



DEVELOPMENT MANAGEMENT COMMITTEE

11th July 2024

ADDENDUM SHEET

Item 5a

23/02972/MFA 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

Additional Representations

- The Chiltern Society (received on 05/07/24)

‘Taylor Wimpey have just announced a first Public Consultation for the proposed site South Of Berkhamsted (BK01 in the draft local plan). The local plan lists this as a significant development site of circa 850 houses. Surely, the SANG from Taylor Wimpey should be incorporated within that development project instead of their proposal for this Castle Hill SANG which is the other side of town with many objections due to the proximity of the Castle, Station and local sports clubs.’

Comments Not Specifically Addressed in Report

Concerns have been raised by the owner of the Dutch Barn regarding the triangular paddock land (also in his ownership) in relation to, inter alia:

- Changes to existing fencing,
- The erection of new fencing on land in his ownership,
- Concerns in relation to dogs gaining access to the paddock and harming his livestock,
- Public access around the entirety of the land, potentially affecting how the land is used.

Ownership:

The applicant has confirmed that all the proposed works will take place on land within their ownership¹. It is well established in planning law that land ownership / boundary disputes are not a material planning consideration. Any works undertaken by the applicant on land not in their ownership would constitute a civil matter between the parties, for which there are legal remedies through the courts.

Safety of Livestock and Prejudice to Future Use of Land:

Dog proof fencing is proposed along all boundaries of the paddock, and the western boundary is to be strengthened by substantial woodland and thicket planting. An informal, indicative landscaping plan has been provided which shows the provision of substantial woodland and thicket planting along the western boundary, which would address concerns vis-à-vis the livestock in the paddock becoming stressed by barking dogs.

In order to formally obtain the requisite level of detail, it is recommended that Condition 8 is amended. The new wording is set out in the 'Additional Conditions' section below.

- Herts Ecology

The County Ecologist has reviewed the biodiversity metric and is satisfied that it has been accurately completed.

Additional Conditions

- In order to address the concerns of the Dutch Barn, Condition 8 is proposed to be amended as follows:

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 landscaping plan shall show at least one additional pedestrian access into the SANG from one of the adjoining public rights of way, provide full details of proposed SANG signage within the site and include details of landscaping to protect the western boundary of the triangular-shaped paddock land to the north of the Dutch Barn.

Development shall subsequently be carried out in accordance with the approved particulars, be in place prior to first use of the development hereby approved and permanently retained and maintained thereafter.

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

- Paragraph 10.126 refers to a condition requiring a car parking management plan. This was omitted from the proposed conditions in error. As such, should Members

¹ Once the land sale has taken place.

be minded to grant planning permission, it is recommended that the following condition is included on the decision notice:

Prior to first use of the development hereby approved, a Car Park Management Plan shall be submitted to and approved in writing by the local planning authority. The plan shall include details of measures to prevent use of the car park associated with the development for a period in excess of 3 hours and provide a timeline for the construction / erection of the requisite infrastructure - e.g. ANPR cameras, signage etc.

The Car Park Management Plan shall be implemented concurrently with the site being brought into first use and permanently operated in accordance with the approved details.

Reason: In order to ensure that sufficient parking is available for the proposed use and that a lack thereof does not result in unacceptable impacts on the local highway network, in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013), Policy 51 of the Dacorum Local Plan (2004) and paragraph 111 of the NPPF (2023).

- Full details of the stock proof fencing along the site perimeter has not provided, nor is there any indication that it would be provided along the boundary to the rear of the dwellings located on Castle Hill. As a result, a condition requiring further detail is recommended:

Notwithstanding the details submitted, prior to first use of the development hereby approved, full details of the stock proof fencing shown on drawing no. CSA6667/115 (Rev. J) shall be submitted to and approved in writing by the local planning authority.

The details shall also indicate the provision of stock proof fencing along the southern boundary of the site, contiguous with the boundaries of the dwellings on Castle Hill.

Development shall subsequently be carried out in accordance with the approved particulars, be in place prior to first use of the development hereby approved and permanently retained and maintained thereafter.

Amended Condition:

Condition 3 requires amending to reflect the latest plan received (and the one Herts Highways have based their comments on, i.e. Rev L and not Rev J). The amended condition is as follows:

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 L) 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)

Recommendation

As per the published report.

Item 5b

23/02195/FUL Construction of 9 dwellings including the creation of a new vehicular access, parking and landscaping

Land West of Tring Road, Tring Road, Wilstone, Tring, Hertfordshire

The Lead Local Flood Authority have provided a further response in light of an amended flood risk assessment and drainage strategy report, which responded to their earlier comments. The revised comments are as followed and the recommended conditions would be placed on the application, if approved.

Thank you for consulting us on your application on 25 June 2024 regarding the full planning application for the construction of 9 dwellings including the creation of a new vehicular access, parking, and landscaping.

We understand that applicant proposes that roof runoff would be captured by a combination of rainwater and downpipes and directly discharge into the permeable paving which will discharge into the porous sub-base and then via below-ground drainage network to the attenuation tank. The applicant proposes the remaining hardstanding surface water run off will discharge into the permeable paving and thereafter into the attenuation tank prior to discharging into the canal. A linear drainage channel will be added to the site entrance which will discharge through a drainage pipe network around the attenuation tank and connect to the system downstream of the flow control and discharging towards the canal.

As we are not the statutory consultee for this application, we can only advise to the LPA:

- We note that half drain down times cannot be calculated due to the structure being too full. Therefore, we would recommend the applicant provides calculations to demonstrate the network has capacity for a 1 in 100+40% CC storm followed by a 1 in 30-year storm.

Recommended Conditions

1. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment and Drainage Strategy Report (ref: P20-553 dated June 2024), this includes all new residential dwellings to have a finished floor level raised a minimum of 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and policies of Dacorum Borough Council.

2. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS. The proposed development should evidence that it will not increase flood risk with sufficient supporting evidence provided including supporting calculations for all return periods up to the 1% AEP + climate change event, including an allowance for the 3.33% AEP event, including half drain down times within 24 hours. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the flood risk is adequately addressed.

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

Reason: To prevent flooding and pollution offsite in accordance with the NPPF and in consideration of local flood risk issues.

4. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 2. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and the policies of Dacorum Borough Council.

Please note if the LPA decide to grant planning permission, we wished to be notified for our records. If you have any queries in relation to the above, please do not hesitate to contact me.

Recommendation

As per the published report.

Item 5c

24/00390/FHA Two storey front extension, second storey side extension and raising of the ridge height, single storey rear extension, alterations of windows, over cladding of first floor, internal remodelling, new external drive configuration and landscaping.

Chedworth, Hemp Lane, Wigginton, Tring, Hertfordshire, HP23 6HE

No updates required.

Recommendation

As per the published report.

Item 5d

24/00866/FHA Hip to gable loft conversion with rear dormer and front roof lights & new first floor side window.

16 Dellfield Avenue, Berkhamsted, Hertfordshire, HP4 1DX

No updates required.

Recommendation

As per the published report.
