established that where an assessment is carried out pursuant to paragraph 89 of the NPPF<sup>3</sup> and any harm to openness – even limited harm – is identified, a local planning authority cannot lawfully conclude that openness is preserved; rather, the development must be considered to be inappropriate development.

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

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

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<sup>1</sup> Enshrined in Section 13 of the NPPF.

<sup>2</sup> Samuel Smith Old Brewery (Tadcaster) v North Yorkshire CC [2018].

<sup>3</sup> Paragraph 154 of the 2023 NPPF, although given the similar wording the judgement is considered to equally apply to paragraphs 90 / 155.

### *Car Park*

10.8 Drawings submitted in support of this application indicate that the car park would have an area of approximately 620m<sup>2</sup> and be situated at the lowest point of the site, in close proximity to other man-made development – i.e. access roads, tennis courts, car parks and the pavilion building associated with Berkhamsted Cricket Club – and surfaced in Type 1 MOT with hedge planting around its perimeter.

10.9 Due to distance (approximately 340m) and the presence of intervening trees and hedging, the car park would not be conspicuous along large stretches of New Road. The car park would be visible when looking in a westerly direction proximate to the junction of New Road and Brownlow Road, but would be seen in the context of the existing sports and parking facilities, as well as the housing development along Castle Hill. It is acknowledged that a site visit was carried out in summer when all the nearby trees and hedging were in leaf; however, due to the number and size of the trees, it is considered that they would still provide a good level of screening in the winter months.

10.10 The above notwithstanding, the car park would be considerably more conspicuous from the public rights of way surrounding the site; that is to say, footpaths 1, 26 and 59. While it is acknowledged that the proposed native hedge planting would assist in limiting views of the car park from public right of way 1, it would take a number of years to become fully established and its efficacy would be reduced when not in full leaf, rendering the hardstanding and vehicles more visually prominent in the winter months. The elevated positions of footpaths 26 and 59 is such that the hedge would be insufficient to effectively shield the car park from view.

The surface of the car park would be built at ground level, or thereabouts, and therefore the levels of the site will not be substantially altered. Consequently, due to the nature of the physical changes in these respects, the surface of the car park itself would have a limited spatial impact on the openness of the Green Belt. Nevertheless, given the provision of a reasonably-sized car park, it is not unreasonable to assume that some visitors would arrive by motorised vehicle, and thus it is necessary to have regard to the impact of parked cars.

10.11 The plans submitted in support of this application indicate that the car park could accommodate a total of 25 cars. The parking would essentially be an activity with no obvious end date, and whilst the nature of the use the parking would facilitate, coupled with the lack of any permanent facilities on the site - e.g. toilets, café etc – is such that individual cars would be unlikely to be parked overnight, it is clear that the car park would be in use for significant periods of the day by various users. In having regard to the site surroundings and the proposed landscaping mitigation, it is considered that the concentration of up to 25 cars parked within a self-contained area would appear as man-made development, resulting in a modest adverse impact on spatial openness.

10.12 Taking all of the above into account, it is considered that the car park would result in a modest reduction in the visual and spatial openness of the Green Belt.

### *Access Road*

10.13 The proposed access road to the site would have a total area of approximately 665m<sup>2</sup> and be built at ground level. The access road would not accommodate parked cars; rather, vehicular activity would be transitory and simply involve vehicles traversing it when they enter and leave the site. As cars would not be permanently parked on the access road, and in light of its position at ground level, it is not considered that it would have an adverse spatial impact on the openness of the Green Belt.

10.14 Given the narrowness of the access road and an existing line of trees interposed between the cricket club access road and the field, it is not considered that it would be readily visible from New Road or nearby public rights of way. The distance from these receptors is a further factor limiting visibility.

10.15 Accordingly, it is submitted that construction of the access road would preserve the openness of the Green Belt.

*Change of Use*

10.16 The change of use of the site from agriculture to outdoor recreation is likely to result in an intensification of the use of the site: although a public right of way crosses the site, the public do not have a right to freely roam the entirety of the site. However, it is important to note that visitors would be dispersed over a relatively large area, and shielded from view by existing and proposed planting, such that it is unlikely any material increase in human movement would be discernible.

10.17 On the basis of the above, it is concluded by Officers that the change of use would preserve the openness of the Green Belt.

*Whether Development Conflicts with Purposes of Including Land in Green Belt*

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

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

10.19 The Council commissioned SKM to carry out a Green Belt Review Purposes Assessment in November 2013. The SKM assessment established a number of zones for assessment, with the land northwest of Hemel Hempstead forming part of Zone GB09:

**Description** The parcel is located between Berkhamsted and Hemel Hempstead. The boundary to the north runs along the edge of the Green Belt designation and to the south along The Common / Hempstead Lane / Berkhamsted Road. It is partially covered by the Chilterns AONB and is 581 ha in size forming an undulating upland chalk plateau including Little Heath Common which is punctuated by numerous small gravel dells.

**Land use** Predominately arable farmland, plus Berkhamsted Common (SSSI) and Little Heath Common and recreational activities including a golf course.

**Principal Function / Summary** Significant contribution towards safeguarding the countryside and preserve the setting of Potten End, Water End and Berkhamsted Common, and maintaining the existing settlement pattern. Partial contribution towards preventing merging (of Hemel Hempstead and Berkhamsted). Overall the parcel contributes significantly towards 3 of the 5 Green Belt purposes.

Zone GB09 was assessed against the five Green Belt purposes and was stated to perform as follows:

Purpose No.	Purpose	Performance
a)	Check unrestricted sprawl of built-up areas	Limited or no contribution
b)	To prevent neighbouring towns from merging	Partial
c)	To assist in safeguarding the countryside from encroachment	Significant
d)	To preserve the setting and special character of historic towns	Significant
e)	To maintain existing settlement pattern <sup>4</sup>	Significant

<sup>4</sup> The fifth Green Belt purpose is, in fact, 'Assisting urban regeneration, by encouraging the recycling of derelict and other urban land'. The SKM review explains the reason for changing the parameters of the assessment:

10.20 In 2016 the Council commissioned a Stage 2 Green Belt review which was undertaken by Arup. This study also included a landscape appraisal element. The review assessed in more detail those strategic and small-scale sub-areas of the Green Belt in the previous review that were considered as “contributing least” to Green Belt purposes, alongside additional sub-areas at the edges of the towns and large villages. The work continued to note that all of the sub-areas examined were adjudged to meet one or more of the NPPF (2012 version) purposes, though the degree to which different parts of the Green Belt contributed to the individual purposes varied significantly.

10.21 The application site falls within parcel identified as BK-A5 in the Stage 2 Green Belt review and is judged to strongly contribute strongly in terms of preventing encroachment into the countryside.

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

10.23 Guidance prepared by the Local Government Association and The Planning Advisory Service (*Planning on the Doorstep: The Big Issues – Green Belt*) states that, since all Green Belt assists in safeguarding the countryside from encroachment, *‘The most useful approach is to look at the difference between urban fringe – land under the influence of the urban area – and open countryside, and to favour the latter in determining which land to keep open...’*

10.24 It is clear that the land in question – most particularly, the area upon which the car park is proposed to be constructed – is under the influence of the urban area. Indeed, the presence of the cricket pitch, cricket pavilion, access roads, car parks, and sports facilities associated with Berkhamsted School are all suggestive of an urban influence.

10.25 It is assumed that word ‘conflict’ has the same meaning as attributed to it in the dictionary – i.e. *‘to come into collision or disagreement; be contradictory, at variance, or in opposition; clash’*. Taking this approach, it seems clear that the provision of a modest sized car park proximate to other built form, and seen in the context of substantial suburban housing, would not be *‘contradictory’* or *‘at variance’* with the purpose of safeguarding the countryside from encroachment.

10.26 Purposes (d) and (e) are not relevant in this instance. Purpose (d) is concerned with protecting the setting of historic settlements by retaining surrounding open land or by retaining the landscape context for historic features. As outlined in the Guidance prepared by the Local Government Association and The Planning Advisory Service (*Planning on the Doorstep: The Big Issues – Green Belt*), in reality this purpose applies to very few settlements in practice, largely due to modern patterns of development, which often envelope historic towns today. Purpose (e), meanwhile, is centred on assisting urban regeneration through a focus on recycling derelict and other urban land. However, in Dacorum, the amount of land within urban areas that could be developed is factored in before Green Belt land is identified.

10.27 Overall, therefore, the proposal would result in a relatively limited change in the appearance of the site, which would largely retain its open and rural character. It follows that the proposed development would not conflict with the purposes of including land within it.

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*‘Assisting urban regeneration, by encouraging the recycling of derelict and other urban land is considered to be more complex to assess than the other four purposes because the relationship between the Green Belt and recycling of urban land is influenced by a range of external factors including local plan policies, brownfield land availability and the land / development market. Due to the fact that the local policy review demonstrates that there is a limited supply of available or unallocated brownfield land in St Albans, Dacorum and Welwyn Hatfield it is considered that the Green Belt as a whole has successfully and uniformly.’*



## Conclusion

10.28 Taking the areas of assessment above into account, it is considered that the development would result in harm to the Green Belt in the form of definitional harm, as per paragraph 153, of the NPPF, and a modest reduction in visual and spatial openness arising from the construction of the car park, with no conflict in relation to the purposes of including land within Green Belt. As a result, the development represents inappropriate development in the Green Belt.

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

### Very Special Circumstances (VSCs)

10.30 Case law<sup>5</sup> has established that very special circumstances do not in themselves have to be rare or uncommon. It is for the decision maker to determine whether the potential harm to the green belt by way of inappropriateness is “*clearly outweighed by other considerations*”.

10.31 Two factors which could be considered to constitute VSCs have been identified and are set out below.

#### *Substantial SANG Land with capacity for other developments in Dacorum*

10.32 There are currently two Council-led Strategic SANGs<sup>6</sup> that provide mitigation capacity for developments within their catchments and which were instrumental in allowing a partial lifting of the moratorium on new housing that was in effect from March to November 2022. Since November, qualifying developments have been able to avail of SANG capacity, enabling new housing to be approved.

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

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

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

10.36 Until such point as the adverse impacts of recreational pressure on the Chiltern Beechwoods Special Area of Conservation are reversed, the Council will be continually required to identify and bring forward new SANG solutions. This is currently being done by utilising land already in the Council’s ownership, but there will clearly come a point where there are no further suitable sites that

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<sup>5</sup> *Wychavon District Council v Secretary of State for Communities & Local Government & Ors [2008] EWCA*

<sup>6</sup> Bunkers Park and Chipperfield Common.

can be upgraded and used for SANG; therefore, it is submitted third party SANG solutions have an important and complementary role to play in the Development Management process.

10.37 Members recently resolved to grant planning permission for a SANG at Haresfoot Farm<sup>7</sup>, which was the first application for a developer-led SANG solution in the Borough. This application is predicated on similar grounds – i.e. it would complement the Council-led SANG and enable new housing to be approved. The fact that one developer-led SANG has been approved does not render the capacity that would be created by this site surplus to requirement; rather, for the foreseeable future there will be a need for both new Council-led and developer-led SANG solutions if the Council is to provide the number of homes identified as necessary in the Borough.

10.38 The proposal would secure 24.69 hectares of SANG land that would mitigate up to 1,283 new dwellings<sup>8</sup> within 5km of the site<sup>9</sup>. The SANG has been developed in consultation with Natural England and meets its SANG criteria as noted in the section on '*Suitability of Site for SANG*' (below).

10.39 The allocation of SANG credits would remain within the control of the applicants. Irrespective of whether the credits are used by the applicant themselves or sold to third parties, they would reduce pressure on Council-led SANG and assist in facilitating a continual and predictable supply of new housing across the Borough.

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

#### *Outdoor Recreation*

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

10.42 Paragraphs 96 and 124 of the NPPF state that planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which '*enable and support healthy lifestyles....for example through the provision of safe and accessible green infrastructure....*' as well as encouraging '*multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside*'.

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

#### *Conclusion*

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

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<sup>7</sup> 23/02508/MFA.

<sup>8</sup> Calculated on the basis of 52 dwellings per hectare of SANG land.

<sup>9</sup> Subject to an Appropriate Assessment.

## Suitability of Site for SANG

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

10.46 The criteria has been set out below along with the case officer's view as to whether this has been complied with or not<sup>10</sup>:

<b>SANG Feature</b>	<b>Criteria</b>	<b>Expected / Desirable</b>	<b>Comment</b>
<b><u>Paths</u></b>	A minimum circular walk of 2.3-2.5 kilometres to be provided.	Expected.	A circular walk of 2.3km is being provided.
	Paths easily used and well maintained but mostly unsurfaced.	Expected.	The paths would comprise of mown grass, thereby providing an appropriate naturalistic aesthetic.
	Where parking is provided, circular path should start and finish at that location.	Expected.	The circular path starts and finishes at the car park.
	Paths should be safe, easily identifiable and kept clear of obstructions, such as scrub cover for example.	Expected.	The paths do not go through any areas of woodland (which could be perceived as unsafe). Keeping the paths secure of scrub cover will be achieved through the management particulars, which are to be secured by way of condition and legal agreement.
	Information boards and/or signage at access points outlining the layout of the site and routes available to visitors.	Desirable	It has been indicated that information boards are to be provided.
<b><u>Parking</u></b>	Parking, including for cyclists, to be provided on sites larger than four hectares, unless the site is solely intended for residents within 500 metres only	Expected.	A car park with capacity for 25 cars, as well as bicycle parking, is to be provided adjacent to the site's northern boundary with the cricket club.
	Parking areas are to be easily and safely	Expected.	The car park will be accessed from an existing access off of

<sup>10</sup> For the avoidance of doubt, Green indicates compliance and red indicates non-compliance.

	accessible by car and to be clearly sign posted.		Castle Hill. No details of sign-posting are shown on the plans; however, this matter can be reserved by condition.
	Visitor to be able to take dogs from the parking area to the site safely off the lead.	Desirable.	Dogs could be safely taken from the car to the site safely, it being noted that there are no main roads in the immediate vicinity.
<b><u>Access</u></b>	Access points to be provided based on the intended visitors of the SANG.	Expected.	The SANG will be accessible from the car park and Public Right of Way 61.  It is also intended that a further access into the site will be provided
	Safe access route on foot from nearest car park and/or footpath	Expected.	The footpath and the SANG paths are contiguous.
	Access should be unrestricted within the site, with plenty of space for dogs to exercise freely and safely off the lead.	Expected.	Access to two areas within the site is to be restricted.
<b><u>Character of Space</u></b>	Needs to be semi-natural, or perceived as such where close to existing development.	Expected.	The site comprises of attractive undulating grassland which includes mature trees and vegetation.
	If the site is larger than 12 hectares, a range of habitats should be present.	Expected.	As above.
	No unnatural intrusions (e.g. odour from sewage treatment works, noise from busy roads).	Expected.	The site is idyllic and not afflicted by any unnatural intrusions.
	There should be little intrusion of built structures such as dwellings, buildings, fencing (not constructed using natural materials), etc.	Expected.	New thicket and scattered tree planting along the boundary with the Castle Hill dwellings would ensure that there is no sense of intrusion.
	Naturalistic space with	Desirable.	The site is predominantly

	areas of open countryside with dense and scattered trees and shrubs.		open grassland but contains copses of mature trees and strong and mature landscaping along many of the site boundaries, which are proposed to be enhanced.
	Gentle undulating topography. Steep slopes are likely to deter visitors.	Desirable.	The site features a gently undulating topography. Whilst there is a hill, this is not considered to be particularly steep.
	Focal point such as a viewpoint or monument within the site and accessible via walking routes.	Desirable.	There are attractive open views from the higher parts of the site towards Berkhamsted and fields to the west.  There is also a recently scheduled monument close to the vehicular entrance.
	Provision of open water, however large areas of open water cannot count towards SANG capacity.	Desirable.	Open water does not form part of the proposal.

10.47 Natural England were consulted during the course of the application process and consider the site to be a good candidate for SANG due to its varied topography, attractive views and convenient location close to Berkhamsted, while also noting that it has the potential to intercept visitors travelling north from Berkhamsted or Hemel Hempstead to the Chiltern Beechwoods SAC.

10.48 For the avoidance of doubt, in their responses dated 30<sup>th</sup> January and 29<sup>th</sup> April 2024, Natural England confirmed that ‘... Castle Hill SANG **does** meet the NE SANG Quality Guidelines and in principal we have no issue with it being designated a SANG’. (Emphasis added).

10.49 These views were caveated by a requirement for:

- The SANG to be created as set out in the ‘SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted’ (CSA, November 2023).
- A management company, trust/charity or the LPA named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment.
- A legal agreement between the applicant / their client and the LPA regarding step-in rights and management of the SANG in perpetuity has been signed by both parties.

10.50 The applicants have selected The Land Trust as the preferred management partner for the proposed SANG and a letter of intent (dated 20<sup>th</sup> May 2024) from the Land Trust has been provided which states that:

*‘...subject to Board approval, contract and payment of an agreed endowment, the Land Trust (‘LT’) is able to take formal ownership of the proposed SANG, being an area of*

*approximately 26 hectares, and would thereafter remain responsible for its provision and maintenance in perpetuity - for the avoidance of doubt being a term no less than 80 years.'*

10.51 Natural England have previously confirmed that there is no need for LPA step-in rights where the Land Trust is the management partner. This relates to the Land Trust's status as a charity and the fact that in the unlikely event that it were to be dissolved, the site and the ring-fenced endowment would, by virtue of Article 17 of its articles and as a matter of charity law, pass to another organisation with similar charitable purposes.

10.52 A legal agreement is in the process of being drafted to secure the SANG in perpetuity.

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

### **Impact on Chilterns Area of Outstanding Natural Beauty**

10.54 The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB) and in determining this application, regard has been had to the duty under Section 85 (1) of the Countryside and Rights of Way Act 2000. This requires that decisions have regard to the purposes of conserving and enhancing the natural beauty of the area.

10.55 Policy CS24 of the Dacorum Core Strategy states that the special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved, and that development is to have regard to the policies and actions set out in the Chilterns Conservation Board's Management Plan, as well as the principles set out within the Chilterns Buildings Design.

Saved Policy 97 of the Dacorum Local Plan remains of relevance and sets out that in the Chilterns Area of Outstanding Natural Beauty, the prime planning consideration will be the conservation of the beauty of the area. Open air recreation is specifically addressed in the policy, where it states that:

*'Informal outdoor recreation allowing the quiet enjoyment of the countryside is encouraged, but careful attention will be paid to the provision of associated ancillary facilities such as car parks and toilets in order to minimise their impact on the local scene.'*

10.56 It is firstly important to note that the majority of the site is to remain undeveloped and enhanced with areas of additional woodland planting, and although a limited number of areas would be enclosed by mesh and post and wire fencing, these would be of limited height, permeable and therefore inconspicuous and appropriate in the context<sup>11</sup>.

10.57 As outlined in Policy CS24, regard is to be had to the policies and actions set out within the Chiltern Conservation Board's Management Plan. Of relevance in this regard is Policy EP3, the full wording of which is set out below for ease of reference:

*'The Chilterns has benefited from widespread stile-removals, new 'access for all' trails and other initiatives to improve physical accessibility which makes it one of the leading accessible landscapes. Accessibility should be further improved to provide more and better opportunities for everyone to enjoy the countryside. Priorities include improved access for those with limited mobility, new or improved access links between the AONB and urban areas, more multi-user routes, better bridleway connectivity and provision of facilities on appropriate sites (e.g. waymarked trails, information boards, cycle and car parking).' (Officer emphasis).*

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<sup>11</sup> The Chilterns AONB is a working landscape and includes farms where similar boundary treatments would be expected.

10.58 The provision of a car parking facilities in the Chilterns AONB is therefore acceptable and in accordance with the Chiltern Conservation Management Board's own policies. Policy 97 similarly does not impose an outright prohibition on ancillary facilities such as car parks. On the contrary, it merely requires careful attention to be paid to their design. In this instance, it is instructive to note that the car park is not excessive in size and is proposed to be sited at the lowest point of the site, in close proximity to other man-made development – i.e. access roads, tennis courts, car parks and a cricket pavilion - and surfaced in a relatively sympathetic material<sup>12</sup>. Its appearance would also be softened by the proposed tree and hedge planting.

10.59 It has been suggested by a local resident that the new woodland planting<sup>13</sup> would be contrary the Chiltern Conservation Board Management Plan. In forming this view, the following extract is quoted: *'there should be no adverse impact on landscape, special qualities'*. However, it is instructive to read the entire paragraph:

*'Given the Chilterns is already more developed than most protected landscapes and given the potential benefit of the landscape to millions, there should be no major development in the AONB; only the most essential development should take place and where it takes place, there should be no adverse impact on landscape, special qualities or access, and it should deliver an environmental net gain.'*

10.60 Critically, the planting of trees does not constitute development for the purposes of the Town and Country Planning Act 1990. Even if the view were to be taken that tree planting was development, one of the special qualities of the Chilterns is its woodlands:

*'...the Chilterns was designated to protect its special qualities which include the steep chalk escarpment with flower-rich downland, woodlands, commons, tranquil valleys, ancient routes, villages with brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures.'*

10.61 As such, it is hard to see how this would be harmful to its special qualities. Nonetheless, should Members have concerns in this regard, a landscaping condition is proposed to be included with any grant of planning permission and would allow the positioning of trees to be varied if deemed necessary.

10.62 Turning to the change of use itself, there is no reason to believe that this would materially change the character of the site and result in disruption to the quiet enjoyment of the site. An element of public access is already afforded by the public rights of way, which could include dog walkers

### **Impact on Landscape Character**

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

10.64 The site lies within the Landscape Character area of Berkhamsted Castle Farmland (Area 119), which is described as:

*'a relatively enclosed and simple character centred around a narrow dry valley leading off the Bulbourne Valley. The ruins of Berkhamsted Castle provide the full stop at the mouth of the valley. There are strong historical links between the castle and the remainder of the character area. The area is now somewhat degraded, though traces of a parkland or estate character are evident including large field trees, together with remains of estate architecture at the former Berkhamsted Place.'*

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<sup>12</sup> MOT Type 1 with granite dust.

<sup>13</sup>Annotated as W1 on the SANG Landscape Strategy.

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

- Promote awareness and consideration of the setting of the AONB, and views to and from it, when considering development and land use change proposals on sites adjacent to the AONB.
- Support a strategy to limit built development within the area and the impact of development that may affect the area from outside including any further development to the urban edge of Berkhamsted.
- Support the investigation, conservation and interpretation of the historic patterns of the landscape including the relationship between the castle, Berkhamsted Place and Castle farm.

10.66 The use of the site as public open space would promote the retention of the historic deer park setting and ensure its long-term<sup>14</sup> maintenance and care.

10.67 There has been some criticism of the proposals in relation to the woodland planting identified as 'W1' on the SANG Landscape Strategy in four different locations; however, areas of woodland are a characteristic of the Chilterns AONB, as confirmed in the Chilterns Management Plan states that:

*'...the Chilterns was designated to protect its special qualities which include the steep chalk escarpment with flower-rich downland, **woodlands**, commons, tranquil valleys, ancient routes, villages with brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures.'* (Emphasis added).

10.68 Whilst it is acknowledged that some views across the landscape from Public Right of Way 60 may be occluded by new woodland planting, it would still be possible to enjoy similar views from Public Right of Way 61. Ultimately, the Chilterns AONB is not a museum piece; rather, as acknowledged by the Chilterns Area of Outstanding Natural Beauty Management Plan, *'The Chilterns is a living and working landscape, shaped, worked and enjoyed by people living in and around the AONB'*. Many of its qualities are the result of human activity and it is therefore submitted that it would be perverse to raise objections on the basis that applicants are proposing some very modest woodland planting.

10.69 New built development in the form of the car park would be introduced into the landscape and have an urbanising influence. That said, it is to be built at ground level and would be seen in the context of existing nearby development and thus would not appear as a scar in an uninterrupted landscape. Furthermore, once fully established, the planting scheme would help to limit views.

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

### **Impact on Significance of Heritage Assets**

10.71 Policy CS27 of the Dacorum Core Strategy is an overarching policy which seeks to ensure that the quality of the historic environment is maintained. In particular, it states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected conserved and, if appropriate, enhanced.

10.72 Paragraph 205 of the NPPF advised that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, paragraph 208 of the NPPF requires

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<sup>14</sup> 80 years minimum.



the harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

### World War I Trenches

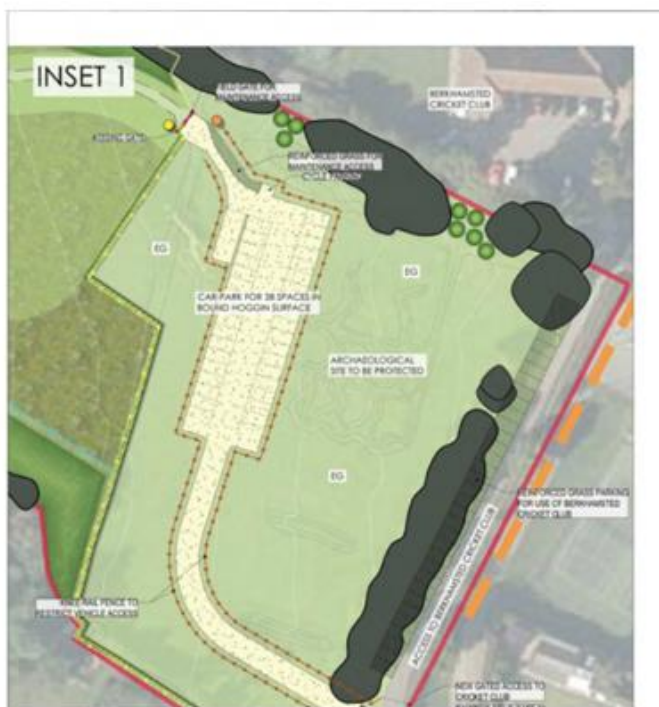
10.73 The south-eastern part of the application site contains a concentrated complex of First World War practice trenches created by the Inns of Court Officer Training Corps in 1917 and at the time named 'The Labyrinth'.

10.74 On 25<sup>th</sup> January 2024, Historic England designated 'The Labyrinth' as a Scheduled Monument and it is now officially as 'The First World War Training Trenches and associated earthworks south of Berkhamsted Cricket Club'. Updated comments were provided to the local planning authority by Historic England on 19<sup>th</sup> February 2024, setting out their concerns:

*'The development would have the potential to harm the significance of the scheduled earthworks through direct physical impacts and a major change to their setting. There is also the potential harm to the significance of nearby non-designated assets through a development. The development of a car park alongside the monument, even when not filled with private vehicles, would be jarringly anachronistic and deprive the site of the open surroundings it has enjoyed since its creation. Troops using the practice trenches would have been trained without the presence of parked cars in their eyeline to the immediate west, and without private vehicles crossing their field of fire.'*

10.75 Separate discussions took place between the applicants and Historic England in order to address these concerns, which culminated in an amended layout being formally submitted to the local planning authority on 16<sup>th</sup> April 2024.

10.76 The new layout addresses the concerns of Historic England by relocating the access road and car park farther away from the scheduled monument, reducing the size of the car park, and rotating it 90 degrees (see right hand image below) so that it is built on a West North West – East South East axis, allowing the open aspect of the trenches to be largely retained.



10.77 Historic England were re-consulted and subsequently commented that they ‘welcome the updated proposals around the location and form of the access and car parking provision at the site which provide a planning balance between impacts to the setting of the Scheduled Monument of The Labyrinth’. Under the heading ‘Recommendation’ in the re-consultation response, it is stated that:

*‘Historic England supports the application on heritage grounds.*

*We consider that the application can meet the requirements of the NPPF, in particular paragraph numbers 208 and 211, using planning conditions and/or s106 obligations.*

*I recommend that the long term management of the site (especially landscaping and public safety) be secured through a binding Management Agreement that forms part of any consent, using s106 powers or if this is not feasible, a planning condition.*

*A scheme of public interpretation, secured through a planning condition and agreed in advance with the LPA and its heritage advisers is also necessary.’*

10.78 It is important to have in mind that the views of statutory consultees should be given ‘great’ or ‘considerable’ weight in the planning assessment, although does not preclude a departure from those views where there are cogent and compelling reasons to do so<sup>15</sup>.

10.79 Where there is less than substantial harm to a heritage asset (as appears to be suggested by Historic England’s reference to paragraph 208 of the NPPF), the harm should be weighed against the public benefits of the proposal.

10.80 It is acknowledged that the car park would be more sympathetically sited in relation to the scheduled monument, noting the considerable reduction in size, increase in distance<sup>16</sup> and its 90 degree re-orientation; and, unlike the previous layout, there would no longer be any direct impacts physical impacts upon the scheduled monument. However, it does not automatically follow that the amended proposal would have no impact on the setting of the scheduled monument.

10.81 The NPPF Glossary provides the following definition of ‘setting’:

**Setting of a heritage asset:** *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

10.82 As set out in the National Planning Practice Guidance, all heritage assets have a setting, irrespective of the form in which they survive. The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Views of or from an asset will be relevant in assessing the impact on its setting; however, the way in which an asset is experienced can be affected by other environmental factors – e.g. vibration from other land uses, noise, dust etc – and by an understanding of the historic relationship between places.

10.83 The car park and access road would introduce urbanising features which would not have been present at the time the trenches were originally constructed. Parked cars would be visible from the monument, though admittedly not directly adjacent to it and set off to one side, such that clear views to the west would be largely retained. The surface of the car park and access road are not proposed to be elevated and would be built at ground level. It is further observed that car park, access road

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<sup>15</sup> Shadwell Estates Ltd v Breckland DC [2013].

<sup>16</sup> Approximately 63m at its nearest point.

and change of use would result in a modest intensification in the use of the site, though it is argued that the tranquillity of the area would not materially change.

10.84 Taking all of the above into account, and as a matter of planning judgement, it is considered by officers that the proposal would result in less than substantial harm at a low level to the scheduled monument.

#### *Berkhamsted Castle*

10.85 The site was historically part of the medieval deer park associated with Berkhamsted Castle. Berkhamsted Castle deer park is considered to form part of the setting of the castle and contributes to its significance. The significance of Berkhamsted Castle is derived from it being one of the best preserved medieval earthworks in the country, and the site where William the Conqueror accepted the crown of England.

10.86 It is understood that the Berkhamsted Castle Trust are currently exploring the possibility of enhancing the public realm around the deer park and looking at ways to mark its historical boundaries, as well as potentially providing additional and alternative publicly accessible green space, through their deer park project. The stated objectives of the project are:

- **Protection:** *Raising the profile of Berkhamsted Castle and securing its future*
- **Public access:** *Providing additional and alternative publicly accessible green space in Berkhamsted whilst steering movement away from the Special Area of Conservation at Ashridge Estate*
- **Outdoor provision:** *Rationalising and improving access, signage and existing furniture*
- **Education:** *Promoting the site's history including its use as a former deer park*
- **Engagement:** *Working with land owners, key stakeholders and members of the public to understand the feasibility of the park*

10.87 The change of use of the application site from agriculture to outdoor recreation can therefore be seen as a first step in realising the goal of enhancing the deer park and, by extension, the significance of the castle itself.

10.88 As has been outlined in the preceding section, a limited amount of ancillary development – i.e. access road and car park – would be needed to facilitate the change of use. However, the level of development, coupled with the historic extent of the deer park, is such that it is not considered that there would be any harm to its significance.

10.89 The Council's Conservation and Design Team have been consulted and have not raised any concerns in relation to the impact on the setting of Berkhamsted Castle.

#### *Berkhamsted Conservation Area*

10.90 Due to the nature of the development and its distance from the boundary of the Berkhamsted Conservation Area, it is not considered that any harm arises. In this respect, the Council has had regard to the general duty of paying special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

#### *Nearby Listed Buildings*

10.91 A number of listed buildings are located to the south of the site; namely:

- The Grade II\* listed *Great Barn at Castle Hill Farm* (hereafter Great Barn).
- The Grade II listed *Pear Tree Cottage The Keep* (two properties).
- The Grade II\* listed *Ash*.

10.92 The proposal would retain the majority of the site as grassland, and it is anticipated that the (limited) views towards the listed buildings would be retained. It is not anticipated that proposals would result in any adverse impact to the significance of these listed buildings.

### Heritage Balance

10.93 Paragraph 208 of the NPPF states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'*.

10.94 As it has been established that the construction of the car park and access road would result in less than substantial harm, albeit it a low level, to the significance of the scheduled monument, consideration needs to be given to the public benefits, if any, arising from the development.

10.95 By way of background, public benefits are essentially anything that delivers the economic, social or environmental objectives described in the NPPF, but there is an expectation that they will be of a nature or scale to be of benefit to the public at large, as opposed purely private benefit.

10.96 The National Planning Practice Guidance states that heritage benefits may include:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting.
- Reducing or removing risks to a heritage asset.
- Securing the optimum viable use of a heritage asset in support of its long term conservation.

10.97 In this instance there are considered to be a number of public benefits, each of which shall be explored in turn.

### *Enhancement of Significance of Scheduled Monument*

10.98 The application provides the opportunity to enhance the significance of the scheduled monument by opening up the site to public access and by way of a scheme of public interpretation, which would be secured through a planning condition.

10.99 The scheduled monument is not currently readily visible, nor is there any public access to it. The proposal therefore offers the opportunity for greater public appreciation / understanding of it, in accordance with paragraph 212 of the NPPF.

### *Public Open Space*

10.100 The change of use would permit public access to the entirety of the site, with the car park and access road extending these benefits to a wider group of people; that is to say, those not living within easy walking distance of the site. This would appear to be in the spirit of paragraphs 96 and 124 of the NPPF state that planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which *'enable and support healthy lifestyles....for example through the provision of safe and accessible green infrastructure....'* as well as encouraging *'multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside'*.

### *Substantial SANG Land with capacity for other developments in Dacorum*

10.101 This benefit has been outlined above in relation to the Green Belt 'very special circumstances' but is considered to equally applicable as a public benefit as a counterweight to the heritage harm identified.

### Conclusion

10.102 Taking all of the above into account, when the public benefits are weighed against the heritage harm, it is considered that these outweigh the harm.

### **Impact on Residential Amenity**

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

10.104 The SANG Landscape Proposals indicate that the SANG footpaths would not be in close proximity to the rear boundaries of the dwellings on Castle Hill. It is further noted that scattered tree and thicket is proposed to be planted along the southern boundary, providing a defensible boundary to rear gardens of these dwellings. Combined with the long chalk grassland<sup>17</sup>, it is considered that there would be limited potential for overlooking, such that the change of use of the site would not result in an unacceptable loss of privacy.

10.105 In terms of noise and disturbance, it is not considered that there would be any significant adverse impacts arising from the change of use. It is acknowledged that the character and nature of the use will change, but there is nothing inherently noisy in informal outdoor sport and recreation. The impact of the intensification of the use of the site will also, to a degree, be tempered by the fact that SANG footpaths are located a reasonable distance away from sensitive residential receptors.

10.106 Concerns have been raised that the change of use of the site could result in an increase in anti-social behaviour. The basis of these concerns is not entirely clear and it is considered that, subject to the imposition of reasonable controls<sup>18</sup>, the site would not be at greater risk of anti-social behaviour than public open space anywhere else in Berkhamsted. In the event that instances of anti-social behaviour were to be witnessed, this would be a police matter that could be dealt with under criminal law, where appropriate.

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

### **Impact on Highway Safety and Parking**

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

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

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

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

#### *Highway Safety*

10.111 Alterations to the existing access at its junction with Castle Hill are proposed and would formalise the two separate accesses serving Berkhamsted Cricket Club and the Berkhamsted

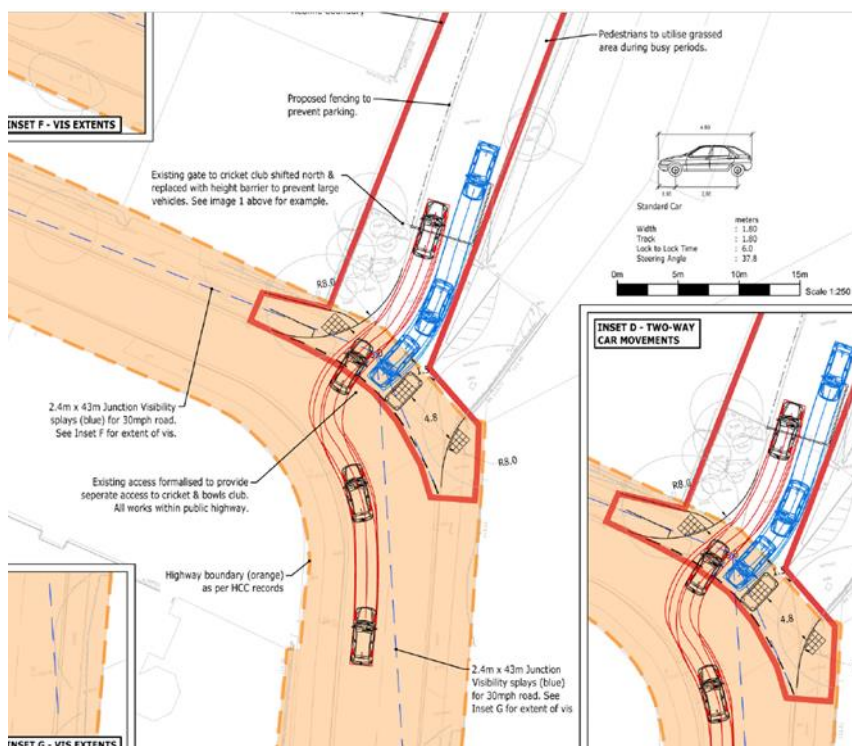
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<sup>17</sup> Referred to as CG3 on the SANG Landscape Proposals.

<sup>18</sup> Closure of the car park between dusk and dawn.



School sports facilities. This would involve the provision of a central pedestrian refuge along with tactile paving.



10.112 Drawing no. 16-021/269 Rev L<sup>19</sup> demonstrates that vehicular visibility splays of 2.4m x 43m can be achieved in both directions from the site access with Castle Hill, which is acceptable for a 30mph road.

10.113 Swept path analysis illustrates that two cars would be able to pass one another simultaneously at the site access; along the extent of the cricket club access road, and at the site access to the SANG. The width of the SANG access road itself would range from between 3m to 4.8m but include passing spaces approximately every 30m.

10.114 Height restriction barriers, details of which are to be reserved by condition, are proposed to be installed at both the entrance to the cricket club access road and the entrance to the SANG access road in order to restrict access to unsuitable vehicles.

10.115 The access road would comprise of a shared space and serve both vehicles and pedestrians. At busy times, however, the 1.4m wide grass strip on the eastern side of the access road could be used by pedestrians.

10.116 The number of vehicular movements likely to be generated by the SANG has been calculated based upon the traffic counts carried out at Ashridge Commons and Woods as part of the evidence base for the new Local Plan<sup>20</sup>.

10.117 As a result of rural location of Ashridge, where the use of private motor vehicle would be mandatory for the vast majority of visitors, the traffic count data will, when applied to the application site, almost certainly overestimate the number of vehicular trips. Indeed, the location of the application site on the edge of Berkhamsted, where the pedestrian infrastructure network is well developed and there are a large number of dwellings within easy walking distance, is such that it would be considerably less car dependant than Ashridge. What is more, the relative spheres of

<sup>19</sup> Access Arrangements

<sup>20</sup> Footprint Ecology – Visitor survey, recreation impact assessment and mitigation requirements for the Chiltern Beechwoods SAC and the Dacorum Local Plan (2022)

influence - i.e. the distance people will be willing to travel to visit – are also clearly be of an entirely different magnitude, taking into account size and the number of facilities on offer at each site.<sup>21</sup>

10.118 Nonetheless, in the interests of rigour and in acknowledgement of the fact that not all visitors will be drawn from within walking distance, a worst-case-scenario has been modelled by the transport consultant. The modelling calculates that on a busy leisure day – e.g. a bank holiday – the 25 parking spaces would result in a total of 50 vehicles using the car park, culminating in a peak of 16-17 vehicle movements in the busiest hour. The cricket club access road does, however, allow for two-way traffic and thus there would not be a situation where this would result in a direct impact on highway safety.

10.119 Accident data in the vicinity of the application site for the period 2017 – 2021 has been reviewed by the applicant's transport consultant and is set out on page 13 of the Transport Statement. A total of three collisions were recorded at Bridgewater Road, Brownlow Road and Lower Kings Road, respectively, none of which have any bearing on either the existing or proposed operation of the access.

10.120 The Highway Authority have reviewed the relevant plans and confirmed that it *'does not wish to restrict the grant of planning permission.'*

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

### *Parking*

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

10.123 The Dacorum Parking Standards SPD does not include guidance in terms of parking requirements for open space. However, the Council's *Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest* provides guidance on the suggested level of parking for SANG purposes. This is set out in paragraph 3.5.25:

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

10.124 The proposed SANG would have an area of approximately 25 hectares; therefore, based upon the mitigation strategy, a total of 38 parking spaces would be expected. However, this is at variance with Natural England's guidance which requires 1 space per hectare of SANG land. It is also important to note that the mitigation strategy refers to parking provision being *'in the region of'*, suggesting that a relaxation of the standards can be justified in certain scenarios. Therefore, in having regard to sustainable location of the site, it is considered that 25 parking spaces represents an appropriate level of provision.

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

10.126 Legitimate concerns have been raised by local residents that the proximity of the SANG car park is such that it could potentially be liable to abuse by commuters. In order to address this eventuality, an ANPR camera is to be installed at the car park entrance and restrictions put in place

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<sup>21</sup> Facilities at Ashridge include a car park, book shop / plant shop / shop, café and toilets. By contrast, the proposed SANG site would have only a car park.

to limit parking to a maximum of 3 hours. A condition requiring a parking management plan is recommended to form part of any future application submission.

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

### **Impact on Ecology**

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

10.129 Baseline ecological surveys were conducted at the Site during 2023, to determine any constraints to the proposed change of use. The findings and conclusions of these investigations are presented in the Preliminary Ecological Appraisal (PEA) prepared by CSA Environmental.

10.130 The PEA describes the site in the following terms:

*'The Site comprises short, sheep-grazed and short-cropped pasture, consisting principally of species-poor **neutral grassland** with some calcareous affinities, along with some remnant areas of **chalk grassland on south facing slopes** and depressions...'*

*Mature trees and outgrown hedgerows create a remnant **wood-pasture & parkland character** at the Site. These features will be retained and protected alongside SANG uses, including the retention and management of dead-wood (saproxylic) interests. In addition, new native trees will be planted across the Site to ensure long-term woodpasture and parkland interests are safeguarded. Boundary hedgerows will also be 'gapped-up' and subject to more favourable management.*

*A **main badger sett** is present to the centre of the Site, which will be retained and protected alongside the proposed SANG. The Site is likely to support a range of other fauna, including widespread bird species and **saproxylic invertebrates**, for which the proposed habitat works at the Site are likely to benefit, subject to appropriate habitat management.*

10.131 Ecological enhancements in the form of the restoration of grassland habitats at the Site through initial interventions (including over-seeding) and instigation of a long-term favourable management regime; the planting of additional trees and shrubs, and thicket planting to improve habitat connectivity across the site are proposed.

10.132 The particulars have been reviewed by the ecologist at Hertfordshire Ecology who has confirmed that *'the PEA, associated reports and surveys are up to date, reflect best practice, and can be considered fit for purpose and describe a site of considerable local ecological value (in contrast to the evidence on HERC). Overall, in principle, I have no reason to disagree with this outcome.'*

10.133 A biodiversity net gain in excess of 10% is proposed and has been supported by an updated metric. Biodiversity net gain was not mandatory when this application was submitted; however, it is an important material consideration to which positive weight can be afforded. It is noted that the Hertfordshire Ecologist has, in his most recent comments, requested that an updated metric is provided before weight is attributed to this matter. This has now been forwarded for a review and an update will be provided to Members in the addendum.

10.134 It is acknowledged that the change of use would result in more human activity across the site; however, given the relatively sizable site area, the level (and type) of activity that is likely to occur, the duration of an average visit and the proposed habitat creation, it is not considered that there would be any adverse impacts on ecology were planning permission to be granted. 10.135



Accordingly, the development is in accordance with Policies CS26 and CS29 of the Dacorum Core Strategy.

### **Other Material Planning Considerations**

#### *Impact on Established Playing Pitch*

10.136 The proximity of the site to cricket pitches at Berkhamsted Cricket club gave rise to concerns from Sport England, resulting in them raising a formal objection on the basis that the change of use, which would see the site being used primarily by members of the public instead of livestock, could potentially prejudice the use of an established playing pitch.

10.137 A ball strike risk assessment was subsequently commissioned by the applicant and conducted by Labosport. The Labosport assessment recommended two mitigation options to address the risk of ball strikes. The first option was to introduce a cordon sanitaire around the cricket club site which would encroach into the area proposed for the SANG where access to visitors and cars would be restricted, negating the need for high level fencing or netting, while the second option would be to install fencing/netting aligned to the western and southern site boundaries of the cricket club site.

10.138 Following consideration of the Labosport assessment recommendations, the applicant has decided to progress the first option of introducing a cordon sanitaire around the southern and western boundaries of the cricket club site as this would be more appropriate than a high fencing/netting solution given the sensitive location of the site in the Chiterns AONB

10.139 Details of this mitigation solution have been set out in the applicant's 'Addendum to Resubmission' (April 2024) and its supporting plans and documents.

10.140 The cordon sanitaire involves the installation of a 2 metre high paladin fence to the west and south of the cricket club boundary which broadly aligns with the recommended boundaries of the cordon sanitaire in the Labosport assessment as shown in the submitted 'Cricket ballstrike mitigation fence location plan'.

10.141 The area between the paladin fence line and the existing cricket club site boundary would be excluded from the SANG and would not have public access as shown in the submitted 'SANG Area Exclusion Plan'. A lockable gate to this area would be included in the fence to allow maintenance access. In the revised Landscape Proposals Plan, the previously proposed thicket planting in the area between the paladin fence line and the existing cricket club site boundary has been removed because this is not considered necessary to mitigate ball strike or provide security if a 2m high fence is proposed. As set out in the submitted 'SANG Delivery Framework Document' (April 2024), it is proposed that all fencing is maintained in a safe hazard free state to facilitate the effective function of its intended use and that bi-annual inspections will take place to ensure that the fencing is sound and free from damage.

10.142 Sport England were re-consulted and have now removed their objection. Should planning permission be granted, it is recommended that a condition requiring the erection of the fencing and its retention in perpetuity is secured by way of an appropriately worded planning condition.

#### *Loss of Agricultural Land*

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

10.144 Saved Policy 108 of the Dacorum Borough Local Plan (2004) seeks to protect the 'best and most versatile' (BMV) agricultural land<sup>22</sup>. The Agricultural Land Classification (East Region) map illustrates that the site is 'Good to Moderate' Grade 3 agricultural land. The land is not considered Grade 2 'Very Good' or Grade 1 'Excellent' in terms of its agricultural quality.

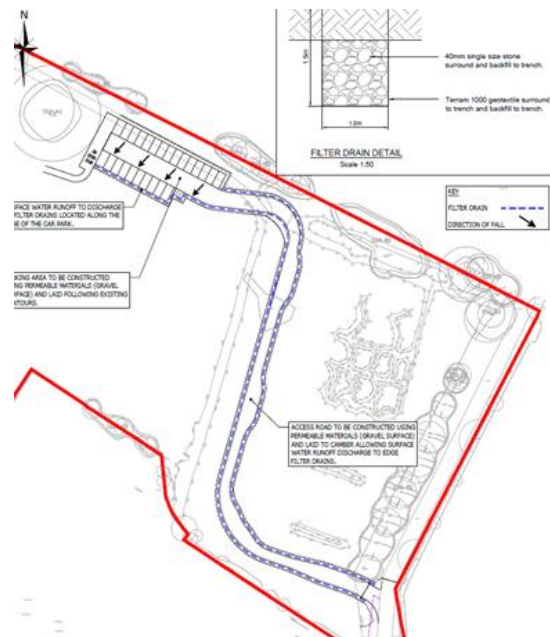
10.145 With the exception of the car park, the built form of which is considered de-minimus from an agricultural land perspective, the application site will remain undeveloped. It follows that despite the change of use of the land and the requirement that the land be maintained and managed as SANG for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

### Flood Risk

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

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

10.148 With the exception of the car park and access road, the site would remain undeveloped. The access and parking areas will be constructed as permeable paving with a gravel finish laid on free draining material allowing run off to infiltrate directly to the underlying strata, and supplemented with edge filter drains provided around the parking area and along the access road. It is further noted from the FRA that the filter drains will '*help to reduce pollutant levels in the runoff by filtering out fine sediments, hydrocarbons, and other pollutants.*'. As such, the condition requested by Affinity Water (in relation to details of a surface water drainage scheme) is not considered to be justified. It would, however, be appropriate to include a condition requiring the drainage to be carried out in accordance with these details.



<sup>22</sup> Best and most versatile agricultural land is defined by the NPPF Glossary as 'Land in grades 1, 2 and 3a of the Agricultural Land Classification.'

10.149 The drainage strategy proposed therefore comprises of a sustainable drainage system (infiltration – top of the SUDS hierarchy), meeting the requirements of paragraph 175 of the NPPF; that is to say, *‘major developments should incorporate sustainable drainage systems unless there is clear evidence that it would be inappropriate.’*

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

#### *Archaeology*

10.151 The County Archaeologist has been consulted but hitherto no response has been received. An update can be provided to Members in the addendum. Nevertheless, in the absence of these comments and noting the presence of the scheduled monument, the inclusion of planning conditions in relation to archaeology is considered to be appropriate.

#### *Impact on Public Right of Way*

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

10.153 A kissing gate is proposed to be erected where Footpath 61 intersects the application site. This would not have a material effect on the use of the footpath or the site and does not, therefore, give rise to any concerns. This is a very minor intervention and would not result in any reduction in footpath users’ enjoyment of the footpath.

10.154 Woodland planting is proposed adjacent to Footpath 60, which could eventually block some views across the dry valley. However, similar views would be possible farther to the west along this footpath and, indeed, there would be other, new views from within the site<sup>23</sup>.

10.155 Comments are awaited from the Rights of Way Officer. These will be relayed to Members in due course.

#### *Impact on Trees and Landscaping*

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

10.157 An Arboricultural Impact Assessment (AIA) prepared by Barton Hyett Associates Arboricultural Consultants has been submitted in support of the application. This relates to the previous layout – i.e. with the car park proximate to the scheduled monument.

10.158 Nonetheless, it is possible to establish which trees would be affected by the new layout. The trees likely to be affected are G36, G33 and T51.

10.159 The AIA remains relevant and up to date in so far as it relates to G36, it being noted that the location of the junction of the cricket club and SANG access road remains the same in both site layouts. The impact of G36 is assessed in paragraph 6.4:

*‘Field maple group G36 (B2) is located on the south-eastern boundary of the site. The southernmost tree within this group is adjacent to the location of the proposed access track junction with the existing private road. The Root Protection Area (RPA) of this tree is impacted by the proposed access track. However, the incursion into the RPA and the compaction and fibrous root damage caused as a result is likely to be so minor as to negate the requirement for mitigation measures to be put in place. This tree will require a minor crown lift on its southern side to facilitate access for construction and vehicular traffic*

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<sup>23</sup> The public views from within the site are limited to the footpaths. However, once the entirety of the site is opened up to public use, multitudinous new views will be possible, resulting in a net benefit overall.

*following the completion of the development. The proposed crown lift shall ensure a maximum clearance of 2.5 metres from ground level over the proposed access track.'*

10.160 As such, it can be confidently stated that there would be no significant impact on this tree.

10.161 G33 comprises of a group of Category B2 horse chestnut, field maple, hawthorn and elder. T51 is identified as a Category A1 English oak *'of a significant age and amenity value'*. The AIA includes the location of the Root Protection Areas in respect of these trees. By cross-referencing this with the new layout, it has been possible to confirm that there would be no incursion into the RPAs. As such, there is no reason to believe that appropriate protection, which could be secured by condition, could not be afforded to them during the construction process. On this basis, the development is considered to be in accordance with Policy 99 of the Dacorum Local Plan.

#### *Contamination*

10.162 The Council's Scientific Officer has been consulted and has confirmed that there is no objection on the grounds of land contamination and no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

#### *Planning Obligations*

10.163 A legal agreement is in the process of being drafted which would require the site to be managed as a SANG for a period of at least 80 years. At this stage, the applicant's preferred management partner is the Land Trust (<https://thelandtrust.org.uk/>) who are a charitable organisation with a track record of managing areas of public open spaces for community benefit.

## **11. PLANNING BALANCE**

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

11.2 It was determined that the car park would result in modest reduction in both the visual and spatial openness of the Green Belt. It would not conflict with the purposes of including land in the Green Belt but would be harmful by definition.

11.3 The access road would not result in any visual or spatial harm to the openness of the Green Belt. The material change of use would not result in a reduction in visual or spatial openness, nor would it conflict with the purposes of including land within the Green Belt; therefore, they are afforded neutral weight.

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

11.5 It has been established that there would be less than substantial harm at a low level to the significance of the scheduled monument; which, in relation to heritage matters in isolation, is outweighed by the public benefits arising from the proposal – i.e. the enhancement of the significance of the scheduled monument, the provision of public open space, and substantial SANG land with capacity for other developments in Dacorum. Whilst the heritage balance is favourable, 'any other harm' needs to be factored into the Green Belt assessment when deciding whether VSCs exist. Given the low level of harm identified to the heritage asset, combined with the public benefits in relation to the heritage asset, it is considered that limited negative weight should be afforded to the overall planning balance.

11.6 In having due regard to all relevant material planning considerations, as a matter of planning judgement and notwithstanding the substantial weight which should be given to any harm to the Green Belt, it is considered that the harm to the Green Belt by reason of inappropriateness, and any

other harm resulting from the proposal, is outweighed by the benefit of much needed additional SANG capacity and a new area of high-quality public open space.

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

## **12. CONCLUSION**

12.1 The proposed development would constitute inappropriate in the Green Belt, for it would, in part, not preserve the openness of the Green Belt. Nonetheless, it is submitted that very special circumstances exist which would justify considering the development as acceptable in Green Belt terms.

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

12.3 With the addition of the car park barrier, which would effectively limit access during the hours of darkness, the potential for anti-social behaviour will be significantly reduced.

12.4 An analysis of the likely number of vehicle movements associated with the development has been undertaken by the transport consultants and is based on data obtained from traffic counts carried out at Ashridge Commons and Woods as part of the evidence base for the new Local Plan. Ashridge naturally has a greater draw than the application site, and as such, the data is likely to be an overestimation. Nonetheless, even taking this worst-case-scenario into account, the proposal is not considered to give rise to concerns in relation to highway safety. Subject to conditions in relation to the off-site highway works and the implementation of parking restrictions, it is not considered that there would be any harm to highway safety.

12.5 The requisite level of parking, as required by Natural England guidance, is proposed to be provided, ensuring that the site has sufficient parking capacity to serve as a SANG in the future.

12.6 Ecological enhancements in the form of the restoration of grassland habitats at the Site through initial interventions (including over-seeding) and instigation of a long-term favourable management regime; the planting of additional trees and shrubs, and thicket planting to improve habitat connectivity across the site are proposed.

## **13. RECOMMENDATION**

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

### **Condition(s) and Reason(s):**

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

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

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

**CSA/6667/115 (Rev. J) SANG Landscape Strategy**  
**CSA/6667/SK03 (Rev. A) SANG Area Exclusion Plan**  
**CSA/6667/SK04 Cricket Ballstrike mitigation fence location plan**  
**CSA/6667/06 (Rev. E) SANG Delivery Framework Document**  
**16-021-039 (Rev. C) Flood Risk Assessment (prepared by Charles & Associates)**  
**16-021-038 Rev B Transport Statement (April 2024)**

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

3. **Prior to the first use of the development hereby permitted, the vehicular accesses and pedestrian crossing points (including tactile paving) shall be provided in accordance with the approved plan (drawing number 16-021.269 Rev J) and thereafter retained.**

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

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

Reason: To ensure a satisfactory level of parking in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy, the Dacorum Parking Standards SPD and Natural England guidance in relation to SANG.

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

- a. **Construction vehicle numbers, type;**
- b. **Traffic management requirements;**
- c. **Construction and storage compounds, including fencing (including areas designated for car parking);**
- d. **Timing of construction activities to avoid school pick up/drop off times;**
- e. **Provision of sufficient on-site parking prior to commencement of construction activities; and**
- f. **Maintenance of access for existing site use(s) and Right of Way.**

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

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

6. **Prior to first use of the development hereby approved, full specifications of the car park barriers (or equivalent) and height restrictions shall have been submitted to and approved in writing by the local planning authority. The details provided shall include, but not be limited to, colour, manufacturer, height and means of operation. The car park barriers (or equivalent) and height restrictions shall be installed in accordance with the approved details and permanently retained thereafter.**

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

7. **Notwithstanding the SANG Delivery Framework Document, an updated document shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. It shall include details of benches and two picnic benches along the SANG circular route, with the locations shown on an updated SANG Landscape Strategy Plan. Development shall be carried out in accordance with the approved particulars and fully provided prior to first use of the site.**

Reason: To ensure that the site complies with the Natural England SANG Guidelines and the Chiltern Beechwood Mitigation Strategy.

8. **Notwithstanding the submitted details, prior to first use of the development hereby approved, an updated landscaping plan shall be submitted to and approved in writing by the local planning authority. The plan shall show at least one additional pedestrian access into the SANG from one of the adjoining public rights of way, and provide full details of proposed SANG signage within the site. Development shall subsequently be carried out in accordance with the approved particulars and be in place prior to first use of the development hereby approved.**

Reason: To ensure an appropriate level of permeability and that steps are taken to maximise public usage of the site.

9. **Should any heritage assets (archaeology) 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 Written Scheme of Investigation shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The scheme shall include an assessment of 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 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).

10. **Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 9.**

**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 9 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).

11. **Prior to first use of the development hereby approved a scheme of permanent heritage interpretation and display at the site shall have been submitted to and approved in writing by the local planning authority, in accordance with a detailed historical research, materials, design and long-term maintenance proposal and timetable for implementation. The approved scheme of interpretation and the timetable for its implementation shall be carried out in accordance with the approved details.**

Reason: To ensure that the public benefits justifying the less than substantial harm to the scheduled monument is secured and maintained in perpetuity, in accordance with Policy CS27 of the Dacorum Local Plan and paragraph 208 of the NPPF.

12. **Prior to first use of the development hereby approved a Heritage Management Plan, including a long-term maintenance proposal and timetable shall have been submitted to and approved in writing by the Local Planning Authority. The Heritage Management Plan shall thereafter be implemented in accordance with the approved details.**

Reason: The LPA wishes that the legibility and long-term upkeep of the Scheduled Monument and its setting benefits from a detailed management plan to ensure its long term future.

13. **Prior to first use of the development hereby approved, full details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities, as set out in the Labosport Cricket Ball Strike Assessment (ref: LSUK.24-0203\_CBA), shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed in full before the development is first occupied and thereafter managed and maintained in accordance with the approved details.**

Reason: To provide protection for the occupants of the development and their property from potential ball strike from the adjacent playing field or sports facility, to reduce conflict between neighbours and therefore safeguard sporting use of the adjacent sports facilities.

14. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment,**



**machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

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

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

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

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

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

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

- 17. The drainage measures proposed in Appendix D of the Flood Risk Assessment (16-021-039 Rev C) prepared by Charles & Associates shall be implemented prior to first use of the development hereby approved and thereafter permanently retained and maintained.**

Reason: To ensure that the site is adequately drained and to avoid the mobilisation of contaminants which could find their way into the aquifer, in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy (2013).

## **INFORMATIVES**

### ENVIRONMENTAL HEALTH

#### Working Hours

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.

#### Construction Dust

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

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

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.

#### Invasive and Injurious Weeds

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>

## HIGHWAYS

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website:

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

AN2) Obstruction of public highway land: 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 website:

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

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

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

AN4) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

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

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Berkhamsted Town Council	<p data-bbox="507 434 660 465"><u>22/05/2024</u></p> <p data-bbox="507 501 635 533">Objection</p> <p data-bbox="507 568 1433 667">The Committee strongly objected to this proposed inappropriate development on a site protected by Green Belt designation and within the Chiltern AONB.</p> <p data-bbox="507 703 1433 801">Although a SANG is considered an acceptable development within Greenbelt and AONB sites, the SANG proposed is flawed and does not satisfy the criteria set out within Dacorum's planning Policies.</p> <p data-bbox="507 837 1230 869">The Committee's main objections to the proposal were:</p> <ul style="list-style-type: none"> <li data-bbox="507 904 1433 1034">' The site is already an important open space which is protected by Greenbelt designation and AONB. It should be preserved and enhanced as such to eradicate the loss of valuable open space in Berkhamsted.</li> <li data-bbox="507 1070 1433 1240">' The chosen site is wholly inappropriate, given that it is not close to the proposed development site in Hemel Hempstead. LA3 is 5.5 miles away via London Rd. The residents will drive past multiple other suitable sites before getting to this SANG (Gadebridge Park, Shrubhill Common, Boxmoor Trust)</li> <li data-bbox="507 1276 1433 1375">' The revised landscaping scheme contravenes the Chilterns Management Plan and the Dacorum Local Plan, by way of blocking the views of the AONB from Public Rights of Way.</li> <li data-bbox="507 1375 1433 1438">' There is inadequate pedestrian access for visitors walking to the site from other locations.</li> <li data-bbox="507 1473 1433 1644">' Natural England requires a legal agreement between the LPA and the applicant regarding step-in rights and future SANG management. The application currently lacks this important detail and without it, it is not possible to assess fully how the use and maintenance of the site will impact the town.</li> <li data-bbox="507 1680 1433 1778">' That, if permission were to be granted, it must be per the Dacorum Mitigation Strategy, with a condition in place to ensure that the air of relative wildness of the site is maintained in perpetuity.</li> <li data-bbox="507 1814 1433 2040">' There was strong concern about highway safety issues within the scheme, including the inappropriate point of access on the unadopted access road on Castle Hill. This area is already heavily congested, particularly when events take place, and as a result, parked cars on either side of Castle Hill and traffic entering and exiting via existing access roads. In addition, without parking control, commuters may take full advantage of free parking that is a short walk to and from the train</li> </ul>

	<p>station. The amended Transport Statement fails to address the safety issues arising from competition between cars, cyclists, pedestrians and dogs all entering and exiting from this narrow access point. Schoolchildren crossing at Castle Hill could be endangered by increased traffic. Additional traffic coming from outside areas i.e. from Hemel Hempstead via Potten End, who will access the site from Brownlow Road, will only exacerbate the congestion and safety issues within this area</p> <p>' The car park, vehicle access track, signage, and any other hardware should be screened from the view of neighbouring residents and those using nearby Public Rights of Way, using native plant species. The applicant's amended Landscape Strategy does not include this screening.</p> <p>' The proposed use of permanent fencing does not enhance the 'wild' nature within the Chiltern Beechwoods SAC, specifically the Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). Any fencing as part of measures to increase biodiversity should be temporary at best. Berkhamsted School has attempted on several occasions to have hedge/fencing on Kitcheners Fields for an enclosed playing field which has been refused.</p> <p>' There are risks to protected species, principally skylarks, which are present on the site and are in severe decline nationally. A much more comprehensive treatment of the biodiversity issues is required than is presently being proposed to ensure that the fullest possible protections are being provided. Additionally, the increase of loose lead dog walking encouraged by the SANG could negatively impact existing wildlife on the site.</p> <p>Countryside and Rights of Way Act 2000, CS5, Saved Policy 79, Saved Policy 97, CS24, CS25, CS12</p>
<p>Berkhamsted Town Council</p>	<p><u>17/01/2024</u></p> <p>Objection</p> <p>The Committee strongly objected to this proposed inappropriate development on a site protected by Green Belt designation and within the Chiltern AONB.</p> <p>The Committee echoed a key objection of both residents and the CPRE, which was that, although a SANG is considered an acceptable development within Greenbelt and AONB sites, the SANG proposed is flawed and does not satisfy the criteria set out in the NPPF, by Natural England, or within relevant Dacorum planning Policy.</p> <p>The Committee agreed with all of the objections raised by the residents, and those the Castle Trust, CPRE and Historic England.</p> <p>The Committee's main objections to the proposal were:</p> <p>'That the site is already an important open space which is protected by Greenbelt designation and AONB. It should be preserved and</p>

enhanced as such as to eradicate the loss of valuable open space in Berkhamsted.

' That this chosen site is wholly inappropriate, given that it is not close to the proposed development site in Hemel Hempstead. LA3 is 5.5 miles away via London Rd. The residents will drive past multiple other suitable sites before getting to this SANG (Gadebridge Park, Shrubhill Common, Boxmoor Trust)

' That the landscaping scheme contravenes the NPPF, the Chilterns Management Plan and the Dacorum Local Plan, by way of blocking the views of the AONB from Public Rights of Way.

' That there is inadequate pedestrian access for visitors walking to the site from other locations other than the three access points within the scheme, contrary to the requirements of the NPPF.

' That the level of management detail necessary to be able to assess the long-term viability of the proposed SANG is absent. The SANG Delivery Framework Document does not detail who the site will be cared for after the first 12 months after establishment. Without this, it is not possible to assess fully how the use and maintenance of the site will impact on the town.

' There was strong concern about highway safety issues within the scheme, including the inappropriate point of access on the unadopted access road on Castle Hill. This area is already heavily congested, particularly when events take place, and as a result on parked cars on either side of Castle Hill and traffic entering and exiting via existing access roads. In addition, without parking control commuters may take full advantage of free parking that is a short walk to and from the train station.

As highlighted by residents, Highways and the CPRE, there is no dedicated pedestrian access into the site at Castle Hill, which could result in significant danger from an increased number of visitors arriving to the site by car, bike, etc., Further, school children crossing at Castle Hill could be endangered by increased traffic. Additional traffic coming from outside areas i.e. from Hemel Hempstead via Potten End, who will access the site from Brownlow Road, will only exacerbate the congestion and safety issues within this area.

Highways have requested a detailed Traffic Management Plan to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

' That, if permission were to be granted, it must be in accordance with the Dacorum Mitigation Strategy, with a condition in place to ensure that the air of relative wildness of the site be maintained in perpetuity.

' It is unclear whether the proposed fencing within the SANG will be temporary, as the use of permanent fencing does not enhance the 'wild' nature within the Chiltern Beechwoods SAC, and specifically the Ashridge Commons and Woods Site of Special Scientific Interest

	<p>(SSSI). Any fencing as part of measures to increase biodiversity should be temporary at best.</p> <p>' The Committee endorsed the objections raised by the Castle Trust and Historic England. The site lies close to two existing scheduled monuments; the Motte and Castle, development on the basis that it would be detrimental to the historic status of these heritage assets and would therefore contravene the NPPF's criteria requiring applicants to describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting, using appropriate expertise.</p> <p>Further, the planning application includes the site referred to as "The Labyrinth or First World War training trenches south of Berkhamsted Cricket Club" which is currently under consideration for designation as a Scheduled Monument. If the site were to be scheduled, then the applicant would need to stipulate how harm to this potential heritage asset would be satisfactorily reduced and its significance enhanced in accordance with National Policy.</p> <p>' There is a risk to protected species, principally skylarks, which are present on the site and are in severe decline nationally. A much more comprehensive treatment of the biodiversity issues is required than is presently being proposed to ensure that the fullest possible protections are being provided. Additionally, the increase of loose lead dog walking encouraged by the SANG could negatively impact existing wildlife in the site.</p> <p>NPPF, Countryside and Rights of Way Act 2000, CS5, Saved Policy 79, Saved Policy 97, CS24, CS25, CS12</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>DESCRIPTION: Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping</p> <p>LOCATION: Land At Castle Hill Berkhamsted</p> <p>Thank you for notification of the above planning application.</p> <p>Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p> <p>You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 2 (SPZ2) corresponding to our Pumping Station MARL. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>Provided that the below condition is implemented and it has been demonstrated that public water supply will not be impacted, we would have no objections to the development.</p> <p>Contamination through Surface Water Drainage:</p>

Surface water drainage should use appropriate Sustainable Urban Drainage Systems that prevent the mobilisation of any contaminants where a direct pathway to the aquifer is present. This should use appropriate techniques that prevent direct pathways into the aquifer and that ensure sufficient capacity is provided for all surface water to be dealt with on site, preventing consequential flooding elsewhere.

#### Condition 1

Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Surface Water Drainage Scheme demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

Reason: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

Issues arising from any of the above can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

#### Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

#### Infrastructure connections and diversions

There are potentially water mains running through or near to part of



	<p>proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<a href="https://affinitywater.custhelp.com/">https://affinitywater.custhelp.com/</a>) or <a href="mailto:aw_developerservices@custhelp.com">aw_developerservices@custhelp.com</a>.</p> <p>In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<a href="https://affinitywater.custhelp.com/">https://affinitywater.custhelp.com/</a>) or <a href="mailto:aw_developerservices@custhelp.com">aw_developerservices@custhelp.com</a>. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing <a href="mailto:maps@affinitywater.co.uk">maps@affinitywater.co.uk</a>. Please note that charges may apply.</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.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted.</p>
Hertfordshire Highways (HCC)	<p><u>23/04/2024</u></p> <p>AMENDED PROPOSAL</p> <p>Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping.</p> <p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>CONDITIONS:</p> <p>1). New Access</p> <p>Prior to the first use of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan, drawing number 16-021.269 Rev L, Access Arrangements.</p> <p>Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan</p>

(adopted 2018).

## 2). Provision of Parking and Servicing Areas

Prior to the first use of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning /waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan, drawing number 16-021.269 Rev L, Access Arrangements and retained thereafter available for that specific use.

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

## 3). Construction Traffic Management Statement

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

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds, including fencing (including areas designated for car parking);
- d. Timing of construction activities to avoid school pick up/drop off times;
- e. Provision of sufficient on-site parking prior to commencement of construction activities; and
- f. Maintenance of access for existing site use.

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

### HIGHWAY INFORMATIVES:

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

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website:

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

AN2) Obstruction of public highway land: 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 website:

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

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

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

AN4) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

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

COMMENTS:

The applicant seeks planning permission for the following development:

Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a

vehicular access, car park, paths, fencing and landscaping

The Highway Authority note the submission of materials in support of the planning application, including the Transport Statement (16-021-038 Rev B) dated April 2024.

The Highway Authority has provided pre-application advice to the applicant's transport consultant.

Further to review of the forecast trip generation of the proposed SANG, the Highway Authority is content that the development proposal may be satisfactorily accommodated on the local highway network.

The Transport Statement details the access proposals, as reproduced below:

4.2.4 The proposed arrangement would formalise the two existing separate accesses to the Kitcheners Field/Berkhamsted School sports ground and Cricket Club / SANG. A tactile paved crossing would be provided to assist disabled users.

4.2.5 Swept paths on the above drawing show that cars can enter and exit the Cricket Club / SANG access simultaneously.

4.2.6 The main access to the SANG would come from the Cricket Club access road which functions as a shared space between pedestrians and vehicles. Fencing would be provided to prevent parking on the verge.

4.2.7 At a point around 80m north of Castle Hill, the SANG access would branch off the Cricket Club road to the west using a similar shared space arrangement with a height restriction barrier. Swept paths in Appendix D show that two cars could pass each other here. A new gate would be provided at this point to secure the Cricket Club access.

4.2.8 The alignment provides sufficient forward visibility for drivers, while avoiding the World War I practice trenches which Historic England identified as a heritage asset during the design process.

The arrangement also retains access to the UK Power Networks substation on the existing road.

The Transport Statement contains drawing number 16-021.269 Rev L, Access Arrangements.

The Highway Authority is content in principle with the proposed access arrangement which splits the two existing access points with a central pedestrian refuge.

The changes to the access arrangement will require a minor works Section 278 agreement. The applicant should apply to the Highway Authority to facilitate this agreement.

	<p>The internal access road and car parking layout is acceptable. It is noted that a gate will be fitted in order to prevent unauthorised movements. It is recommended that clarification is provided as to the operation of the car park outside of daylight hours and whether any restrictions will be applied to its usage.</p> <p>Access to/from the Public Right of Way (Footpath, Berkhamsted 001) should not be restricted as part of the proposals and any gate arrangement.</p> <p>The proposed number of parking spaces is a matter for the Local Planning Authority, although sufficient space is available for satisfactory turning within the car park. A separate area is available for service/maintenance vehicles for the SANG. The latter area should be kept free (aside from authorised maintenance vehicles), as a turning area at the northern extent of the public car park. Provision is shown for bicycle users.</p> <p>In summary, the Highway Authority does not wish to restrict the grant of planning permission, although recommends the inclusion of the aforementioned planning conditions and Advisory Notes as part of any positive recommendation.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>11/01/2024</u></p> <p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>CONDITIONS:</p> <p>1). New Access</p> <p>Prior to the first use of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan, drawing number 16-021.269 Rev I.</p> <p>Access Arrangements</p> <p>Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2). Provision of Parking and Servicing Areas</p> <p>Prior to the first use of the development hereby permitted, the proposed</p>

access, onsite car and cycle parking, servicing / loading, unloading / turning /waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan, drawing number 16-021.269 Rev I, Access Arrangements and retained thereafter available for that specific use.

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

### 3). Construction Traffic Management Statement

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

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds, including fencing (including areas designated for car parking);
- d. Timing of construction activities to avoid school pick up/drop off times;
- e. Provision of sufficient on-site parking prior to commencement of construction activities; and
- f. Maintenance of access for existing site use(s) and Right of Way.

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

#### HIGHWAY INFORMATIVES:

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

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website:

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

AN2) Obstruction of public highway land: 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 website:

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

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible.

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

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

AN4) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

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

#### COMMENTS:

The applicant seeks planning permission for the following development: Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping

The Highway Authority note the submission of materials in support of the planning application, including the Transport Statement.

The Highway Authority has provided pre-application advice to the applicant's transport consultant. Further to review of the forecast trip

generation of the proposed SANG, the Highway Authority is content that the development proposal may be satisfactorily accommodated on the local highway network.

The Transport Statement details the access proposals, as reproduced below: 4.2.5 The proposed arrangement would formalise the two existing separate accesses to the Kitcheners Field/Berkhamsted School sports ground and Cricket Club / SANG. Swept paths on the above drawing show that cars can enter and exit the Cricket Club / SANG access simultaneously.

4.2.6 The main access to the SANG would come from the Cricket Club access road which functions as a shared space between pedestrians and vehicles. A height barrier would be provided at the start of this road, and fencing would be provided to prevent parking on the verge.

4.2.7 At a point around 80m north of Castle Hill, the SANG access would branch off the Cricket Club road to the west using a similar shared space arrangement at 4.8m carriageway width. A new gate would be provided at this point to secure the Cricket Club access.

4.2.8 The alignment provides sufficient forward visibility for drivers, while avoiding the World War I practice trenches which were identified as a heritage asset during the design process.

The arrangement retains access to the UK Power Networks substation on the existing road. The Transport Statement contains drawing number 16-021.269 Rev I, Access Arrangements. The Highway Authority is content in principle with the proposed access arrangement which splits the two existing access points with a central pedestrian refuge. The latter is shown at 1.2m wide, although the Highway Authority would recommend an adjustment to afford up to a 1.8m width. The changes to the access arrangement will require a minor works Section 278 agreement. The applicant should apply to the Highway Authority to facilitate this agreement.

The internal access road and car parking layout is acceptable. It is noted that a gate will be fitted in order to prevent unauthorised movements. It is recommended that clarification is provided as to the operation of the car park outside of daylight hours and whether any restrictions will be applied to its usage. No restrictions should be applicable to the usage of the Right of Way.

The proposed number of parking spaces is a matter for the Local Planning Authority, although sufficient space is available for satisfactory turning within the car park. A separate area is available for service/maintenance vehicles for the SANG. The latter area should be kept free (aside from authorised maintenance vehicles), as a turning area at the northern extent of the public car park. Provision is shown for bicycle users.

In summary, the Highway Authority does not wish to restrict the grant of planning permission, although recommends the inclusion of the aforementioned planning conditions and Advisory Notes as



	part of any positive recommendation.
Environmental And Community Protection (DBC)	<p>Having reviewed the application submission and the Environmental Protection (ECP) Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</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, 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>Construction Dust Informative</p> <p>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.</p> <p>Waste Management Informative</p> <p>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</p>

	<p>on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.</p> <p>Air Quality Informative</p> <p>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.</p> <p>As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.</p> <p>A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.</p> <p>Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.</p> <p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>Invasive and Injurious Weeds - Informative  Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <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>
Hertfordshire Ecology	<p><u>03/05/2024</u></p> <p>Overall Recommendation:</p> <p>Modest amendments to the SANG Delivery Framework Document are required before the application can be determined. Once agreed the</p>

application can be determined subject to the addition of the recommended conditions to any consent.

Summary of Advice:

o The comments in my previous letter still stand and, accordingly, the following still apply:

- A biodiversity net gain should be secured by condition;
- The site meets the SANG Quality Guidelines;
- When certain amendments are made, the SANG Delivery Framework Document should be secured by condition; and
- Post-determination, until legal and other arrangements relating to the management body and step-in rights are resolved, we will advise the Council to not consent any applications for housing that seek to rely on the Castle Hill SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC.

Supporting documents:

I have made particular use of the following documents in providing this advice:

- SANG Delivery Framework Document Rev-C, CSA environmental, March 2024;
- SANG Area Exclusion Plan, CSA environmental, April 2024
- Design & Access Statement, CSA environmental, April 2024 (or DAS);
- (Amended) Landscape Strategy (Drawing No: CSA/6667/15), CSA environmental, October 2023; and
- Preliminary Ecological Appraisal Rev-D, CSA environmental, March 2024 (or PEA).

I also draw on Natural England's views on this application as expressed in its letters of 30 April, and, previously, 30 January 2024.

Comments:

Thank you for your letter of 18 April 2024 which refers, and for consulting Herts LEADS (Ecology).

I commented on a previous iteration of this proposed development by letter of 1 February 2024 and that this consultation relates to the submission of a series of amended documents and the provision of new ones.

However, although an 'amended landscaping strategy' has been uploaded, it remains dated October 2023 and whilst I can see changes around car parking, notably a decrease from 38 to 25 spaces and the introduction of an SANG exclusion zone, I am unclear if any other, more subtle changes have been made. In the absence of any other information to the contrary, I will presume not. In addition, I note that a revised biodiversity metric has not been provided although the PEA provides amended figures.

	<p>Now, a biodiversity net gain of 71.33 habitat units (60.9%) and, with no change from previously, a gain of 4.61 hedgerow units (or 16.71%) is predicted. Taking account of the SANG area itself, this means a predicted net gain of 58.05 habitat units for the entire site. The previously submitted metric followed best practice including, importantly, the allocation between SANG and 'non-SANG' components of the application and so I have no reason to doubt the new net gain assessment, the underpinning spreadsheet must be provided.</p> <p>In broad ecological terms though, little has changed between this and the previous iteration. Accordingly, the advice, provided in my letter of 1 February still stands and is summarised above. Central to this is my recommendation to take full account of Natural England's advice.</p>
Hertfordshire Ecology	<p><u>02/02/2024</u></p> <p>Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping Proposed SANG Site, Castle Hill, Berkhamsted, Hertfordshire</p> <p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application. Overall Recommendation:</p> <p>Modest amendments to the SANG Delivery Framework Document are required before the application can be determined. Once agreed the application can be determined subject to the addition of the recommended conditions to any consent.</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> <li>• A biodiversity net gain should be secured by condition;</li> <li>• The site meets the SANG Quality Guidelines;</li> <li>• When certain amendments are made, the SANG Delivery Framework Document should be secured by condition; and</li> <li>• Post-determination, until legal and other arrangements relating to the management body and step-in rights are resolved, we will advise the Council to not consent any applications for housing that seek to rely on the Castle Hill SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</li> </ul> <p>Supporting documents:</p> <p>I have made particular use of the following documents in providing this advice:</p> <ul style="list-style-type: none"> <li>• SANG Delivery Framework Document Rev-A, CSA environmental, November 2023;</li> <li>• Design &amp; Access Statement, CSA environmental, November 2023 (or DAS);</li> <li>• Landscape Strategy (Drawing No: CSA/6667/15), CSA</li> </ul>

environmental, October 2023;

- Preliminary Ecological Appraisal Rev-C, CSA environmental, November 2023 (or PEA);
- Biodiversity metric 4.0, 22 November 2023; and
- Planning Statement, Savills, November 2023

I also draw on Natural England's views on this application as expressed in its letter of 30 January 2024.

Comments:

Thank you for your letter of 20 December 2023 which refers, and for consulting Herts LEADS (Ecology); I apologise for the delay with this reply.

I note this remains an application to develop a SANG and it is not associated with any current planning applications for housing. The proposed development raises several ecological issues which are taken in turn below.

Ecological assessment

The Hertfordshire Environmental Records Centre holds no records of notable ecological significance for this site or the area that could potentially be adversely affected by this development proposal. This suggests a site of modest ecological value.

In contrast, the PEA described the site as: '*... dominated by short-grazed neutral grassland in unfavourable condition, albeit with remnant chalk grassland areas and some notable trees and hedgerows.*' and whilst acknowledging that various features enjoyed varying degrees of protection in policy and law went on to state: '*... the use of the Site as a SANG and related informal recreation is unlikely to result in significant adverse effects ...*' and that the project is: '*... predicted to have a beneficial effect upon ecological interests.*'

I consider that the PEA, associated reports and surveys are up to date, reflect best practice, and can be considered fit for purpose and describe a site of considerable local ecological value (in contrast to the evidence on HERC). Overall, in principle, I have no reason to disagree with this outcome.

Avoidance/Mitigation/Compensation/Enhancement

However, this positive outcome was dependent on the adoption of a series of avoidance, mitigation and compensation measures described in sections 5.5 & 5.6 comprising the installation of waste bins, the protection of important trees and hedgerows and signage, the restoration of chalk grassland, tree planting and gapping-up of hedgerows.

Although only brief details are provided in the PEA, I consider they represent reasonable and pragmatic proposals that bring with them a

degree of confidence they will effectively reduce the impact of the proposals and safeguard future management of the site.

These would normally merit a condition to secure their implementation but as many are incorporated within the SANG Delivery Framework Document, I refer to the SANG section below for this.

Importantly, this addresses certain apparent inconsistencies between the PEA and the SANG Delivery Framework Document.

#### Biodiversity net gain

A biodiversity net gain of 72.83 habitat units (61.35%) and 4.61 hedgerow units (16.71%) is predicted, of which 59.55 habitat units apply solely to the SANG. The metric follows best practice including, importantly, the allocation between SANG and 'non-SANG' components of the application.

Ultimately, only long-term monitoring would demonstrate how these communities develop and whether the considerable net gain claimed is being achieved. In time, this may require changes in management if not. However, I remain satisfied that a BNG in excess of the Government's proposed (and soon to be mandatory) minimum requirement of 10% could be delivered for both the SANG and 'non-SANG' components of the proposed development.

Consequently, I have no reason to disagree with the outcomes shown, and, therefore, I am of the opinion that the delivery of a biodiversity net gain should not represent a fundamental constraint on the proposed development or reason for objection.

However, I note the planning statement states that this net gain will be delivered 'where possible'. As the net gain has been proposed but is not yet mandatory, it is assumed that the applicant wishes that considerable weight will be attached to this. Therefore, it should not be seen as optional. The predictions have been made and must be achieved.

However, there is no guarantee this would be delivered and furthermore, best practice demands that a biodiversity net gain plan is secured by condition. I therefore suggest the following wording:  
"Prior to the commencement of development, a Biodiversity Net Gain Plan shall be submitted to and approved in writing by the Council. This will describe, in appropriate detail, how the predicted net gain for habitats and hedgerows respectively, will be delivered and sustained for a minimum period of 30 years."

I consider it would be acceptable for this to form part of the SANG Delivery Framework Document or as a standalone report. Whichever option is chosen, it is essential the net gain plan describes how the predicted gain will be achieved and maintained alongside the use of the site as a SANG recreational pressure and the recreational pressure it brings.

Suitable Alternative Natural Greenspace (SANG)

	<p>In its response, Natural England has confirmed that the site meets the SANG Quality Guidelines. From the description provided I have no reason to disagree with this.</p> <p>The management of the SANG is proposed to be secured via implementation of the SANG Delivery Framework Document itself to be secured via a condition or s106 agreement. I consider the document and the approach to implementation to be reasonable, proportionate, up-to-date and fit for purpose for this stage of the planning process, although the following caveats apply.</p> <p>Certain inconsistencies are apparent between the recommendations in the PEA and those described in the SANG Delivery Framework Document. Natural England highlighted the same concerns in points 2 &amp; 3 of page 3 of its letter and recommends these be incorporated within a revised SANG Delivery Framework Document. I agree. However, I would also go further and request the document should also be amended to make specific reference to the need to amend future management regimes to safeguard the remaining and any future anthills from public pressure or mowing.</p> <p>The SANG Delivery Framework Document should be amended prior to determination. Once amended to our satisfaction, I recommend the SANG Delivery Framework Document should be secured by condition or within a s106; at this later stage, full details relating to the long-term management of the SANG must be provided.</p> <p>Furthermore, in points 3 &amp; 4 on page 3 and under 'Additional Advice on pages 3 &amp; 4 of its letter, Natural England also describes at length its concerns with the identification of a management company and step-in rights. I endorse these views and there is no need for me to state the same other than to emphasise the importance of Natural England's advice.</p> <p>Post-determination, until legal and other arrangements relating to the management body and step-in rights are resolved, we will advise the Council to not consent any applications for housing that seek to rely on the Castle Hill SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p>
<p>BCA Townscape Group</p>	<p>The BCA Townscape Group wishes to OBJECT STRONGLY to the above planning application situated in the AONB and Green Belt.</p> <p>It wishes to associate itself with the reasons for objection listed by Berkhamsted Town Council, Berkhamsted Castle Trust, CPRE Herts, Historic England, the Chiltern Society and numerous local residents who Object (39 to date).</p> <p>The BCA Townscape Group is also concerned that, although designated a 'Constraint' it is not listed as a 'Consultee' and was not informed as usual of this application. Please record this objection as from a 'consultee'.</p>
<p>Natural England</p>	<p>29/04/2024</p>

SUMMARY OF NATURAL ENGLAND'S ADVICE  
NO OBJECTION - TECHNICAL SANG COMMENTS

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

HOWEVER

The planning application documents do not include a legal agreement between the LPA and the applicant regarding step-in rights and future SANG management.

Without these safeguards, there is risk that default could be made upon the SANG; it then ceases to displace people away from the SAC. NE is of the opinion, as it stands, that there is insufficient information to satisfy us that the site could function as mitigation for adverse impacts on the Chilterns Beechwoods SAC for in perpetuity.

Thus, NE will object to any proposed housing developments that rely on the Castle Hill SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC, until such time that a legal agreement between the applicant and the LPA regarding step-in rights has been signed and more information has been provided regarding the in perpetuity management of the SANG.

Please notify NE once progress on the above has been made, and we can then reconsider our position.

The application is for a change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG), together with provision of a new car park, and has been the subject of a pre-application Discretionary Advice Service contract between the developer and Natural England.

Please refer to Natural England's previous advice letter dated 30 January 2024 for our detailed comments on the proposals. We note that the location of the SANG car park has changed slightly and that account has been taken of the distance cricket balls may fly in the design of the SANG. We have no comments on the revised car parking plans, other than to note that the required number of car parking spaces are being offered, at 1 space/ha of SANG.

Natural England also notes that the Design and Access Statement (CSA, April 2024) has been updated to reflect the new car parking configuration and the Cricket Ball Strike Assessment (Labosport, March 2024). As per NE's previous request, page 35 of the revised Design and Access Statement has an updated calculation for the SANG hectareage that will have public access within the red line boundary (i.e. not fenced off from the public) and, in turn, the Design and Access Statement has provided an updated maximum SANG capacity, which NE agrees with.

Natural England reconfirms that the proposed Castle Hill SANG does meet the NE SANG Quality Guidelines and in principal we have no



issue with it being designated a SANG, pending the following points.

1. The SANG is to be created as set out in the 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023), which should be made a condition of the planning consent, to ensure that the SANG is created and managed according to the NE SANG Guidelines (2021).
2. A management company, trust/charity or the LPA is to be named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment (see additional advice below).
3. A legal agreement between the applicant / their client and the LPA regarding step-in rights and management of the SANG in perpetuity has been signed by both parties (see additional advice below).

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

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

Please refer to Natural England's previous letter (dated 30 January 2024) regarding comments on the 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023). NE notes that this document has not been updated since the previous consultation. As such, NE's previous comments on the 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' still stand.

Natural England requires a management company, trust/charity or LPA to be named as managers of the SANG prior to the SANG being used as mitigation, and a legal agreement secured between the applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment. This requirement ensures that SANG management is secured and funded in perpetuity (taken to be a minimum of 80 years).

Natural England's order of preference for transferring long-term management of the SANG to a management body is as follows:

	<ol style="list-style-type: none"> <li>1) The Local Planning Authority, who may wish to make use of any spare capacity as they see fit in return for agreeing to manage the SANG in perpetuity;</li> <li>2) The Land Trust or similar body;</li> <li>3) A new management company set up by the applicant / their client.</li> </ol> <p>If the SANG is to be managed by a third party management company, step-in rights will need to be agreed in writing with the Local Planning Authority. The LPA should provide confirmation that they will provide step-in-rights for the proposed SANG management company. Step-in rights may not be required if charities such as the Land Trust are the managing body. If step-in rights are needed, then NE would require written confirmation of the LPA's agreement to take on the site and appropriate wording to be incorporated in the legal agreement. This is to ensure that the SANG would be managed by the LPA in perpetuity should the management company cease trading.</p> <p>Without a legal agreement between the applicant / their client and the LPA regarding step-in rights and subsequent securing of the SANG management, NE is of the opinion that the SANG may not be adequately managed in perpetuity to fulfil its function as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p> <p>As it currently stands, NE will object to any housing developments that rely on the Castle Hill SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p>
Natural England	<p><u>30/01/2024</u></p> <p><b>SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION - TECHNICAL SANG COMMENTS</b></p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p> <p><b>HOWEVER</b></p> <p>The planning application documents do not include a legal agreement between the LPA and the applicant regarding step-in rights and future SANG management.</p> <p>Without these safeguards, there is risk that default could be made upon the SANG; it then ceases to displace people away from the SAC. NE is of the opinion, as it stands, that there is insufficient information to satisfy us that the site could function as mitigation for adverse impacts on the Chilterns Beechwoods SAC for in perpetuity.</p> <p>Thus, NE will object to any proposed housing developments that rely on the Haresfoot SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC, until such time that a legal agreement between the applicant and the LPA regarding step-in rights has been signed and</p>

more information has been provided regarding the in perpetuity management of the SANG.

Please notify NE once progress on the above has been made, and we can then reconsider our position.

The application is for a change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG), together with provision of a new car park, and has been the subject of a pre-application Discretionary Advice Service contract between the developer and Natural England.

NE advice on SANG design as part of DAS contract CSA Environmental asked Natural England to provide advice on Suitable Alternative Natural Greenspace (SANG) at Castle Hill, Berkhamsted, which included one site visit, conducted on 14 February 2023.

The proposed SANG occupies the slopes of a narrow dry valley that slopes down to the southeast and the base of Castle Hill, at the northern edge of Berkhamsted. It is surrounded to the north by undulating, mixed arable farmland and grassland. Overall, the site was deemed by Natural England to be a very good candidate for a SANG, with its varied topography, views and good location close to Berkhamsted. The site has the potential to intercept potential visitors travelling north from Berkhamsted or Hemel Hempstead to the Chilterns Beechwoods Special Area of Conservation (SAC). Despite being close to the existing settlement of Berkhamsted, the proposed SANG has a rural feel. Natural England advised on the requirement for some screening of adjacent properties.

The proposed SANG has the potential for good car access from the south, with parking not likely to be prominent in the landscape due to the surrounding topography. Natural England advised that some consideration of parking restrictions is likely to be required due to the proximity of the train station, in order to avoid the SANG car park being used by commuters. NE also advised that some form of low fencing / bollards is likely to be needed on both sides of the access road, to prevent parking on verges.

At the time of the site visit, the proposed location for the car park intersected with a fallen dead tree. Our advice was to ensure that the deadwood be moved to a suitable new location on site as close as possible to the original location, and not removed from site.

Existing use by the public along the Public Rights of Way footpath, including by dog walkers, suggests that the SANG is proposed for a location that the public will use, which is welcomed. Natural England advised that, given that existing use was limited to the Public Rights of Way footpath, the site was not under significant existing use and a visitor survey was not required as part of the SANG proposal.

Given the topography and existing nature of the site as open grassland with thin woodland belts, Natural England advised that the SANG proposals should aim to create a 'parkland' character open space, with existing grassland to be retained / enhanced (i.e. increasing the species

richness) and scattered parkland trees planted. The existing trees and deadwood features would provide additional interest for visitors. Natural England advised that the south facing grassland had potential to be restored to species-rich grassland in excess of SANG requirements (e.g. for BNG).

Natural England advised that new woodland/native scrub should be planted along the southwest boundary to soften the interface with adjacent properties and provide additional habitat interest. In terms of the visitor experience to the SANG, Natural England advised that the proposals for the SANG should consider the inclusion of a bench / picnic bench at the northwest corner of the site (as well as at strategic viewpoint locations throughout the site), for those wishing to make the most of walking the whole site. We also advised including a natural play area to enhance the draw of the site for visitors; placement of a natural play area close to the entrance and car park would generally be appropriate to maximise use. Finally, we advised that consideration should be given to the provision of other amenities similar to the experience at Ashridge, such as toilets and shop/café where viable, in order to further enhance the attractiveness of the SANG to visitors.

Natural England confirms that the proposed Castle Hill SANG does meet the NE SANG Quality Guidelines and in principal we have no issue with it being designated a SANG, pending the following points.

1. The SANG is to be created as set out in the 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023), which should be made a condition of the planning consent, to ensure that the SANG is created and managed according to the NE SANG Guidelines (2021).
2. The total useable SANG area should be updated in all of the planning application documents that make reference to it, to exclude areas of the SANG that will be fenced off with 'post and wire' fencing. These are the small copses of tree planting, the fence around the area of existing ecological interest, and the areas between the outer and inner fences along the SANG boundary, shown in Appendix D of 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023). Areas where members of the public are excluded from walking do not count towards SANG capacity.
3. The 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023) should ideally be updated to include the provision of benches, and possibly 1-2 picnic benches, along the SANG circular route, e.g. at viewpoints, to enhance the visitor experience and provide resting points along the way. The locations of these benches should be shown on an updated SANG Landscape Strategy Plan (Appendix D of 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023)).
4. A management company, trust/charity or the LPA is to be named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the

applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment (see additional advice below).

5. A legal agreement between the applicant / their client and the LPA regarding step-in rights and management of the SANG in perpetuity has been signed by both parties (see additional advice below).

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

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

Lack of clarity regarding management company for the SANG

The 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023) includes a section on capital works to create the SANG and information on the ongoing aftercare and maintenance of the landscape planting of the proposed Castle Hill SANG. Natural England welcomes the information provided in Chapters 4 and 5 of the 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023).

However, paragraph 4.3 on pages 20-21 of the 'SANG Delivery Framework Document for Castle Hill SANG, Berkhamsted' (CSA, November 2023) states the following:

Following this period [the first 12 months following establishment of the SANG planting], a suitable future managing agent will need to be put in place to secure the future maintenance of the newly created SANG in perpetuity. It is anticipated that this will be a suitably qualified Management Partner, as appointed by the applicant, who can demonstrate a track record in the management of SANG land. The Management Partner will take on the management responsibility for the SANG in perpetuity.

Paragraph 4.5 states that 'Full details of the future management and maintenance of the SANG is anticipated to be secured via planning condition and/or the s106 agreement'. Natural England requires a management company, trust/charity or LPA to be named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the applicant / their client and the

	<p>management company/body, to secure the funding of the SANG management via a commuted sum/endowment. This requirement ensures that SANG management is secured and funded in perpetuity (taken to be a minimum of 80 years).</p> <p>Natural England's order of preference for transferring long-term management of the SANG to a management body is as follows:</p> <ol style="list-style-type: none"> <li>1) the Local Planning Authority, who may wish to make use of any spare capacity as they see fit in return for agreeing to manage the SANG in perpetuity;</li> <li>2) The Land Trust or similar body;</li> <li>3) A new management company set up by the applicant / their client.</li> </ol> <p>If the SANG is to be managed by a third party management company, step-in rights will need to be agreed in writing with the Local Planning Authority. The LPA should provide confirmation that they will provide step-in-rights for the proposed SANG management company. Step-in rights may not be required if charities such as the Land Trust are the managing body. If step-in rights are needed, then NE would require written confirmation of the LPA's agreement to take on the site and appropriate wording to be incorporated in the legal agreement. This is to ensure that the SANG would be managed by the LPA in perpetuity should the management company cease trading.</p> <p>Without a legal agreement between the applicant / their client and the LPA regarding step-in rights and subsequent securing of the SANG management, NE is of the opinion that the SANG may not be adequately managed in perpetuity to fulfil its function as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p> <p>As it currently stands, NE will object to any housing developments that rely on the Castle Hill SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p> <p>If you have any queries relating to the advice in this letter please contact me via <a href="mailto:fiona.martin@naturalengland.org.uk">fiona.martin@naturalengland.org.uk</a>.</p>
<p>Conservation &amp; Design (DBC)</p>	<p><u>17/05/2024</u></p> <p>The application is for the change of use of arable fields to an area of Suitable Alternative Natural Green Space (SANG) to mitigate the potential recreational impacts of residential development upon the Chilterns Beechwoods Special Area of Conservation ('SAC').</p> <p>The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB) and the Green Belt. It extends to the north of Castle Hill, at the northern edge of Berkhamsted.</p> <p>The site, now agricultural land, was historically part of the medieval deer park associated with Berkhamsted Castle (a Scheduled Monument, lying within the Berkhamsted Conservation Area). Berkhamsted Castle deer park is a heritage asset of considerable significance, it also forms part of the setting of Berkhamsted Castle and</p>

	<p>contributes to its significance. Berkhamsted Castle comprises one of the best preserved medieval earthworks in the country, it was the site where William Conqueror accepted the crown, and was the economic and social driver for the development of Berkhamsted itself.</p> <p>The First World War Training Trenches and associated earthworks south of Berkhamsted Cricket Club have recently been designated a Scheduled Monument and the application has been amended, moving the car parking and access road further from this archaeological site / earthworks. We note Historic England are now supportive of the application however the Archaeological Desk Based Assessment (March 2024) does not include any details of the earthworks survey in Appendix E - for completeness can the report be updated to include this information.</p> <p>The Scheduled Monument to the east of the cricket club is the site of a Roman Building. Little is known about this site (first identified in 1970 and a Roman coin identified in 1976.) It is not clear if there would be any impact upon this if the remains extend into the proposed SANG site.</p> <p>The earth bank (Archaeological DBA, para. 4.35 / 4.36), and hollow way dating from any period from the prehistoric, roman or medieval period, may in fact relate to the 'designed landscape' of the Park, and surely requires additional investigation to substantiate its significance?</p> <p>The inclusion of interpretation boards within the SANG site is welcomed but these need to be co-ordinated and well researched by a specialist to ensure they tie into the site and its wider surroundings, and provide the necessary heritage benefit. The design of the wayfinding and signage would work well to tie into the Castle and any future wider strategies for the area to create a sense of place and cohesion.</p> <p>The SANG itself will provide an area of green space with footpaths across it, the proposals include a welcome enhancement of meadow grassland across the site - we remain concerned over the functionality of mown grass paths and that pressure may grow to add more permanent paths over time. Tree planting is also proposed, as the site was historically an open landscape (medieval deer park), heavy tree planting could detract from its openness. The addition of fencing is required but this seems reasonably sensitive to the Chilterns AONB location.</p> <p>Conservation take the view that the setting of Berkhamsted Castle and the Berkhamsted Conservation Area will not be adversely impacted, nonetheless several areas of concern are raised as highlighted above.</p> <p>A detailed long-term Management Plan should be required as a condition of any consent.</p> <p>Any Heritage Interpretation and new signage should also be agreed via a condition of consent.</p>
<p>Conservation &amp; Design (DBC)</p>	<p><u>28/06/2024</u></p> <p>Further to my previous comments on this application I have reviewed</p>

	<p>the additional submitted information.</p> <p>As previously advised conservation take the view that the setting of Berkhamsted Castle and the Berkhamsted Conservation Area will not be adversely impacted.</p> <p>Concerns remain that the significance of the deer park and its designed landscape has not been sufficiently investigated and that the proposals may result in some harm to its significance. I am not sure if Herts Archaeology have been consulted on this application but note the suggested application of archaeological conditions within the Heritage Note (dated 6 June).</p> <p>It is recommended an archaeological condition is applied relating to the creation of the access road / parking area in particular.</p> <p>A detailed long-term Management Plan should be required as a condition of any consent.</p> <p>Any Heritage Interpretation and new signage should also be agreed via a condition of consent.</p>
Historic England	<p><u>25/04/2024</u></p> <p>Thank you for your letter of 18 April 2024 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.</p> <p>Historic England Advice</p> <p>We welcome the updated proposals around the location and form of the access and car parking provision at the site which provide a planning balance between impacts to the setting of the Scheduled Monument of The Labyrinth, or First World War training trenches south of Berkhamsted Cricket Club (NHLE number 1489045) and which include scope for improvements to its public appreciation and understanding.</p> <p>Recommendation</p> <p>Historic England supports the application on heritage grounds.</p> <p>We consider that the application can meet the requirements of the NPPF, in particular paragraph numbers 208 and 211, using planning conditions and/or s106 obligations.</p> <p>I recommend that the long term management of the site (especially landscaping and public safety) be secured through a binding Management Agreement that forms part of any consent, using s106 powers or if this is not feasible, a planning condition.</p> <p>A scheme of public interpretation, secured through a planning condition and agreed in advance with the LPA and its heritage advisers is also necessary.</p>



	<p>The following two possible planning condition wordings are suggested here:</p> <p>The development shall not be occupied until a scheme of permanent heritage interpretation and display at the site has been agreed, in accordance with a detailed historical research, materials, design and long-term maintenance proposal and timetable. The proposal and timetable for the work is to be approved in advance in writing by the Local Planning Authority.</p> <p>Reason: The LPA wishes that the rich history of the site and its surroundings be conveyed to the public. The interpretation scheme should be researched and designed by a recognised historical or archaeological interpretation specialist with appropriate experience, and integrate with nearby sites and attractions.</p> <p>And (if S106 is not appropriate):</p> <p>The development shall not be occupied until a heritage management plan, including a long-term maintenance proposal and timetable has been approved in advance in writing by the Local Planning Authority.</p> <p>Reason: The LPA wishes that the legibility and long-term upkeep of the Scheduled Monument and its setting benefits from a detailed management plan to ensure its long term future.</p> <p>Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.</p>
Historic England	<p><u>09/01/2024</u></p> <p>Thank you for your letter of 21 December 2023 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.</p> <p>Summary</p> <p>The planning application includes the site referred to as "The Labyrinth or First World War training trenches south of Berkhamsted Cricket Club" which is currently under consideration for designation as a Scheduled Monument (Historic England case reference 1488407).</p> <p>Because this designation case is live and if agreed would have implications for the proposal, we recommend withdrawal of this planning application pending a decision on the scheduling application. Should the Government decide to schedule the site, changes will be necessary to the proposal in order to take into account the designation and to reduce any harm to heritage assets.</p> <p>We also recommend that any re-application include in its submission a detailed assessment of significance and harm from the applicants that reflects the high heritage significance of the asset and the surrounding</p>

earthworks, and which demonstrates how any approved scheme will sustain and enhance their significance.

Historic England Advice

Significance

The planning application site lies close to two existing Scheduled Monuments (Berkhamsted motte and bailey castle, List Number 1010756 and Site of Roman building N of Berkhamsted Castle, List Number 1005253) and several listed buildings including the Grade II\* and Grade II elements of Berkhamsted Place.

Importantly, within the development boundary at its south east lie a concentrated complex of First World War practice trenches created by the Inns of Court Officer Training Corps in 1917 and at the time named 'The Labyrinth'.

Historic England has been asked to assess The Labyrinth for inclusion on the National Heritage List as a Scheduled Monument. Consideration of the application began in late 2023 and is ongoing. A positive decision from the Secretary of State would formally designate The Labyrinth as a heritage asset of national importance.

National Planning Policy requires that archaeological heritage assets of demonstrably equivalent significance to scheduled monuments be treated as though they are designated heritage sites in planning decisions.

Although filled in after the war ended, the trench complex is visible today as earthworks. Additional earthworks also cross the planning application site at its south eastern end. These may relate to the nearby prehistoric Grimms Ditch, to the mediaeval deer park and/or to later activity, including First World War activity.

The submitted Archaeological Desk Based Assessment by CSA Environmental (November 2023) identifies earthworks at the site, including The Labyrinth. The extent of The Labyrinth is not formally defined in the assessment, but Environment Agency Lidar data and field observations have been used by the authors to locate its best preserved remains. The CSA Environmental assessment does not ascribe a level of significance to the earthworks and may have been prepared before the Scheduling application was made.

The application site also lies inside the Chilterns Area of Outstanding Natural Beauty (AONB).

Impact

Our concern is the physical impact of the development upon the non-designated heritage asset, which we consider should be given equivalence of a designated heritage asset in planning policy. The development would have the potential to harm the significance of those earthworks through direct physical impacts but there is also the potential harm to the significance of the non-designated asset through a

development within its setting.

#### Policy

National Planning Policy states that local planning authorities should require an applicant to describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting, using appropriate expertise (NPPF 200).

NPPF 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

NPPF 203 raises the desirability of sustaining and enhancing the significance of heritage assets.

NPPF 206 states that any consented development harm to heritage assets of the highest significance, including scheduled monuments and their settings, should be wholly exceptional.

NPPF footnote 72 states that 'Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets

#### Position

The submitted Archaeological Desk Based Assessment by CSA Environmental does not in detail assess the impact of the location of the proposed car park and access routes on The Labyrinth, or any impact to its setting. Measures have been taken to avoid the core of the complex, but there are significant outstanding questions over the efficacy of these and over the appropriateness of the proposals.

The submitted plans are of a low resolution but appear to locate a car park, access road, planting and a footpath across the south east of the site either overlying, or immediately adjacent to, various elements of the earthworks. The edge of the proposed car park appears to be sited on or immediately against the core of The Labyrinth, but the exact relationship between the two and thus the scale of any physical impact on the full extent of the practice trench complex is not possible to discern from the information provided, which could helpfully include a measured earthworks survey.

In addition, the setting of the surviving earthworks is likely to be significantly affected by the current proposals. Aspects such as the entrances and exits from the complex, any intended fields of fire from it and its relationship with the wider network of practice trenches across the Common have not been assessed to allow an informed decision.

However, the overlaying of a carpark and associated infrastructure in this location would erode the legibility of the landscape and at the very least introduce unsympathetic and anachronistic additions to the immediate surrounds of The Labyrinth, including the presence of fencing and parked cars.

As The Labyrinth is currently undergoing consideration for national designation, any planning determination at this stage would not be taken in the light of all material considerations. Determination of the application should be informed by the results of Historic England's scheduling assessment and any decision from the Secretary of State on the scheduled monument status of The Labyrinth. We do not support determination of the application at this stage.

Any consented parking and access provision in the south east of the site should be accompanied by more detailed consideration of the earthworks there, including a measured earthworks survey, detailed assessments of significance and harm, and appropriate measures to manage and reduce harm to acceptable levels.

Historic England would be pleased to advise the applicants further on positive management of the site to inform revised plans that would meet planning policy, including NPPF 206 fn 72.

#### Recommendation

Historic England has concerns regarding the application on heritage grounds.

We recommend the applicant is asked to withdraw the application pending a review of the possible designation, if they are unwilling to do so we recommend the application is refused on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 200, 201, 203 and 206 of the NPPF.

In determining this application, you should also bear in mind the statutory duty of section 85(1) of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONBs.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity. Further to my holding response of 9th January 2024, I am writing with updated recommendations subsequent to the recent designation of 'First World War Training Trenches and associated earthworks south of Berkhamsted Cricket Club' (List number 1489045) as a Scheduled Monument within the application site.

#### Summary

The planning application includes the site referred to as "The Labyrinth or First World War training trenches south of Berkhamsted Cricket Club" which was designated as a Scheduled Monument by the Secretary of State earlier this month.

The designation of the new monument necessitates changes to the proposal in order to take into account the designation and to reduce any harm to the heritage asset.

We also recommend that any re-application include in its submission a detailed assessment of settings harm from the applicants that reflects the high heritage significance of the asset and the surrounding earthworks, and which demonstrates how any approved scheme will sustain and enhance their significance.

Historic England Advice

#### Significance

The planning application site lies close to two existing Scheduled Monuments (Berkhamsted motte and bailey castle, List Number 1010756 and Site of Roman building N of Berkhamsted Castle, List Number 1005253) and several listed buildings including the Grade II\* and Grade II elements of Berkhamsted Place.

Importantly, within the development boundary at its south east lies a third Scheduled Monument, a concentrated complex of First World War practice trenches created by the Inns of Court Officer Training Corps in 1917 and at the time named 'The Labyrinth'.

The application site also lies inside the Chilterns Area of Outstanding Natural Beauty (AONB).

#### Impact

The submitted plans are of a low resolution but appear to locate a car park, access road, planting and a footpath across the south east of the site either overlying, or immediately adjacent to, various elements of the scheduled earthworks. The edge of the proposed car park appears to be sited on or immediately against the core of The Labyrinth, but the exact relationship between the two and thus the scale of any physical impact on the full extent of the practice trench complex is not possible to discern from the information provided, which could helpfully include a measured earthworks survey.

The development would have the potential to harm the significance of the scheduled earthworks through direct physical impacts and a major change to their setting. There is also the potential harm to the significance of nearby non-designated assets through a development. The development of a car park alongside the monument, even when not filled with private vehicles, would be jarringly anachronistic and deprive the site of the open surroundings it has enjoyed since its creation. Troops using the practice trenches would have been trained without the presence of parked cars in their eyeline to the immediate west, and without private vehicles crossing their field of fire.

## Policy

National Planning Policy states that local planning authorities should require an applicant to describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting, using appropriate expertise (NPPF 200).

NPPF 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

NPPF 203 raises the desirability of sustaining and enhancing the significance of heritage assets.

NPPF 206 states that any consented substantial development harm to heritage assets of the highest significance, including scheduled monuments and their settings, should be wholly exceptional. Where less than substantial harm is created, scheme should be refused unless public benefits outweigh that harm, and strict criteria on use and conservation are also met (NPPF 207).

## Position

Our primary concern is the physical and settings impact of the development upon the heritage asset. Modern appreciation of the monument could be enhanced by public access to the site as a SANG, but the applicants' preferred car park location is not supported.

Historic England would be pleased to advise the applicants further on positive management of the site to inform revised plans that would meet planning policy, including alternative locations for a car park

## Recommendation

Historic England has concerns regarding the application on heritage grounds. We recommend the applicant is asked to withdraw the application. If they are unwilling to do so we recommend the application is refused on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 200, 201, 203 and 206 of the NPPF.

In determining this application, you should also bear in mind the statutory duty of section 85(1) of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONBs.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Sport England	<p data-bbox="507 232 660 264"><u>01/05/2024</u></p> <p data-bbox="507 297 1362 365">Thank you for consulting Sport England on the above application. Sport England's Position</p> <p data-bbox="507 398 1370 499">Sport England withdraws its statutory objection to the application subject to the following matters being addressed through planning conditions or obligations as set out in this response:</p> <ul data-bbox="555 533 1433 633" style="list-style-type: none"> <li data-bbox="555 533 1406 566">• Ball Strike Cordon Sanitaire Paladin Fencing Implementation.</li> <li data-bbox="555 568 1433 633">• Ball Strike Cordon Sanitaire Paladin Fencing Management and Maintenance Arrangements</li> </ul> <p data-bbox="507 667 1414 701">Assessment against Sport England's Playing Fields Policy and NPPF</p> <p data-bbox="507 734 1433 1205">Further to our formal response to the above application dated 23rd February 2024 which objected to the application as a statutory consultee, the applicant has now prepared and submitted a 'Cricket Ball Strike Risk Assessment' in response to the advice provided. The ball strike risk assessment is considered to be robust as it has been prepared by a specialist (Labosport) recognised by Sport England and the England &amp; Wales Cricket Board (ECB). In summary, the conclusions of the assessment are that there is a risk of balls leaving the site boundary of the Berkhamsted Cricket Club site and entering the proposed SANG. As there is no effective existing mitigation around the cricket club site boundary, without mitigation being introduced as part of the SANG development, there would be a risk of users of the SANG, or their property (such as cars), being hit by cricket balls that leave the cricket club site.</p> <p data-bbox="507 1238 1433 1574">The Labosport assessment has recommended two mitigation options to address this risk. The first option would be to introduce a cordon sanitaire around the cricket club site which would encroach into the area proposed for the SANG where access to visitors and cars would be restricted. This option would negate the need for high level fencing or netting. The second option would be to install fencing/netting aligned to the western and southern site boundaries of the cricket club site. While this would not encroach into the proposed SANG area this would require 7 metre high fencing/netting along the southern boundary and 15 metre high fencing/netting along the western boundary.</p> <p data-bbox="507 1608 1433 1877">Following consideration of the Labosport assessment recommendations, the applicant has decided to progress the first option of introducing a cordon sanitaire around the southern and western boundaries of the cricket club site as this would be more appropriate than a high fencing/netting solution given the sensitive location of the site in the Chiterns AONB. Details of this mitigation solution have been set out in the applicant's 'Addendum to Resubmission' (April 2024) and its supporting plans and documents.</p> <p data-bbox="507 1910 1433 2009">In summary, the cordon sanitaire involves the installation of a 2 metre high paladin fence to the west and south of the cricket club boundary which broadly aligns with the recommended boundaries of the cordon</p>

sanitaire in the Labosport assessment as shown in the submitted 'Cricket ballstrike mitigation fence location plan'. The area between the paladin fence line and the existing cricket club site boundary would be excluded from the SANG and would not have public access as shown in the submitted 'SANG Area Exclusion Plan'. A lockable gate to this area would be included in the fence to allow maintenance access. In the revised Landscape Proposals Plan, the previously proposed thicket planting in the area between the paladin fence line and the existing cricket club site boundary has been removed because this is not considered necessary to mitigate ball strike or provide security if a 2m high fence is proposed. As set out in the submitted 'SANG Delivery Framework Document' (April 2024), it is proposed that all fencing is maintained in a safe hazard free state to facilitate the effective function of its intended use and that bi-annual inspections will take place to ensure that the fencing is sound and free from damage.

The mitigation solution that has been submitted has been informed by advice provided by Sport England and the ECB. The installation of a 2m paladin fence that is broadly aligned with the recommended cordon sanitaire boundary would remove the vast majority of the ball strike risk although as set out in the Labosport report it may not stop all shots from landing beyond the cordon sanitaire but it is expected that it will significantly reduce their frequency. The 2m height of the fence is required to provide sufficient security to prevent visitors to the SANG entering the cordon sanitaire and being exposed to risk of ball strike as well as providing a ball stop solution. It would also reduce the risk of damage to cars in the proposed car park. The specification for the fencing proposed in the 'Cricket ballstrike mitigation fence location plan' is considered to be acceptable.

I can therefore confirm that the proposed ball strike mitigation solution is considered acceptable for addressing the risk of cricket ball strike. However, provision will need to be made for this solution to be implemented as part of any planning permission in order to ensure that the risk is mitigated in practice. Furthermore, the fencing will need to be maintained over a long term period in order to ensure that it remains effective as a ball strike mitigation solution. A planning obligation will therefore need to secure the management arrangements for the SANG and ensure that they make provision for the applicant or the appointed management body to maintain the fencing in accordance with the proposals in the SANG Delivery Framework Document.

#### Sport England's Position

In light of the above, Sport England withdraws its objection to the application because the prejudicial impact on the use of Berkhamsted Cricket Club's playing field could be addressed if the ball strike mitigation solution is implemented as proposed. This would allow the proposal to meet the intention of exception 3 of our Playing Fields policy. This position is strictly subject to the following matters being addressed if planning permission is forthcoming:

**Cordon Sanitaire Paladin Fencing Implementation:** A condition (or planning obligation) requiring the paladin fence to be implemented in accordance with Drawing CSA/6667/SK04 'Cricket ballstrike mitigation



	<p>fence location plan' prior to first use of the SANG (or an alternative timescale that ensures that the fencing is implemented before any visitors to the SANG are exposed to ball strike risk). This condition is justified in order to ensure that the proposed ball strike risk mitigation is fully implemented in practice to avoid the use of Berkhamsted Cricket Club's playing field being prejudiced by the proposed development. A model reason for the condition taken from condition 21 of Sport England's Model Conditions schedule <a href="https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=playing_fields_policy">https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=playing_fields_policy</a> that the Council may wish to use is as follows:</p> <p>"Reason: To provide protection for the occupants of the development and their property from potential ball strike from the adjacent playing field or sports facility, to reduce conflict between neighbours and therefore safeguard sporting use of the adjacent sports facilities and to accord with policy"</p> <p>Cordon Sanitaire Paladin Fencing Management and Maintenance: A planning obligation which requires the management and maintenance arrangements for the SANG to be confirmed and secured over a long term period. The arrangements should be based on the management proposals set out in the SANG Delivery Framework Document and should make explicit provision for the cordon sanitaire paladin fencing to be maintained along the lines set out in paragraphs 5.45-5.46 of this document. This is justified to ensure that the fencing is maintained to a standard that will provide an effective ball strike mitigation solution over a long term period. Sport England has had experience of ball strike fencing/netting solutions in other schemes not remaining effective over a long term period due to fencing/netting falling into disrepair and not being repaired or replaced due to suitable management arrangements not being put in place through the original planning permission.</p> <p>If the LPA is minded to approve the application without imposing the above conditions/obligations then Sport England objects to the application as would not be considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 103 of the NPPF. If you wish to discuss the wording of the conditions/obligations, please contact us to discuss. Sport England does not object to amendments to conditions/obligations, provided they achieve the same outcome and we are involved in any amendments.</p> <p>If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.</p>
Sport England	<p><u>23/02/2024</u></p> <p>Thank you for consulting Sport England on the above application.</p> <p>Sport England's Position</p> <p>Sport England raises a statutory objection to the application because in</p>

its current form it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 103 of the NPPF due to the risk of potential ball strike from the adjoining Berkhamsted Cricket Club playing fields. A solution for overcoming this objection is set out in this

#### Sport England - Statutory consultee role and policy

We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 103, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document':

[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. A summary of the exceptions is provided in the annex to this response.

The Proposal and its Impact on the playing field

The proposal is an application for a change of use of agricultural land to a Suitable Accessible Natural Green Space (SANG). While the proposed change of use would not have a direct impact on Berkhamsted Cricket Club's playing field which is located immediately to the east of the application site, it would have a potential prejudicial impact on the cricket club's playing field due to the risk of ball strike from the cricket pitches.

#### Assessment against Sport England's Playing Fields Policy and NPPF

I have consulted the England & Wales Cricket Board (ECB) for their feedback and their advice is as follows:

- The distance from the cricket club's main square (to the east of the cricket club site) to the areas impacted is more than 100m in all directions. Therefore, a ball trajectory assessment will not be required for that square.
- However, distances from the second square (located to the west of the cricket club site) are substantially shorter and within ball-strike range. Approximately:
  - 37m to the south east boundary
  - 49m to the north west boundary
  - 55m to the north boundary.

A ball trajectory assessment making consideration against all three of these directions should therefore be commissioned.

Sensitive uses such as publicly accessible open spaces are at risk of ball strike from a playing field, with consequential risk of harm to persons or property and hence a potential future liability for the site operator/owner, that in extremes could set at risk the continuance of sport at the site. Development within a 'strike zone' is potentially prejudicial to the use of the playing field as detailed in paragraph 13 of the above Sport England policy. The prejudicial impact on the use of a playing field by residential developments adjoining playing fields has been established through the courts in the case of East Meon Forge and Cricket Ground Protection Association v East Hampshire District Council [2014] EWHC 3543 (Admin) (31 October 2014). In the East Meon case, an assessment undertaken on behalf of the Cricket Club found that cricket balls commonly travel in excess of 70 metres, at all levels and abilities. It was found to be unreasonable to expect residents to live behind shutters during summer weekends or to stay out of their gardens or away from other amenity areas. Additionally, the occupants and visitors to dwellings will be at risk of injury when entering or leaving premises during cricket matches.

In a more recent case in 2021, planning permission was quashed by the High Court for a development in Bradford adjacent to a cricket ground where ball strike was not adequately addressed (The Trustees of the Crossflatts Cricket Club v City of Bradford Metropolitan Council (2 December 2021)). The reasons for quashing this permission were that the Defendant's decision to grant planning permission provided legally inadequate reasons for departing from the expert advice received in relation to the risk of ball strike; and the Defendant failed to have regard to other significant material considerations which had been raised by Sport England about the likely effect of the proposed development on the Claimant cricket club being (amongst other matters) health and safety concerns from ball strike.

From the information available within the planning application, Sport England is unable to find any information that addresses the issue of ball strike. The proposal (as set out in the submitted SANG Landscape Strategy plan) to introduce public footpaths and areas that would be accessible to the public within very close proximity of the cricket club's site boundary would present a risk that requires assessment.

The applicant will therefore need to undertake a ball strike risk assessment to assess if ball strike is likely to be an issue. If it is identified as an issue, then appropriate ball strike mitigation will need to be provided based upon any risks identified. Any ball strike mitigation should not be placed on the existing Berkhamsted Cricket Club playing field nor have any encroachment onto this playing field and any management and maintenance of the mitigation should be the responsibility of the applicant and not the cricket club. The planning application introduces a new 'agent of change' and therefore the applicant will need to address the issue of ball strike through a risk assessment to identify if ball strike is a risk that needs to be addressed through appropriate ball stop mitigation. The requirement for a ball

strike risk assessment and any associated ball stop mitigation required is in accordance with Paragraph 193 of the NPPF which states:

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

It is noted that there are proposals to strengthen the boundary around the cricket club through introducing landscaping as part of the SANG scheme. However, trees and other planting cannot be relied on as a permanent ball stop system. Trees and other natural landscaping can die, blow over in storms, be pruned or felled. Therefore they do not represent a permanent and reliable form of a ball stop system.

Whilst the details of any required ball stop netting/fencing could be dealt with by way of a planning condition, Sport England is aware from experience elsewhere that the ball stop netting/fencing can be up to 25 metres in height and this has caused concern for the Local Planning Authority from an amenity and landscape impact perspective. For this reason, Sport England considers that the matters of the design, specification and height of any required ball stop mitigation should be resolved prior to permission being granted in order for it to be acceptable to the local planning authority.

#### Sport England's Position

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 103 of the NPPF.

Sport England would be willing to review the objection if the applicant can provide the following:

1. A ball strike risk assessment, undertaken by a suitably qualified consultant, that examines the ball trajectory for cricket. Sport England can provide advice on consultants that undertake ball strike risk assessments.
2. If ball strike is identified as an issue that requires mitigation, then details of the design, specification and layout of any ball strike mitigation (for example ball stop fencing or netting) should be provided. This should also include details of how any ball strike mitigation will be managed and maintained. Any ball strike mitigation provided should not have any encroachment onto the cricket club's playing field.
3. The applicant does not wish to address the issue of ball strike, they should provide further information setting out why this is the case having regard to the judicial reviews cited above and paragraph 193 of the NPPF.

	<p>If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.</p> <p>The applicant is encouraged to engage with Sport England in advance of making any submissions to address the matters raised in this response.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
48	84	6	77	1

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>
5A Castle Hill Berkhamsted Hertfordshire HP4 1HE	<p>I'm neither for or against the SANG as it could ensure a green space that will not be built on for the next 80 years, but I have many concerns about the impact it will have.</p> <p>I'm concerned about an AONB that has already suffered from unsuitable development over the past 40 years. This has led to a huge increase in traffic and parking issues in the road and will add another car park and more traffic movements on an already dangerous corner.</p> <p>Can car parking spaces be freed up at the station for short term use rather than building a new one in an AONB? This car park is under utilised at the moment.</p> <p>Can double yellow lines be added to the junction of Brownlow Road on all sides of the roads along with double yellow lines on both sides of the road around the sharp corner of Castle Hill and a reasonable distance each side to ensure good visibility and lower the risk to drivers and pedestrians?</p> <p>Can the area within the Castle Grounds be cleared opposite the Junction with Brownlow Road so that people turning right from Potten End can see traffic coming from the Station as this area is getting more and more overgrown as the Castle is being left to return to nature.</p> <p>I'm concerned for the Residents who back onto the site, especially where the proposed car park is planned, as the antisocial behaviour that already occurs on the unkept fields nearby could move to this site due to the ease of access.</p>

	<p>Can the gates, that are currently used by the Cricket Club, be closed in the evening to discourage late night antisocial behaviour, which is the case on a few other SANGs.</p> <p>If the car park does go ahead I suggest it is made using tarmac, in keeping with all the other car parks in the area, as it will require less ongoing maintenance and reduce the risk of getting mud on the already dangerous corner of Castle Hill.</p> <p>I'm concerned for current Wildlife that will be forced out by the increased number of dogs and people walking off the current paths, especially as the dogs will be off the lead.</p> <p>I'm concerned about the planting plan for the SANG that will introduce trees on the higher levels cutting off views that are currently enjoyed by walkers, can these be kept to lower levels or not added at all.</p> <p>Surely this SANG would be better suited nearer the actual development it is intended so that people can walk and not drive? Also this site is just adding to a huge area that people currently use for dog walking and the increased area will probably be of little use as anyone driving here may well just carry onto Ashridge, or they may well use it as the starting point for a walk to Ashridge, defeating the whole point of this SANG!</p> <p>Assuming the planning application is approved by Dacorum Borough Council Planning Department as they are under huge Government pressure to build more houses but in typical Government style they now have to jump through more hoops and offset new sites with green spaces. I'm VERY concerned this will be pushed through without ensuring the most important aspect of the SANG is addressed, which is the future ongoing maintenance of proposed site as there is only reference to setting up in the first 5 years. There needs to be a detailed plan to ensure the site is maintained properly ensuring the grassland field is not allowed to turn into scrub, all litter and dog waste is removed regularly, car park traffic does not disturb residents in the evenings and night time, a Warden is probably needed to ensure the gates are shut at the appropriate times and address any antisocial behaviour that occurs.</p> <p>There also needs to be a robust plan on how to manage the car park effectively to ensure that only SANG users and not shoppers and commuters park there.</p> <p>Finally the Planning Department needs to ensure that no more creeping development occurs in this area of AONB, like toilets, cafe, visitor centre or further sports facilities as more land becomes available.</p>
<p>1 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>We are objecting to the establishment of this SANG at Castle Hill in Berkhamsted. It is clear from the developer's documents that none of the issues outlined below have been addressed. Unless they address all these issues, the development of a SANG would have a significant detrimental effect on the natural landscape which is currently protected by being within both the Green Belt and the Chilterns AONB and further protected via the Dacorum Core Strategy. Both the Chilterns</p>

management plan and Dacorum's own planning policies require that that the distinctive character and appearance of the countryside at this location be retained and not undermined by any change of use. This SANG proposal, which has not addressed the multiple issues below, would contravene these planning guidelines. Without significant changes, it would also have a detrimental effect on the lives of the Castle Hill residents.

1. Parking at the location is unnecessary and the carpark must be removed. Whilst we are aware that guidelines from Natural England state that there must be parking at a SANG, the guidance was formulated for SANGs with no other parking. There is no logic to this rule in this location. The proposed SANG is within 400 metres of the parking at the Railway Station and 5 minutes' walk along a flat pavement from the newly constructed parking next to Waitrose.

The location of an underutilised car park at both Berkhamsted train station and near Waitrose should have been considered as a way of meeting the transport obligations within the SANG. If the developers were to lease spaces in these carparks that would avoid the need to build a car park on an AONB. This would in turn enable the developers and planners to respect the requirements in the Chilterns Management Plan which states that car use by visitors to an AONB should be reduced wherever possible. The Chilterns Management Plan also states that, "where there is a conflict between conserving the special qualities of the Chilterns and its use or enjoyment, we must give greater weight to its conservation and enjoyment.". A car park directly on the AONB with all the accompanying noise, light and particulate pollution would absolutely destroy the "special qualities of the Chilterns" and should therefore be avoided if possible. And in this location, it is not only possible but easy.

2. SANG Management Plan is essential. If, despite the rationale against, the planners insist on a car park then it must be adequately monitored with a legal obligation to do so written into the contract with the Council. There must be a clear legal obligation on the developer to ensure that the car park is not used by shoppers or commuters. The car park should also be closed from dusk till dawn - a step for which there is precedent at other SANGs. Were the car park to be open during darkness, it would attract significant antisocial behaviour. This is already a problem in the surrounding fields - providing a carpark to the young people who treat the fields as a party area would make such activity much more likely. Please note that the existing antisocial activity generates fires (the fire brigade has been called on several occasions), litter (creating a danger to wildlife), and significant noise disturbing the residents.

The SANG has the potential to encourage (even sanction) anti social behaviour on "public" land if not suitably managed. The absence of a suitable management plan raises concerns that this will not be managed appropriately.

3. There should be a binding commitment for no future development. The developer's application does not offer any protection for the "air of relative wildness" that Dacorum Borough Council themselves say in

	<p>their Mitigation Strategy must be maintained. There must be a legally binding condition that no additional development e.g. toilets, café, shop will ever be added to the SANG.</p> <p>4. Safety has not been considered. The additional traffic created by a car park will have significant safety implications for pedestrians, including school children, as they cross the road on Castle Hill to access Berkhamsted School playing fields, the Chiltern AONB pathways, the Bowls Club or the Cricket Club. We have witnessed the death of a dog last year in this area demonstrating the fact that traffic in this area is already dangerous.</p> <p>5. Double yellow lines must be added to Castle Hill. The transport assessment does not appropriately consider the implications for the junction of Castle Hill and Brownlow Road or the access into the SANG from Castle Hill. The encouragement to use this new green space is likely to overwhelm the proposed parking and exacerbate parking on Castle Hill itself. Visitors frequently park across driveways and on grass verges with no regard for residents. The application should therefore have considered changes/improvements to the road layout specifically double yellow lines on Castle Hill - at a minimum these should be on both sides of the road along Brownlow Road and beyond the sharp curve on Castle Hill. It is common to have cars parked along both sides of Castle Hill around the sharp curve including on the junction with Brownlow Road. This makes the area extremely unsafe both for pedestrians and for drivers.</p> <p>6. Encouragement to use SANG as gateway to Ashridge. The proximity of the SANG to the location of the areas that it is designed to protect appears to be counter intuitive. The distance of less than 2 miles from Chiltern Beechwoods Special Area of Conservation, will undoubtedly provide encouragement for people to use the proposed parking provision within the SANG as a starting point for onward exploration.</p>
<p>2 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I would like to raise several objections to the proposed SANG adjacent to Castle Hill:</p> <p>The proposed site is in an area of green belt within an area of outstanding natural beauty which would be severely damaged by the addition of landscaping and parking. I do not think that you as the council should trade our long term protection for the short term objective of granting a SANG. There are much better locations a SANG which the building company should be asked to consider.</p> <p>The proposed site is also accessed on the bend of Castle Hill. Increased traffic at this junction point is likely to pose risks especially as there is a large amount of foot traffic with school children accessing and leaving the school playing fields.</p> <p>Finally a number of neighbours have seen skylarks nesting in the proposed area and encouraging a large number of dog walkers into this environment will harm this special environment. I do realise that as a council you can only judge each application as it is submitted but in this case I urge you to reject the current application and encourage the building company to look for a more suitable</p>



	location.
1 Gaveston Drive Berkhamsted Hertfordshire HP4 1JE	<p>I have noted the planning application for the 'development' of the Cricket Club and surrounds as part of the SANG application. I am at a loss as to how an area of supposed natural beauty is meant to sustain all this growth. In 2000, the Berkhamsted population was 12,000, now it is approaching 20,000. The Cricket Club and the AONB adjacent has had to cope with this and notwithstanding other applications already in for additional dwellings in the town, this one appears to be so far out away i.e., beside another town that it pushes all the limits to the very edge of the rules. Why don't the developers spend some of their money in that area instead of looking for a cheap solution on an already heavily used one?</p> <p>This feels like sharp practice by the builder and the consequences will be more unwanted traffic on an already heavily congested route around the castle. It will also bring increased potential for anti-social behaviour that will not be policed as we no longer have a police station!</p> <p>I cannot believe it has even reached this point in the planning process.</p>
Trevelyan House 2 Trevelyan Way Berkhamsted Hertfordshire HP4 1JG	<p>I object on the basis that I fail to see how this change of use from agriculture to accessible footpaths provides any benefit to an area which already has a huge network of established and well-used public footpaths and bridleways.</p> <p>Conversely, the change of use and proposed car park will negatively impact wildlife, local residents and the enjoyment of a beautiful area by the general public. One of the main attractions of this area is the feeling of being in nature. Interpretation boards and knee rail fencing will reduce this and marr the landscape.</p> <p>There is a carbon footprint associated with unnecessary development to be considered, along with the introduction of manufactured materials over an area which is currently farmland, both of which have a detrimental effect on the planet whilst also eroding Green Belt / AONB. Adequate parking is already available at the station and town centre car parks.</p> <p>The proposed plans will increase traffic and noise pollution and result in general disruption to a peaceful area of countryside and wildlife, which is already accessible for the public to enjoy.</p>
28 Castle Hill Avenue Berkhamsted Hertfordshire HP4 1HJ	<p>I have walked on the footpaths in and around the proposed SANG area for 30 years, and object to what is being proposed. I agree with the comments made by my neighbours on Castle Hill.</p> <p>My concerns are:</p> <ol style="list-style-type: none"> <li>1. This is not a good solution to the issue of providing more access to country areas to meet the mitigation strategy of the Chiltern Beechwoods SAC. I agree that more places for people to access the countryside are needed in the area with the population growth occurring, but they should be places that are logically accessible from</li> </ol>

new developments. I think it unlikely that the existing residents will change their habits for accessing the countryside. This site is not a good site for achieving these objectives because it is too close to the SAC, and could perversely encourage more access to the SAC, because it enhances a walking route there. Anyone approaching the SANG from the Potten End/Hemel Hempstead direction will drive across the Common (part of which is the SAC, and that outside the SAC is ecologically near identical), and quite reasonably would park and walk there instead. This would include people coming from the new housing in west Hemel Hempstead.

2. The good network of footpaths in this area already provides excellent countryside access to the north of Berkhamsted for dog walking and exercise. I do not think more money needs to be spent here on this.

3. The car park is a bad idea for the reasons other people have set out. It should be removed.

4. There is nothing substantial in this proposal about the ownership and maintenance of this site. Permission should not be granted at this time until this has been properly addressed (not something to be added later). For me it is the most important issue as I plan to be here for another 30 years. I cannot see why anyone would expect a building company to own and maintain this for 80 years as it is not their core business, and they will not be here. There must be accountability to the local people - somewhere for them to go if there are problems. Therefore it must be brought into the ownership and control of a public body sooner or later, either a local council or community trust; with all the implications for long term costs to the public. Whilst it remains farmland it would be maintained without direct cost to local people. The sheep have done an excellent job of keeping the grass mown. Without sustained maintenance the site will degrade into dereliction and lose its recreational and ecological purpose.

5. I agree with concerns about the effect on the wildlife of having more human and dog access to the site, especially the skylarks. This area of farmland is very rich in bird and mammal populations (I see more interest and variety here than in Ashridge) , and I would be concerned that more dog use would disturb that.

6. The chalk grassland idea is commendable, but it needs long term expert maintenance to establish and sustain; sheep do the best job. But grazing is incompatible with loose dogs.

7. In the detail: there should be more access gates to connect to the existing public rights of way. In one place, at the far south west corner, there is a PRow crossing into the SANG which has no gate access on the plan. There also needs to be a gate at the top of Castle Hill. There should be access gates from the public footpath on the other side of the north eastern fence line to avoid the fence will be broken down by people wanting to cross in and out of the SANG there (it will happen).

8. The woodland at the top of Castle Hill, where the gate goes into the field should not be there. It is a good open viewpoint and I would regret the loss of views.

	<p>9. There is a bit of field left at far western end, outside the SANG It is too small to be farmed so what will become of it? I am concerned about anything that will disrupt the historic field pattern.</p> <p>7. I support the Castle Hill residents in their concerns about litter and antisocial behaviour.</p> <p>I still object to the development, as my previous comment. The new fencing proposals look unsightly (2m high chain link fence in middle of countryside?). There are still not enough gates giving access to the existing public footpaths (see the corner closest to Bridgewater School - where is the gate for the Right of Way?). This is not an appropriate location for a SANG - countryside access should be provided close to new and existing housing areas which do not have sufficient walking distance access - we do here. A car park so close to the station is ridiculous, and why are you encouraging people to take car journeys when they should be able to walk their dogs close to their homes? Since the first application there have been two new proposals which affect the area between Berkhamsted castle and Ashridge: one is the National Trust's plans for the future of Ashridge Estate, the other is the study by the Castle Trust of the medieval castle park, with I think a view to increasing public access and awareness of it. The SANG land is part of this park. There needs to be an overall strategy for the whole area (not just two fields) which takes all these things into account.</p>
<p>59 Egerton Road Berkhamsted Hertfordshire HP4 1DU</p>	<p>Reduction to both human access and bio-diversity: deleterious effects to citizens' health.</p> <p>While developers tend to change the designation of SANG sites to new build estates in too short a timespan to be adequately monitored, those that do last show a dramatic reduction in bio-diversity.</p> <p>This is at odds with all policies establishing, and protecting, Areas of Natural Beauty.</p> <p>Further, restricted pedestrian access will likely enable to developer to site lack of use for speedier change in designation to new builds; destroying an AONB and valuable wild flora and fauna forever.</p> <p>This will negatively impact the (mental and physical) health and wellbeing of local citizens.</p> <p>In addition, the provision of additional car parking without improved access in close proximity to school playing fields represents a clear and immediate danger to children, and presents increased congestion (with attendant pollution) at a local pinch-point under the rail tunnel next to the station.</p> <p>Recommendation, give over the plot to true rewilding projects funded by the Government Agencies and overseen by locally elected committee of volunteers.</p>
<p>6 Park Street Berkhamsted</p>	<p>The proposal is completely unnecessary if looked at in terms of public access.</p>

<p>Hertfordshire HP4 1HX</p>	<p>The public access to the area is currently freely open and well used by many members of the public via the numerous public footpaths. The public use at the present time, balances well with the local ecology, including nesting skylarks, and numerous other flora and fauna present on this site.</p> <p>The construction of a carpark and potential increase in vehicular and foot traffic, will compromise the nature of the site.</p> <p>I further think that the fact that the application has been made by a volume housing developer, can only lead to the conclusion that this may well be part of a long term strategy, starting with "soft touch" development such as this, leading to future change of use as a site for further development as pressures on LA's to approve housing requirements increase.</p> <p>As indicated above, given the "housing developer" status of the applicant, I feel it would be disingenuous to ignore the likelihood of the existence of this long term strategy.</p> <p>I object to this application in the strongest terms.</p>
<p>55 Egerton Road Berkhamsted Hertfordshire HP4 1DU</p>	<p>Those who believe that these housing businesses truly have the best interests of our community in mind with their plans are clearly mistaken. It is evident that this is all part of a long-term strategy to develop this beautiful piece of land in an Area of Outstanding Natural Beauty. The usual process involves initially providing a service, then claiming that it is not being adequately utilised, and finally seeking a change in its intended use. By supporting this proposal, you are essentially giving the green light for further development.</p>
<p>9 Canal Court Berkhamsted Hertfordshire HP4 2HA</p>	<p>I object to this proposal on the following grounds: This is already a pleasant green space that people can enjoy and has wildlife and natural habitat that would be disturbed by the proposal.</p> <p>It is not a suitable area to attract a large number of people in cars. It is too far away from the new housing developments and so encourages more travel by car which is unnecessary. The road infrastructure in Berkhamsted (and in particular in this area) is at breaking point (two single track carriageway bridges for eg)</p>
<p>17 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I wish to oppose the proposed SANG at Castle Hill, Berkhamsted.</p> <p>I have lived in the Berkhamsted area for roughly 10 years and visited Ashridge and the surrounding area for leisure purposes before then. I currently live on Castle Hill. I have been a member of Berkhamsted Cricket Club (located next to the proposed SANG) for 10 years. I am a regular walker and cyclist in Ashridge and the surrounding area.</p> <p>The grounds for my objection are as follows:</p> <ol style="list-style-type: none"> <li>1) General need for a SANG in this location</li> </ol>

- I do not believe there is an objective requirement for a SANG to be sited in this location. It is directly next to Ashridge woods and 5,000 acres of the most incredible and beautiful, accessible woodland. I am unaware of complaints from the residents of Berkhamsted that there is a lack of access to natural amenity or facilities in this part of town. It has more than enough natural environment for everyone.
- Cynically, it therefore feels like this is a box-ticking exercise for the applicant - whereby they can fulfil their requirements to build elsewhere by using this (newly available) site as a SANG. It does not feel at all that this is the appropriate location for a SANG in this area - objectively speaking, there must be many other local locations whereby the requirement for a local SANG for residents is much more appropriately needed.
- I would therefore urge for the proposal to be considered in this light - I find it amazing that objective local area planning would site a SANG in this location. Especially given the downsides to this SANG as set out below. The investment in this SANG therefore should be moved to other sites.

## 2) Parking and access:

- The SANG should not include car parking for several reasons.
- Firstly the site does not inherently need car parking. It is easily accessible from both the station and Berkhamsted town (including all the parking available in Berkhamsted) on foot.
- Use of the SANG will increase traffic in the local area, reducing amenity and increasing an area that already has parking issues.
- The proposed access to the SANG from Castle Hill is already via a tight and dangerous bend. Increased traffic will increase the risk of an accident.
- The area is already heavily congested on weekends due to use of the cricket club and school fields. Road parking on weekends often extends up Castle Hill and the volume of cars and resulting tightening of the roadway makes the area congested and dangerous (especially as children use these facilities both for the school and for local sports clubs).
- Should the SANG proceed, it should be a condition that parking controls are added to Castle Hill. This is particularly the case should the SANG site not include parking (see below).

	<ul style="list-style-type: none"> <li>• Proposed parking for the SANG is in contravention of the area being designated in an Area of Natural Beauty - it will add the eyesore of a built environment to the AONB and the presence of unsightly cars in a beauty spot. I believe this is also contrary to the Chiltern Management Plan objectives of reducing car usage and preserving the natural environment.</li> <li>• Should the SANG proceed and include parking, then such parking needs to incorporate several controls:</li> <li>• This is an Area of Natural Beauty and thus the parking needs to be sympathetic to the area with suitable screening, no lighting, minimisation of non-natural materials etc.</li> <li>• The car park will need to be controlled to avoid people using it for parking for the train station or town. Budget will need to be set aside for this in perpetuity.</li> <li>• The car park should be closed during night-time hours for security and to avoid it being used as free parking for the town or train station. Again, budget should be set aside for this in perpetuity.</li> </ul> <p>3) Unsightliness and loss of natural environment</p> <ul style="list-style-type: none"> <li>• The proposed tree-planting in the SANG will change the environment, blocking views and spoiling a beautiful environment. I do not see why new tree planting is required when this site directly next to Ashridge woodland and its 5,000 acres of natural woodland.</li> <li>• Any built facilities at the SANG are unnecessary and should not be included so as to avoid ruining the natural environment. Facilities in Berkhamsted and in Ashridge should be sufficient for this area. Appropriate covenants should prevent the erection of any temporary or permanent buildings or other facilities like cafes, kiosks, toilet blocks etc. Should bins be required they should be sited discretely. Fencing should be minimised and discrete.</li> </ul>
<p>13 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I strongly oppose the proposed Suitable Alternative Natural Greenspace (SANG) near Castle Hill in Berkhamsted on the following grounds:</p> <p>1. Existing Footpaths and Unspoilt Nature:</p> <ul style="list-style-type: none"> <li>- The area is already endowed with a network of well-used footpaths cherished by local walkers who appreciate the unspoilt nature of the surroundings.</li> <li>- The proposed SANG threatens to disrupt the existing harmony and serenity enjoyed by the community, particularly those who value the current unspoilt state of the natural environment.</li> </ul> <p>2. Impact on Wildlife:</p>

- The potential consequences for existing wildlife in the area have not been adequately addressed in the proposal.
- The disruption caused by the SANG could have adverse effects on the delicate balance of the local ecosystem, raising concerns about the impact on wildlife.

### 3. Highway Safety and Traffic Congestion:

- The proposed point of access on Castle Hill introduces unacceptable highway safety issues, compounded by traffic and parking congestion at the bottom of Castle Hill from Brownlow Road.
- The safety concerns are particularly alarming given the significant number of schoolchildren who use this route to access the playing fields, emphasizing the urgent need for a comprehensive safety assessment.

### 4. Maintenance and Management of SANG:

- The lack of detailed information regarding the ongoing maintenance of the SANG beyond the initial 12-month period is a significant oversight.
- A transparent and comprehensive plan for the long-term management of the SANG is essential to ensure its effectiveness and sustainability.

### 5. Parking Issues and Contravention of Chilterns Management Plan:

- Parking within the SANG is unnecessary at this location and goes against the principles outlined in the Chilterns Management Plan.
- The proposed car park introduces a substantial built element within the Area of Outstanding Natural Beauty (AONB), with no assurances regarding its ability to prevent non-SANG users from exploiting the facility.

### 6. Anti-Social Behavior Concerns:

- Past incidents of anti-social behavior, including gatherings, parties, and BBQs, raise concerns about the potential for increased incidents in the proposed SANG area.
- Such issues not only pose risks to public safety but also strain local emergency services, creating an unnecessary burden on community resources.

### 7. Contradiction to Nature of the Area:

- The essence of the proposed SANG lies in its unspoiled nature and the absence of man-made features, which is precisely what attracts people to the area.
- If the SANG were to incorporate facilities and parking, it risks contradicting its intended purpose and may not serve the needs of those seeking a more natural and undisturbed environment.

In light of these objections, I urge a reconsideration of the proposed

	<p>SANG at Castle Hill. I advocate for a more balanced approach that addresses the genuine needs and concerns of the local community while preserving the unique natural attributes of the area.</p>
<p>Chiltern Society White Hill Centre White Hill Chesham HP5 1AG</p>	<p>The Chiltern Society understands and fully supports the need to protect the Chiltern Beechwoods SAC and the requirement for SANGS. We have provided neutral comments on the proposed SANG at Haresfoot Farm which is on the other side of Berkhamsted, 23/02508/MFA.</p> <p>The SANG Delivery Framework Document 1.11 states that the SANG is intended to divert, intercept or provide a credible alternative to recreational visits of local residents to the Ashridge SAC. We challenge the idea that this proposal will act as a SANG, as there are no new developments proposed or planned in the adjacent area and therefore why would any new or existing residents choose to visit this location when Ashridge is less than 5 minutes drive away?</p> <p>The proposed SANG area is visually attractive agricultural land which is criss crossed already by footpaths and already well used. It is also in the CAONB and the vast majority is green belt.</p> <p>Apart from some signage the only other feature on offer is additional car parking. We strongly feel that this will not be used for the SANG as parking at this location is difficult. The proximity of the station within a few minutes will mean that station users will try and use any spaces going, bearing in mind the £9 peak charge per day at the station, plus the sports users nearby. The knock on effect on Castle Hill Avenue, Castle Hill, Murray Road, and Brownlow Road and the roads around the Castle need to be considered. As the pupils from Berkhamsted school walk in large numbers under the one way bridge under the railway, need to cross Bridgewater Road and walk up near the proposed car park, so traffic conditions which are already difficult and at times dangerous will be adversely affected.</p> <p>The SANG Delivery Framework Document item 1.19 states that the Castle Hill SANG is not designed to suit any particular development but it is intended for use as general capacity for future developments. as the provision of a SANG is an 80 year commitment it will last until 2100 and beyond. The draft Local Plan identified housing development sites up until 2038 ie 15 years and there are no housing sites. Berkhamsted has severe challenges already in relation to transport and movement of traffic especially in this area, we query why the residents of the town should be forced to accept a speculative SANG where the benefit is not demonstrable.</p> <p>The Framework Document then goes on in item 3.2 to state that Natural England agreed the site would perform adequately as a SANG subject to various requirements being met which are listed in Table 1. it is our view that it will not be possible to provide and maintain the car park and access requirements and comply with requirements of a SANG.</p> <p>For the reasons stated we are submitting a strong objection.</p>
<p>6 Bridgewater Road</p>	<p>I OBJECT to the Planning Application 23/02972/MFA Proposed SANG</p>



<p>Berkhamsted Hertfordshire HP4 1HN</p>	<p>Site, Castle Hill, Berkhamsted, Hertfordshire. Residents who have informed me of their concerns.</p> <p>Others have written eloquently and in detail on the salient points of objection, so I will summarise here the basis of my concern, which largely aligns with those of others who have contributed full objections.</p> <p>1. Impact on the Chilterns Area of Outstanding Natural Beauty and Wildlife</p> <p>The site of the proposed SANG lies in an already highly valued and well used landscape, enjoyed by large numbers of local residents and visitors using the many Public Rights of Way in and around the proposed SANG site. It will add little or no incremental value to the already well used natural landscape.</p> <p>Included in the proposal is the plan to fence a significant portion of the site, seemingly for the sole purpose of allowing off lease dog walking. This seems wholly counter to the original intention to protect the natural aspect and wildness of Ashridge and is completely inappropriate to the need to retain the character and appearance of the landscape. There simply should not be fencing within the SANG, not just for aesthetic reasons but also in order to allow wild animals to follow well-established routes and access to habitats. Uncontrolled dogs will also threaten the existing wildlife in the area, including ground nesting birds, hares and deer which are regularly seen on that land.</p> <p>The site is protected by the relevant regulations of the Chilterns AONB and also by policies within the Dacorum Core Strategy, which all require that the distinctive character and appearance of the countryside at this location be retained and not undermined by any change of use. I believe the proposed plan will be to the detriment of the landscape and natural character of the area.</p> <p>2. Parking</p> <p>I am particularly concerned about the proposal to construct a car park within the site which falls within the Chilterns Area of Outstanding Natural Beauty. It seems utterly contradictory to concrete over natural land in order to provide vehicle access to that area and such an act will be clearly detrimental to the easily accessible green space that already exists in the AONB in that location.</p> <p>Parking within the SANG is unnecessary at this location, and, I believe, may be contrary to the Chilterns Management Plan as it represents the introduction of a significant built element within the AONB and whilst it may be the case that parking is seen as a requirement for the establishment of a SANG, I think there are good reasons not to follow that guidance here, amongst them that:</p> <p>The Chilterns Management Plan has an explicit objective to reduce car use by visitors to the AONB</p> <p>The SANG would be a matter of a few hundred meters from the Berkhamsted rail station, and slightly further from the centre of town,</p>
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existing car parks and numerous bus stops. It is an easy, level walk along Brownlow Road and Lower Kings Road, which are also wheelchair accessible, obviating the need for a car park.

For these reasons, I believe an onsite car park in the SANG is unnecessary and completely inappropriate in this location.

If parking were to go ahead, it would have to be screened by planting and access would need to be limited to daylight hours in order to avoid any need for lighting which would introduce additional light pollution to the area.

### 3. Poor Access

As others have noted, the proposed main entrance to the SANG is the small, unadopted access road leading to the Cricket Club from the sharp curve on Castle Hill. Additional traffic here would exacerbate existing parking and congestion issues in that area, especially when there are events at Berkhamsted School's sports pitches, the Berkhamsted Cricket Club and the Bowls Club. Further, given a SANG is required to be established in perpetuity (in practice, at least 80 years), the suggestion that entry to the site be along an unadopted access road, with no clarity on the ongoing maintenance and liability issues, is wholly inappropriate.

I am concerned that the proposals introduce unacceptable highway safety issues at the point of access on Castle Hill where there will be competition between cars, cyclists, pedestrians and dogs entering and exiting. As I understand it, the applicant's proposal does not include a dedicated pedestrian footpath, contrary to the image they have provided. This safety issue is further compounded by the large numbers of Berkhamsted School students walking to and from the school playing fields at Kitchener's Field every day which necessitates the students crossing the street at precisely the sharp curve on Castle Hill where the proposed entrance to the SANG would be located.

Overall, far too much emphasis has been placed on vehicle access and insufficient attention paid to pedestrian access and the linking of the proposed SANG with existing Public Rights of Way.

### 4. The historic and cultural significance of the landscape around the proposed SANG

The historical significance of this area to the heritage of Berkhamsted is enormous and is not adequately reflected in the application.

I believe that the application in its current form would have a detrimental impact on the heritage landscape around the Castle, which, inter alia, includes the WW1 use of the site, potential Romano-British remains, as well as its national significance in the Norman period and the well documented use of the land as a royal deer park dating from that period on.

In the context of this concern, I would like to draw attention to the Berkhamsted Castle Trust response in which the Chair of the Trust

	<p>notes:</p> <p>"from the first row of the table at para 5.7 of that document (on numbered page 11) that the case officer advised: "Berkhamsted Castle Trust - discussions with the Trust to advise how the site could be involved to secure the future of the Castle" I can confirm that no communication or engagement whatsoever has been received from the applicant in relation to the proposed SANG. Further, we understand from our partners at English Heritage that they have received no communication either. Nor, indeed, has Historic England been consulted on the proposals before the application has been submitted. We find this extremely troubling."</p> <p>4. Management arrangements</p> <p>Crucially, the application has little detail on what is actually proposed in the way of management activity to be undertaken by the managing agent. Without this level of detail, it is not possible to assess fully how the use and maintenance of the site will impact on local residents and the wider heritage and natural landscape and certainly provides little reassurance around the future stewardship of the site.</p> <p>More detail is therefore needed on the SANG Management Agreement and third-party monitoring.</p> <p>In summary, along with many local residents, I reiterate that I oppose the development on the basis that, fundamentally, it imposes on the site a wholly artificial landscape and environment that takes no meaningful account of the heritage of the location and its siting in the Chilterns Area of Outstanding Natural Beauty. Specifically, that:</p> <p>It would be detrimental to the landscape forming part of the Chilterns Area of Outstanding Natural Beauty Introducing unnecessary car parking will have a hugely negative impact</p> <p>Adverse effects of additional vehicle traffic Adverse impact on the historic status of the Castle and the surrounding heritage Insufficient detail in the proposed future management plans</p>
<p>132 Bridgewater Road Berkhamsted Hertfordshire HP4 1EE</p>	<p>I can't understand why this is needed. The outlook from the footpath overlooking the dell is stunningly beautiful and likewise looking back from the Ashridge side towards the proposed development. I doubt that Wimpey are getting involved here out of the kindness of their hearts. It's almost certainly a cynical attempt to build on the land at some future stage.</p> <p>Building a car park in the area will cause a completely unnecessary increase in traffic. The junction of Brownlow Road and Castle Hill is already lethal, particularly for pedestrians. Most drivers drive too fast and fail to indicate correctly at this junction, furthermore, there would be an increase of traffic under the railway bridge on Brownlow Road. Pedestrians crossing at the junction of Brownlow Road and Lower King Road already take their lives in their hands. This proposal would make this situation even worse due to increased traffic.</p>

	<p>I strongly urge the planning department to leave this beautiful part of the Chilterns alone. Corporate development here, of whatever you care to call it, is simply not needed.</p>
<p>12 Admiral Way Berkhamsted Hertfordshire HP4 1TE</p>	<p>I object to this development, because I really do not see how such a change of use from agricultural to accessible footpaths will bring any benefit to the area or the local residents.</p> <p>It is a beautiful area, with footpaths already accessible and well walked - I have lived here for over 20 years and regularly walk this area from home &amp; can not see the benefit of changing it.</p> <p>We are on the doorstep of a very large National Trust area, offering many accessible, well-used public footpaths and bridleways. There is absolutely no need for such a development.</p>
<p>Ladybrand Cross Oak Road Berkhamsted Hertfordshire HP4 3JB</p>	<p>I would like to object to the proposal. As a long term resident of Berkhamsted I do not agree that this is the right place for this development.</p> <ul style="list-style-type: none"> <li>- The area is already suitable for walkers; it does not require further development. It does not seem logical to develop an area of natural beauty, to increase its use which will adversely affect the wildlife. I also don't understand why you would choose to develop this site which is miles away from the residential area it is meant to be serving. You are only bringing more cars and people into an already congested town and increasing car use and pollution.</li> </ul> <p>I think that this will actually increase the stress on Ashridge, just increasing visitors from a different direction.</p> <ul style="list-style-type: none"> <li>- The car park will end up being used by commuters and so the surrounding roads will become more congested.</li> </ul>
<p>17 Hall Park Berkhamsted Hertfordshire HP4 2NU</p>	<p>I don't see the point of this. Wimpey will turn pleasant, natural rural farmland into an urban amenity which is not needed. It will develop from just a car park to toilets, to a playground, to concert venue to housing. What's wrong with it as it is? It will be a change for the worse and not benefit the residents of Berkhamsted, who enjoy this unspoiled land as it is.</p>
<p>46 Meadow Road Berkhamsted Hertfordshire HP4 1EB</p>	<p>I totally object to the proposed SANG on land by Castle Hill. This land has been used by the local community for many many decades. It is already a well used, beautiful piece of open countryside with multiple public footpaths. Proposing to fence it off to create what is effectively a middle class park is absolutely absurd. The only people who benefit from this are the developers - it seems to be being used to greenwash urban development elsewhere in Dacorum.</p> <p>The proposal not only suggests a fencing off of great swathes of land, but also the removal of existing public footpaths. Members of the public accessing the land from the public footpath/alleyway on Meadow Road</p>

	<p>look like they will be forced to turn right and be funneled through the footpath in the middle of the site ( which is already uneven and can be treacherous in wet or icy weather), rather than being able to skirt the edges of the field on the left hand side. Surely existing public footpaths are protected?</p> <p>There are deer, ground nesting skylarks, kites and kestrels in these fields currently. Rather than benefitting wildlife, the fenced off proposals will surely threaten it.</p> <p>I agree with all other comments regarding access, traffic safety, parking, rubbish, noise, anti social behaviour and wildfire risks.</p> <p>I also agree that creating a SANG here will not alleviate issues with damage to Ashridge. It will just create more social and environmental problems in a beautiful place where there currently aren't any.</p> <p>AND it's a totally unnecessary waste of money</p> <p>Utterly bonkers, unnecessary and unwanted.</p>
<p>5 Kitsbury Rd Berkhmstd HP4 1AA</p>	<p>I object to the proposed Castle Hill SANG for the reasons set out below.</p> <p>I have lived in Berkhamsted for many years and I am familiar with much of the surrounding countryside.</p> <p>My view, which appears to be shared by many others commenting on this application, is that the proposals for this site are unlikely to achieve the desired aim of deflecting visitors away from the Ashridge Commons and Woods SSSI (part of the wider SAC - the Mitigation Strategy is specifically concerned with damage to this SSSI). Creating a SANG here will not alleviate issues with damage to Ashridge - it will just create more social and environmental problems in a beautiful place where there currently aren't any.</p> <p>Change of use could lead eventually to inappropriate house building ruining the area. I am also deeply suspicious of the motives for this development as it is being proposed by building and estate agency companies, and feel that as soon as the change of use is granted, there will be proposals for house building. Assurances are needed that further development of the proposed SANG will never occur - e.g. provision of toilets, cafe or the construction of housing must be categorically forbidden.</p> <p>I endorse the objection raised by The Chiltern Society (comment submitted 6 Jan 2024).</p> <p>I endorse the concerns raised by CPRE (comment submitted 13 Jan 2023).</p> <p>There are deer, ground nesting skylarks, kites and kestrels in these fields currently. Rather than benefitting wildlife, the fenced off proposals will surely threaten it.</p> <p>I agree with all other comments regarding access, traffic safety,</p>

	parking, rubbish, noise, anti social behaviour and wildfire risks.
<p>Farm View Castle Hill Berkhamsted Hertfordshire HP4 1HH</p>	<p>As a resident of Castle Hill and someone who has grown up in Berkhamsted, I believe we should protect the special natural environment that we are so fortunate to have here. This proposal detracts from this by imposing a fake environment where it is not required: The site sits in the AONB and views have been enjoyed by walkers and residents for generations - we should preserve that. And the extensive network of existing footpaths in the area have plenty of capacity without having to create a separate parkland.</p> <p>Its location on the boundary of the town means it is too close to housing and the town's amenities and as a result will create a number of issues that have already been highlighted by others, such as highway and pedestrian safety issues, impact on residents, potential misuse of parking.</p> <p>If the application is granted then we object to the woodland planting, particularly at the SW edge next to 'Dutch Barn' as this will block panoramic views of the open countryside.</p> <p>We refer to our original objection dated 4 January 2024. The revised application has not removed the woodland planting at the SW edge next to 'Dutch Barn', which will block panoramic views of the open countryside. We are a neighbour adjacent to the site and our objection remains.</p>
<p>Rocamar 18 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>We are very concerned about the plans for a SANG in Castle Hill and our main points are as follows;</p> <ol style="list-style-type: none"> <li>1. Car park and traffic</li> <li>2. Security and anti-social behaviour</li> <li>3. Footpath connections and local use</li> <li>4. Management plan</li> <li>5. Wildlife</li> <li>6. Landscaping</li> </ol> <p>The junction where the proposed entry to the car park/Cricket club is located, is already a very busy corner of Castle Hill. What seems to have been disregarded, is the additional traffic and use of the entrance to Kitchener's field at all times of the day, whether it is staff or students parking their cars, or the hundreds of school children who walk to this sports field during the school day for their lessons, matches etc. As well as this, there are often coaches from other schools who come and go when matches are hosted by Berkhamsted School.</p> <p>Over the 13 years I have lived here, there have been several near accidents which I have witnessed, plus heard about numerous others where the children are crossing the corner and as you would expect, not always looking properly.</p> <p>To add more traffic coming in and out of this tight corner would certainly increase the risks of an accident happening.</p> <p>Additionally, when the Cricket club is operational, there are also a huge number of cars coming in and out. There would need to be double</p>

yellow lines along parts of Castle Hill to deter people from parking too close to these entrances and driveways nearby. It really is already a problem with the amount of vehicles driving into both entrances and often forgetting that Castle Hill continues around this bend, resulting in more potential accidents.

Also, it doesn't help that the junction from Brownlow Road into Castle Hill is already a tight, dangerous turning with limited visibility from all three directions.

The proposed car park will be an absolute eyesore on this land and it worries us greatly that not enough information has been provided about the opening times, parking fees and restrictions for this, as well as details on any proposed lighting which would very much impact the area. Additionally, we would want some commitment that the parking area does not grow into an area with toilets, cafes etc.

The current parking restriction on Castle Hill is between 11-12 which stops the commuters from using our road, however, this new car park would potentially be full as an overflow from the station.

If the car park were to be agreed, there would need to be a gate, similar to the current one set up by the Cricket club, at the entrance from Castle Hill, to deter people from parking anywhere behind the houses between dusk and dawn. As soon as you open that driveway up, it becomes a huge added security risk to all the houses facing the site as well as the Cricket club whereby there would be an increase in anti-social behaviour, particularly in the evenings and in the summer months. This is already happening behind Kitchener's Field and before they put their barrier up, the car park there was regularly mis-used in the evenings.

Surely, the proposed car park is not needed when we have the station and the new multi-storey car park in town, plus if this site is to be used by local residents, there are plenty of ways to walk or use public transport to get there.

In this regard, there will potentially be more people travelling into Berkhamsted by train to use this area and walk further into the Chiltern Beechwoods SAC. We already see many walking groups arriving from the station to walk around the current footpaths we have.

Making this a 'destination' rather than an extension of the footpaths, will really encourage people to gather here as we have seen in fields nearby.

With regards to the proposed access points, the site seems to be fenced off from some of the main adjoining footpaths, in particular the one at the top of the Castle Hill, where there is well used path running along the fence line towards Bridgewater School. Currently this footpath is open to the proposed site, it would make sense to be able to access the SANG from here as well the path north of this one.

We are also concerned with the lack of attention to the 'Management plan' and how this is going to be presented. It will not be acceptable for this site to become an overgrown mess where littering becomes a

	<p>problem and dog poo bins are not emptied regularly, plus vandalism and misuse goes unaddressed. This AONB could easily become an area for more people to use as a party area causing security and safety concerns for the residents backing onto the site.</p> <p>It should be noted that there are various wildlife groups living around the site boundaries. Foxes, badgers, skylarks, owls, deer and red kites seem to be the main ones we've seen and they currently live undisturbed by dogs and humans. This area will greatly impact their wellbeing.</p> <p>Also, we feel that any planting of hedgerows and trees needs to be consulted with the individual houses backing onto the site as some of us would be keen to have this additional screening but most, I think would feel they have lost their view over this beautiful valley and planting trees in particular would completely change the landscape. The updated application still fails to mention the maintenance and security of this area of land. Nothing is mentioned of the care of hedgerows and grassland, as well as littering etc.</p> <p>The car park has been relocated to a position where it is more than obvious to the residents and walkers in this AONB, thus changing the outlook for many and also puts it in the ball flight path of the cricket club, creating a danger to users.</p> <p>This car park is not required for this area and as I have lived here for 13 years, it is obvious to me that it will be used predominantly by commuters as it is so close to the station. One idea raised at the council meeting was to use the field owned by TW on New Road as a car park. This should really be considered if the plans go ahead.</p> <p>There is already a problem in a neighbouring field whereby teenagers use it to hang out at all hours of the night, including incidents of fire and drug abuse. Having this new space so close to residents' properties will be a security risk to many and will potentially cause all sorts of problems and call outs to the local police etc.</p> <p>Also, the current levels of traffic at the proposed entrance to the SANG on the bend, are very high and this is already used by local residents, Berkhamsted School children and staff (walking, driving and cycling), Cricket club members, football teams and visiting coach loads of school children. There are often near accidents as the bend is a pinch point for traffic, especially if people are parked nearby and add in the dangerous, fairly blind junction from New Rd/Brownlow Rd into Castle Hill, it is not going to improve with more traffic and will increase the chances of a fatal incident.</p> <p>In conclusion, I believe this agricultural land should not be visually altered in any way, whether it is used for walkers or sheep. There are plenty of other areas locally which can be improved for local use.</p>
<p>6 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>Object</p> <p>The scheme amounts to inappropriate development in the Chiterns Area of Outstanding Natural Beauty and the Green Belt, as manifested by the associated car park. It is detrimental to the AONB being intrusive in terms of noise disturbance, light pollution and traffic generation etc. [</p>



	<p>Policy 97 ] It does not conserve or enhance Dacorum's natural landscape. [ Core Srtatergy 25, Core Stratergy 26 ]</p> <p>Further there are:</p> <ol style="list-style-type: none"> <li>1. Security issues impacting on adjoining owners</li> <li>2. Highway issues created by, amongst other matters, replacing a private access road to the cricket club with a public thoroughfare.</li> </ol>
<p>6 Brownlow Road Berkhamsted Hertfordshire HP4 1HB</p>	<p>I object to this development, because I do not see how such a change of use from agricultural to accessible footpaths will bring any benefit to the area or the local residents.</p> <p>This proposal would, in fact, spoil the stunning landscape and would negatively impact wildlife. In addition, the proposed car park would only add extra traffic in an already congested junction.</p>
<p>Kinnerley 10 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>1. Road Safety and Access Concerns</p> <p>We have been residents at 10 Castle Hill, for over 20 years. We have great concerns and objections regarding the proposed plans for a SANG. We currently experience frequent issues around on-street parking congestion creating road safety issues. These occur most frequently near the entrances to Berkhamsted School Playing Fields and the Cricket Club which is exactly where the proposed SANG Car Park entrance is also to be situated. We have witnessed near miss accidents between vehicles heading down the hill around the lower bend in Castle Hill before the junction with Brownlow Road and those either heading up Castle Hill and/or aiming to turn right into the current Cricket Club and Berkhamsted School playing fields entrances. This is due to a combination of parked cars, the narrowness of the road and poor visibility on this bend. Large numbers of pupils from Berkhamsted School, pedestrians, cyclists and dog walkers are often crossing this difficult, blind bend area simultaneously with busy traffic activity. There is indeed a current pressing road safety need for double yellow lines to be provided on Castle Hill from the junction with Brownlow Rd to the entrances of the School Playing Fields and Cricket Club. Turning right into Castle Hill from Brownlow Road is also hazardous due to very poor visibility for drivers executing that sharp right turn. Vehicle access to the SANG car park is going to create greater local traffic hazards. All these unacceptable extra highway safety issues on the road network approaching Castle Hill must be mitigated, as well those on Castle Hill.</p> <p>2. Car Park Concerns</p> <p>Where we live, at 10 Castle Hill, the vehicle access and proposed car park will be sited close to our rear garden boundary. We are very concerned that this represents a security risk to our and others' properties plus will encourage anti-social behaviour which will impact on us. There have already been burglaries at houses in the road plus damage caused by trespassers who have accessed unobserved, via a rear garden fence. We live close enough to have already experienced the negative effects of continued antisocial nuisance behaviours in</p>

recent years occurring in the nearby school playing fields at Kitchener's Fields, and the farmer's field adjacent to New Road beyond them. Prior to the entrance barrier being erected to the Berkhamsted School Kitchener's Field car park, 24-hour vehicle access was possible and there were regular gatherings of large groups of young people in their cars late into the night. They would rev and race cars up and down the Berkhamsted School car park and driveway playing loud music from car stereos. Having driven in to meet up, they would park their vehicles in the parking zone by the school tennis courts, away from observation. The problems became so bad that Berkhamsted School erected an entrance barrier to Kitchener's Field and the Cricket Club now close and lock their gates. Security patrols have had to be implemented by Berkhamsted School to protect the school sports pavilion and property. On fine nights, because it is close to the town, still large groups of young people gather to head out on to the fields on foot regularly to play loud music, light BBQs and drink in the fields during the summer months. They cause noise nuisance, vandalism and leave associated litter waste. The farmer's meadow beyond the school playing fields was set on fire due to these activities on a hot summer evening in 2022, requiring the Fire Brigade to attend and considerable damage occurred. If people are further encouraged to gather by having a SANG car park to readily congregate in, the current anti-social noise, vandalism and fire risks will increase. This type of activity will be facilitated by access to a new open-all-hours unmonitored, remote parking area.

There does not appear to be any thought or formal undertaking regarding mitigation of the above should the proposed SANG be approved. Section 17 of the Crime and Disorder Act 1998 requires local authorities to consider crime and disorder implications of all their functions including planning decisions, and to do all they can to reduce or prevent these problems. As a minimum requirement for this, a sturdy car park barrier to be closed at night and on-going night time security patrols and checks would be necessary.

For the above stated reasons and more, we feel there is a strong argument against having a SANG car park at all. Visually it is going to be an eyesore within the SANG area. No proposals for screening off the car park itself appear to exist in the plans. We feel the SANG car park itself is unlikely to encourage a unique group of users. If there is to be a car park, it is as likely be used in the daytime by those wanting a close place to park either for visiting the town, or indeed by those more serious ramblers who wish to walk over towards Ashridge Forest along the existing footpaths. There is already parking at the nearby railway station, and it is an easy walk to the SANG from the town centre car parks.

### 3. SANG Long Term Strategy and Management Concerns

As there appears to be no access from footpaths from the direction and area of Bridgewater School, we feel the SANG is not well linked in with existing footpaths, and if additional entrances to the SANG are not provided, it will actually deter visitors and only result in more people driving to Ashridge, which is the opposite result from that intended.

	<p>Maintenance of the SANG does not seem to be addressed and it is unclear how the SANG will be maintained plus contractually how long any maintenance contract will last.</p> <p>There is an absolute need for details of the proposed SANG Management Agreement and for third party monitoring. What will happen if the company responsible for managing the SANG does not perform in line with the specified requirements, e.g. litter is allowed to accumulate, or dog poo bins are not emptied often enough, trees and or hedgerow thickets are allowed to become too tall, or the chalk grasslands are not maintained, and scrub takes over. There must be a clear legally binding agreement that ensures appropriate remedies for non-performance or breach of contract. There is no mention in the proposal of how frequently the contractors will maintain the land and there is no reference to what penalty will be imposed if they fail to meet the contract. The agreement must also ensure that ultimate responsibility for managing and maintaining the site remains with the landowner. There must be accountability to the local people and somewhere for the residents of Castle Hill to report problems. As we are overlooking and adjacent to the SANG site, we fear that we ourselves and other Castle Hill residents will effectively become the ones responsible for monitoring and reporting issues.</p> <p>Finally, there should be a binding commitment for no future housing developments on the SANG site. There cannot be valid arguments now for creating a SANG amenity, to then transform it in future to become a housing estate.</p> <p>In addition to my previously submitted written objections published Jan 8th , in support of my objections, I wish to additionally submit the following photographic evidence of very recent traffic congestion 27.01.2024 on Castle Hill around the entrance to the proposed SANG site.</p> <p>These photographs illustrate exactly the major traffic congestion and disruption that can occur currently when sporting events are in progress either at the Cricket Club or Berkhamsted School's Kitchener's Field, all without any extra traffic heading to the proposed SANG</p>
<p>The Hide Castle Hill Berkhamsted Hertfordshire HP4 1HF</p>	<ol style="list-style-type: none"> <li>1. As we overlook the area of the proposed SANG, we are very concerned that despite Savills' statement in a recent update that paths will be located away from the rear gardens of existing homes, the proposed path is very much closer to our boundary than in the initial plan where the proposed path was located in the valley. We would like the proposed path to be relocated to its original position as the new position will be extremely intrusive to both our and our neighbours' privacy despite the proposed landscaping.</li> <li>2. In the Planning Application it is reported that skylarks are present in "neighbouring" fields but throughout spring and summer we constantly see and hear skylarks in and over the area of the proposed SANG. We wonder what measures will be implemented to protect this ground nesting, endangered species? And in particular we are concerned about dogs, off the lead, disturbing their nests.</li> </ol>

	<p>3. We are also concerned about the impact of the proposed SANG on the foxes which are resident in the SANG area. Each spring we are delighted to watch them rear their cubs in a variety of areas in the proposed SANG area. Perhaps they could be given similar protection from the dogs as their dens are generally in the same areas as the badgers setts?</p> <p>4. We also continue to have concerns about the possible anti-social use of the area particularly given that recently there have been two occasions where groups have congregated and set fire to adjacent fields requiring the Fire Service and Police to attend the incidents.</p> <p>5. These groups have also left adjacent fields strewn with litter and we would like to ask what measures are to be implemented to avoid these problems, eg. a warden?</p>
<p>Rookfield 40 Castle Hill Berkhamsted Hertfordshire HP4 1HF</p>	<p>1. Parking Security. All Car Parking needs management, who will manage the SANG to ensure appropriate usage and who will bear the cost of the management.</p> <p>2. Street Parking. The sports clubs (Cricket, Raiders, cycling, bowls, tennis) plus the Berkhamsted School Sports fields make Castle Hill incredibly busy. The local council has not included this additional traffic in their calculations and makes Castle Hill unsafe.</p> <p>3. Highway Safety &amp; SANG Access from Castle Hill into Kitchener's Field is already on a blind corner and exacerbates the safety issues raised above. Access from Brownlow Rd is already dangerous coming in from Ashridge /Potten End side. This also impacts the traffic under the bridge at the railway station.</p> <p>4. SANG Maintenance. Who will maintain the SANG over time and who will bear the cost. There is a need for a legally binding condition to maintain naturalness of SANG and prevent incremental development. The Mitigation Strategy adopted by Dacorum in November 2022 provides guidelines for the provision of SANGs.</p>
<p>The Lodge Castle Hill Berkhamsted Hertfordshire HP4 1HH</p>	<p>I wish to object to the proposed Sang site, castle hill, Berkhamsted for the reasons given below.</p> <p><b>1. HIGHWAY SAFETY/PARKING ISSUES</b></p> <p>There is ALREADY a highway safety issue at the sharp curve on Castle Hill where the proposed entrance to the Sang is indicated. The Cricket club, Bowling Club, Berkhamsted school and walkers all use this entrance. When there is an event there is a large overspill of parking up the hill, much congestion and often a real safety hazard for schools pupils crossing the road at this juncture, coming and going from this site back to their school. Inviting more vehicles through this entrance heightens safety issues, particularly for pedestrians. More vehicle traffic parking up on the Hill will also increase inconvenience/ damage grass verges outside local residents homes.</p> <p>Currently turning right into Castle Hill from Brownlow Road is tricky as it is semi-blind. Additional traffic generated by the proposed Sang</p>

	<p>would increase possibility of an accident. The Chiltern Management Plan wishes to REDUCE visitors using cars to AONB</p> <p>2.LANDSCAPE ISSUES</p> <p>The distinctive character and appearance of the landscape will be undermined apropos Green belt, Chilterns AONB, Dacorum Core Strategy (Landscape Character Assessment, Area 119). Tree planting as proposed for Sang will block panoramic views from existing Public Rights of Way.</p> <p>Permanent fencing as proposed for Sang will undermine the natural aspect and relative wildness as would the proposed hard landscaping of a car park.</p> <p>3. WILDLIFE</p> <p>Skylarks - 'red listed' birds of conservation concern habitat this area. The proposed Sang would inevitably undermine their survival.</p> <p>4. Other issues- NOT ENOUGH INFO RE MANAGEMENT OF PROPOSED SANG</p> <p>The lack of information of management of proposed Sang, other than management being outsourced to another company is very disconcerting. There is no clarity about responsibility for ongoing management and maintenance of site.</p>
<p>42 Castle Hill Berkhamsted Hertfordshire HP4 1HF</p>	<p>In response to the application for the SANG adjacent to Castle Hill, we would share the following observations :</p> <p>The SANG does not meet its stated objectives</p> <ul style="list-style-type: none"> <li>- The proposal is in essence pointless as the area of the SANG is well served by an existing public footpath network on all sides. In this way, the "General Management Aims" are already fully achieved with the existing footpaths rendering the SANG wholly redundant.</li> <li>- It is also clear that the sole essence of this scheme is to provide a short term offset for a wealthy development company to build houses, for Dacorum to tick some boxes, and a farmer to bolster his pension. The scheme has no merit whatsoever beyond these outcomes and is likely to be detrimental to the immediate area in the medium to long-term.</li> <li>- The SANG will not 'deflect visitors away' from the Chiltern Beachwood and Chiltern Site of Special Interest but will only contribute to an increase in footfall - by bringing a car park even closer to these areas (many existing walkers already access these areas using Castle Hill as an entry point on foot).</li> </ul> <p>The Car Park is a significant issue - and the proposal as it stands is not acceptable.</p>

- Without a Car Park, the SANG would have some merit (although we acknowledge that the Car Park is likely a requirement within the SANG definition). Notwithstanding, the SANG's proximity to the Berkhamsted Station car park and Berkhamsted town should present an opportunity for the SANG to exist without parking - and we would urge exploration of getting approval for the SANG without it.
- The residents of Castle Hill are convinced the Car Park will not be used for its intended purpose without some form of monitoring/ticketing system, however rather as an over-flow for station parking, sporting event parking, and for the gathering of locals in their cars, to play music, potentially behave antisocially etc. In this way, if there is to be a CarPark it must be properly monitored and controlled, and under no circumstances accessible after dark. An automated boom to effect this would be optimal.
- The Car/Traffic assessments in the proposals are mis-leading. There is not room for both cars and pedestrians to safely enter the primary entrance together. This entry point should be for cars or pedestrians, but cannot safely be for both (a limitation of the site and another reason not to have a Car Park). Since there are few other entry points to the SANG this is an issue which must clearly be addressed.
- The narrow pinch points, tight corners, blind junctions, small tunnels under the railway bridges and other traffic considerations are not sufficiently analysed in the proposal. The fact that there have been few accidents in surrounding roads in recent times (as referenced in the proposal documents) does not address the future issues resulting from the establishment of this new car park. For example, the Berkhamsted school cricket field adjacent to the site attracts many children on foot, for whom it will be less safe due to the issue highlighted here.
- Re the Car park design. Landscaping, hedging, and low trees should be considered to obscure parked cars and retain the green environment from all sides. Screening to North is referenced in the proposal. Could more planting/landscaping be considered to reduce visual impact from south and west (residents) too?

The proposal is light on governance.

More granularity is required to give us comfort that there is a realistic governance and financial plan for the SANG

It is not acceptable that clause 4.8 (Management Framework Document) states the Management Partner will solely be responsible for on-going management (after the first year where Taylor Wimpey defer this responsibility to the Management Partner).

In this regard, the Applicant should specify information to address the following questions :

- On-going oversight and public opportunity to audit the activity of the Management Partner must be functional over the full 80 years.
- What is the governance structure? Will there be a constitutional framework? Please include a pro-forma to be included in the proposal.
- What are the specific mechanisms to deal with the Management Partner failing in its obligations, wishing to exit the arrangement, or going into liquidation? - and who has the powers for enforcement if the Management Partner fails in their obligations/?
- How much will be paid into the endowment program by Taylor Wimpey? - and in what format? Please insert into the proposal a financial model as to how these amounts impact on an inflation-adjusted basis over 80 years - to show a realistic prospect of the Management Partner having sufficient funds to fulfil their obligations over the 80 year period? (a very, very long time in financial terms)
- How must the Management Partner segregate funds for the Castle Hill site specifically? Or, are funds paid to the Management Partner in general for it to disburse at its discretion?
- Would the applicant consider a role for Castle Hill resident representation (to be elected from time to time by Castle Hill Resident Association) to be represented over the 80yr period?
- Lastly it must be constituted that no land-use creep is possible in respect of the SANG, eg introduction of a coffee shop, playground, use as music venue, no permissions for mobile ice cream / coffee vendors etc.

Specifically regarding on-going maintenance:

- Rubbish bins must be fox-proof to prevent foxes from digging into the bins and spreading rubbish on a nightly basis.
- Who removes rubbish (both bins and inevitable litter)? We assume the Management Partner. It should be constituted up-front how often this takes place. Currently the proposal reads "Litter and dog waste bins to be emptied as required" which is unsatisfactory in its lack of detail.
- Tree species to be planted in border between residents and SANG to be of a sort that do not become very tall at fully maturity (to preserve the view for Castle Hill residents)
- Clarify appendix (Management Framework Document) stating Y1-Y5 does not relate to first 5 years but any 5 years over the 80 year period?

	<p>In terms of Security/Policing. We welcome the insertion of a fence to put a boundary between the main SANG and Castle Hill resident boundaries - although it is important the fences themselves are not unsightly. Notwithstanding, the introduction of people will inevitably cause disruption. Kids have left rubbish and started fires on the fields near New Road. Likely this activity will be brought to the SANG. It will be for Castle Hill residents to call in the emergency services in the absence of any security provisions within the proposal - which will be impactful.</p> <p>Lastly, the environmental impact on existing families of foxes, badgers, deer and nesting birds is likely to be significant with free-running dogs being a stated objective of the SANG. We encourage all possible mechanisms be put in place to preserve the habitats and lives of existing animals on the SANG site.</p>
<p>20 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I am writing to object to 23/02972/MFA which is the planning application for the change of use from agricultural land to SANG in Castle Hill. This will encompass access by vehicles, the development of a car park and the landscaping of the area including fencing.</p> <p>My reasons for objecting are below:</p> <ol style="list-style-type: none"> <li>1. The destruction of the panoramic views associated with this AONB.</li> </ol> <p>I have lived in Castle Hill with an unrestricted view of the AONB for 40 years. The proposal to plant trees and thicket hedges will impact not only my view but that of immediate neighbours and those using the existing network of footpaths in the local area. The area is currently open and devoid of fencing, hedging and any form of enclosure. The introduction of additional fencing, trees, thicket hedges will detract from the appearance of the AONB.</p> <p>The change to a SANG will necessitate the imposition of fencing (as yet the height has been not been determined), destroying the openness of this area and the expansive view that it affords. I understand that the fencing will also limit access to the SANG from existing footpaths.</p> <ol style="list-style-type: none"> <li>2. Maintenance - lack of contract and details I have observed for the 40 years how the sheep have "maintained" the grassland. There is no reference in the planning application to the requirement for maintenance contracts or the involvement of third party contractors to maintain the grass and boundaries. There is no mention in the proposal of how frequently the contractors will have to maintain the land and there is no reference to what penalty will be imposed if they fail to meet the contract. Without the presence of the sheep or the implementation of an enforceable contract, the area will return to wild overgrowth. This will be unsightly and will not attract the users that are expected to use the SANG for recreational purposes. There will be associated litter, requirement for dog bins and I am concerned that this will negatively impact the beauty of the AONB.</li> <li>3. Availability of an existing network of footpaths which negate the</li> </ol>



need for the proposed SANG

I question why anyone would use the SANG when there are already multiple footpaths that are in constant use (I watch walkers daily using the paths) in the immediate vicinity. There is no pressure on the existing footpaths. Why would dog walkers drive to Castle Hill to walk their dogs in a field when there are areas of interest and beauty within easy driveable distance (Ashridge) and where there are facilities (toilets, refreshments) that can be enjoyed? I can't imagine why anyone would drive to this area to walk.

#### 4. Impact on traffic in Castle Hill

My main concern is the safety issues associated with the car park and access to the SANG. To approach the car park, it will be necessary for cars to drive across the bottom of Castle Hill, turning right into a narrow access way. There have been frequent incidents where infrequent users of the Cricket Club drive straight across the bottom of Castle Hill, without acknowledging cars that are driving down Castle Hill. Without a give way sign or traffic management system, there is a high chance that there will be collisions between cars coming down the hill and those crossing the road to access the SANG.

I am also really worried about the pedestrian access to the SANG as currently there is no pedestrian path and the proposals don't include how dog walker (in increased numbers) will access the SANG without being on the access road.

#### 5. Parking arrangements

The suggestion that the car park will only be used by SANG users is not realistic. The availability within 300m of the station of a free car park will mean that commuters and students from the Boys' School will use this car park. If the car park is created there will be a requirement for an enforceable parking time limit to be implemented so that the carpark doesn't become an overflow car park for the station.

When events are currently held at the cricket club or on the football pitches, the parking in Castle Hill is chaos. Cars are parked on the verges, across driveways and I believe that emergency vehicles could not drive up the road due to the narrowing of the road as a result of parked cars. IF the use of the SANG exceeds the capacity of the designated carpark, the same parking issues will arise. For this reason, double yellow lines should be introduced (with wardens present) to ensure that the road is not used as an overflow car park.

#### 6. Security

I have had to report 2 incidents to the police about people being present at night on the area that is being designated as SANG. People have accessed my garden (over barbed wire fencing) from the SANG and spent time using drugs in my back garden. This is extremely worrying for me. At the age of 84 and widowed, I can't confront people using my garden for these purposes. I am concerned that a carpark and paths will attract people at night who will use the area for inappropriate

	<p>activities. I have already installed a security light in my property to mitigate the risk and to deter people accessing my garden. On the second occasion, a neighbour's garden was accessed and property moved. This represents a worrying intrusion of my and my neighbours' privacy and sense of security.</p> <p>7. Recognition that the development of the SANG will be of no benefit for local or distant communities</p> <p>I don't believe that the SANG will be used extensively as there are alternative routes that are already used by the local community. People who live further away are not likely to drive to Castle Hill. I can't understand why there is a requirement to impose the SANG on residents of Castle Hill and surrounding areas. The SANG will involve the disruption to open views, negatively impact the existing wildlife. There will be increased noise, possible anti-social behaviour, security issues, uncertain maintenance contracts, traffic and parking problems that are potentially dangerous. The purpose of the proposal is to "to provide additional dog walking" when there is already sufficient dog walking paths in the area. This makes no sense to me.</p>
<p>8 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>We have lived on Castle Hill for twelve years and would like to echo the sentiments of many others who have commented on this application here, by strongly objecting to the proposal.</p> <p>We do not believe that the creation of a SANG on this site is in any way necessary, given the extensive network of public footpaths in the area that already provides access to this very special AONB for all of the town's residents and other visitors, and the proposal for an alternative SANG at Haresfoot Farm which has significantly less direct residential impact.</p> <p>We also strongly object to the proposal to add new car parking facilities on this site; not only would this be an environmentally and visually damaging change to the area, but it would also be a completely unnecessary one, in view of significant parking facilities that are already sited at Berkhamsted station, 5 minutes walk away. The access to the proposed SANG is also a dangerous spot, being sited on something of a blind corner. With more traffic using that area the potential for disruption and accidents will increase significantly, as well as creating additional nuisance for local residents - who often already find Castle Hill reduced to single lane traffic and their property access blocked from extra cars parking on the road when major events are held at the Cricket Club, Bowling Club or Berkhamsted School fields.</p> <p>The boundaries at the Castle Hill edge of the SANG, which border the back gardens of residents on the north side of the road (of which we are one), have also not been thought through with enough consideration for the security and protection of properties on the road. As others have noted, use of the public land behind Castle Hill has increased since lockdown, and that's also come with a corresponding rise in rubbish dumping, fires and noise / nuisance. The addition of a SANG that directly abuts property creates significantly increased risks of bringing that nuisance even closer to dwellings, especially so if other amenities</p>

	<p>such as food and drink amenities or toilets were also ever allowed to operate / or were built on the site.</p>
<p>4 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I have posted a comment on the planning portal in relation to this application but there is no ability to upload any photos. In this particular case one of our big concerns relates to highway safety and parking both within the proposed SANG and on Castle Hill. A photo says a thousand words and as such please find below a few photos showing the state of the road and some typical parking.</p> <p>I trust that these photos can be added to my objection and would be grateful if you could confirm the same.</p> <p>Please see 'Online Photos' under the description of '4 Castle Hill' I am a local resident and am writing to OBJECT to the proposed SANG development. My objections are based on the following reasoning;</p> <p>1). Existing environment</p> <p>The land proposed sits within the Green belt and AONB. The area is visually attractive and provides for many public rights of way that are well used by a large number of local residents. The land proposed for SANG development is subject to a number of policies which seek to protect it in its current form and appearance, such as the Landscape Character Assessment and Chilterns Management Plan. The proposed SANG is flawed in many areas, a few of which I set out below;</p> <p>2). Landscaping</p> <p>The proposed planting of trees and hedges will block most of the panoramic views across the valley from all directions. It will not enhance as is required by the policies but detract, which is in direct conflict with the policies aforementioned. Any planting should be reconsidered to lower levels, so as not to affect the skyline.</p> <p>3). Footpaths</p> <p>The proposed SANG has three points of entry but does not integrate with the existing network of public rights of way. Again this is in conflict with the policies which state that any planning policies and decisions should enhance public rights of way and access. Proposed access points need reworking to enable the SANG to be fully integrated with the existing network.</p> <p>4). Maintain natural feel</p> <p>If planning consent is granted to the proposed SANG then there should be a restriction on the title preventing incremental creep of development. The planning policy suggests "an air of relative wildness" and therefore there should be a contractual restriction throughout the life of the SANG against any development within this land such as cafes, WCs, kiosks and lighting.</p> <p>5). Fencing</p>

The proposal suggests the introduction of a substantial amount of fencing. This again is contrary to the policy requirement to retain the character and appearance of the landscape and should be removed.

#### 6). Highway safety

a). The red line plan denoting the proposed SANG, as currently drawn, appears to run across three accesses, namely the cricket club, the Kitchener's Field access and our driveway. This appears to be inaccurate as there is no right of way/ access over the corner of our property title. This needs amending but the proposed access does not provide a safe visibility splay from these various access points especially if this is to become a busier intersection.

b). General access to the site is dangerous and busy:

- Vehicles cause blockages by the bridge/ railway underpass which will only get worse
- New road to Brownlow road - this is a fast, tight road, with limited road markings leading to the New Road to Castle Hill junction.
- Brownlow road to Castle Hill - this is a tight 90 degree+ semi-blind turn. More traffic is more likely to lead to the danger of collisions.
- Access point to the proposed SANG - there are many conflicting users at this junction already - pedestrians, cyclists, vehicles and the access is narrow. The proposal is for a two way access but this is impractical and doesn't allow for any safe pedestrian passage. Many of the pedestrians are young children playing sport on the nearby cricket club ground. In addition school children are required to cross castle hill to gain access to Kitchener's Field.
- Many drivers see the road from the station to cricket club as a "racing straight" and if the proposal is to go ahead there needs to be an element of traffic calming.

#### 7). Parking

a). Parking within the SANG is unnecessary and contrary to AONB policy which would be against the introduction of a new car park that creates another significant built space within the AONB. Whilst policy suggests a SANG should have a car park, this location should be an exception as there are substantial car parking facilities at both the station (250 metres away) and the multi storey car park off Lower Kings Road (c. 500m away). The ease of access to other parking facilities and the AONB restrictions should override Natural England's requirements.

b). If permission is granted for the SANG, then the car park should be created with natural screening to hide it from view from residents and those using the rights of way, thus trying to preserve the characteristics and appearance of the landscape.

c). Access to parking - should parking be provided free of charge then it will be used as a free car park for those going to the railway station,

shops and other activities. It will be virtually impossible to police that the parking is only being used for access to the SANG and therefore it is very likely the parking will be used for entirely other purposes. Access to any parking should only be between dawn and dusk to avoid disturbance from anti-social behaviour; noise; lights and so on.

d). Parking restrictions on Castle Hill - the road is currently used daily for parking by those wishing to walk, shop in the high street, use the railway and so on. Cars regularly park badly, blocking driveways, parking on curbsides or fully on grass verges. This is particularly bad at peak times of use, for example when there are sporting fixtures where cars are often parked on both sides of the road. Any SANG development will increase the number of cars parking in the area exacerbating this problem. The proposed SANG does nothing to mitigate this issue and as such we would proposed the introduction of double yellow lines to both sides of Castle Hill.

#### 8). Wildlife

The land in question is currently home to a number of species of wildlife including Badgers, Foxes, Skylarks, deer, Red Kites, and Owls amongst others. The proposed scheme will change their environment dramatically with fencing blocking off their usual roaming/ foraging routes and being in conflict with all the additional dogs.

#### 9). Ongoing maintenance and management

The proposal doesn't provide detail as to "who and how" the site will be maintained. There is a concern over this site deteriorating over time and there needs to be recourse against the landowner in the agreement should this be the case. The Council should have oversight to ensure standards are being maintained.

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The revised plans submitted for the SANG application do not deal adequately with a number of issues.

The highway report is clearly a desktop exercise and doesn't deal with the recording of existing ebbs and flows to the site, eg peak times and the congestion this causes, nor does it look at proposed usage. Peak use cannot be ignored under safety grounds.

The access way is not sufficiently wide to cater for two way vehicular egress and safe pedestrian access. nothing in these proposals ease this issue.

The conclusion of the TW report states all the benefits this SANG will provide - i would suggest the vast majority of these are already in place and therefore the SANG adds nothing, indeed the proposal detracts in many areas due to the existing natural AONB being altered by fencing, signs, benching and the cutting of new pathways and a car park into an AONB.

There are still no clear plans as to how the maintenance of the SANG will be dealt with and funded.

	<p>No further consideration has been given to control of the car park - without this it will simply be used by commuters as it offers a free parking solution or if time restricted shoppers walking to the high street. Will this be secured at night, will there be security and so on? An empty car park will create opportunity for anti-social behaviour.</p> <p>The list of issues goes on and on and I don't believe they have been adequately dealt with. i am wholeheartedly against this illconceived idea.</p>
<p>48 Castle Hill Berkhamsted Hertfordshire HP4 1HF</p>	<p>I have many issues with the application, but my key ones are as follows:</p> <p>(1) Why are we doing this ? I don't know anyone in Berkhamsted who doesn't know the walkways over the countryside, including the proposed SANG area, and who use them already. People appreciate them exactly because they do not have formal pathways, picnic tables or car parks and that the area is unspoilt. Why would we collectively negatively impact something that the community currently highly values ? (I am sure you could do a count of how many people currently walk in the area - maybe you should poll these people to see whether they see any benefits in setting up the SANG as they will all be directly impacted)?</p> <p>(2) My understanding is that the land in question is part of the Chilterns AONB. Yet the plan includes planting of trees on the SANG which without question will block the views, which are currently enjoyed by the large number of Berkhamsted residents who already walk in the area. How can this be allowed ? I think this is contradictory to what is included in the Chilterns Management Plan ?</p> <p>(3) We all know that there have been several reported incidents of unruly behaviour in the area - including fires etc. Having a SANG will no doubt make the likelihood of such incidents a lot higher. What are the hours of the SANG ? Surely it must be limited to daylight hours and access to it - and especially the car park must be actively monitored to ensure its not used out of hours.</p> <p>(4) I have big issues with the car park. Have any of your staff seen what it is like currently at the bottom of Castle Hill on Saturday or Sunday, especially when there are Raiders events ? It is simply chaos, with not enough space to pass, and actively suggesting that additional people come and park their cars there is utter madness. Why cant a deal be done with the train station, which is 200 yards away and has spaces available at the weekend ? That must be a better solution than building a car park in the exact spot where there is currently overcrowding.</p> <p>(5) SANG management. I noticed in the documentation that the management of the SANG would be outsourced - well ok but who is this company and what are their legal requirements to maintain it ? I also noticed that 'third party monitoring will not be required'. I would say 100% that third party monitoring is very very much required ! we are encouraging people to bring dogs and picnics to an area of AONB and</p>

	<p>then not monitoring the management company to ensure litter is picked up, bins are emptied, grass is cut, trees maintained etc etc. I have a major issue with this - as drafted we could be turning an AONB into a complete eyesore.</p> <p>(6) The area backs on to the back of my property. It is currently not clear what will be between the pathway and my wall. Can you confirm? Will this land also be properly maintained ? again third party monitoring of this is an absolute basic requirement.</p> <p>(7) If this idea does happen, and I really hope not, we need cast iron, legal guarantees that there isn't 'mission creep' - that the area continues in its 'wild' state - and under no circumstances do we see public toilets, ice cream vans, coffee vans, cafes or anything else.</p> <p>In summary, I think this plan has the potential to wreck an AONB, which we all currently 'own' and enjoy. Please please lets not wreck something beautiful for what are really limited benefits.</p>
<p>Kaysfield 38 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>38 Castle Hill Berkhamsted HP4 1HE formally OBJECT to the Planning Application 23/02972/MFA Proposed SANG Site, Castle Hill, Berkhamsted, Hertfordshire.</p> <p>I have read through other views and objections to this SANG.'I concur with all that has been stated.</p> <p>'I would add to the objection the serious risk of grassfires in the area of the SANG. This land turning into grassfires is a very serious risk which pose a real threat to people, wildlife, property and the environment in the area.</p> <p>2023 was the worst wildfire season on record and most wildfires in the UK originate from human activity.</p> <p>Last year by chance I was passing one of the bedroom windows in our home and saw 30+ youths based in the fields opposite the Cricket Club, at that moment I witnessed someone starting a fire and how easily this spread.</p> <p>This was despite the wildfires were continuing to spread across all areas of the UK and in fact globally with daily warning about fire risks in the area. Grass and Wildfires can travel at a rate of up to 14.27 miles per hour.</p> <p>The fire was spreading in the direction of the Baxters Farm and to the Golf Club and the woodland area behind this.</p> <p>I called Hertfordshire Fire Brigade ( and the police ) and we know where the fire station is in Berkhamsted and fortunately they were there in minutes and as it was easy access from the main road the fire was rapidly put out.</p> <p>With the grassland being in the Sang being like a tinderbox for the last few years it concerns me that the increased leisure activities from the SANG and / or deliberate acts will cause untold risks to our homes, and</p>

	<p>set up an uncontrolled, destructive fire that could spread rapidly through woodland, heaths, grassland and farmland.</p> <p>Which as previously stated is a very serious risk and poses a real threat to people, wildlife, property and the environment.</p> <p>I hope this objection is taken into consideration.</p>
<p>Broadfield 36 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>We have lived in Dacorum for more than twenty years, primarily in Kings Langley and more recently Berkhamsted. We have made use of all walking amenities throughout the borough, including the fields surrounding Castle Hill, and have never felt there is a shortage of places to go.</p> <p>Changing the use of the field at the back of Castle Hill to a SANG does not offer anything positive to Berkhamsted - or the borough. Every aspect is negative.</p> <p>It will remove important agricultural land where wild life - foxes, skylarks, kites, badgers, deer, owls - live happily alongside the sheep. This field is currently not accessible to the public, human foot fall and encouraging dogs "to exercise freely" will have a detrimental effect on their future. This field is surrounded by accessible paths where one can enjoy the landscape and stunning views - seeing nature at close quarters - without disturbing it. Introducing man-made structures - fences, bins and picnic areas - in a field that is currently within the Green Belt and an Area of Outstanding Natural Beauty - will destroy this for very little benefit.</p> <p>Adding trees to the landscape will distract from the natural scenery and block views from current pathways. I understand this is in direct contradiction to several current policies.</p> <p>The proposed access is in a precarious position. The site is already used by the cricket club, football club, bowls club, cyclists and school children as well as walkers and dogs. It is on a tight bend in the road with heavy traffic most weekends. Cars park the entire length of Castle Hill on these days making navigation difficult. Increasing the traffic flow would be incredibly dangerous.</p> <p>Dacorum offers plenty of parks for those people who require more structured public facilities. There are plans to increase four of these parks so this field should be left as it is - a stunning natural landscape which can continue to be enjoyed from the already accessible footpaths that surround it.</p> <p>New SANGs at Chipperfield Common and Bunkers Park were set up when the Borough adopted the Chilterns Beechwood Special Area of Conservation Mitigation Strategy in 2022 and plans for Gadebridge Park are at an advanced stage. Turning this field into a SANG - with direct country walking access to Ashridge - will encourage more people to visit Ashridge not fewer.</p> <p>The housebuilders could adopt the alternative proposal of paying an additional fee to the council per new home to support and improve the</p>



	<p>current parks and SANGS, which are far more accessible to the wider public, without destroying the natural landscape of the Castle Hill field and thus denying the public access to nature at its natural best.</p> <p>Despite the rewording of the application our opposition remains. This field offers a unique closeness to nature that will be gone forever should this application be passed. At the moment, May 2024, it is full of sheep and lambs, nesting birds, rabbits and foxes. These will all be lost if it becomes a field for dog walkers. The area is full of footpaths all around this field where one can enjoy the views, the animals, the birds, and walk dogs. Destroying this beautiful natural site is beyond comprehension - there will be so little return for such a huge change of use.</p> <p>The SANG is closer to Ashridge than the development site and will attract, not detract, visitors who will have to drive from the new housing development in order to use the field.</p> <p>The entrance on the corner of Castle Hill is already precarious. Encouraging additional traffic will bring untold dangers to children, walkers and cyclists.</p>
<p>32 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>For all local residents of Berkhamsted and surrounding areas this is a special view, unspoilt and natural. The proposed SANG would permanently alter this and have a detrimental impact on this AONB.</p> <p>There are already miles of public footpaths accessible from or near to the cricket club and surrounding fields. Indeed, many of the existing footpaths are literally within metres of the proposed the SANG footpath.</p> <p>There seems to be no justifiable reason to permanently alter and damage an AONB in this location with it's an abundance of wildlife (including newts, bats and bird species) in order to provide an amenity that already exists and is readily accessible.</p>
<p>26 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I strongly object to the proposal for a SANG at the bottom of my garden. This will not only have an impact on The Green Belt, The Chilterns AONB, my privacy and the traffic difficulties and safety issues we already have in our road, it will have a huge impact on my health and security.</p> <p>The site of the proposal is a valued landscape, and there are already plenty of public areas beyond the proposed site.</p> <p>I enjoy a gentle view of the cricket ground and the hills beyond. The proposed planting will obstruct and destroy this view. I am also a bird lover and the sighting of skylarks in the fields is surely a conservation necessity.</p>
<p>24 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I have been a resident for over 20years and regularly use the existing and well defined public footpaths and see no additional benefit to agree with the proposed SANG and I also have the following major concerns.</p> <p>Access into the site and safety going forward - we currently see many</p>

issues around parking and congestion , particularly going onto castle hill from brownlow road and also on the bend going into the current cricket and boys school playing fields.

There is in fact a current need for double yellow lines to be provided rather than the current single yellow lines already in place.

A higher volume of traffic along with additional parking spaces will only enhance the chances and traffic accidents as well as personal safety.

I believe that there already exists within the immediate area ample parking and therefore no need to create the proposed new car park

Maintenance of the SANG - within the documents submitted there does not seem to be a plan of how and when the SANG will be maintained and contractually how long will this last.

Parking security - having the proposed car park does not prevent non SANG users from using the car park as a cheaper way to get into town or use the trains and again there is little details as to how this will be managed and monitored

As my house backs onto the field I note that there may well be some newly planted trees although not very clear from the Plans provided it would appear such new trees may well effect my current view and therefore I would request not to have trees planted.

I also note that there is a new fence planned to run in parallel with my existing fence and again the detail is not clear as to where this new fence will be in relation to my fence , however should such a new fence be agreed is there any consideration to plant smaller trees to eventually create thicket hedging to cover the new fence.

Existing wildlife - I am very concerned as to the effect and therefore the protection of the current wildlife (skylarks) which exists as I can only imagine having a SANG will only destroy and effect existing habitats which have been happily there for decades .

I have a particular concern regarding the security of the potential dogs that will be set free in the SANG and any potential access into my or neighbors gardens

Landscaping issues - as previously mentioned but in addition I fail to understand why any new trees ( apart for the fence hedging previously mentioned) are required to be planted at all which may well effect the current views enjoyed as is .

What comes after the proposed SANG - again there seems to be little detail around any future plans to be able to simply change the SANG to then allow for future domestic households to be built , after all the SANG is being proposed and sponsored by major house builders .

There seems to be a lot of emphasis that this proposed SANG will eventually reduce the numbers currently experienced at Ashridge . This I feel is misjudged as why would anyone compare Ashridge to the new

	<p>SANG - Ashridge will win hands down and therefore there will be no reduction in useage as indicated in this proposal</p> <p>Lastly we have experienced in the past in nearby fields youths having BBQs and picnic during the summer months and leaving associated waste , not to mention any potential fire Risks . There does not appear to be any thoughts regarding mitigation of the above should the proposed SANG be approved</p>
<p>22 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I object to the proposed SANG based on the following points, although note that if they were to be properly addressed, I would be far more open to the proposal:</p> <p>1. Management of the proposed facility</p> <p>I am very concerned by the lack of detail in the proposal regarding the ongoing management of the SANG. The emphasis is on the first 2 years rather than the following 83 years, which strikes me as thoroughly short-sighted.</p> <p>I would like to see far more detail on who is going to manage the site, what funds will be dedicated to the ongoing maintenance, what the governance system will be (3rd party monitoring as a minimum) and also how local residents will be integrated. Having previously been a victim to rapacious management firms in new build sites, I am all too aware of how commercial interests can trump responsible and thoughtful management. This is all the more acute in an AONB, and a site that aims to provide an attractive destination drawing people away from Ashridge.</p> <p>Furthermore, there must be legally binding limitations on further development to ensure the integrity of the SANG e.g. prevent public toilets and other "facilities" such as kiosks etc thereby protecting the absolute requirement to preserve the relative "wildness" of the area.</p> <p>2. Car parking</p> <p>I fail to understand why a car park is necessary within the SANG, when ample and underused parking is available very close by at the railway station and the centre of the town. The establishment of a car park not only damages the precious grassland, but also adds considerable pressure to an already dangerous and congested piece of highway i.e. the bottom corner of Castle Hill and the cricket club. There is a lack of imaginative thinking in this proposal beyond "a SANG must have a car park".</p> <p>If a car park is deemed essential, I would propose the following to limit it's impact:</p> <ul style="list-style-type: none"> <li>- Daytime only parking (and properly enforced)</li> <li>- A barrier to prevent nighttime access / camping etc</li> <li>- Considerate screening from view of the carpark from all angles</li> <li>- Time limited access to prevent train station commuters using it as free parking</li> <li>- Ban on any commercial entities such as coffee / ice cream</li> </ul>

trucks

In addition, I would propose better limitations on parking near the SANG to prevent the local roads (especially Castle Hill) from being blocked up, the road is already blighted by inconsiderate parking practices. I appreciate this point is slightly counter to the argument against the car park, however both points need to be integrated into some proper planning and consultation.

### 3. Landscaping

I have the following issues with the landscaping of the SANG:

- The proposed trees are being planted in locations which block the views from pathways. The trees need to be placed in lower lying areas where the precious views will not be blocked (in line with the Chilterns Management Plan).
- The SANG appears to only consider access from one direction, not those arriving from other directions such as Bridgewater Road. Thus, those coming from those areas would be more inclined to use the car park rather than walking, which is counterintuitive and lazy thinking.
- The edge of the SANG abutting the garden of Castle Hill needs to be carefully considered, ideally with low lying (1.5m) and deep thicket to ensure the privacy and security of these properties.

In conclusion, I object to the proposal because the level of detail in both the SANG establishment plan and the ongoing management proposal have been poorly thought through. I respectfully suggest the plans are reworked integrating far more input from local residents, who will be able to help and support the plan rather than in the current format which has the whiff of inconsiderate and blind planning.

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We object to the proposal, nothing has substantially improved since the previous proposal:

#### 1. The car park is uncontrolled and therefore:

- a. Liable to be used by commuters not SANG users;
- b. Liable to be used and abused overnight (creating noise and likely litter nuisance);
- c. There is perfectly good parking spaces close to the proposed SANG.

2. The access to the SANG is limited due to the surrounding roads, specifically the single lane Castle Hill. In addition the corner is already a dangerous turning point (I have personally had numerous near misses as a pedestrian and driver), this will be further exacerbated.

3. The car park is being built on an AONB, as is the access - surely this is a misappropriation of AONB land. Furthermore, what is to stop people parking there to access Ashridge bearing in mind parking is already at a premium, thereby exacerbating the overloading of Ashridge rather than mitigating.

	<p>4. The long term maintenance issue has not been addressed other than a loose statement that it will be.</p> <p>5. The very fact the area needs fencing again surely is counter the the nature of an AONB.</p> <p>6. The plan still fails to link up to existing local footpaths. This limits the benefit to all residents in Berkhamsted, unless the plan is force people to drive in order to gain access, which seems contrary to environmental targets.</p> <p>7. The car park remains unscreened, creating an eyesore from all angles. Again surely contrary to the nature of an AONB.</p> <p>In short, this again seems to be forcing an issue to create a "SANG" to tick a box rather than a well thought through proposal.</p>
<p>16 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I live at number 16 Castle Hill, looking towards the proposed car park and have been very fortunate to live here since 1993.</p> <p>I fully support the comments made by the previous residents who have objected and give below my key reasons for objection;</p> <p>a) The proposed SANG offers, at best, a very marginal gain to the currently available walks.</p> <p>It adds one field to give access to the second which already has extensively used footpaths and access to and from four other directions viz Castle Hill, Bridgewater Rd, Northchurch Common and Berkhamsted Common</p> <p>This area is already extensively used by ramblers, dog walkers and joggers/runners who easily access the delights of the Common, Alpine Meadow and onto Potten End, Little Gaddesden and the Ashridge Estate without the need for this additional entrance point</p> <p>b) The proposed car park runs counter to existing regulations in respect of AONBs</p> <p>It will need extensive day to day management if it is to be used by only those for whom it is intended and not commuters and shoppers looking to avoid parking charges.</p> <p>It will need excellent screening in order for it to emulate that surrounding the current car parking for the Cricket Club and not to considerably damage the view currently enjoyed by the houseowners on the North side of Castle Hill</p> <p>There will need to be some form of barrier, such as employed by Berkhamsted School, to ensure that there is no access during the hours of darkness and obviate the noise and light disturbance/pollution cars would cause during these hours</p> <p>c) Car parking in Castle Hill is a growing problem already from the</p>

	<p>sporting activities on the cricket ground and Kitchener's Fields</p> <p>Congestion from parking up the hill leaving only one navigable lane is not only a nuisance but also dangerous particularly on the blind bend at the bottom of the hill where the entrances to the proposed SANG and Kitchener's Fields are located.</p> <p>Current parking restrictions need to be enhanced as a matter of priority</p> <p>d) Increased nuisance to residents of Castle Hill</p> <p>Since the lockdowns the fields adjacent to New Rd above Kitchener's Field have increasingly been used as a recreation facility for the youth of Berkhamsted. This has resulted not only the depositing of all their waste rubbish and bottles (some of which my wife and I have had to remove) but also unwanted incursions into residents gardens and fires necessitating the attendance of the Fire Brigade.</p> <p>The proposed SANG would be an open invitation for this nuisance to transfer to the more pleasant and nearer area of Castle Hill</p> <p>I continue to vehemently object to this proposed development</p> <p>I can see nothing in this revision which properly addresses the concerns I raised on 7 January</p> <p>I agree with all the very detailed concerns raised by the other objectors to this totally unnecessary proposal</p>
<p>12 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>Please see letter in documents tab</p>
<p>Dutch Barn Castle Hill Berkhamsted Hertfordshire HP4 1HH</p>	<p>We live at Dutch Barn, Castle Hill and would like to object to this application on the grounds that our land/paddock will be adversely affected if this application is permitted as the proposed SANG would completely engulf our paddock and livestock within. We also need to question why some of the drawings include areas of land that are in our ownership.</p> <p>Firstly, due to the timing of the application being submitted over the Christmas period, whether by design or coincidence, we have had limited time to review the application and it's specific detail as we are currently out of the country and therefore reserve the right to comment further.</p> <p>"We are probably the most impacted by this application as our land/paddock sits bang in the middle of the scheme and creates the wedge of land dividing the proposed SANG.</p> <p>"There has been NO attempt to contact us from either the consults or the applicant regarding this proposal.</p> <p>"The landscape map within the applicants proposals show areas within</p>

our ownership. The location plan also needs clarification as it appears to incorporate part of our land. Clarity is sought to confirm the proposals are only on the applicants land and to fences/gates within their ownership not ours."

The proposals have a new hedge line to the full length of the eastern boundary of our land/paddock which will fundamentally change the rolling hills outlook of this area, bisecting the wider views of the folding hills - a feature much enjoyed by all."

There are no proposals to manage this hedge line to stop it becoming a substantial tree'd boundary, which will put the eastern part of the paddock in shadow affecting the quality of the pastureland, in addition to this we would need to understand the species of trees to be planted (if this were to go ahead) to ensure they are not poisonous to livestock."

The application also proposes to alter our fences and gates with no consent, agreement or authorisation and it proposes to block up our existing gates again with no consent, agreement or authorisation from our part. We have gates and access that they are proposing to fence across."

The application proposes to install a kissing gate where our existing gate exists - this gate is owned by us and on our land - we do not and have not given consent for this (the gate is at the bottom of the footpath that runs down from The Great Barn)."

The application proposes new fencing on two sides of our land/paddock to be changed to stock proof fencing, we own the existing fences and have not given permission for this.

"Are they proposing to install fencing a few meters off the existing? If so, at what distance from the existing fencing and how can we prevent our Alpacas being stressed by dogs off the lead harassing them along the fence line?"

"There is no mention of how they propose to stop dogs off the lead getting into our paddock when travelling along the footpath to the east of the paddock. Dog walkers are not likely to put their dogs on the lead when they pass through the kissing gate as they walk up the existing foot path towards The Great Barn."

An Alpaca in our paddock was mauled by a dog and subsequently destroyed some years ago. Currently due to the grazing sheep 99% of dogs are on the lead, which demonstrates the current harmony in the adjacent uses. "

The current owner of the proposed SANG land was himself physically assaulted a couple of years ago when asking a dog walker to put their dog on the lead when going through the sheep field - therefore there is a real concern that with the two longest boundaries of our field being surrounded by this proposed SANG, that there is no proposed protection of our ability to continue to use our paddock for our alpacas / livestock."

We currently own and have one footpath running down the eastern edge of our land. This proposal would create footpaths to all three sides of our land/paddock, leaving our livestock completely surrounded and vulnerable and exposed to being stressed by dogs off the lead and as the focus of this SANG is to encourage people to this area rather than Ashridge there will be an intensification of use of this SANG - its very intention albeit at our detriment.

"The entire area that forms the SANG along with the wider land owned by Mark Baxter, currently works in harmony as there is the foot path access across the land and a balance with the uses, with dogs being more carefully controlled on the lead due to the sheep grazing. With the proposed change to a SANG our ability to use our paddock for livestock will be significantly impacted - this can't be ok; the whole area is currently in agricultural use and it is the wider area that surrounds our paddock that is proposed for change of use, leaving our land surrounded.

"Our paddock has two foot paths adjacent, one down the eastern side and the other along our road (also in our ownership) adding a third to the western side would completely surround the paddock as it is V shaped and would affect how we use the land."

Our fencing is adequate to keep our livestock in but will not keep out an uncontrolled dog or prevent a dog running up and down the boundary stressing our animals."

We have badger runs that cross the paddock currently and we have included a gap under the fence to accommodate them, but no provisions are proposed for this in the application."

There are also ground nesting birds present in our paddock and throughout the proposed SANG (skylarks amongst others), these will be affected by dogs off the lead if permission is granted."

To summarise, we are concerned about the potential inaccuracies within the submission, the wrongly identified land, the assumption that they can carry out works to fences in our ownership, blocking existing gates / field access', changes gates that are in our ownership, and the impact on how we can use our paddock with the change of use to the land surrounding it, upending the harmony of the current side by side uses. We are very concerned for the ongoing use of the paddock."

We have not had any contact about this proposal despite being the wedge of land that bisects the proposal. It will have a huge impact on how we use our land, it will change the character of the area with the proposed hedging to my eastern boundary (which appears to be on my land) and again bisects the rolling hills that fold one into the other.

'Please do contact us to arrange a site meeting as we would like to ensure that you see the impacts of this proposal from within our property and the land/paddock. Please note I am currently abroad and would like to schedule a time some weeks forward to enable arrangements to be made. "



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Letter received from James Gardiner of Dacorum Borough council dated 18/04/2024 outlining the latest amended updated information does not address any of our genuine concerns detailed below in our original objection January 2024. Again no detail of how additional fencing would sit next to our own fencing, our right of way being blocked, proposal to change gates in our ownership and to erect a fence inside land in our ownership without permission. Considerably more fine details and clarification are required if this proposal is to be considered for approval.

ORIGINAL OBJECTION Jan 24

We live at Dutch Barn, Castle Hill and would like to object to this application on the grounds that our land/paddock will be adversely affected if this application is permitted as the proposed SANG would completely engulf our paddock and livestock within. We also need to question why some of the drawings include areas of land that are in our ownership.

"We are probably the most impacted by this application as our land/paddock sits bang in the middle of the scheme and creates the wedge of land dividing the proposed SANG.

"There has been NO attempt to contact us from either the consults or the applicant regarding this proposal.

"The landscape map within the applicants proposals show areas within our ownership. The location plan also needs clarification as it appears to incorporate part of our land. Clarity is sought to confirm the proposals are only on the applicants land and to fences/gates within their ownership not ours."

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There are no proposals to manage this hedge line to stop it becoming a substantial tree'd boundary, which will put the eastern part of the paddock in shadow affecting the quality of the pastureland, in addition to this we would need to understand the species of trees to be planted (if this were to go ahead) to ensure they are not poisonous to livestock."

The application also proposes to alter our fences and gates with no consent, agreement or authorisation and it proposes to block up our existing gates again with no consent, agreement or authorisation from our part. We have gates and access that they are proposing to fence across."

The application proposes to install a kissing gate where our existing gate exists - this gate is owned by us and on our land - we do not and have not given consent for this (the gate is at the bottom of the footpath that runs down from The Great Barn)."

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"Are they proposing to install fencing a few meters off the existing? If so, at what distance from the existing fencing and how can we prevent our Alpacas being stressed by dogs off the lead harassing them along the fence line?"

"There is no mention of how they propose to stop dogs off the lead getting into our paddock when travelling along the footpath to the east of the paddock. Dog walkers are not likely to put their dogs on the lead when they pass through the kissing gate as they walk up the existing foot path towards The Great Barn."

An Alpaca in our paddock was mauled by a dog and subsequently destroyed some years ago. Currently due to the grazing sheep 99% of dogs are on the lead, which demonstrates the current harmony in the adjacent uses. "

The current owner of the proposed SANG land was himself physically assaulted a couple of years ago when asking a dog walker to put their dog on the lead when going through the sheep field - therefore there is a real concern that with the two longest boundaries of our field being surrounded by this proposed SANG, that there is no proposed protection of our ability to continue to use our paddock for our alpacas / livestock."

We currently own and have one footpath running down the eastern edge of our land. This proposal would create footpaths to all three sides of our land/paddock, leaving our livestock completely surrounded and vulnerable and exposed to being stressed by dogs off the lead and as the focus of this SANG is to encourage people to this area rather than Ashridge there will be an intensification of use of this SANG - its very intention albeit at our detriment.

"The entire area that forms the SANG along with the wider land owned by Mark Baxter, currently works in harmony as there is the foot path access across the land and a balance with the uses, with dogs being more carefully controlled on the lead due to the sheep grazing. With the proposed change to a SANG our ability to use our paddock for livestock will be significantly impacted - this can't be ok; the whole area is currently in agricultural use and it is the wider area that surrounds our paddock that is proposed for change of use, leaving our land surrounded.

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Our fencing is adequate to keep our livestock in but will not keep out an uncontrolled dog or prevent a dog running up and down the boundary stressing our animals."

	<p>We have badger runs that cross the paddock currently and we have included a gap under the fence to accommodate them, but no provisions are proposed for this in the application."</p> <p>To summarise, we are concerned about the potential inaccuracies within the submission, the wrongly identified land, the assumption that they can carry out works to fences in our ownership, blocking existing gates / field access', changes gates that are in our ownership, and the impact on how we can use our paddock with the change of use to the land surrounding it, upending the harmony of the current side by side uses. We are very concerned for the ongoing use of the paddock."</p> <p>We have not had any contact about this proposal despite being the wedge of land that bisects the proposal. It will have a huge impact on how we use our land, it will change the character of the area with the proposed hedging to my eastern boundary (which appears to be on my land) and again bisects the rolling hills that fold one into the other.</p> <p>'Please do contact us to arrange a site meeting as we would like to ensure that you see the impacts of this proposal from within our property and the land/paddock.</p>
<p>18 Boxwell Road Berkhamsted Hertfordshire HP4 3EX</p>	<p>Anyone who thinks that these housing related businesses are genuinely wishing the best for our community with these plans must be supremely naive. It is obviously part of a long term process to develop this lovely part of land in an AONB. There is a pattern of first of all providing an amenity then putting forward a case that not enough people are using said amenity and then applying for a change of purpose. By supporting this proposal you are basically giving a green light to development.</p>
<p>Berkhamsted Castle Brownlow Road Berkhamsted Hertfordshire HP4 1LJ</p>	<p>Proposed SANG Site, Castle Hill, Berkhamsted, Hertfordshire Planning application for the change of use from agricultural land to Suitable Alternative Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping</p> <p>We write in our capacity as managers of Berkhamsted Castle, which lies approximately 70m south east of the proposed development site, to OPPOSE the above development due to the adverse impact it will have on the scheduled ancient monument site (List entry number 1010756) and the historic landscape inextricably connected to the Castle.</p> <p>You may also perhaps be aware that our Charity has recently received a £29,600 grant from the UK Government through the UK Shared Prosperity Fund to explore the feasibility of protecting the historic landscape connected to the Castle thorough the establishment of a protected green space / park centred on the Castle and surrounding heritage assets in the immediate landscape. The UK Shared Prosperity Fund is a central pillar of the UK government's Levelling Up agenda and provides £2.6 billion of funding for local investment by March 2025. The Fund aims to improve pride in place and increase life chances across the UK investing in communities and place, supporting local business, and people and skills. For more information, visit <a href="https://www.gov.uk/government/publications/uk-shared-prosperity-fun">https://www.gov.uk/government/publications/uk-shared-prosperity-fun</a></p>

[d-prospectus](#)

Historic significance of the proposed development site

The application rightly notes that the site falls within an area that was once the deer park of the Castle. The history of the deer park is extensively set out in Dr Anne Rowe's two books, *Medieval Parks of Hertfordshire* and *Tudor and Early Stuart Parks of Hertfordshire*, and I will not repeat it here. Those publications are, rightly, noted by the applicant in the desk-based Archaeological Survey and the Heritage Statement. Other heritage assets in the vicinity are, most notably, the Roman Building Scheduled Ancient Monument (List entry number 1005253) approximately 80m to the east of the site, an as yet unscheduled significant WW1 trench structure within the site itself, and a significant dyke or ditch structure running across the southern end of the site - which possibly connected to the Castle water defences / moat, or is of similar date / construction to the dyke connected to the Romano-British villa and temple site on Berkhamsted Common (Scheduled Ancient Monument List entry number 1020914).

Brief mention is made of the WW1 trench structure at the south of the site in the Archaeological Survey (although not in the Heritage Statement), but the wider significance of the site as part of the overall area in Berkhamsted made available by Earl Brownlow to the Inns of Court Officer Training Corps between 1914 and 1919 is not referenced. The site formed part of the extensive green space to the north of Berkhamsted that was put at the disposal of the Inns of Court Officer Training Corps throughout WW1 and used for practice drills, parades, trench warfare training and encampment by the more than 12,000 officers posted to Berkhamsted during that period. The area currently occupied by Berkhamsted School's sports pitches, by Berkhamsted Cricket Club and the southern end of the site forming part of the planning application were renamed "Kitchener's Fields" in recognition of this use. A history of the Inns of Court Officer Training Corps in Berkhamsted during the period - *The Inns of Court Officers Training Corps during the Great War* - was written by the commanding officer, Lt. Col. F. H. L. Errington, C.B., V.D. Significant numbers of photographs of their activities in the area were taken by local photographer, James T Newman, and show the encampment, sports activities and the WW1 trench structure referred to as "The Labyrinth" which is within the site under consideration. The historical significance of this area to the heritage of Berkhamsted is immense, and has been materially overlooked / glossed-over by the applicant.

We are of the view that the application as presently structured would have a material and irreparable detrimental impact on the heritage landscape to the north of the Castle. It would materially alter the area around the WW1 trench structure at the south of the site (the full extent of which, in the absence of a full geophysical survey, is unknown), and cut through the ditch / dyke structure which, like the site on Berkhamsted Common, may possibly date to the Romano-British period or earlier. Fundamentally, it imposes on the site a wholly artificial landscape and environment that takes no meaningful account of the heritage of the location and its siting in the Chilterns Area of Outstanding Natural Beauty.

Whilst we recognise that there is lack of public green space in Berkhamsted compared to the other urban centres in the Borough (i.e. although there are numerous, privately-owned green fields in the area, public access is only lawful along the existing network of footpaths recorded on the definitive map maintained by Hertfordshire County Council), and that there is potential for a well-considered and planned park area to the immediate north of Berkhamsted / the Castle to help relieve pressure on the Chilterns Beechwoods Special Area of Conservation at Ashridge, we do not believe that the proposed SANG in the form put forward by the applicant is appropriate or suitable. Impact on the Chilterns Area of Outstanding Natural Beauty / access arrangements

Of particular concern is the proposal to construct a car park within the site, which falls within the Chilterns Area of Outstanding Natural Beauty. Whilst we recognise that Natural England's updated Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG) - August 2021 says:

"Accessibility

Most visitors come by car and want the site to be fairly close to home. Unless SANG are provided for the sole use of a local population living within a 400-metre catchment around the site, then the availability of adequate car parking at sites larger than 4 ha is essential. The amount and nature of parking provision should reflect the anticipated use of the site by visitors and the catchment size of the SANG. It should provide an attractive alternative to parking by the part of SPA for which it is mitigation. Car parks should be clearly signposted and easily accessed.

New parking provision for SANG should be advertised as necessary to ensure that it is known of by potential visitors."

we have significant concerns that the manner in which the applicant seeks to achieve this requirement for the proposed site is detrimental to the existing green space that already exists in the Chilterns Area of Outstanding Natural Beauty (by replacing green space with a gravelled car park and access road). In addition, the proposal seems to pay little attention to the significant, and well documented, local parking issues that exist in Berkhamsted. Any car park provision in this area would, unless carefully managed and properly enforced, inevitably end up being used for commuters rather than visitors to the proposed SANG.

Further, the proposed access to the site on the bend in Castle Hill, making use of the existing unadopted access road to Berkhamsted Cricket Club, would exacerbate existing issues that result in that area. Events at Berkhamsted School's sports pitches and Berkhamsted Cricket Club regularly increase the number of parked cars on Castle Hill and seeking to enter and exit those sites via the existing access roads. This significantly impacts on local residents and impedes traffic flow along Castle Hill. Any access to a further car park in the manner suggested would have a significant negative impact on the local area. Further, given a SANG is required to be established in perpetuity (in

practice, at least 80 years), the suggestion that entry to the site be along an unadopted access road, with no clarity on the ongoing maintenance and liability issues, is wholly inappropriate.  
Applicant's response to pre-application engagement with Dacorum Borough Council

The applicant has submitted a Planning Statement which summarises engagement with neighbours in the immediate vicinity of the site and the responses received from the case officer who handled its pre-application enquiry to Dacorum Borough Council. We note from the first row of the table at para 5.7 of that document (on numbered page 11) that the case officer advised:

"Berkhamsted Castle Trust - discussions with the Trust to advise how the site could be involved to secure the future of the Castle"

I can confirm that no communication or engagement whatsoever has been received from the applicant in relation to the proposed SANG. Further, we understand from our partners at English Heritage that they have received no communication either. Nor, indeed, has Historic England been consulted on the proposals before the application has been submitted. We find this extremely troubling.

#### Management arrangements

It is a legal requirement for a SANG to be established in perpetuity (in practice, at least 80 years), and for clear and credible management and financial arrangements to be put in place to support that. The applicant's SANG Delivery Framework Document merely provides for the site to be cared for by the landscape contractor who undertakes the works for the applicant for the first 12 months after establishment. No details on the management of the site thereafter, other than to note that "a suitable future managing agent will need to be put in place to secure the future maintenance of the newly created SANG in perpetuity." (para 4.3, on numbered page 20) are provided. The document is silent on what is actually proposed in the way of management activity to be undertaken by the managing agent. Without this level of detail, it is not possible to assess fully how the use and maintenance of the site will impact on local residents and on the Castle and wider heritage landscape. Likewise, it is not possible truly to assess the potential impact on the wildlife and ecology of the site and wider area. Whilst it might be possible to design a Suitable Alternative Natural Green Space in the area to the north of Berkhamsted Castle / in the Chilterns Area of Outstanding Natural Beauty, the applicant's proposal is inappropriate and ill thought-out. We would invite the applicant to withdraw the current application and to engage meaningfully with us, our appointed consultants (Land Use Consultants Ltd), the Town Council and wider community to help devise a solution that would be acceptable to all.

We reiterate that, as currently formulated, we OPPOSE the development on the basis that it would be detrimental to the historic status of the Castle and the surrounding heritage landscape forming part of the Chilterns Area of Outstanding Natural Beauty, introduce a significant risk to the highway at the access point at the corner of Castle

	<p>Hill, and does not appear to us to have the level of management detail necessary to be able to assess the long-term viability of the proposed SANG.</p>
<p>19 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>Whilst recognising that this is generally a well thought-out application I have several concerns.</p> <p>Parking:</p> <p>I presume a time limit will prevent the otherwise certain use by commuters. Currently dog-walkers pay to use fenced areas nearby, so they are sure to use a free facility like this. Also visitors to the castle and the town's shops will use this free parking option. So, the car park will fill up and hence it is essential to prevent parking on Castle Hill (narrow road) and the Brownlow Road junction (low visibility). Double yellow lines in these places should be part of the development.</p> <p>Anti-social behaviour:</p> <p>Prior to the gating of the school and cricket club parking, anti-social behaviour took place after dark. It is essential that the new car park is gated from dusk to dawn.</p> <p>Planting:</p> <p>The plans appear to omit screening of the car park, which is necessary for the residents of Castle Hill and users of the SANG.</p> <p>Access:</p> <p>Kissing gates are needed at the points where the existing footpaths meet the SANG, to avoid people having to walk around to get in.</p> <p>Management:</p> <p>The application is silent on the specifics of what the outsourced operator will do. We need requirements on them to empty the bins, repair infrastructure, keep low planting below the required height, operate the car park gate, police the car park time limit, and so on. We need details of oversight and remedies for the residents in the event of lapses.</p> <p>Aesthetics:</p> <p>Please can the "hardware" (signposts, interpretation panels) be minimised to avoid destroying the landscape. Fences to protect young planting should be removed promptly. Dog litter bins should be discreet or screened from most angles.</p>
<p>CPRE 31A Church Street Welwyn Herts AL6 9LW</p>	<p>I write with regard to the above application for SANG as part of the Mitigation Strategy to reduce the public impact on the Chilterns Beechwoods Special Area of Conservation (SAC). Whereas we accept that SANG may constitute an appropriate use for land in the Green Belt and Chilterns Area of Outstanding Natural Beauty (AONB), we have</p>

several significant concerns which we would appreciate the Council taking into account in their determination of this application.

1. In general, the importance of issues relating to the countryside are considerably increased by the location of the site in the Chilterns AONB and partly in the Green Belt. The site immediately adjoins the settlement boundary of Berkhamsted and so performs a critical purpose of the Green Belt in preventing encroachment and urban sprawl.

2. The site is already an important open area widely used by the local communities that value both the landscape character and the network of Public Rights of Way (PRoW) providing access for public recreation. It is important that this character is protected and enhanced as required by several policies in the adopted Dacorum Core Strategy as well as those of the Chilterns Conservation Board.

3. A key concern relates to the openness of the countryside which is a particular feature of the site, enabling superb views of the Chiltern Hills in the area covered by the site. Tree planting is proposed which will jeopardise this landscape character at the higher elevations and affect detrimentally views from the PRoWs just outside the site; further consideration should be given to tree planting at lower levels which will benefit biodiversity while maintaining the open aspect of the site and impressive views

4. The benefits of the SANG are reduced by the location of only three entrance points as identified in the Applicant's consultant's Transport Statement (Figure 4.1) and this may diminish the attractiveness of the site for visitors. Pedestrians from residential areas to the south and further afield will need to walk along the boundary fencing before being able to access the open space and there appear to be no access points at all to the north and east of the site, except in the south-east corner.

5. A crucial issue for CPRE Hertfordshire is to maintain the open and natural countryside nature of the site, as required by the Mitigation Strategy in its call for SANG to reflect the "wild" nature within the Chiltern Beechwoods SAC, and specifically the Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). We believe that such an objective is significantly prejudiced by the presence of permanent fencing within the site, and any fencing as part of measures to increase biodiversity should be temporary at best.

6. It will also be necessary to prevent the possible proliferation of additional facilities such as cafes, toilets or other activities which are incompatible with a more natural landscape character. Similar concerns relate to the shielding of car-parking and we would urge the Council to be flexible with regard to the amount of car-parking required to be provided which will also have a direct impact on the landscape character.

7. Further concern may be expressed with regard to the lack of detail in the application on the future management of the SANG and overall monitoring of the performance of a management entity. This is a wider issue which applies to SANG generally and requires careful



	<p>consideration by the Council to prevent the deterioration of this site and others through lack of maintenance and upkeep.</p> <p>8. Although a significant increase in biodiversity is proposed by the Applicant, the proposal is silent with regard to specific protected species, principally skylarks, which are present on the site and in severe decline nationally. A much more comprehensive treatment of the biodiversity issues is required than is presently being proposed to ensure that the fullest possible protections are being provided.</p> <p>9. A specific concern relates to the impacts of a likely increase in dog-walking in relation to the guidelines for SANG which promote dogs running freely. This is likely to have significant consequences for wildlife. There may be additional impact if dog-owners transfer from local commercial dog-walking facilities to the free provision offered by the SANG.</p> <p>10. CPRE Hertfordshire supports fully the wide range of local community responses which relate to the above concerns and related matters. The provision of this SANG in respect of a potential development approximately three miles away west of Hemel Hempstead is not credible when there are many options for residents much closer.</p> <p>11. A coordinated and more comprehensive review of SANG provision is required to fulfil the objectives of the Mitigation Strategy, rather than the piecemeal determination of individual applications initiated by developers. CPRE Hertfordshire would be pleased to assist the Council in responding to the requirements of the Mitigation Strategy in providing a robust and effective response to the over-use and damage being caused to the Chilterns Beechwood SAC.</p>
<p>14 Hunters Park Berkhamsted Hertfordshire HP4 2PT</p>	<p>'If it ain't broken - don't fix it' Part of the beauty of Berkhamsted is that is surrounded by farmland. An attempt to change to park land has to be a retrograde step. There must be other opportunities for a developer to absolve the conscience.</p>
<p>24 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I object to the proposed SANG for the following reasons</p> <ol style="list-style-type: none"> <li>1. there already are a number of footpaths well used by local walkers who enjoy the unspoilt nature of the area</li> <li>2. The impact on existing wildlife</li> <li>3. Unacceptable highway safety issues at the point of access on Castle Hill. Traffic and parking congestion at the bottom of Castle Hill coming from Browlow Road which poses a major safety concern specially with the number of schoolchildren who walk to the playing fields that way</li> <li>4. There are no details regarding maintenance of the SANG going forward after the first 12 month period</li> <li>5. Parking within the SANG is both unnecessary at this location, and contrary to the Chilterns Management Plan. The proposed car park represents the introduction of a significant built</li> </ol>

	<p>element within the AONB. The proposed car park will not prevent non SANG users from using the car park to go into town or to the station and again there is no information regarding management and maintenance</p> <p>6. Problems with anti social behaviour. There have been issues in the past of youths using the fields in the summer as a gathering point for parties and BBQs which has led to the emergency services being called which is a waste of local resources</p> <p>7. The nature of the proposed SANG is notable for its unspoilt nature and absence of man-made features which is what currently attracts people to the area. If they want somewhere with facilities and parking they'll continue to go up to Ashridge therefore defeating the supposed purpose of the SANG which is to stop people from going there</p> <p>8. I endorse the objection raised by the Chiltern Society</p> <p>9. I endorse the concerns raised by the CPRE</p> <p>This proposal will be the nail in the coffin of a beautiful, unspoilt area of Outstanding Natural Beauty that is appreciated and enjoyed in its current format by a large number of local residents. I do not see how it would have any impact on visitors to Ashridge.</p>
<p>Nettleden Grange Nettleden Road Nettleden Hemel Hempstead Hertfordshire HP1 3DQ</p>	<p>I object to the proposed Castle Hill SANG for the reasons set out below.</p> <p>I have lived in and near to Berkhamsted for many years and I am familiar with much of the surrounding countryside. The efficacy of the SANG strategy as set out in the Chilterns Beechwoods Special Area of Conservation (SAC) - Mitigation Strategy, published in 2022 by Dacorum Borough Council, has yet to be evaluated. My view, which appears to be shared by many others commenting on this application, is that the proposals for this site are unlikely to achieve the desired aim of deflecting visitors away from the Ashridge Commons and Woods SSSI (part of the wider SAC - the Mitigation Strategy is specifically concerned with damage to this SSSI).</p> <p>Paragraph 2.1.5 of the Mitigation Strategy quotes from recent visitor surveys at the Ashridge Estate. Visitors typically spent around 1.5 hours on site. I think that in that time a regular dog walker would easily complete a round trip into the Ashridge Commons and Woods SSSI from the proposed SANG car park, given that the boundary of the SSSI is almost exactly 1 mile (1.6 km) from the proposed car park. In my view the attractions of the 2,000 hectares of the Ashridge Estate including the Commons and Woods SSSI, with its numerous walking options, varied vegetation and wildlife, and the views from and within the area, would far outweigh the attractions of the proposed SANG, especially in the SANG's early years. As such the car park can be predicted to become regarded as another parking area conveniently located for reaching the Ashridge Estate.</p> <p>The car park capacity of 38 would serve the relatively small area of the SANG (25.23 hectares/62.5 acres). In its early years there would be little vegetation cover to enhance the carrying capacity of the SANG to</p>

absorb people and reduce the impact of these numbers. On the other hand due to its areas of mature trees and other tall vegetation, and its extent, the Ashridge Commons and Woods SSSI and the wider Ashridge Estate continue to feel relatively remote and tranquil in all but the busiest places.

As the proposed SANG car park might have the effect of increasing visitor pressure on the Ashridge Commons and Woods SSSI, and on the Alpine Meadow SSSI located less than a kilometre from the nearest edge of the proposed SANG and accessible from it by a public footpath, paragraph 186b of the National Planning Policy Framework (NPPF) (December 2023 edition) should be considered to apply.

The proposed SANG is deemed to have a catchment area of a radius of 5 km, taking in the western side of Hemel Hempstead, as set out in Figure 1.2 of the Design and Access Statement. It is clearly intended to attract visitors arriving by car. This will have the effect of increasing the amount of vehicular traffic entering and passing through the Chilterns AONB, contrary to the Chilterns Area of Outstanding Natural Beauty (AONB) Management Plan 2019-2024, produced by the Chilterns Conservation Board. This plan includes policies to minimise traffic within the AONB and its setting, and to reduce impacts from traffic, including noise and pollution.

The proposed SANG would bring further traffic into the historic centre of Berkhamsted, already heavily congested for much of the day. Traffic arriving from the south would need to use one of the two constricted routes under the railway, or the residential Bridgewater Road. Traffic arriving from the north would pass through the AONB and would potentially travel through Potten End and other villages which already suffer from heavy traffic.

Paragraph 1.11 of the SANG Delivery Framework Document states that the SANG is 'intended to divert, intercept or provide a credible alternative to recreational visits of local residents to the SAC', thus ensuring that additional local residents will not lead to significant adverse effects on the SAC. Paragraph 1.12 states in particular that 'the proposed SANG is well-related to the existing settlement of Berkhamsted and lies between/intersects potential visits to the SAC from further afield, such as Hemel Hempstead'. In my view all of this is debatable. As stated above, traffic from the south would add to existing congestion in the centre of Berkhamsted. Traffic from Hemel Hempstead may travel through Berkhamsted town centre, but might also use the network of roads and lanes passing through Potten End and the AONB to reach the SANG via New Road, then Brownlow Road. Existing traffic on New Road already impacts on the tranquillity of the adjoining valley within the AONB. At its lower end New Road, together with Brownlow Road, lie within the immediate setting of Berkhamsted Castle. The blind and potentially dangerous right-hand turn into Castle Hill from Brownlow Road is a significant consideration in this application.

In my view the SANG is highly unlikely to divert or intercept visitors or provide a credible alternative to the SAC. Once in their cars visitors, not least in a quest for variety of location, might choose to use car parks

within the Ashridge Estate, including those within or close to the Ashridge Commons and Woods SSSI. This especially applies to visitors resident in Hemel Hempstead if they travel via Potten End - they would first encounter the car park opposite the Inns of Court memorial at the top of New Road which gives access to a network of paths which are close to and run into the SSSI. It is also possible to park just off the road leading from here to Ashridge House which adjoins the SSSI.

Others have commented on the safety and safeguarding issues which could arise from the regular use of the pavement adjoining Brownlow Road and Castle Hill by Berkhamsted School students, who also walk along the access route to the playing fields which would also serve the proposed SANG carpark. Many local residents have in addition expressed considerable concern about existing parking issues associated with the sports facilities located off this access route.

#### Impact on Heritage Assets

In my view the setting of Berkhamsted Castle is an important consideration in respect of this proposal. As a result of the SANG traffic could be expected to increase substantially on New Road and Brownlow Road, which surround the castle site immediately adjacent to its boundary. Berkhamsted Castle itself is a significant historical site, a Scheduled Monument under the Ancient Monuments and Archaeological Areas Act 1979 as amended and as such is regarded as being of national importance. The site also contains the Grade II listed Cottage and former Soup Kitchen. Impacts on these heritage assets and their setting must be considered in respect of any planning proposal in accordance with paragraph 200 and subsequent paragraphs of the NPPF (December 2023 edition). Consideration of impacts on the setting of heritage assets should be in accordance with Historic England advice contained in The Setting of Heritage Assets (2nd Edition) 2017. In particular, this advice notes that the setting of a heritage asset may be impacted by noise, dust and vibration as well as visual impacts, any of which may detract from the ability to appreciate the significance of such an asset. The conservation areas in Berkhamsted and in nearby villages would be further impacted by increased traffic. It is also clear from the objection submitted by the managers of Berkhamsted Castle (English Heritage) that neither they, nor Historic England, have been consulted at the pre-application stage, as would appear to have been required given the national status of the castle and its associated historic landscape.

#### Landscape and visual impacts

As the proposal site is entirely contained within the AONB, its impacts on this nationally important designated landscape must be considered. Other online comments have covered many of these issues which I do not intend to repeat. In my view the impact on existing Public Rights of Way (PRoWs), the impact on views into and out of the AONB and the changes to vegetation proposed represent a significant impact on the AONB landscape and as such would not be acceptable.

The Landscape, Visual and Green Belt Technical Note submitted by

the applicant attempts to reconcile the proposed impacts with the information contained within the Landscape Character Assessment (LCA) for Dacorum for Area 119, Berkhamsted Castle Farmland. The Note comments in paragraph 3.2 that the LCA claims that Area 119 is relatively hidden from view, but for the proposal site and for the whole of Area 119 this is clearly untrue. The Note omits to mention that the Evaluation for Area 119 states that there are 'commanding elevated views into the valley'. From the lower end of New Road and the PRowS to the east of the road there is a clear view into the valley occupied by the proposal site, which is also crossed by, adjoined by and close to numerous PRowS.

One of the key characteristics noted for Area 119 is the open pastoral farmland, predominantly with sheep grazing. The LCA's Strategy and Guidelines for Managing Change for Area 119 include consideration of views to and from the AONB when considering development or land use change proposals on sites adjacent to the AONB, but this consideration applies equally to any proposals within the AONB. The Strategy and Guidelines encourage traditional management by grazing. The final bullet point of the Strategy and Guidelines states: 'proposals to change agricultural land to other uses such as golf courses should be very carefully examined and should only be permitted where they do not undermine the distinctive character of the landscape'. In my view the landscaping proposals for the SANG would make it appear similar to a golf course, with groups of trees, long narrow stretches of grass of varied heights, dog bins, signposts, information boards and a sizable car park. The appearance of the SANG, when viewed from a distance, would be in marked contrast to the remainder of the LCA Area 119 and in particular the distinctive open pastoral farmland maintained by sheep grazing would be lost.

The claim in paragraph 5.6 of the Landscape, Visual and Green Belt Technical Note that there would be little alteration to the character of existing views is clearly incorrect, as has been pointed out by others' comments. In its early years the car park would also be very visible, until the proposed screening planting grows sufficiently. Given that this planting should be predominantly deciduous broadleaved species, to fit in with the landscape of the AONB, it would become less effective as a screen in the winter months, typically from mid November to mid April, not an insignificant period in any year.

The proposals in the Design and Access Statement that tree and 'thicket' planting will screen views in and out of the site where required, in particular (as stated in the table on page 54) 'screening planting proposed will visually screen adjoining dwellings from site, providing greater sense of enclosure, whilst still allowing views into the site from adjoining properties' are clearly contradictory.

Impacts on wildlife

The field survey for the Preliminary Ecological Appraisal (PEA) was carried out in August 2023. This was preceded by a site visit in February 2023 with Natural England. No serious attempt appears to have been made to survey birds or other fauna on the site in addition to the habitat survey (despite a skylark being noted over adjacent fields during the August survey). At the time of the earlier visit with Natural

England it might have been concluded that the site could support priority species of birds and other fauna, which require surveys at specific times. Breeding birds need to be surveyed between April and June, preferably involving three visits.

It is also noted in paragraph 3.11 of the PEA that the habitat classification was carried out outside the optimum time of year (May to July). In August many birds are silent and often hidden away in undergrowth as they moult and renew feathers. While it is appreciated that the online comments from local residents were only submitted later in the year, during the two site visits conducted it might have been assumed that the site, including the hedgerows and mature trees, had potential to support some priority species of birds as well as red-and amber-listed bird species of conservation concern. The residents' comments in a number of cases refer to skylarks using the site. Skylarks are priority species (otherwise known as species of principal importance or section 41 species) and thus protected by the NPPF in paragraph 185b (of the December 2023 edition).

Paragraph 4.40 of the PEA concludes that the site 'provides opportunities for a range of common farmland birds associated with open and parkland habitats, with hedgerows and trees providing the greatest refuge and nesting opportunities'. Many of the species which were once common farmland birds are now in serious decline and have become sufficiently threatened to be included in the red and amber lists of birds of conservation concern or listed as priority species. These include ground-nesting and ground-using species: the latter nest in hedges or other vegetation but typically feed on the ground. Both groups can be considered threatened by the presence of large numbers of visitors and especially by free-running dogs on the site. This is reflected on page 35 of the Chilterns AONB Management Plan 2019-2024, where it is stated under the heading 'Impacts of people and dogs': 'The actions of visitors to the Chilterns can damage many of the area's wildlife habitats. For example, dogs can disturb ground nesting birds and high visitor numbers can make it harder to carry out appropriate site management'.

Priority species of birds which might be expected to be using the site and threatened in this way include, as well as skylarks (which have been observed on the site), yellow wagtail, grey partridge, linnets, dunnocks, bullfinches, song thrush and yellowhammers. Skylarks are particularly vulnerable to being impacted by the proposed land-use changes on the SANG site because their habitat requirements may not be compatible with the planting and management proposals. They require a specific vegetation height and large open spaces, as specified in the paper by Harry Fox *Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment?* published in the Bulletin of the Chartered Institute of Ecology and Environmental Management, September 2022. In particular for nesting they require wide open land without tall structures, hedges or trees. Harry Fox quotes a dimension of 200 metres in all directions, where optimal vegetation height is 20-60 cm. An appraisal of the planting proposals contained within the Landscape Strategy suggests that none of the short grass areas meet this requirement.

If skylarks are indeed found to be nesting on the site the changes to the vegetation proposed might be expected to displace or reduce the number of nesting pairs. To this must be added the impact of visitors and especially free-running dogs. There is no assessment included within the application documents of any consideration of the mitigation hierarchy of minimise, mitigate or compensate where harm to any protected species on a site is expected. It seems unlikely that the impacts on skylarks can be mitigated on site, so that off-site measures will be needed to avoid a diminution of the skylark population locally. In the absence of such measures paragraph 186a of the NPPF (December 2023 edition) would apply.

Despite the PEA noting the suitability of the site as bat habitat, with both potential roosting features and opportunities for bats to forage, no bat surveys were undertaken. Eight bat species have been recorded within the search area of 1km radius, including an Annex II species under the Habitat Regulations (Barbastelle). As bats are European protected species, with stringent offences for causing harm to bats or their habitats, this is surprising. Bats are sensitive to a number of forms of disturbance and knowledge of the individual species present is important when designing any land-use changes, as some impacts are species specific. Paragraphs 5.2 and 5.4 to 5.9 of the Sang Delivery Framework Document illustrate the potential conflict between health and safety considerations and the potential loss of bat roosts. Take-up of any bat boxes provided as mitigation is not guaranteed, which would potentially result in a loss of bat habitat on site.

No invertebrate surveys were carried out even over the small remnants of chalk grassland, nor were the hedgerows or the mature tress surveyed for invertebrates. Both might be expected to support some priority species. In both cases any such species present might require specific mitigation measures and ongoing management measures to ensure their continued presence.

Natural England/DEFRA advice for Local Planning Authorities (LPAs) on Protected species and development  
<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications> includes the following requirements:

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LPAs should ask for a survey if there is suitable habitat on site to support protected species, if it is likely that protected species are present and may be affected by the proposed development or if protected species are present but it is not clear if they will be affected.

- Applicants may not need to provide a detailed survey if they are able to show that protected species are unlikely to be affected even if they are on or near a development site.

- LPAs should not decide on planning applications until they have received all the necessary surveys, and should not usually attach planning conditions that ask for surveys.

In my view surveys for birds, bats and invertebrates should have been completed.

Biodiversity Nat Gain (BNG)

The (BNG) calculations are shown in the PEA in summary form only. I was unable to find the full BNG metric among the application documents. This is essential to ensure that the metric has been completed appropriately. Without the metric it is impossible to appraise the split between the BNG units attributable to the achievement of the SANG criteria and those additional to these which may be counted within the BNG assessment, including the excess above 10% which it is proposed to be offered for biodiversity offsetting. Paragraph 4.15 of the Planning Statement states that full details of the future management and maintenance of the SANG is anticipated to be secured by condition or s106 agreement following the approval of this planning application. In my view this detail is critical to the determination of the planning application.

#### The SANG Delivery Framework Document

I have particular concerns with regard to the SANG Delivery Statement Document. Paragraph 1.22 asserts that there will be 'intrinsic benefits to biodiversity', disregarding potential impacts on existing species on the site, such as ground nesting and ground using birds, due to vegetation changes and especially disturbance. Any such benefits would be heavily dependent on successful establishment of the vegetation proposed, and there has been no assessment of the potential issues with deer and squirrel damage in particular.

The large fallow deer herd in the Ashridge Estate also moves out into the surrounding area and can cause substantial damage to vegetation, as many local gardeners have experienced. Fallow deer were seen on site during the site survey but seem to have been ignored. In my view a 1.8 metre deer fence is needed to ensure that the planting is established as proposed and to support the BNG claims. This will need to be in place for many years because deer can cause huge damage to maturing trees and other vegetation. Such fencing is intrusive and must be kept in good condition.

Species choice for the proposed planting is not ideal and very restricted. Small-leaved lime is not typical on shallow soils over chalk in the Chilterns, since despite its name it grows mainly on acidic soils. Species common in the Chilterns such as wild cherry (*Prunus avium*), whitebeam (*Sorbus aria*), dogwood (*Cornus sanguinea*) and spindle (*Euonymus europea*) would help to diversity the mix. Holly (*Ilex aquifolium*) would add winter colour and cover, while juniper (*Juniperus communis*) is another locally-native evergreen. There is heavy dependence on only three species for the native tree planting. Of these, beech is known to be difficult to establish in the open: it is a tree which typically regenerates under a canopy and was traditionally established with a conifer nurse crop. Beech is also prone to frost damage, which might be an issue in this Chilterns dry valley: such sites are notorious frost hollows. Both beech and hornbeam are very prone to grey squirrel damage, primarily bark stripping. Control of squirrels and the locally common edible dormouse (*Glis glis*), which also strips tree bark, can only be achieved by trapping which might be difficult to manage in an area freely accessible to the public and free-running dogs. There is nothing specified about the provenance of the seed supply for the



	<p>proposed plantings, which should be considered so close to SSSIs. All stock should be raised in the UK, not imported.</p> <p>Many of the maintenance tasks specified seem impractical at the scale of planting proposed. This includes watering: it is not clear how the water will be supplied to the site and in a water-stressed area it would seem inappropriate to use large amounts of water, for example to 'spray crowns' in hot weather.</p>
<p>Lockside Wharf Lane Northchurch Berkhamsted Hertfordshire HP4 3TG</p>	<p>I am not a close resident of this proposal, but I am a professional rural property surveyor and a native of Berkhamsted. I know the Ashridge Estate very well and understand the purpose SANG sites are intended to achieve.</p> <p>My reason for writing is to express my view on a strategic level that this site will not achieve the desired objective of mitigating existing or future visitor demand at Ashridge. This is because:</p> <ol style="list-style-type: none"> <li>1. The proposed site in its wider context is very small, 60 acres or so. Ashridge covers over 5,000 acres of varied landscape and wildlife habitat a large portion of which is within the Beechwoods SAC.</li> <li>2. The proposed site will offer no special attraction to an external Berkhamsted or potential Ashridge visitor. Consequently I do not believe any significant numbers of car bound visitors, either from within Berkhamsted, or from beyond the immediate locality, will park in the proposed location and use the SANG site exclusively and therefore relieve Ashridge of overuse. To my mind a SANG site has to provide a good quality visitor experience sufficient to genuinely draw the public away from the area to be mitigated. This proposal does not do that.</li> <li>3. This complex of fields is already available and extensively used on foot by local people utilising the existing public footpath network. Apart from habitat related changes and freedom to wander over the existing fieldscape the only extra provision in reality will be a new car park.</li> <li>4. I foresee that this site will be used almost exclusively on foot by local residents routinely walking their dogs close to their homes. It will complement their existing dog walking opportunities close to their home. This reflects the existing use of the local footpath network. The site will also be used by those who wish to park their vehicle and walk the short distance beyond the SANG site to the same Ashridge Beechwoods Designated Area that the SANG is supposed to mitigate and protect against.</li> <li>5. The carpark will potentially become just another convenient means of accessing Ashridge. I believe it will benefit visitors to the nearby castle grounds, where there is very limited parking, or provide overflow parking associated with events at the nearby sports grounds. Neither of these uses mitigates against pressures on the Ashridge SAC.</li> </ol> <p>I genuinely believe the proposed SANG site is geographically too close to the Ashridge Estate Commons. It is of insufficient size and limited scope to act as a new visitor attraction and have any meaningful effect on the increasingly high visitor numbers both now and arising from new</p>

	<p>developments in the locality in the future.</p> <p>Thank you for taking my comments into account when determining this application.</p>
<p>39 Meadow Road Berkhamsted Hertfordshire HP4 1EB</p>	<p>I am appalled by the idea that the following are suggested.</p> <p>Car parks, fencing, landscaping and more vehicular access. These are totally inappropriate in the beautiful area where there are natural green paths with walks that provide wonderful opportunities for healthy walking, bird watching, introducing children and young people to nature.</p> <p>Change of use could lead eventually to inappropriate house building ruining the area.</p> <p>As a psychotherapist and counsellor providing adults and young people with in depth therapy I am very aware of the real need for natural fields and countryside to support individuals' mental health.</p>
<p>20 Haynes Mead Berkhamsted Hertfordshire HP4 1BU</p>	<p>I strongly object to this application and fail to see how the proposed change will provide any benefit to this beautiful countryside with well established footpaths.</p> <p>This plan would increase traffic to the area, which is already congested during the day. We do not need another car park, and should be considering promoting walking, cycling or public transport rather than driving. This is particularly important given the climate crisis.</p> <p>This would seriously impact the wildlife and ecological diversity which is well established in the area. The bats, badgers, deer and foxes alongside the array of birds in this area should be protected.</p> <p>This site should not be developed.</p>
<p>2 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I strongly object to this planning application for a number of reasons.</p> <p>Firstly it is planning to change an AONB and Greenbelt into a small park area that is supposedly going to lure walkers away from the large Ashridge Estate which is only less that 2 miles away. If anything, it will encourage walkers to park here to begin their walks over to Ashridge. It is an area that is already covered in footpaths and used heavily by local walkers.</p> <p>The proposed access is on a very hidden corner of a bend in Castle Hill and will be very unsafe for drivers and especially pedestrians including the large groups of students from the nearby school accessing the adjoining playing fields daily.</p> <p>I can see that the free car parking facilities proposed will end up being used by shoppers and users of the nearby train station. There is already an underused car park at the train station and a new underused multi-storey carpark in the town only 5 minutes walk away and so this seems totally unnecessary and a damage to an AONB.</p>
<p>Shawlands</p>	<p>We note the comments submitted by others, in particular aspects in</p>

<p>Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p>relation to the access and parking arrangements to the proposed SANG area (as described in the Design and Access Document, section 5).</p> <p>As the council and local residents will be aware, Berkhamsted Rotary Club organises two significant annual community events hosted at the Cricket Club - the Half Marathon in March and Fireworks in November.</p> <p>Both events are critically dependent on access to the Cricket Club facilities from Castle Hill. Specifically, these events necessarily limit public access along the existing road to the Cricket Club on event days (and adjacent set-up days). The proposed access to the SANG car park (should it be allowed) would be in direct conflict with the event site access and use requirements and associated road closures.</p> <p>We can advise that no other locations have been identified in the local vicinity that would be capable of hosting these two important community events, hence it is essential that this is taken into consideration for the SANG application. Loss, or a significant reduction of a suitable facility for such events would be a tremendous loss - both financially and socially - for the local community and for the numerous charities that are supported annually.</p> <p>it is therefore requested that the council, should it be minded to approve the SANG application, consider the inclusion of specific conditions on the applicant (or its designated management entity) that would enable the proposed SANG car park and its associated vehicular access route to be closed to the general public when required for the events described, and on those occasions allow free parking for the purposes of the event organisers (via Berkhamsted Cricket Club).</p>
<p>15 Hillside Gardens Berkhamsted Hertfordshire HP4 2LF</p>	<p>I OBJECT to the proposed Castle Hill SANG.</p> <p>I am a regular user (walker &amp; mountain biker) of the many footpaths &amp; byways around Berkhamsted and am highly familiar with the footpaths and countryside in the area of the proposed SANG.</p> <p>The SANG is totally unnecessary as this area is already very well served with a number of footpaths &amp; byways. The SANG does not open up any significant extra routes or amenities. Since much of the area near the proposed SANG is already well known and well utilised by walkers &amp; bikers its designation as a SANG would not significantly increase this usage. Therefore the SANG would not be effective in meeting its proposed objective of taking pressure off other areas.</p> <p>The area of the proposed SANG is currently unspoiled &amp; natural with an absence of man-made features &amp; development. When visiting this area it is possible to feel a sense of remoteness that is rare to find so close to a major conurbation. Developing the SANG, by its very nature, disturbs this beautiful &amp; unspoilt environment. By including elements such as mown footpaths, picnic benches, bins and interpretation boards this would hugely distract from the feeling of remoteness &amp; beauty that makes this area so special. Litter bins in particular, and possibly interpretation boards, are likely to become targets for graffiti or</p>

	<p>vandalism, and could therefore become eyesores. Plus unless the bins are emptied very regularly they are likely to become overfull &amp; then a source of litter themselves with litter blowing around this area. Who is going to pay for an attendant to empty the bins each day following the initial period?</p> <p>The development of a car park is going to an issue as it is likely to be used by users of the station. Parking charges would need to be made so as to prevent this, and these would need to be high enough to deter rail users. This would make the car park unattractive to the intended users of the proposed SANG, who would travel elsewhere to places where parking is cheaper or free. Again the very fact that the SANG encourages vehicle use would cause unnecessary pollution in this unspoilt area.</p> <p>The SANG Delivery Framework Document (21 November 2023, Revision A) describes a maintenance schedule for the SANG. The documentation does not specify how this is to be assured &amp; paid for following an initial 12 month period.</p> <p>The SANG Delivery Framework Document (21 November 2023, Revision A) includes the statement at para 4.8 - "Following transfer of the management responsibility to an established, experienced Management Partner, third part monitoring of the implementation of management will not be required.". This is unacceptable - the proposals need to define the mechanism for the assurance &amp; financing of any ongoing management. Assurances also need to be made forbidding any future development of the SANG.</p> <p>I endorse the objection raised by The Chiltern Society (comment submitted 6 Jan 2024).</p> <p>I endorse the concerns raised by CPRE (comment submitted 13 Jan 2023).</p> <p>It is my personal view that this proposed development is a, not very well disguised, segway by a development company into a full scale development proposal in the next few years which would have a major &amp; negative impact on this currently natural unspoilt environment, the town &amp; character of Berkhamsted.</p>
<p>4 Haynes Mead Berkhamsted Hertfordshire HP4 1BU</p>	<p>There is plenty of natural land, paths etc. for people to enjoy already. This development would only spoil it. We don't want huge groups of people turning up to party or whatever. It wouldn't be natural then. Makes me suspicious as to what Wimpey are getting out of this.</p>
<p>40 Meadow Road Berkhamsted Hertfordshire HP4 1EB</p>	<p>I am a life-long Berkhamsted resident living a 5 minute walk from the SANG boundary. My main objections are as follows:</p> <ol style="list-style-type: none"> <li>1. Possible future housing.</li> </ol> <p>Over time I envisage inappropriate housing on all accessible areas of the SANG.</p> <ol style="list-style-type: none"> <li>2. Car Park</li> </ol>

	<p>I consider this unnecessary as ample town centre parking nearby. Also unclear if charging would be via DBC.</p> <p>Current entry point to Cricket Ground/ Playing Fields from Castle Hill is already a dangerous hazard for drivers and pedestrians.</p> <p>3. Longterm Maintenance</p> <p>Despite Applicant's promises, I am concerned about this. The SANG covers a very large area of beautiful undulating landscape. The proposed planting of trees, new hedges, wildflower areas, etc, together with grass, path and boundary fence maintenance would always be a huge task. If not done properly the whole site could become an eyesore.</p> <p>4. Foot Paths</p> <p>All existing Public Rights of Way Footpaths must be retained. For example, on western boundary of SANG, Footpath 62 would need to be retained just OUTSIDE the boundary fence to allow easy access to other footpaths to Alpine Meadow and beyond. Otherwise Footpath 61 running beside the privately-owned Paddock and private house and garden, would become seriously over-used. Many large Rambling Groups as well as individuals use these Footpaths.</p>
<p>14 Bridge Street Berkhamsted Hertfordshire HP4 2EB</p>	<p>I object to this proposal on the following grounds:</p> <p>1: Wrong location for a SANG - The Footprint Ecology 2022 survey found that many visitors to Ashridge were travelling up to 12km. This site is too close to existing footpaths and also the small car park near the golf club, and is unlikely to attract people away from Ashridge. Neither is it local enough to attract visitors from the proposed new housing to the south of Berkhamsted.</p> <p>2: Too small to be a useful additional green space: part of this site already has footpaths across it and is well-integrated into the footpath network from Berkhamsted. It is already utilised by local dog-walkers from this part of the town, without the need for vehicular access. Only 50% of this site is additional land for recreation. The Footprint Ecology 2022 survey of visitors to Ashridge and Tring SAC found that the median route length was 3km. This site only has a circular pathway of 2.3km.</p> <p>3: Unnecessary: the site is presumably being proposed as a SANG in order to release other land held by Taylor Wimpey for development - the amended local plan has rejected much of the proposed development to the south of Berkhamsted, refocussing some of the housing allocation for Dacorum on brownfield sites instead of further building on the green belt.</p> <p>4: Overstated ecological benefits: the site is grazed, but not all of it is intensively grazed. There is a mismatch between the stated objective for long-term grassland restoration and the plan for easy-access for off-lead dog walking. One is not compatible with the other.</p>

	<p>5: Lack of long-term management plan or long-term financial resources: any grassland restoration will take more than one year. If intensive grazing is removed and grassland is reseeded this will take more than one year to establish. It will need continuous management, either from annual mowing or from occasional light grazing, otherwise the dominant tall grasses will take over, reducing biodiversity. There is no plan for how the site will be managed beyond the first year, and how this will be funded.</p> <p>Likewise there is no stated financial plan as to how the car park/dog bins will be serviced.</p> <p>6: Vehicular access: increased traffic on this corner will be an additional risk to all road users.</p> <p>7: Visual intrusion in the AONB: the site forms part of a geological dry valley feature common in the Chilterns chalk landscape. The car park will be a visual intrusion on the AONB and this sensitive feature.</p>
<p>40 Trevelyan Way Berkhamsted Hertfordshire HP4 1JH</p>	<p>I have lived in Berkhamsted since 2000. I live with my family on Trevelyan Way since 2008. It is a lovely town, with great history, character and amenities. I do though worry for its future. There is a housing shortage in this country and especially in this area, but the continual adding of housing to areas, like ours, without the appropriate expansion of facilities (including traffic management problems amongst many others) to support, is creating ever more problems for residents. I have a number of concerns with the proposed SANG, they are:</p> <p><b>TRAFFIC AND CONGESTION</b></p> <p>The main purpose of the SANG is to protect the Chilterns AONB. By definition this mean diverting people away from the AONB and to the SANG. The SANG means more cars coming into Berkhamsted than today, where the roads are already jammed.</p> <p>I assume you will have to charge for parking, otherwise it will be used by train commuters? If so then this is likely to encourage SANG users to park on the nearest available road sides to avoid the cost. This is likely to increase the amount of parked cars, driving "blind spots" and further increase the probability of accidents.</p> <p><b>ACCESS AND ROAD SAFETY</b></p> <p>The access point proposed is at the corner on the bottom of Castle Hill. This is already a tricky spot for drivers and pedestrians with its 90 degree bend. There is a steady flow of school children on foot on week days across this road, lots of cars already accessing this area (cricket, bowls, football, school pupils) and when events are on (which can be quite frequently) the whole area gets clogged up with parked cars. In addition, the turning to and from Castle Hill onto Brownlow road can be difficult given the angles of the roads.</p> <p><b>OUT OF CHARACTER</b></p>

	<p>Big fences, existing trees taken down, new trees planted, additional car parks etc - has to be the detriment of the current natural landscape. I understand there has been talk of a fenced off area for big dogs to run off the lead. One this would be an eye sore, esp the height of fences needed to keep these dogs safely in and secondly the danger to other wildlife (including pets in the local area) and potentially walkers if a dog was ever able to escape the fenced area.</p> <p>FUTURE CHANGE OF USE</p> <p>Whilst I understand that the SANG is protected for 80 years currently, what is to stop a change of use being made by legislation at some future point? Given the idea of it is to protect the AONB then even the smallest possibility of houses being built on this site in the future has to be incredibly worrying for anyone interested in our country's natural habitats.</p> <p>ANTI SCIOIAL BEHAVIOUR</p> <p>There is a history of anti social behaviour, esp. in summer months, in the fields near the SANG, with the Police regularly being called out. The provision of benches and another an additional area for this type of behaviour is just another incentive. What are the proposals to prevent the SANG being misused in this way?</p>
<p>66 Chiltern Park Avenue Berkhamsted Hertfordshire HP4 1EX</p>	<p>I object to this development on the basis that the area already provides much-needed green space for the local community to enjoy walks in nature, in an unspoiled environment that is accessible to residents, whilst providing natural habitat for the wildlife. There is no need to over-develop the area that already meets those needs and is part of an AONB - it would only damage the existing ecology and create more issues with traffic and pollution.</p>
<p>Broadfield 36 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I am totally opposed to this application to turn a field - that is home to wildlife and farmstock - into a SANG.</p> <p>The area has plenty of paths surrounding this field, open to walkers, offering stunning views of the countryside with the bonus of close up contact with nature without disturbing it with man-made additions. We regularly have visitors from London, and other urban areas, who bring their children/grandchildren to gain an understanding of agriculture and nature - sheep grazing, skylarks nesting, red kites gliding and swooping over the field. Deer often visit for a run around.</p> <p>This field offers a unique closeness to nature that will be gone forever should this application, to turn it into a fenced off park, be passed. The SANG is closer to Ashridge than the development site so how does it detract people visiting Ashridge?</p> <p>If a SANG is to attract walkers away from sites protected for their valuable ecology - why allow this SANG to destroy the habitat of local wildlife and flocks of sheep? Why encourage humans and dogs to walk through this field, rather than around it?</p>

	<p>The SANG is a long way from the site on which the developers plan to build houses - so how does this encourage those residents to visit this field when they would have to drive?</p> <p>Encouraging additional traffic with the building of a car park will bring untold dangers to what is already a precarious sharp bend on a road heavily used by children, walkers and cyclists.</p>
<p>35 North Road Berkhamsted Hertfordshire HP4 3DU</p>	<p>The landscape with the rolling hills is one of the most special features of Berkhamsted and surrounding areas. I fail to not see how building a new parking and creating a park would improve an already beautiful and unspoiled landscape. The proposed SANG would alter this and have a lasting negative impact on this AONB. I see no reasonable justification to damage the AONB and its wildlife.</p> <p>Living on the other side of side of the high street and regularly reach the Castle Hill and cricket club area by walking as I see no point using cars unnecessarily and contribute to congestion. The proposed solution of adding more parking will not improve traffic, to the contrary. There are several other locations already existing within minutes where walkers can drive and park. Furthermore, it is easy to see that the parking will be used by commuters who do not want to pay the full fare at the station, which will increase traffic at rush hour.</p>
<p>9 Castle Hill Avenue Berkhamsted Hertfordshire HP4 1HJ</p>	<p>Firstly I would much rather see Taylor Wimpey spend this money on greening a brownfield site which would be much more beneficial to communities. Purchasing an already green and pleasant landscape seems an easy hit for them.</p> <p>Aesthetically that valley is a very pleasing sight - a true rolling valley of the Chilterns. It does not need "improving".</p> <p>I am concerned for the established wildlife in the area - skylarks, foxes, badgers, deer. The grass is not over grazed so there are probably a number of native wild flowers and plants already there too.</p> <p>As the land is to be enclosed there will most likely be a loss of access to public footpaths which already span much of the area.</p> <p>If the SANG goes ahead, a car park should not be allowed. The land is very near the town and so walkable, and also the railway station and local bus routes are close by. We should be encouraging people to walk there or take public transport, not to drive.</p> <p>The assumption that the SANG will relieve pressure on Ashridge is ridiculous. Ashridge is vast and is even on hot summers days it is still peaceful. Perhaps a few days a year on a hot bank holiday weekend the main car parks are busy but that is all.</p>
<p>28 Kings Road Berkhamsted Hertfordshire HP4 3BD</p>	<p>This is a totally unnecessary development in a beautiful part of the town, a place that is loved and cherished by all. I wholly object to this meaningless proposal.</p>
<p>12 The Hall Walk</p>	<p>The proposal is a brilliant idea- there is simply not enough green</p>



<p>London Road Berkhamsted Hertfordshire HP4 2BU</p>	<p>spaces in berkhamsted and making an easily accessible, large, open area is exactly what is needed for citizens.</p> <p>Unlike many of the comments here, I work full time and do not have a garden. Areas such as this are vital for wellbeing and general quality of life of living round here. If the objectors love nature so much why are they against making it more accessible for the general public - children, those with disabilities, and those with less time to spend hiking all day can all have the opportunity to enjoy such an area.</p> <p>I am fully in agreement with this plan</p>
<p>33 Bridgewater Road Berkhamsted Hertfordshire HP4 1HP</p>	<p>This is an absolutely unnecessary development and I object because I see no gain for either local residents or the existing natural environment. It is already well used for nature walks and meets the local needs. In fact I do not understand the driver and therefore can draw only one conclusion, that the ulterior motive is to develop it for housing in future years (when the lease runs out for parkland). If there really was an altruistic goal, then surely the land would be bought by the developer and handed over to the National Trust to expand the existing ANOB.</p>
<p>20 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I wrote an objection on 31 December 2023 outlining my fierce opposition to the original proposal to convert an agricultural field to an area designated for dog walking.</p> <p>I was seriously opposed to the impact that this proposal would have on the land, the local traffic conditions and the AONB. The destruction of views, the imposition of a carpark, hedges, designated footpaths and fencing would totally alter the area.</p> <p>I live at 20 Castle Hill and enjoy unobstructed views to the cricket pitch and beyond. A view shared by my neighbours.</p> <p>I strongly object to a car park accommodating 25 spaces being built, as outlined in the latest proposal - it will involve a green field being tarmaced over by an access road.</p> <p>I am sure that Historic England's initial objections were to counter the concept of a car park being built at all. They would surely not countenance the destruction of green field to provide car parking space for 25 cars in an alternative location.</p> <p>How is the use of the car park going to be monitored? Commuters and school pupils will use the carpark throughout the day - this will prevent use of the carpark by the dog walkers that the car park is designed to serve. It will become an overflow station carpark.</p> <p>I am not convinced that there is even a need for this dog walking area. The surrounding footpaths provide sufficient walking opportunities. The destruction of green field site to build a car park that will be used inappropriately (during the day and night - thereby posing a threat to the privacy and security of residents of Castle Hill) is NOT necessary or demanded.</p> <p>I strongly oppose the decision to convert the use of this land and in</p>

	particular the development of a carpark in the new location. It will be a complete eyesore.
<p>4 Rosehill Berkhamsted Hertfordshire HP4 3EW</p>	<p>1. Not sure I understand why additional parking is required. People can walk there. More cars just add to an already congested area.</p> <p>2. Access to the site on Castle Hill is not great off a small residential road. Castle Hill cannot cope with further traffic. People already park on Castle Hill making this single lane on weekends</p> <p>3. The sports clubs (cricket, Raiders, cycling, bowls, tennis) plus the school sports fields make this area busy on weekends any way &amp; people park all over the place. If I understand the drawing correctly, this reduces the off road parking for cricket club access rd.</p> <p>4. Turning into the Cricket Club access rd &amp; Kitcheners is already difficult being on the corner.</p> <p>5. Access from Brownlow Rd is already dangerous coming in from Ashridge /Potten End side &amp; this clogs up on weekends. This also impacts the traffic under the bridge at the railway station.</p> <p>6. This solution makes it more dangerous for cyclists I would prefer a more natural solution with pedestrian access, but we need less traffic in this area; not more</p>
<p>Chaileys Felden Lawns Felden Hemel Hempstead Hertfordshire HP3 0BG</p>	<p>This development would not be an asset to Berkhamsted and would be damaging to the existing ecology of the area (ANOB). I regularly use the site for walking and existing parking and access is adequate. The ecology is maintained well by sheep grazing at the moment and no development is needed. It is a peaceful and ecologically diverse site which should not be developed for profit by a multinational company, which has long term corporate goals of developing for shareholder profit.</p>
<p>3 Chalet Close Berkhamsted Hertfordshire HP4 3NR</p>	<p>I wish to object strongly to this application</p> <p>This is the wrong site in the wrong place. In particular it is highly unlikely to fulfil its remit to provide an alternative to the Chiltern Beechwoods SAC. Its increased use is predicated for the most part on car journeys. - when all local councils are working to reduce car journeys why are we even considering an application specifically designed to attract more car journeys into an already congested town with acknowledged air quality issues.</p> <p>Not only that but just declare this area a SANG -with the implementation of SANG rules It is proposed to change an area currently naturally maintained by grazing sheep into one that requires intensive maintenance with tractors and mowers with all the associated carbon output. .</p> <p>This is a beautiful area already widely used by local people, and the real issues and impacts are caused by the need to implement SANG rules in order for it to be used</p>

to release large scale development.

Whatever gloss the various documents put on this application The TW rep at the BTC planing meeting in October stated that this is primarily a site for dogwalkwers. It's A lot of impact on the AONB, residents and wildlife to cater for dog walking!!

1) Useage- As indicated in correspondence its prime purpose is to release development (1100 dwellings) on LA3 west of Hemel. There is no chance that people will get in their cars to drive to Berkhamsted when there are so many closer sites - Gadebridge Park (2.8km) Shrubhill Common, Boxmoor Trust, and GU canal for instance, and there is no easy direct route. Despite what the transport study says, because of the topography and layout of the town the site is not within walking distance for the majority of Berkhamsted residents, and once in a car Ashridge ( <2km) with its real countryside and additional facilities will always be the preferred option.

2) It is already widely used for walking and dog walking by those in the immediate vicinity who can access the area on foot, and there are public rights of way across the site.

3) The Design and access statement mentions "" a large amenity park in the southern part of the site will provide residents a place to relax, exercise and have social interaction" which might have been a draw, however, this is not indicated on the Landscape Strategy plan and I understand had been abandoned.

4) The implementation of SANG rules including parking, sign posting and dog bins together with fencing, will detract from the area and may deter those who already use it.

5) The Transport Study also promotes off road cycling on the site suggesting cyclists from a area from Aldbury to Great Gaddesden and back, will use the site. This seems unlikely but it may well be used by local youth on all terrain bikes. This would not only impact nearby residents but could also seriously impact the site.

6) It's AONB - its part of an open area of rolling countryside whose intrinsic beauty is in its openness. Stock fencing to the perimeter, will intrude across and into the landscape, as will the proposed thickets, 3m tall hedges and new copses ( Delivery Framework). High Stock fencing and 3m hedges along the boundary with Castle Hill will also adversely affect residents current open aspect.

7) Wild Life - Fencing will restrict the movement of wildlife and be obtrusive. It will be necessary to exclude deer from the site to protect the proposed tree planting - that needs at least a 1.8m stock proof fence simply to define the boundary, and contain an off lead dog walking area. No indication of the height of fencing nor the age/ size of trees to be planted is given.

8) Creating an area to allow off lead dog walking with a protected badger set at its heart defies belief. The proposed path is close to the set and off lead dogs will inevitably be drawn to it and even into it, which

is not only dangerous for the dogs but is an offence.

9) Similarly the ground nesting skylarks will be harassed by off lead dogs unless protective measures are in place.

10) Landscaping - success for the most part will depend on whether deer are excluded. Proposals for wild flower planting in the chalk grassland (Landscape Strategy) are unlikely to succeed as grass will always out compete wild flowers. Specific wild flower meadows were indicated on previous iterations but are no longer identified in the Landscape Strategy. Wild flowers will be sown under trees, but maintenance ( Delivery Framework) requires the area under trees to be kept weed free - conflicting proposals ?

11) Parking is a SANG rule though it is not actually needed as there is much parking close by. If free - It will largely be used by commuters, workers, shoppers and 6th formers (who are happy to swap over cars at lunchtime if hours are restricted).

How will any use restrictions be enforced? An open all hours car park risks the area becoming used for mass gatherings, events, raves & wild camping. These have taken place previously on school fields before they were gated.

12) Maintenance - the transport study says it is assumed that maintenance access needs to be sufficient for a small truck with a trailer, however, the Delivery Framework indicates Tractors and machinery will be needed. Highways expressed concern about the manoeuvrability of the truck and trailer - there is no correspondence on tractor access.

13) Long term management ( 80 years) - a reasonably detailed if unrealistic plan is proposed ranging from maintenance with mowers, tractors and flails, and regular watering - presumably with bowsers, to hand weeding and pruning and almost constant monitoring. The proposed mowing schedule means that large areas CG3 will quickly turn to scrub, primarily hawthorn, holly and brambles

No contract has yet been issued for this, I assume this will be conditioned if approved. I would ask that approval also includes provisions for when said company ceases trading, and third party monitoring of ongoing fulfilment of the contract.

This comment ( Delivery Framework) is unacceptable.

"Following transfer of the management responsibility to an established, experienced Management Partner, third part monitoring of the implementation of management will not be required."

There is a strong likelihood of this area over the years reverting to scrub, if there is any failure of the required intensive management

14) No impact assessment of the SANG implementation on local residents, is included in the documentation. There is clearly potential for detrimental effects from increased traffic through the town, to reduced amenity and disturbance to Castle Hill residents, and the

	<p>cricket club from landscaping and fencing, off road cycling, mass gatherings and wild camping.</p> <p>15) If approved Is the area classed as private or public space? It should be made clear who is responsible for policing, emptying waste bins and who to contact if there are issues.</p>
<p>19 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>It's disappointing that the applicant's revised SANG documentation does not address many of the flaws in the original application, as noted in my earlier comment dated 4 January 2024. To address these the Council should ensure that Conditions are included if permission is granted, including:</p> <p>There must be no harm to existing public recreational amenity. This includes no tree planting at heights of land where existing, adjacent Public Rights of Way have extensive views. (Note - the applicant's amended Landscape Strategy still omits most of Public Footpath 62, and still shows tree planting at all of the highest elevations where existing public viewpoints will be blocked by the proposed new planting.)</p> <p>Ensure pedestrian access (i.e. kissing gates) to the SANG from all existing, adjacent Public Rights of Way. If the purpose of the SANG is truly to encourage people to use it rather than driving to Ashridge, and not just a tick-box exercise, then there must be more means of pedestrian access from all directions. This is in keeping with Dacorum's stated strategy of reducing and discouraging car usage throughout the Borough.</p> <p>Amenities such as ice cream vans, coffee kiosks, cafes, public conveniences and other built facilities must never be permitted or licensed on the site.</p> <p>Safety issues arising from the narrow vehicle access to the SANG site at the sharp curve of Castle Hill must be addressed. Applicant's amended Transport Statement fails to address the safety issues arising from competition between cars, cyclists, pedestrians and dogs all entering and exiting from this narrow access point.</p> <p>Safety issues with the right hand turn from Brownlow Road into Castle Hill must be addressed. This dangerous turn has very poor visibility - Council Officers should visit and experience this for themselves.</p> <p>Car park, vehicle access track, signage, and any other hardware must be screened from view of neighbouring residents and those using nearby Public Rights of Way, using native plant species. The applicant's amended Landscape Strategy does not include this screening.</p> <p>Car park barrier to be locked from dusk to dawn every day.</p> <p>Existing parking restrictions on Castle Hill must be enhanced and enforced. There must be double yellow line restrictions at the junction of Castle Hill and Brownlow Road (on both sides of both roads), and also at the sharp curve on Castle Hill (at the access point to the SANG).</p>

SANG Management Agreement must provide for ongoing third-party monitoring and a means for neighbouring residents to report performance breaches and concerns i.e. if the chalk grasslands are not being managed properly, hedgerows allowed to become too tall, litter not being collected, etc.

#### Introduction

1. I have lived on Castle Hill for nearly 20 years and frequently use the many Public Rights of Way in the immediate area for running, walking, and general enjoyment.

2. The site of the proposed Castle Hill SANG is a highly valued landscape. The visual prominence of this particular landscape makes it an important part of the recreational amenity enjoyed by large numbers of local residents and visitors using the many Public Rights of Way in and around the proposed SANG site. The site lies within the Green Belt and also within the Chilterns AONB, and is further protected via several of the Saved Policies in the Dacorum Core Strategy, including Landscape Character Assessment, Area 119. Both the Chilterns Management Plan 2019-2024, which is the statutory management plan for the AONB and a material consideration in planning applications, and Dacorum's local planning policies with respect to the Green Belt, the AONB, and landscape character (CS5, CS7, CS24, and CS25) all require that the distinctive character and appearance of the countryside at this location be retained and not undermined by any change of use. A SANG might be an acceptable use of the land in areas with these protective designations, but this particular SANG proposal has significant flaws.

#### Landscape Issues

3. SANG tree planting at heights of land will block panoramic views from existing Public Rights of Way, contrary to the NPPF, the Chilterns Management Plan, and the Dacorum Local Plan. The applicant's proposal includes new woodland tree planting in four locations just inside the SANG boundary, directly adjacent to Public Footpaths 60, 62 and 26 (which are all just outside the SANG boundary) at or near the heights of land. (See the applicant's Landscape Strategy, areas marked W1). Tree planting at these locations will block the open long-range views currently enjoyed from these well-used footpaths. On a fine day these views are as good as any in the entire Chilterns AONB. Blocking these existing views is contrary to National Planning Policy Framework (NPPF) paragraph 100 (para. 104 in the December 2023 NPPF) which says "Planning policies and decisions should protect and enhance public rights of way..." Blocking the existing views is also contrary to the Chilterns Management Plan which lists the special qualities of the Chilterns including panoramic views, and clearly states "There should be no adverse impact on landscape special qualities..." (page 23). Blocking these existing views is also contrary to Saved Policy 79 which says "The public footpath network will be protected, improved and promoted...". Moreover, there is simply no need for tree planting in these specific locations; tree planting can instead be done at lower elevations within the site. Note - much of Public Footpath 62 has

been omitted from the applicant's diagrams in their Landscape Strategy, so the existing application documentation is not accurate.

4. There is insufficient pedestrian access and the SANG is not well linked with existing Public Rights of Way, contrary to the NPPF. As proposed, there are three points of access into the SANG: from near the Cricket Club, and from two kissing gates along Public Footpath 61 (see Figure 4.1 in the applicant's Transport Statement). But there is no access into the SANG for visitors arriving on foot from other directions, including: on Public Footpath 25 from the western part of Berkhamsted (i.e. the area around Bridgewater School and beyond); on Public Footpath 20 from the Bridgewater Road area and much of the town of Berkhamsted; and on Public Footpaths 58, 59, 26 and 54 from the east and northeast (i.e. the Gravel Path area and Berkhamsted Common and beyond). This is a significant issue, as it means all of these visitors must walk along the outside boundary fence-line of the SANG for a considerable distance before they are able to enter it. If the SANG is granted permission, there should be at least three additional kissing gate entrances to the SANG specifically for those arriving on foot: one entrance directly from Public Footpath 62 at the westernmost corner of the SANG (as noted above, much of Footpath 62 has been omitted from the applicant's diagrams); one entrance directly from Public Footpath 60 i.e. west of the privately owned Dutch Barn; and one entrance directly from Public Footpath 26 in the northerly part of the SANG.

These additional kissing gate entrances would bring the SANG into better alignment with NPPF paragraph 100 (para. 104 in the December 2023 NPPF) which states "Planning policies and decisions should protect and enhance public rights of way and access, including ... by adding links to existing rights of way". If these additional entrances to the SANG are not provided, thus facilitating access, it could deter visitors and result in more people driving to Ashridge which is the opposite result from what is intended.

5. Need for a legally binding condition to maintain naturalness of SANG and prevent incremental development. The Mitigation Strategy adopted by Dacorum in November 2022 provides guidelines for the provision of SANGs. The Mitigation Strategy notes the quality of the Ashridge Commons and Woods SSSI as possessing an "air of relative wildness" and that "SANG should aim to reproduce this quality" (Chilterns Beechwoods Special Area of Conservation Mitigation Strategy, Dacorum Borough Council, pages 30-31). If permission is granted for the proposed Castle Hill SANG, there should be a legally-binding condition that will ensure the natural aspect and relative wildness of the site is maintained in perpetuity and never compromised. Amenities such as ice cream vans, coffee kiosks, cafes, public conveniences and other built facilities must never be permitted or licensed on the site. Also, the Castle Hill SANG must never become one of the so-called Ashridge "Gateway Sites" (see page 33 of the Mitigation Strategy which states: "a gateway site should provide equivalent attractions and facilities (i.e. to Monument Drive) sufficient to draw people away from more sensitive areas within Ashridge". )

6. All the proposed post-and-wire fencing around areas of planting must be temporary. There are over a dozen areas within the proposed

SANG that would be enclosed with fencing (see the applicant's Landscape Strategy). As noted above, the objective is to reproduce the natural aspect and wildness of Ashridge, and having permanent fencing within the SANG area is not consistent with this aim. These fenced off areas are also contrary to the policy requirement to retain the character and appearance of the landscape. Some temporary fencing may be necessary for a short time to protect newly-planted young trees, but otherwise there should not be any fencing within the SANG.

#### Highway Safety and Parking Issues

7. Unacceptable highway safety issues at the point of access on Castle Hill must be addressed. The proposed main entrance to the SANG is the small lane leading to the Cricket Club from the sharp curve on Castle Hill (see Figure 3.1 Existing Site Access, Transport Statement). I am concerned about safety issues at this access point arising from competition between cars, cyclists, pedestrians and dogs entering and exiting. The applicant's proposal does not include a dedicated pedestrian footpath, contrary to the image they have provided (see Image 1 on Site Access Proposal, Appendix D, Transport Statement). This safety issue is further compounded by the large numbers of Berkhamsted School students walking to and from the school playing fields at Kitcheners Field every day; this necessitates the students crossing the street at precisely the sharp curve on Castle Hill where the proposed entrance to the SANG would be located.

8. Unacceptable highway safety issues on the road network approaching Castle Hill must be mitigated. Approaching Castle Hill from the northeast i.e. from Hemel Hempstead via Potten End, the right hand turn from Brownlow Road into Castle Hill is semi-blind and unsafe. Additional traffic generated by the SANG will make it even more unsafe, and some sort of mitigation is essential.

9. Parking within the SANG is both unnecessary at this location, and contrary to the Chilterns Management Plan. The proposed car park represents the introduction of a significant built element within the AONB. While I appreciate that Natural England's standard guidance is that all SANGs above 4 hectares in size must have a car park, I think this SANG should be the exception to the rule, for two reasons. Firstly, the Chilterns Management Plan (statutory plan that is a material consideration in planning decisions) has an explicit objective to reduce car use by visitors to the AONB (see Policy EP7 on page 62). The proposed SANG car park is contrary to this objective. Further, the Chilterns Management Plan states "Where there is a conflict between conserving the special qualities of the Chilterns and its use or enjoyment, we must give greater weight to its conservation and enhancement" (see page 9). This is a strong argument against having a SANG car park. Secondly, the entrance to the proposed SANG is only 300m from the Berkhamsted rail station, and 800m from the centre of town and numerous bus stops. This is an easy walk on level ground along pavements on Brownlow Road and Lower Kings Road. Given this ease of access, I believe an onsite car park in the SANG is unnecessary in this location. I would hope that Natural England's protocols would be sufficiently flexible to take into account the specifics of each SANG site, rather than imposing a car park in an inappropriate



location such as this one within the AONB.

10. Parking within the SANG, if there is any, must be screened from view. If permission is granted for the SANG and if it is determined that there must be a car park, then it will need to comply with planning policies CS5, CS7, CS24 and CS25 all of which require the character and appearance of the landscape to be retained. In addition, Saved Policy 97 states that "careful attention will be paid to the provision of ancillary facilities such as car parks... in order to minimise their impact on the local scene." To comply with these policy requirements the car park would need extensive native-species vegetation to screen it from view, both from those using the many Public Rights of Way in the area and from neighbouring residents. Any car park infrastructure such as signage, cameras or other hardware to enforce short term parking restrictions would also need to be low-level and appropriately screened.

11. Parking within the SANG, if there is any, must not be permitted at night. If there is a car park, it will be heavily used by those wanting a place to park for in-town activities (shopping, eating out, entertainment, etc). Night-time use in particular will harm the amenity of neighbouring residents, due to traffic, car headlights, noise, and importantly, the potential for anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires local authorities to consider crime and disorder implications of all their functions including planning decisions, and to do all they can to reduce or prevent these problems. For these reasons there must be a gate at the entrance to the SANG car park to be kept closed every day between dusk and dawn. There is precedent for this at other SANGs, such as Hogmoor Inclosure SANG at Bordon in Hampshire which is a Taylor Wimpey joint venture, and at other locations including Wendover Woods in nearby Buckinghamshire.

12. Parking restrictions on Castle Hill near the SANG need to be enhanced and enforced. Castle Hill is a popular on-street parking location for dog-walkers, rail travellers, and those using it as a free car parking option for their in-town activities. Currently we residents must cope regularly with parked cars blocking our driveways / parking across dropped curbs, parking right on the junction with Brownlow Road (a safety issue), parking right on the sharp curve (also a safety issue), and parking on and destroying our grassy verges. This happens at peak times, and on good-weather days when large numbers of walkers use the existing Public Rights of Way, and for special events, and it is a big problem. If granted permission, the SANG will bring even more traffic. To control on-street parking, there must be new double yellow lines to restrict parking on Castle Hill. Ideally these would be all along Castle Hill, but at a minimum there should be double yellow lines on both sides of Castle Hill at the junction with Brownlow Road, and all along both sides of the sharp curve of Castle Hill.

#### Other Issues

13. Need for details of SANG Management Agreement and for third party monitoring. The applicant has not provided any information regarding the management arrangements for the SANG, apart from stating that it will be outsourced to another company (see the

	<p>applicant's SANG Delivery Framework). This is not reassuring. It is particularly concerning because the applicant states at paragraph 4.8 of the SANG Delivery Framework that "third party monitoring... will not be required." What will happen if the company responsible for managing the SANG doesn't perform in line with the specified requirements, e.g. litter is not collected, or dog poo bins are not emptied often enough, or hedgerow thickets are allowed to become too tall, or the chalk grasslands are not maintained and scrub takes over. There must be a clear legally-binding agreement that ensures appropriate remedies for non-performance or breach of contract. The agreement must also ensure that ultimate responsibility for managing and maintaining the site remains with the landowner.</p> <p>14. Need for protection of priority species - skylarks. Skylarks are regularly observed within the site area proposed for the SANG. The skylark is in critical decline and is one of the UK's most threatened species, listed under Section 41 of the 2006 Natural Environment and Rural Communities Act as a priority species and as a 'red listed' species of conservation concern. According to the RSPB, skylark numbers declined by 75% between 1972 and 1996 and by a further 15% by 2020. Given this large and recent decline, skylark protection is important. NPPF paragraph 179b (para. 185 in the December 2023 NPPF) requires "the protection and recovery of priority species". The applicant makes no mention of how skylarks will be protected. Indeed, the applicant states in their Preliminary Ecological Assessment, paragraph 4.40, that "The Site provides opportunities for a range of common farmland birds associated with open and parkland habitats, with hedgerows and trees providing the greatest refuge and nesting opportunities." This will certainly not help the skylarks as they nest in grasslands, and human and dog footfall will inevitably harm the skylark habitat in this location.</p>
<p>14 Castle Hill Avenue Berkhamsted Hertfordshire HP4 1HJ</p>	<p>I wish to strongly object to this proposal for the following reasons :</p> <p>There is already good access to the site with a comprehensive network of footpaths which are well used by walkers, dog walkers and joggers.</p> <p>There is an abundance of wildlife in the designated area which will be adversely affected by the proposed SANG. Skylarks nest here and other endangered species of birds habituate the area eg Yellow Hammers and Whitethroat. There is a fox den, rabbit warrens and a badger sett in the proposed area.</p> <p>Access to the area is dangerous, especially the junction with Brownlow Road approaching from the New Road direction.</p> <p>The proposed car park will create extra traffic which will endanger pedestrians and Berkhamsted School children accessing the school playing fields and public footpath.</p> <p>The car park will need to be strictly managed to ensure that it is not used by commuters and misused in other respects.</p> <p>The privacy and security of residents in Castle Hill will be greatly increased and the proposed tree planting will obstruct their views over the area.</p>

	<p>If the SANG is agreed a huge concern is the maintenance of the area. If the contract is awarded to DBC, in my opinion, they do not have the expertise to carry out the work as is evident from their maintenance of Lime Walk !</p> <p>I am writing to strongly object to the revised plans that Taylor Wimpey have submitted in respect of the proposed SANG in Castle Hill Berkhamsted.</p> <p>I concur totally with comments of objection made by previous residents.</p> <p>The creation of a SANG will create an urban environment in what is currently a delightful rural retreat from the hustle and bustle of everyday life. It is totally unnecessary and in all likelihood will not be utilised by those for whom it is technically intended.</p>
<p>39 Lombardy Drive Berkhamsted Hertfordshire HP4 2LQ</p>	<p>I am commenting on behalf of Berkhamsted Raiders football club who are long term amenity users of the grounds of the cricket club for hosting youth football matches.</p> <p>Whilst we recognise and fully appreciate the objections of the local residents to this plan and the direct impact it will have on them we are neutral to this proposed development in so far as it impacts Berkhamsted Raiders directly.</p> <p>With the addition of the car park and accompanying access impact we are concerned that it will restrict fair usage of the cricket club grounds for our members when they come to watch their child play football. We would want to be assured that our members would be able to use the car parks, especially if it is causing the loss of existing spaces, without restriction or cost.</p> <p>We are also concerned that access to the car park would need to be designed in a safe and considerate way for pedestrians (namely children) to be able to walk from the car park to the cricket clubhouse and pitches. Ideally there would also be a pedestrian shortcut access to the cricket club grounds from the car park to avoid the need to walk back along the access road and back down again to the cricket club.</p>
<p>Castle Hill</p>	<p>Access and Parking:</p> <p>Increasing traffic to Castle Hill presents obvious safety issues and a higher probability of accidents. This area is accessed by a tight and dangerous bend which is already heavily frequented, especially by children to access the school playing fields. The access into Castle Hill presents a clear highway safety issue which cannot be mitigated.</p> <p>Increased traffic from the Potten End direction coming down Brownlow Road, may also make what is already a dangerous corner with the turn into Castle Hill even more so.</p> <p>There is adequate and suitable parking close by, within 200 metres, so if the SANG were to go ahead that the parking in the town should be utilised, rather than a dedicated carpark onsite.</p>

	<p>Given the proposed site is in an Area of Outstanding Natural Beauty, it feels counterintuitive and against the intention to protect the natural environment to propose parking. I understand it's also contrary to the Chilterns Management Plan.</p> <p>A car park would need to be maintained, controlled and closed after hours. Operating outside of daylight hours would be harmful to local residents due to traffic noise, headlights and potential lighting. There is the possibility this would be mis-used by commuters or town traffic rather than the intended use. There is no allocation in the proposed plan for the provision of maintenance and controls.</p> <p>Landscaping:</p> <p>This area already has beautiful, natural countryside enjoyed by the public on a regular basis. There is no need, in a designated area of outstanding beauty to supplement that with additional planting, thicket fences, rustic wooden signage. It feels like this is a box ticking exercise and would not actually deter people from Ashridge. Rather, it is encouraging more people into the area, to arrive by car (rather than foot, bike or public transport) on the fringe of Frithsden beeches, the historic WW1 trenches and other important archaeological and ecological sites.</p> <p>There are existing public rights over way nearby that the proposed planting would block views from which I believe is contrary to both the council local plan and Chilterns Management plan.</p> <p>This area is home to a number of wildlife and the introduction of different landscaping, more people and dogs to the area will disrupt their natural habitat. There are many properties that currently overlook this natural area and the proposed plan would disrupt their privacy.</p> <p>Management:</p> <p>There is no specification for management of the site in the proposal. There is bound to be waste, from dog walkers and litter that will need to be dealt with on a regular basis.</p> <p>If the SANG is to proceed, on a long term basis and as a condition of it's existence it needs to be ensured that amenities such as ice cream vans, public toilets or kiosks are never permitted. This also presents an issue if you're trying to encourage more families to the area.</p> <p>Overall these reasons above make the site unsuitable for a SANG and I'd propose another location is sought and strongly that this application is rejected.</p>
<p>34 Castle Hill Berkhamsted HP4 1HE</p>	<p>I am a resident of Castle Hill, no 34. I have been kept informed of the developments. Having digested the proposal to convert the green belt land behind our home to a SANG. We would like it registered that we strongly object the proposal based on the following:</p> <ol style="list-style-type: none"> <li>1. The areas is designated green belt and further more is on the</li> </ol>

	<p>register of the Chilterns as an area of outstanding natural beauty.</p> <p>2. I am incredibly concerned about our privacy and garden/property being overlooked and the expected noise pollution. I am concerned for the potential for crime with easy access to the rear of our property.</p> <p>3. Castle Hill is a narrow residential road with very little traffic I am therefore concerned about road safety and potential for accidents in the surrounding area.</p> <p>4. We live within .5 mile of the railway station and therefore there are expected car parking challenges and regulations in place, the proposal of the SANG will congest the area and the car parking proposed (which I feel is not within the greenbelt or AONB classification) will be woefully inadequate.</p> <p>5. The details of the landscape character and appearance are at odds with the natural and unspoilt landscape. I am amazed that this proposal is progressing with the changes planned to vegetation and impact on public rights of way.</p> <p>6. Finally I have concerns of the maintenance of the SANG and that this will be the "thin end of the wedge" and we will see incremental development again at odds with the greenbelt and AONB classifications.</p>
<p>Woodfield House Ivy House Lane Berkhamsted Hertfordshire HP4 2PP</p>	<p>The application provides for a car park and changed highway access from Castle Hill. The new car park is unnecessary as the area is already used extensively for recreation and the car park is proposed to be situated in the middle of an AONB. Providing vehicular access to the SANG also gives rise to an increased risk of anti-social behaviour as witnessed by the land adjacent to New Road where fires and vandalism have taken place. No detailed management proposals have been lodged and controlling the car park and ensuring it is safe for winter use will mean lighting and ticketing points, all contrary to the natural habitat that currently exists.</p> <p>There are no detailed proposals for the management of the SANG and unless properly maintained the current landscape is likely to change adversely.</p> <p>As a representative of both Berkhamsted Cricket Club and the BSGCA, the proposals materially affect the usage of the cricket field by restricting existing parking and it raises safety concerns with potentially increased vehicular traffic. Other organisations using the cricket field will also be adversely affected.</p> <p>Others have commented on the effect on wildlife but fences, signage, lighting and mown footpaths will likely have an undesired effect. The SANG designation imposes "rules" where none are required and the consequences of the application are not welcome.</p>
<p>39 Meadow Road Berkhamsted Hertfordshire HP4 1EB</p>	<p>I object strongly to the change of use for this land. I cannot see any need for the development as I have been freely walking the footpaths on this land for the last 33 years.</p> <p>I am also deeply suspicious of the motives for this development as it is being proposed by building and estate agency companies, and feel that as soon as the change of use is granted, there will be proposals for house building</p>

<p>14 Castle Hill Avenue Berkhamsted Hertfordshire HP4 1HJ</p>	<p>I have been a resident of Dacorum for over 60 years and have lived in Berkhamsted for the past 18 years. I am an Honorary Freeman of the Borough of Dacorum and a Past Chairman of Boxmoor Trust.</p> <p>I have helpful knowledge of the large number of open spaces within Dacorum. Many of these are underused apart from those used for sporting activities, mainly at weekends.</p> <p>As a Past Chairman and Trustee of Boxmoor Trust I am aware that there has been great difficulty in getting the general public to make use of the approximate 400 acres of open access land that they manage.</p> <p>The old adage says, ' You can lead a horse to water but not make it drink'.</p> <p>The same applies to the general public making use of green spaces. Therefore I see no need to turn a beautiful piece of farmland in AONB into a SANG.</p> <p>The countryside is fast decreasing and changing this area into a SANG makes no sense.</p> <p>It can only be for someone's gain and the Community's loss.</p> <p>I have read through other views and objections to this SANG. I concur with all that has been stated and do not feel I need to add chapter and verse.</p>
<p>The Base 15B Middle Road Berkhamsted Hertfordshire HP4 3EQ</p>	<p>To what is this the Alternative? The land is already green space and sits within the Green Belt and Chilterns AONB. Is there another proposal ready to be submitted which swallows up a different bit of the Green Belt and AONB?</p> <p>I am in favour of increasing public access to the countryside (right to roam responsibly).</p> <p>This area has several public rights of way, mainly footpaths, which are much used by local residents (one can tell by the mud!). There are a number of policies which seek to protect the land in its current form and appearance, such as the Landscape Character Assessment and Chilterns Management Plan. In my use of the various rights of way over 20 years, I remember it as grassland with trees.</p> <p>I don't understand why this space is separating itself from the existing footpaths at What3Words locations <a href="#">///pull.nurture.taller</a>, <a href="#">///spreading.outnumber.resonates</a> and <a href="#">///album.partly.inch</a> There is an existing farm gate at <a href="#">///cooks.endearing.bluffing</a> This is not marked on the plan. If there is to be any improvement to the landscape, additional man made fencing is not the answer but traditional hedging techniques (as is carried out along the canal) would provide stock and dog proof edging.</p> <p>The designation of an Area of Outstanding Natural Beauty is based around the existing landscape with its open views of rolling landscape.</p>

	<p>The carpark is quite unnecessary as there are plenty of car parking facilities at both the station and the new, council multi storey car park off Lower Kings Road, both a few minutes walk away. Longstanding AONB policy is against the introduction of car parks within the AONB. The ready access to other parking facilities and the AONB restrictions should override Natural England's requirements. Visitors from outside Berkhamsted are within walking distance of both the railway station, the canal and local bus services. The ethos of public access to green space should be encouraging exercise.</p> <p>The land in question is currently home to a number of species of wildlife including Badgers, Foxes, Skylarks, deer, Red Kites, and Owls amongst others. The proposed scheme will change their environment dramatically with fencing blocking off their usual roaming/ foraging routes and being in conflict with all the additional dogs. There will be considerable disturbance during the creation ("landscaping") of the area.</p> <p>The nearest point of the Ashridge Estate is a kilometre distant past the housing of Northchurch Common thus nearly 2 km from the car park. I don't see how they complement each other or how this small space would draw people from the wonderful extended area at Ashridge. I can see no point in adding signage and "interpretation" boards to a rural location.</p> <p>The walking route largely mirrors existing footpaths, so offers no planning gain.</p> <p>A builder has bought some green agricultural land and wants to redevelop it along the lines of Georgian parkland to leverage forthcoming assaults on the Green Belt, Chilterns Area of Outstanding Natural Beauty and the Chilterns Beechwoods Special Area of Conservation (see Design &amp; Access Statement Foreword and statement on capacity page 33).</p>
<p>12 Trevelyan Way Berkhamsted Hertfordshire HP4 1JG</p>	<ol style="list-style-type: none"> <li>1. I am a regular user of the many footpaths around Berkhamsted and I am particularly familiar with the footpaths and countryside in the area of the proposed SANG.</li> <li>2. I OBJECT to the proposed Castle Hill SANG.</li> <li>3. The area around the proposed SANG is already served with a number of footpaths. The SANG does not open up significant additional routes for walking. Since much of the area near the proposed SANG is already well known and well used by walkers its designation as a SANG would not significantly increase this usage. Therefore the SANG would not be effective in meeting its objective of taking pressure off other areas.</li> <li>4. Entering the SANG from the proposed car park requires a climb up a fairly steep hill. I believe this would be a disincentive to anyone wishing to take a 'short stroll' - other areas where footpaths are more level will be more attractive. Therefore the car park is more likely to be used by those seeking to take longer walks, quite possibly into Ashridge and</li> </ol>

	<p>parts of the Chiltern Beechwoods. Since the intention of the SANG is to minimise the use of these areas the SANG would be failing in its intent.</p> <p>5. The area of the proposed SANG is notable for its unspoiled nature and for the absence of man-made features. When visiting this area it is possible to feel that one is a long way from any town or city. The SANG proposal includes the provision of mown footpaths, picnic benches, bins and interpretation boards. The presence of these artificial features would reduce the impression of remoteness that currently exists and therefore such features would be detrimental to the area. Litter bins in particular, and possibly interpretation boards, are likely to become targets for graffiti or vandalism, and could therefore become eyesores.</p> <p>6. The provision of a car park is problematic. If the car park is free then it is likely to be used by users of the station. Parking charges would need to be made so as to prevent or reduce this, and these would need to be high enough to deter rail users. This would make the car park unattractive to the intended users of the proposed SANG, who would travel elsewhere to places where parking is cheaper or free.</p> <p>7. To minimise anti-social behaviour, the car park would need to be closed at night. The proposals therefore need to include provision for implementing and managing this.</p> <p>8. The SANG Delivery Framework Document (21 November 2023, Revision A) describes an extensive (and presumably costly) maintenance schedule for the SANG. The documentation does not specify how this is to be assured following an initial 12 month period.</p> <p>9. The SANG Delivery Framework Document (21 November 2023, Revision A) includes the statement at para 4.8 - "Following transfer of the management responsibility to an established, experienced Management Partner, third part monitoring of the implementation of management will not be required.". This is surely an unacceptable position - the proposals need to define the mechanism for the assurance of ongoing management, and for the effective monitoring of that management, for the likely required 80 year period.</p> <p>10. Assurances are needed that further development of the proposed SANG will never occur - e.g. provision of toilets, cafe or the construction of housing must be categorically forbidden.</p> <p>11. I endorse the objection raised by The Chiltern Society (comment submitted 6 Jan 2024).</p> <p>12. I endorse the concerns raised by CPRE (comment submitted 13 Jan 2023).</p>
<p>6 Finch Road Berkhamsted Hertfordshire HP4 3LH</p>	<p>We are against this proposal as it will cause disruption to the current green space which will reduce wildlife and the natural area which the general public currently enjoys. It is also far away from the intended development so will not bring the benefits that it claims. This is already a beautiful green area and does not need any additional changes, or a car park nearby.</p>



<p>2 Chalet Close Berkhamsted Hertfordshire HP4 3NR</p>	<p>The creation of this SANG is unlikely to ease recreation pressure on the Ashridge estate and the Chiltern Beechwoods. There are no new developments nearby in Berkhamsted. The area is already used by walkers and ramblers who use the existing public footpaths. New residents in the proposed LA3 site in Hemel Hempstead are unlikely to drive here to walk their dogs or engage in informal recreational activities .</p> <p>People driving to this site would have more incentives to use Ashridge with its facilities such as toilets and cafes. Stock fencing, bins ,signposts and information boards will be intrusive in an AONB.</p> <p>Enclosing a badger set is unacceptable. If badgers are to be able to get out then dogs will be able to get in. These protected animals would be in danger of dog attacks. Badgers would be likely to tunnel under the stock fencing and create access for dogs to livestock in the surrounding fields.</p> <p>Ground nesting birds will be disturbed by off lead dogs.</p> <p>The car park is very undesirable in an AONB.</p> <p>How is the time limited parking to be enforced?</p> <p>The car park and the screening of this area with hedgerows could lead to more antisocial behaviour . I have experienced camping and off-road motor bikes on the school field behind my property.</p>
<p>7 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>Planning Application 23/02972/MFA: Proposed SANG Site Castle Hill Berkhamsted HP4</p> <p>I am not in favour of this development, for the following reasons:-</p> <ol style="list-style-type: none"> <li>1. This is an area of AONB, which on this basis has previously had planning applications refused to protect it. This should continue.</li> <li>2. The car park will lead to increased traffic in the road, with the entrance on a dangerous corner, which already causes issues for local residents. The station car park is near enough to use for any additional visitors.</li> <li>3. That said, the area already attracts dog walkers and walkers, along with the football and cricket clubs and of course the continual use of Berkhamsted school. This is already a very busy site, causing congestion and parking issues for Castle Hill residents. The road itself is not equipped for the current volume of traffic.</li> <li>4. Double yellow lines should be a minimum requirement on Castle Hill to encourage visitors to use the already available station car park.</li> <li>5. Antisocial behaviour is likely to increase for residents on the side of the proposed car park, which isn't likely to be policed in the evenings; causing distress and safety issues.</li> </ol>

6. The lighting from the proposed car park would affect the wildlife, included protected species, like the bats. Furthermore, additional foot traffic in this area (which already used by many people) could be detrimental to the current wildlife in general.

7. The proposed planting plan for the SANG of trees on the higher levels, will obscure views that are currently enjoyed by walkers and residents.

If this proposal is accepted, there will be an overwhelming detrimental affect to the local area, residents, and wildlife. Site management will be a priority, to ensure the area is maintained according to the increased volume of traffic; including the management of littering, dog waste removal regularly, car park traffic controls and security.

The residents would insist to receive your assurances will there be that there are no further developments in this area of AONB, like cafes, toilets, or any further development of the site for sporting activities?