

ITEM NUMBER: 5c

23/01211/FUL	Demolition of frontage buildings and redevelopment of site for 7 dwelling houses	
Site Address:	23 Water End Road And Land To Rear Of 21 Water End Road Potten End Berkhamsted Hertfordshire	
Applicant/Agent:	Mr Groom	Ms Emma Adams
Case Officer:	James Gardner	
Parish/Ward:	Nettleden With Potten End Parish Council	Ashridge
Referral to Committee:	Contrary views of Nettleden and Potten End Parish Council	

1. RECOMMENDATION

1.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to a Section 106 legal agreement securing a mitigation package to avoid any further significant effects on the Chilterns Beechwoods Special Area of Conservation.

2. SUMMARY

2.1 The proposal is considered to constitute limited infilling in a village and therefore accords with Policy CS6 of the Dacorum Core Strategy and paragraph 154 (e) of the National Planning Policy Framework (NPPF) (2023).

2.2 The proposed development would satisfactorily integrate with the local character and, through careful consideration of siting and design, would not result in any significant adverse impacts on neighbouring properties.

3. SITE DESCRIPTION

3.1 With the exception of the derelict building on the Water End Road frontage, the application site comprises of on an area of undeveloped land to the rear of no. 21 Water End Road, which is bounded to the north-west by Browns Spring and by commercial premises to the south-west.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of two buildings located on the Water End Road frontage and their replacement with two dwellings, and the construction of a further five dwellings to the rear of the site.

5. BACKGROUND

5.1 It is to be noted that that a previous application¹ to redevelop the land to the rear of 21 – 23 Water End Road was refused by the Council 18th August 2022. This application seeks to address those reasons for refusal.

5.2 Design amendments were secured during the course of the application and resulted in the reduction of one unit to the rear of the site, facilitating the provision of more soft landscaping, and resulting in a higher quality scheme overall.

6. PLANNING HISTORY

¹ 21/04555/FUL.

6.1 Planning Applications:

19/03263/FUL - Conversion and Alteration of Commercial Buildings to Form Single Dwelling
GRANTED - 1st May 2020

21/04555/FUL - Construction of 3x 2 bedroom and 3x 3 bedroom dwellings with associated site works and landscaping.
REFUSED - 18th August 2022

6.2 The application was refused on the basis that:

'By virtue of its width, length and the number of dwellings it would serve, the access road would not be suitable for its intended purpose and potentially result in vehicles reversing on to Water End Road. In addition, it has not been demonstrated that there would be sufficient manoeuvrability for a refuse collection vehicle to enter the proposed development, turn, and exit in a forward gear.

As a result, the access road and the layout of the development is such that it would not provide a safe and satisfactory means of access for all users and be detrimental to highway safety, contrary to Policy CS12 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).'

Appeals: None.

7. CONSTRAINTS

Advert Control: Advert Spec Control
CIL Zone: 1
Former Land Use (Risk Zone)
Green Belt
Parish: Nettleden with Potten End CP
RAF Halton and Chenies Zone: Red (10.7m)
Small Village: 1
Parking Standards: Zone 3

8. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2023)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 – Green Belt
CS6 – Selected Small Villages in the Green Belt
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS35 – Infrastructure and Developer Contributions

Local Plan

Policy 12 - Infrastructure Provision and Phasing
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 34 – Other Land with Established Employment Generating Uses
Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 55 – Traffic Management
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 102 – Sites of Importance to Nature Conservation
Policy 103 – Management of Sites of Nature Conservation Importance

Supplementary Planning Guidance/Documents

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

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. 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.

9.3 Paragraph 154 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, it goes on to list exceptions to inappropriate development, including:

- e) *limited infilling in villages;*
[.....]
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

9.4 Policy CS6 of the Dacorum Core Strategy is supportive of limited infilling within Potten End provided that each development is:

- i. sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and
- ii. retains and protects features essential to the character and appearance of the village.

9.5 Policy CS6 indicates that the principle of limited infilling is acceptable only where it would provide affordable housing for local people.

9.6 Paragraph 65 of the NPPF states that affordable housing should not be sought for residential development that are not major developments, the exception being developments within designated rural areas.

9.7 The National Planning Practice Guidance (NPPG) states that:

In designated rural areas local planning authorities may instead choose to set their own lower threshold in plans and seek affordable housing contributions from developments above that threshold. Designated rural areas applies to rural areas described under Section 157 (1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty.

9.8 The application site is not located within the Chilterns AONB - now known as the Chilterns National Landscape - and no part of Dacorum has been designated as a rural area pursuant to Section 157 of the Housing Act 1985. Accordingly, there is no requirement for affordable housing to be provided on sites of less than 10 homes. As such, the application does not give rise to a requirement for affordable housing.

Limited Infilling

9.9 The explanatory text to Policy CS6 states that the term '*limited*' refers to development which does not create more than two extra dwellings, while '*infilling*' is described as a form of development whereby buildings, most frequently dwellings, are proposed or constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings.

9.10 While the explanatory text provides an interpretation of 'limited', the term is not defined within the policy wording itself (nor is it found within the definitions in the glossary to the Core Strategy) and thus there is an argument to say that it is advisory and should not be given the same weight as the policy text itself – a view endorsed by some Planning Inspectors.

9.11 The Core Strategy clearly does not build on the definition in the NPPF in any meaningful or unambiguous way, relying instead on the supported text to provide the required clarification, but not confirming whether this is policy or not. As such, it is submitted that the question of whether a proposed development would constitute limited infilling should be determined on a case-by-case basis.

9.12 Guidance in terms of the types of matters which may be relevant to the question of whether a particular development would comprise limited infilling was outlined in the Court of Appeal case of *R (Tate) v Northumberland County Council* [2018] EWCA Civ 1519, where the court held that:

The question of whether a particular proposed development is to be regarded as "limited infilling" in a village for the purposes of the policy in paragraph 89 of the NPPF will always be essentially a question of fact and planning judgment for the planning decision-maker. There is no definition of "infilling" or "limited infilling" in the NPPF, nor any guidance there, to assist that exercise of planning judgment. It is left to the decision-maker to form a view, in the light of the specific facts. Can this proposed development be regarded as "limited infilling", or not, having regard to the nature and size of the development itself, the location of the application site and its relationship to other, existing development adjoining it, and adjacent to it? That is not the kind of question to which the court should put forward an answer of its own. Nor will it readily interfere with the decision-maker's own view.

9.13 Infilling is typically thought of as constructing a building within a gap in a clearly identifiable built-up frontage; however, the term is not so specific that it precludes other forms of infilling. For example, where a building or buildings is constructed amongst a group of other buildings.

Whether the Proposal Constitutes Limited Infilling

9.14 The demolition of the derelict building along the Water End frontage and its replacement with two new cottages would, in the view of officers, would constitute infilling; that is to say, the filling of gap along a clearly identifiable built-up frontage. In terms of the land to the rear of the nos. 17 – 23 Water End Road, upon which Plots 1 – 5 are proposed to be constructed, this is surrounded on all sides by built development and is therefore considered to be a form of infilling.

9.15 The provision of seven dwellings would be limited insofar as it would be a modest addition to the existing built form of Potten End. In addition, the scale of development is such that it is classed as minor, not major development, and the site layout plan shows that the development can be accommodated comfortably within the confines of the site in a form not dissimilar to the surrounding development. Taking these factors into account, it is considered that the proposed development would constitute limited infilling.

9.16 Accordingly, the development comprises of both infilling of a limited nature and falls within the ambit of paragraph 154 (e) of the NPPF. It is to be noted that the aforementioned paragraph does not include an openness test. If the development comprises of limited infilling in a village, it is acceptable subject to an assessment of all other material planning considerations.

Quality of Design / Impact on Visual Amenity

9.17 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes, protect or enhance significant views within character areas, and integrate with the streetscape character.

9.18 Policy CS12 further states that development should respect adjoining properties in terms of layout, site coverage, scale, height, bulk, materials and amenity space.

Layout

9.19 The dwellings to the rear of the site comprise of a staggered terrace row of three dwellings² and a semi-detached pair³, while those on the frontage⁴ would continue the existing terrace. The layout is relatively spacious and therefore allows space for the provision of landscaped areas, full details of which will be reserved by condition, which would assist in breaking up the areas of parking.

Design

9.20 The dwellings to the rear of the site are of relatively simple design, though do contain some traditional features – such as the brick headers above the ground floor fenestration and chimney stacks. The proposed external materials comprise of brick at ground floor and render at first floor. The doors and windows, meanwhile, are stated as being of timber construction. The specific materials specification are to be reserved by condition should Members be minded to grant planning permission.

9.21 The design of the cottages on the Water End Road frontage is traditional, featuring chimneys and gable roofs, and they have fenestration that matches the size and scale of those of the existing terrace. In terms of materiality, the plans suggest that smooth render is proposed for the external walls. Notwithstanding the use of unpainted pebbledash on the existing terrace, no objections are raised with this approach, it being noted that render is also prevalent in the area; and, furthermore, it would help to differentiate the cottages as new additions to the terrace, allowing its evolution to be clearly understood.



Fig1. Extract of drawing 2724.31 (proposed street scene sketch)

9.22 In summary, it is considered that the mix of materials is congruent with the prevailing character of the area, while the scale, height and roof forms all appear appropriate to the village setting.

Impact on Street Scene

9.23 The dwellings to the rear of the site would have a relatively limited presence, if any, from the Water End Road street scene. Glimpsed views of Plots 4 – 5 may be possible through the gap

² Plots 1 – 3.

³ Plots 4 & 5.

⁴ Plots 7 & 8.

between the MOT test centre to the south-west and the rear boundary treatment of the dwelling known as Puketaha, but this would be from a considerable distance (approximately 46m). In light of the fact that the rear elevations of Plots 4 – 5 are proposed to utilise materials which reflect the local character and are limited to two-storeys, it is not considered that there would be any harm to the street scene should they be visible.

9.24 There is currently some informal landscaping along the builder's yard boundary. The result is that views into the application site are limited to a degree. The plans suggest that this is to be removed, the result of which would be a slight opening up of the site to wider views. However, there is no reason why a suitable landscaping scheme could not improve upon the existing situation. Therefore, should Members resolve to grant planning permission, it is recommended that a condition requiring the approval and implementation of a landscaping scheme be included on the decision notice.

9.25 Plots 7 and 8 are to be located to the front of the site and would extend the existing terrace. A street scene plan (see Fig1. above) shows the relationship between the new plots and the existing terrace. It is to be noted that Plots 7 and 8 include forward projecting gable not dissimilar to that featured on the adjacent unit, and that the roofline steps up in accordance the prevailing character of the terrace, though, importantly, would be no higher than the existing two storey building. The heights of Plots 7 and 8 would also not be dissimilar to those of 25 - 31 Water End Road. As such, it is considered that it would sit comfortably within the street scene.

Amenity Space

9.26 Appendix 3 of the Dacorum Local Plan states that residential development is required to provide private open space for use by residents whether the development be houses or flats. Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 metres. An allowance is made for infill developments where garden depths would be below 11.5m but of equal depth to adjoining properties.

9.27 Garden depths across the site would range from between approximately 12m – 20m. The gardens also benefit from reasonable widths, ensuring a good level of functionality.

9.28 In summary, the width, shape and size of the amenity spaces would ensure that they are functional and provide a good level of amenity to future occupiers.

Living Environment of Future Occupiers

9.29 The Council's Environmental Health Team have raised some concerns that two of the proposed dwellings⁵ could be subject to noise and disturbance from the vehicle repair workshop⁶ in Browns Spring and, accordingly, have requested that a noise assessment be undertaken.

9.30 The potential for noise and disturbance is relevant in light of paragraph 135 (f) of the NPPF which, amongst other things, seeks to ensure that planning decisions '*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...*'.

9.31 Regard also needs to be had to the principle of the 'agent of change' as set out in paragraph 193 of the NPPF. The agent of change principle was introduced into the NPPF in in 2018 and essentially seeks to protect existing businesses from having unreasonable restrictions placed on them as a result of development permitted after they were established. It is essentially concerned with ensuring a harmonious coexistence between different types of land use. Places of worship,

⁵ Plots 4 and 5.

⁶ B & H Autos.

pubs, music venues and sports clubs are provided as examples of existing businesses which could be affected, yet the use of the words 'such as' clearly indicate that this is not a closed list and can equally apply to other types of business.

9.32 The points set out below have been raised with the Environmental Health Team:

- Planning permission was granted (see 4/01099/17/FUL) for the change of use to a vehicle repair workshop in July 2017. The officer report advises that:

Further, on discussion with Dacorum Environmental Health Officers, it is considered that the proposed use, which would operate between the hours of 8am – 6pm Monday to Friday, 8am – 12.30pm Saturdays and not at all on Sundays, would not result in significant harm to living conditions, in terms of noise and disturbance, when compared to the existing lawful B8 use at the site.

- Environmental Health did not raise any objections. It is therefore suggested that there is no reason why the conclusion reached in respect of the aforementioned report – i.e. there would be no adverse impact on the residential amenity of nearby properties - would not equally apply to the proposed new dwellings given the not dissimilar distances involved.
- There are no windows serving the workspace of the vehicle repair workshop on the rear elevation of the building. The sole window on the rear elevation serves a washroom. There are windows on the north-western elevation but these face toward Puketaha in Browns Spring. Consequently, any noise emitted from the side facing windows would be directed away from the development⁷.

9.33 Environmental Health have provided the statement set out below in response to the above:

'Having considered the points raised in your email and further to our conversation please be advised the Environmental Health Pollution Team still have concerns re the potential for noise intrusion to the proposed dwellings marked 4 and 5 from the existing vehicle repair workshop (B&H Autos, Browns Spring). Therefore, we would suggest that a Noise Impact assessment is undertaken with appropriate treatment or mitigation outlined, if applicable to prevent the potential for impacts from nearby industry, and as such, we could look at a pre-commencement condition requiring an NIA with scheme for achieving levels outlined in the NIA, if applicable to be provided prior to commencement.'

9.34 On this basis, it is considered that a pre-commencement condition which requires the submission of Noise Impact Assessment prior to the commencement of development in respect of Plots 4 and 5 is appropriate, and there is no reason to believe that suitable mitigation, if required, could not adequately address any issues identified. Mitigation, if required, could take the form of windows with higher noise insulation properties, installation of mechanical ventilation and heat recovery (MVHR) systems, acoustic fencing etc.

Impact on Residential Amenity

9.35 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.

Visual Intrusion

⁷ It is understood that no works to vehicles take place outside the envelope of the building.

9.36 There is no planning definition of visual intrusion or whether development is overbearing in either the Core Strategy or Local Plan. The proximity of built development, height, mass and bulk, topography, orientation and the existing layouts of adjoining dwellings are all relevant factors. Whether development is visually intrusive or overbearing is essentially a matter of planning judgement.

9.37 The flank wall of Plot 4 would face the neighbouring property, Hill View, on Browns Spring at a distance of approximately 30m, although the distance does increase slightly due the angled nature of the relationship between the two properties. Consideration also needs to be had to the fact that Plot 4 is not excessive in height. It is acknowledged that the application site occupies a higher land level to Hill View and, indeed, all the dwellings in Browns Spring. However, it is considered that the substantial degree of separation is such that, although visible, it would not be visually intrusive.

Loss of Privacy

9.38 No windows are proposed to be inserted in the eastern elevation of Plot 1 and thus there would be no loss of privacy to the bedroom located at first floor level in the flank elevation of Jenady. That said, if a window were present in the western elevation, the relationship would be oblique and very unlikely to result in a meaningful level of overlooking. Windows are proposed at first floor level on the rear elevation, but as the building line would be located further forward than the rear elevation of Jenady, views would be restricted to the rear of what is a substantial garden. Critically, the more sensitive area immediately to the rear of Jenady would not be overlooked. Concerns have been raised by residents that the proposed planting along the boundary might not be retained by future residents of Plot 1, resulting in a loss of privacy. The reality, however, is that the new residents are likely want to retain this level of privacy between the units by retaining the planting.

9.39 Separation distances of 28 – 33m are to be retained between the rear elevations of Plots 1 – 3 and those of Lynwood, Longview and Springside in Browns Spring. This is well in excess of the 23m minimum separation distance set out in saved Appendix 3 of the Dacorum Local Plan and allows for the fact that there is a change in levels.

9.40 There are no windows proposed on the flank walls of Plots 4 and 5 and thus there are no privacy implications for the residents of Hill View or 13 Elm Tree Cottages. Views of the garden associated with Dunromin from the rear windows of Plots 4 and 5 would be oblique and from a distance.

Noise and Disturbance

9.41 Given the residential nature of the use and the distances involved, it is considered unlikely that there would be any significant adverse impacts arising from noise following completion of the construction process. Should excessive and unneighbourly levels of noise occur from day-to-day living, this would fall within the remit of the Council's Environmental Health Team.

9.42 In response to concerns raised by local residents in connection with noise and disturbance during the construction process, this would be for a time-limited period and subject to the usual Environmental Health rules regarding working hours.

Loss of Sunlight and Daylight

9.43 The application site is located to the south-east of the dwellings on Browns Spring. Given the limited height of the proposed dwellings, coupled with the distance from the dwellings on Brown Spring, it is considered that there would not be any significant adverse impacts on daylight and sunlight.

9.44 In terms of the dwellings on Water End Road, these are located to the south of the application site and, in general, are set well away from the proposed development and should not therefore experience any significant loss of daylight and sunlight.

9.45 It is acknowledged that 13 Water End Road has a flank window facing into the application site, and that the flank wall of Plot 5 would be located approximately 10m away from this window. Based on plans submitted in support of planning application 4/01326/96/FHA, it is understood that the window in question serves a dual aspect master bedroom. Two further windows serving this bedroom are located on the front elevation, which are likely to facilitate ample light ingress into the room.

Impact on Highway Safety and Parking

Highway Safety

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

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

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

9.48 The site is currently accessed by way of an existing dropped kerb and private access road. Subject to the road being widened – as shown on drawing no. 2714.23 C – the Highway Authority is satisfied that it would be fit for purpose and not give rise to any concerns in respect of highway safety. Should planning permission be granted, it is recommended that a condition be included requiring the access road to have been widened prior to first occupation of the dwellings.

9.49 There is currently good visibility to the east for vehicles egressing. Demolition of the derelict building adjacent to the access and the removal of the overgrown vegetation would significantly improve visibility to the west. The potential for pedestrian conflict with vehicles is further reduced due to the relatively limited length of the access and the fact that vehicles would be slowing down as they join the highway network.

9.50 It is noted that the Parish Council, amongst others, have raised concerns in relation to the use of a dropped kerb / footway crossover at the junction of Water End Road instead of a bellmouth junction. This concern appears to be based on the fact that previous guidance indicated that a dropped kerb access should serve no more than five dwellings.

9.51 The Highways Officer unequivocally states in his response that '*within emerging guidance dropped kerbs are deemed to [sic] able to cope with more trips than previously recommended*'. The aforementioned emerging guidance was adopted by the Highway Authority in March 2024 and is known as *the Place & Movement Planning and Design Guidance for Hertfordshire*. It supersedes the *Roads in Hertfordshire: Design Guide* of 2011 which the Development Management Section of the HCC's website states has been retired.

9.52 Given the above, it is therefore relevant to have regard to the *Place & Movement Planning and Design Guidance*. An extract of the relevant section has been reproduced below for ease of reference (see Fig2.)

3.2 A vehicle crossover is suitable on P&M category P2/M1, P3/M1 and P3/M2 streets for up to 2,000 Passenger Car Units (PCU) per day on the entry arm.



Fig2. Extract from HCC's Place & Movement Planning and Design Guidance

9.53 The Highways Officer has confirmed that this this part of Water End Road is classified as P2/M1; that is to say, a residential street.

9.54 Passenger Car Units (PCU) are is a way of assessing the impact a particular mode of transport has on traffic variables – i.e. headway, speed and density – compared to a single car on the road network. Common vehicle types are assigned a conversion factor which allows counts of heavy vehicles to be converted into counts of passenger cars, such that a mixed flow of heavy and light vehicles is converted to an equivalent traffic stream consisting solely of passenger cars⁸.

9.55 It is submitted that substantial weight should be given to the guidance set out in the *Place & Movement Planning and Design Guidance for Hertfordshire*, as it is very up to date and will have been based on the latest research in the field of highways engineering.

9.56 Even prior to the adoption of the new guidance the approach of using a “footway crossover” was supported in prevailing design guidance - including the *Manual for Streets* - where it is stated that:

‘...footway crossovers can be used instead of more formal priority junctions, which will give further prominence to pedestrians. Footways crossovers are often used successfully at accesses to commercial premises [.....] demonstrating that they can be used at busy locations.’ (Ref: MFS2 9.4.14).

9.57 The provision of a formal bellmouth junction access would not be in accordance with current good practice as it would encourage higher turning speeds and disrupt the movement of pedestrians on Water End Road by creating a wide bellmouth to cross. Accordingly, it would not give priority to the pedestrian and, unless strictly necessary, are arguably contrary to paragraph 116 (a) of the NPPF.

9.58 The access road would essentially serve as a shared space, there being no other means of exiting the site for pedestrians. With this in mind, it is considered appropriate to require signage alerting motorists to the potential presence of pedestrians on the access road to be provided. Details of this will be reserved by condition should Members be minded to grant planning permission.

9.59 In light of the above, it is considered that the use of a dropped kerb is entirely reasonable and appropriate to the context.

⁸ A domestic car will typically have a PCU value of 1.0.

Manoeuvrability

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

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

9.61 MfS illustrates the type of vehicles various carriageway widths can accommodate. Carriageway widths of 4.1 metres are sufficient to permit two cars to pass one another with care, carriageway widths of 4.8 metres will allow two cars to pass one another with relative ease (see Fig3.), and larger vehicles with care, and carriageway widths of 5.5m will allow large vehicles to pass one another with care.

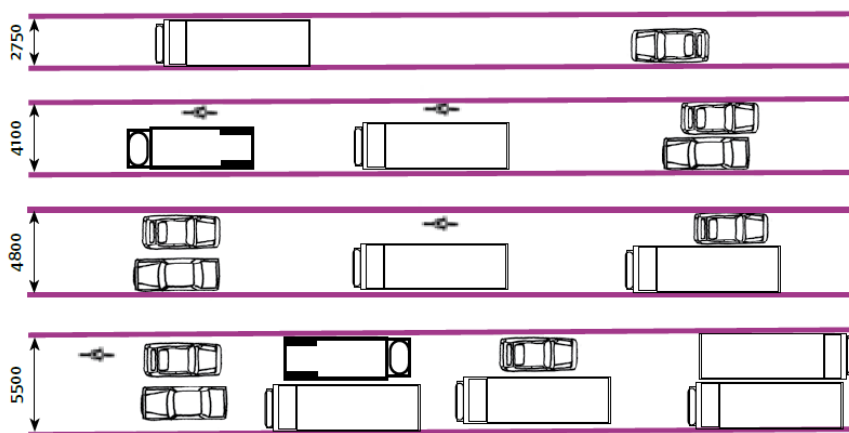


Fig3. Extract from MfS

9.62 For clarification, the proposed access road would measure 5.5 metres - an increase of 0.5m compared with the scheme previously refused by Members.

9.63 Given the size and nature of the development, it is extremely unlikely that two large vehicles would ever have need to pass one another along the access road, although even if this were to occur, as outlined above, there would be sufficient space for this to occur, negating the need for vehicles to reverse out onto Water End Road.

9.64 It is clear from the proposed site layout plan that domestic vehicles would be able to manoeuvre in the site with relative ease.

9.65 In response to concerns raised previously by neighbours in relation to refuse access, the current application is supported by swept path analysis. This demonstrates that a refuse freighter over and above the size of that used by the Council⁹ could enter the site, manoeuvre and exit in a forward gear. Given that the vehicle modelled is larger than what is used, there can be a significant degree of confidence that the manoeuvre is not just theoretically achievable in a best-case-scenario but is achievable in a range of circumstances.

⁹ 10.2m (L) x 2.53m (W) vs 9.88m (L) x 2.49m (W).

9.66 Notwithstanding the above, for the avoidance of doubt, swept path analysis has now been provided for the specific model of refuse freighter used by the Council, which confirms that manoeuvring within the site can be easily achieved.

9.67 Hertfordshire Fire and Rescue have commented that they have no concerns regarding access, noting that the widening of the access road to 5.5m '*will offer attending firefighters plenty of room to stop if needed on that path and to open doors on both sides of a fire appliance*'. They also explained that there '*also appears to be areas not marked as parking spaces to allow large vehicles to turn.*' The application is also supported by swept path analysis which confirms that a fire tender could enter the site, manoeuvre and exit in a forward gear.

9.68 Whilst swept path analysis has not been provided for domestic cars, it is clear from the site layout that they could comfortably manoeuvre within the site.

Parking

9.69 Policy CS8 of the Dacorum Core Strategy states that new development should provide sufficient, safe and convenient parking based on car parking standards, while Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing.

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

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

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

....

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

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

2 bedrooms	Allocated	1.50
	Unallocated	1.20
3 bedrooms	Allocated	2.25
	Unallocated	1.80

9.73 The first step in calculating parking requirement for new development is to establish the number of bedrooms within the respective dwellings. In this case, there is some question as to the whether the rooms identified as offices shown on the floorplans in respect of Plots 1, 2 and 3 should be considered as bedroom space.

9.74 The studies do not provide the necessary floor area and dimensions to count as a single bedspace as defined in the National Described Space Standards. Paragraph 6 of the space standards states that:

Relating internal space to the number of bedspaces is a means of classification for assessment purposes only when designing new homes and seeking planning approval (if a local authority has adopted the space standard in its Local Plan). It does not imply actual occupancy, or define the minimum for any room in a dwelling to be used for a specific purpose other than in complying with this standard.

9.75 However, it is submitted that calculating parking requirements based on a document which itself states that it does not imply actual occupancy, or define the minimum size for any particular type of room, is not the correct approach. Rather, in the first instance, it is appropriate to refer to the car parking standards themselves.

9.76 The Parking Standards SPD does not provide a methodology to define bedrooms. The way in which this is established is therefore a matter for the decision maker. One approach would be to have regard to the location of the room within the dwelling and, having established that the location is appropriate, ascertain whether it would be physically capable of accommodating a bed. For reference, a single bed has a measurement of approximately 1.90m (L) x 0.90m (W) and thus all the offices would be capable of functioning as bedroom space.

9.77 Proceeding on the basis that it is appropriate to treat the offices as bedroom space, the development would give rise to a parking requirement of 15 spaces. The proposed site layout plan shows a total of 17 spaces, exceeding the parking standard.

9.78 As per the Parking standards SPD, since the level of parking provision is in excess of the standard, the overprovision should be justified.

9.79 The Parking Standards SPD is clear that the departures from the standard should be the exception and robustly justified by way of reference to one or more of the seven exceptions set out at paragraph 6.10 of the document. None of the exceptions referenced are considered to be applicable to this application as they relate to instances where there is an under provision of parking.

9.80 Given the lack of clarity in the SPD as to how the overprovision of parking should be dealt with, determining the point at which additional parking becomes unacceptable is not entirely straightforward. The rationale behind limiting parking provision is to discourage car ownership while encouraging a shift to more sustainable means of transportation. Therefore, if an excess of parking would prejudice these aims and objectives, it could reasonably be argued that such a situation would be unacceptable.

9.81 In this case it is considered unlikely that the additional parking would significantly encourage car ownership: although Potten End contains some services, a car would be a likely requirement for most families. Therefore, the default position is that a reduction in parking provision is unlikely to alter the calculus.

Visitor Parking

9.82 Visitor parking is not required for developments of less than 10 dwellings. Nonetheless, two visitor spaces are proposed and are shown on the proposed site layout.

Electric Vehicle Charging

9.83 The proposed site layout plan indicates that eight EV chargers are to be provided. This is in excess of the requirements set out in the Parking Standards SPD; however, as no information has

been provided in relation to their specifications, it would be appropriate to include a compliance condition requiring chargers meeting the relevant specifications to be provided prior to first occupation of the dwellings.

Conclusion

9.84 In summary, the development would provide for its own parking requirements and is therefore unlikely to result in overspill parking on the public highway. The development is therefore in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy.

Other Material Planning Considerations

Contamination

9.85 The Council's Scientific Officer has been consulted and has advised that he has no objections on the grounds of land contamination subject to the inclusion of an appropriately worded planning conditions. These would be imposed if Members are minded to grant permission.

Loss of Employment Generating Uses

9.86 Saved Policy 34 of the Dacorum Local Plan states that established employment generating sites in the Green Belt or the Rural Area which do not cause environmental problems and provide local employment opportunities will be protected from change to non-employment generating uses unless satisfactory replacement opportunities are provided.

9.87 A shop called Yvette's Chocolates currently operates out of no. 21a Water End Road. Concerns have been raised by local residents that the redevelopment of the site will result in the loss of this facility, as the preparation area is located within the garage proposed to be demolished. It has, however, been confirmed that the preparation area will be moved to the remaining ground floor of no. 21a, which was previously used as a preparation area by Grooms Bakery, retaining the shop and business for the community.

9.88 No objections have been received from the chocolate shop itself and therefore it is assumed that this arrangement is satisfactory. It follows that the development would be in accordance with saved Policy 34 of the Dacorum Local Plan.

Impact on Ecology

9.89 Policy CS26 of the Dacorum Core Strategy states, inter alia, that development will contribute towards the conservation and restoration of habitats and species and the strengthening of biodiversity corridors.

9.90 The application has been supported by a Preliminary Ecological Appraisal (PEA) prepared by Philip Irving.

9.91 The PEA notes that the derelict building and converted garage (both scheduled for demolition) have a negligible potential to support roosting bats, while none of the on-site trees contain enough deadwood features that could be used. It goes on to add that the site contains no habitat features of significant ecological interest, the site consisting primarily of heavily disturbed ground with developing weed and ruderal vegetation, and an area of mown, species-poor grassland.

9.92 Hertfordshire Ecology have reviewed the application particulars and advised that there are no objections to the development, subject to conditions securing the provision of biodiversity improvements and the mitigation measures set out in Section 6 of the report.

9.93 The inclusion of a condition requiring biodiversity improvements is considered to be appropriate, according with the aims and objectives of Policy CS26. By contrast, the mitigation

measures set out in Section 6 are recommended as informatives, which would be added to the decision notice if permission is granted.

9.94 The application was submitted prior to the introduction of mandatory biodiversity net gain and thus is not applicable in this instance.

Affordable Housing

9.95 The development does not give rise to a requirement for affordable housing contributions due to the proposed scale of development.

Flood Risk

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

9.97 The application site is located within Flood Zone 1 and has a low probability of flooding from rivers and the sea, and deemed to be at a low risk from surface water flooding.

9.98 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 issues¹⁰ and therefore a sequential test is not required.

9.99 Concerns have been raised by local residents in relation to the potential for surface water run-off to result in flooding of their rear gardens and properties which occupy a lower land level. Whilst it is noted that the development of the site would result in a reduction in permeable land, area of garden would continue to be interposed between the development and the houses on Browns Spring.

9.100 The Environment Agency Surface Water Flood Risk Map (see Fig4) indicates that the application site and its immediate surroundings is at a low risk from surface water flooding.

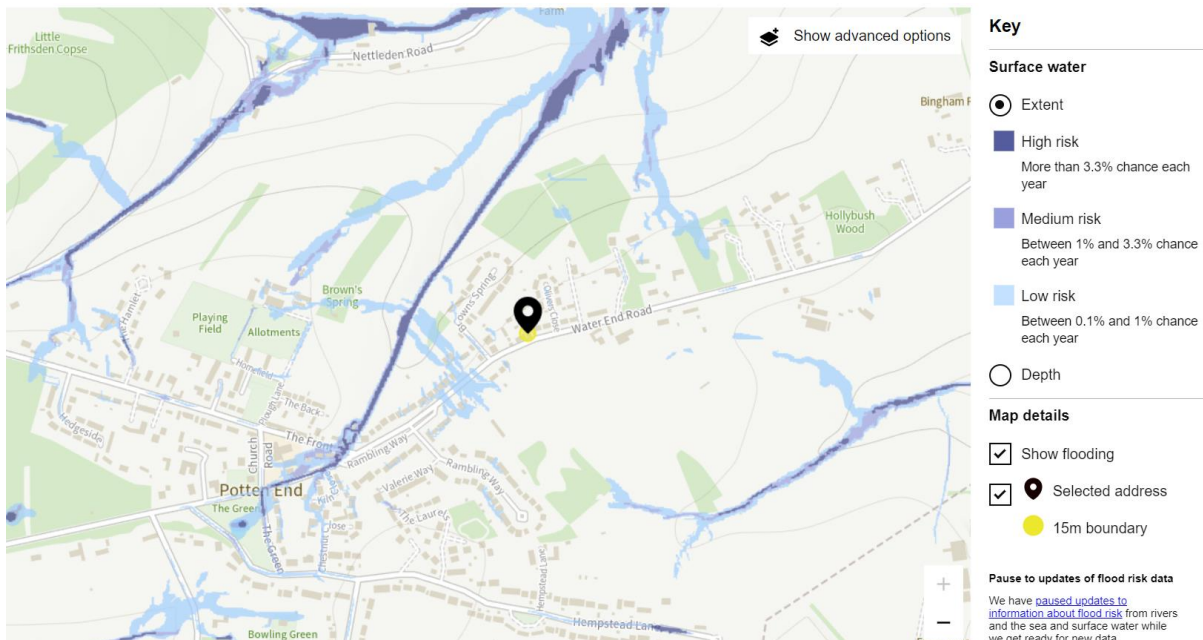


Fig4. EA Surface Water Flood Map

¹⁰ Based on evidence-based assessments.

9.101 The application form indicates that surface water is to be disposed of via soakaways, although the feasibility of this will ultimately need to be subject to infiltration testing to ensure that ground conditions are appropriate. However, even if infiltration is not possible from a technical perspective, it is important to note that Thames Water have confirmed that they have no objections to the disposal of surface water via the public sewer and, as a result, there is no reason to believe that the development would increase flood risk in the surrounding area.

Sewage Capacity

9.102 Thames Water have confirmed that their network has sufficient capacity to handle an additional seven dwellings in this location.

Removal of Permitted Development Rights

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

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

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

9.105 Whilst the development provides for its own parking requirements and, indeed, includes a surplus of two parking spaces, it must be acknowledged that there is the potential for future occupiers to exercise permitted development rights and form habitable accommodation in the roof by way of the construction of dormer windows. The cumulative impact of additional bedroom space has the potential to result in a deficit in parking which could result in overspill parking Water End Road. Accordingly, it is considered appropriate to restrict Class B¹¹ permitted development rights.

9.106 Dwellings constructed as part of a housing development will typically have similar building lines. In effect, this allows for modest extension extensions under permitted development to take place without generally having an adverse impact on the neighbouring dwelling. In this instance, however, the dwelling proposed at Plot 2 would have a building line forward of Plot 1 by approximately 2.3m. A permitted development extension of 3m could, were it to be built proximate to the boundary, have an adverse impact on residential amenity, which would be over and above that envisaged by central government. As such, it is posited that removal of Class A rights in respect of Plot 2 is justified.

Impact on Trees and Landscaping

9.107 The trees along the north-western boundary of the site do not appear to have a high level of amenity value. However, it is appreciated that they will have ecological value and provide a form of screening. Should Members be minded to grant permission, it is recommended that conditions are included to require the submission of a tree protection plan.

Chiltern Beechwoods Special Area of Conservation

9.108 Between 14th March 2022 and 15th November 2022 there was a moratorium on all residential development in the Borough. This was a temporary measure due to excessive harm

¹¹ Schedule 2, Part 1, Class B.

identified to the Chilterns Beechwoods Special Area of Conservation (CBSAC) and Councils' duties under law required by Habitat's Regulations.

9.109 The Council has worked with relevant partners to identify a suitable mitigation strategy going forward. The mitigation strategy involves contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands.

9.110 The following contributions would need to be secured by legal agreement prior to the grant of planning permission:

- Strategic Access Management and Monitoring (SAMM) = £913.88 per dwelling.
- Suitable Alternative Natural Greenspace (SANG) = £4,251.00 per dwelling.

9.111 The agent has confirmed that the applicants are prepared to enter into a legal agreement to secure the above.

Community Infrastructure Levy (CIL)

9.112 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. The application site is located within CIL Zone 1 where a charge of £375 per square metre of new residential floor area applies.

10. CONCLUSION

10.1 The application represents limited infilling in a village and is therefore acceptable in principle. Careful consideration has been given to the design and layout of the proposed dwellings and it is considered that an appropriate balance has been struck between maximising the use of the site while respecting the character of the surrounding area. The scheme has been proactively amended during the determination period to provide a more spacious, verdant proposal with additional areas of landscaping.

10.2 Subject to a widening of the access road the Highway Authority is satisfied that the intensification of the access would not give rise to any concerns from a highway safety perspective. Furthermore, it has been confirmed that a dropped kerb access is sufficient and safe for the number of units concerned. It is noted, too, that parking in excess of that required by the Parking Standards SPD is proposed and, therefore, it is not considered that there will be any knock-on effects on the local highway network in terms of additional parked cars.

10.3 It is acknowledged that the site is surrounded by development on all sides and that there would inevitably be change in outlook to existing residents. However, following a careful review of the plans it is considered that, on balance, the new development would not result in any significant adverse impacts on residential amenity.

10.4 The provision of seven dwellings would make a small but valuable contribution to the Borough's housing stock. The benefit of housing is given very substantial weight when considering the significant shortfall in the council's five year housing land supply.

11. RECOMMENDATION

11.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to a Section 106 legal agreement securing a mitigation package to avoid any further significant effects on the Chilterns Beechwoods Special Area of Conservation.

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:**

2714 A Proposed Plan 3-Bed Cottages Plots 4 and 5

2714.23 C Proposed Site Layout

2714.25 Proposed Plans 2-Bed Cottages Plots 1, 2 and 3

2714.26 A Proposed Elevations 2-Bed Cottages Plots 1, 2 and 3

2714.28 B Proposed Elevations 3-Bed Cottages Plots 4 and 5

2714.29 B Proposed Floor Plans New Cottages

2714.31 Proposes Street Scene Sketch

2714.REF A Refuse Collection Vehicle Tracking

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

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

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

INFORMATIVE:

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

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

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

The approved planting must be carried out within one planting season of completing the development and the approved hard landscape works shall be completed prior to first occupation of the dwellings.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 3 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

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

5. **No development shall commence until a Construction Management Plan (or Construction Method 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 Management Plan / Statement shall include details of:**

- a) **Construction vehicle numbers, type;**
- b) **Access arrangements to the site;**
- c) **Traffic management requirements;**
- d) **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e) **Siting and details of wheel washing facilities;**
- f) **Cleaning of site entrances, site tracks and the adjacent public highway;**
- g) **Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
- h) **Provision of sufficient on-site parking prior to commencement of construction activities;**
- i) **where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;**
- j) **Phasing Plan.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 114 and 116 of the National Planning Policy Framework (December 2023).

This condition needs to be pre-commencement due to the constrained nature of the site and because any disruption to Water End Road by construction traffic / contractor parking could result in an unacceptable impact on the free flow of traffic and potentially cause an unacceptable level of inconvenience to local residents and road users.

6. **The development hereby approved shall not be occupied until the access road has been widened as shown on drawing no. 2714.23 C (Proposed Site Layout).**

Reason: In the interests of highway safety and to ensure a safe and satisfactory means of access for all users, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

7. **Prior to first occupation of the dwellings hereby permitted, details of a scheme to alert motorists of the potential presence of pedestrians on the access road shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation and permanently retained.**

Reason: In the interests of pedestrian safety, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

8. **a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**
- (b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the Local Planning Authority which includes:**
- i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
 - ii. The results from the application of an appropriate risk assessment methodology.**
- (c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report (including an options appraisal and verification plan); if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.**
- (d) This site shall not be occupied, or brought into use, until:**
- i. All works which form part of the Remediation Method Statement report pursuant to the discharge of part c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - ii. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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

This condition needs to be pre-commencement as any development (other than that necessary to carry out the relevant testing) has the potential to mobilise contaminants which could be harmful to human health and the natural environment.

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

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

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

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

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

11. **No development shall commence until a Noise Impact Assessment (NIA), compiled by appropriately experienced and competent persons, has been submitted to and approved in writing by the Local Planning Authority.**

The NIA shall detail the noise levels associated with the car repair workshop (presently occupied by B & H Autos) to the south-west of the application site, and include an analysis of whether any noise mitigation measures are required to control noise levels in relation to both the interior and exterior areas associated with Plots 4 and 5 (and if so, full details of these measures), and a timescale for the implementation of these noise mitigation measures. The approved details shall be implemented in accordance with the approved details and permanently retained thereafter.

Reason: In the interests of the amenity of future occupiers of Plots 4 and 5 and to ensure that an existing business does not have unreasonable restrictions placed on it as a result of subsequent development in the area, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and paragraphs 135 (f) and 193 of the NPPF (2023).

This condition needs to be pre-commencement in order to ensure that the necessary mitigation to make the development acceptable in noise terms is built in to the final design of the dwellings. If works commence and progress too far, this could prejudice the ability to provide this mitigation.

12. **The dwellings hereby approved shall not be occupied until Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing no. 2714.23 C**

The Electric Vehicle Charging Points shall have the following minimum specification:

7kW Mode 3 with Type 2 connector

230v AC 32 Amp Single Phase dedicated supply

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

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

Plot 2:

Schedule 2, Part 1, Class A

Plots 1, 2, 3, 4, 5, 7 & 8:

Schedule 2, Part 1, Classes B and C

Reason: To enable the Local Planning Authority to retain control over the development in the interests of highway safety, and the residential amenity of the future occupiers of Plot 2, in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013), Policy 51 of the Dacorum Local Plan and Paragraph 135 of the National Planning Policy Framework (December 2023).

14. **Prior to first occupation of the dwellings hereby approved, the rear amenity areas shall be provided and laid out in accordance with drawing no. 2714.23 C (Proposed Site Layout) and thereafter permanently retained.**

Reason: In order to ensure that the dwellings have (and retain) sufficient amenity space, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Appendix 3 of the Dacorum Local Plan (2004).

15. **No development shall take place until details of the proposed slab, finished floor and ridge levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land shall have been submitted to and approved in writing by the local planning authority. The buildings shall be constructed in accordance with the approved levels.**

Reason: For the avoidance of doubt, to ensure a satisfactory form of development and in the interests of the residential amenity of the surrounding dwellings, in accordance with saved Appendix 3 of the Dacorum Local Plan (2004) and Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

16. **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 174 of the National Planning Policy Framework (2021).

17. **No development above slab level shall take place until details of how ecological improvements will be incorporated within the development scheme have been submitted to and approved in writing by the Local Planning Authority. The ecological improvements shall be informed by the Preliminary Ecological Appraisal prepared by Philip Irving (report date February 2023) and shall include details of the location of at least seven Swift Bricks and other ecological enhancements to be installed. All measures shall be implemented prior to first occupation of the development; or, in the case of planting, planted within one planting season of completing the development.**

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

Informatives:

Highways

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

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

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

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

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

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

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

Ecology

The Recommendations in section 6 in the Preliminary Ecological Appraisal by Philip Irving (report date February 2023) represent precautionary measures and best practice which should be followed to avoid the risk of harm to extant protected species

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 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 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.

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>

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p><u>RECONSULTATION</u></p> <p>With reference to the above planning application, although the application has now been reduced to 7 residential properties and can be seen in Drawing reference 2714.23, please be advised the Environmental Health Pollution Team still have concerns re the potential for noise intrusion to the proposed dwellings marked 4 and 5 from an existing vehicle repair workshop (B&H Autos, Browns Spring). I would therefore like to re-iterate previous comments made by me and by my former colleague Andy on behalf of Environmental Health</p>

under consultation 21/04555/FUL:

'I have reviewed the documentation submitted in support of this application and do not have any observation or objection to the development of dwellings marked 1,2, and 3 on Drawing reference 2714.13. However, I am concerned as regards the close proximity of the proposed dwellings marked 4, 5, and 6 to an existing vehicle repair workshop (B&H Autos, Browns Spring). I am not aware of any assessment undertaken by the applicant as to the potential impact of noise from this workshop on the residential amenity of the future residents of these dwellings and therefore I cannot recommend that permission be granted at this stage. I would therefore suggest that determination of this application is deferred until such time the applicant has furnished more information on the noise from this workshop to the Local Planning Authority and, as appropriate, clearly set out any mitigation measures that are necessary to protect future residential amenity.'

Additionally, I would also 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.

Working Hours Informative

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

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

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

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

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and

emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Waste Management Informative

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

Air Quality Informative

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

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

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

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

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

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

	<p>https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
<p>Environmental And Community Protection (DBC)</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have concerns re the potential for noise intrusion to the proposed dwellings marked 4,5, and 6 from an existing vehicle repair workshop (B&H Autos, Browns Spring). I would therefore like to re-iterate previous comments made by a former colleague Andy on behalf of Environmental Health under consultation 21/04555/FUL:</p> <p><i>'I have reviewed the documentation submitted in support of this application and do not have any observation or objection to the development of dwellings marked 1,2, and 3 on Drawing reference 2714.13. However, I am concerned as regards the close proximity of the proposed dwellings marked 4, 5, and 6 to an existing vehicle repair workshop (B&H Autos, Browns Spring). I am not aware of any assessment undertaken by the applicant as to the potential impact of noise from this workshop on the residential amenity of the future residents of these dwellings and therefore I cannot recommend that permission be granted at this stage. I would therefore suggest that determination of this application is deferred until such time the applicant has furnished more information on the noise from this workshop to the Local Planning Authority and, as appropriate, clearly set out any mitigation measures that are necessary to protect future residential amenity.'</i></p> <p>Additionally, I would also recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p> <p>Working Hours Informative</p> <p>Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside these hours may result in</p>

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.

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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.

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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.

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In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of

	<p>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 https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
<p>Crime Prevention Design Advisor</p>	<p><u>RECONSULTATION</u></p> <p>Thank you for sight of re consultation planning application Reference: 23/01211/FUL, Proposal: Demolition of frontage buildings and redevelopment of site for 7 dwelling houses, Address: 23 Water End Road and Land to Rear Of 21 Water End Road Potten End Berkhamsted Hertfordshire.</p> <p>In relation to crime prevention and security I would ask that the dwellings are built to the police preferred minimum security standard Secured by Design.</p> <p>I do have some concerns regarding the parking arrangements for the proposed dwellings 7 and 8. There is limited surveillance and experience has shown that people would rather see their cars will there be a gate from the gardens? Or will access to the cars be from the existing road?</p>
<p>Crime Prevention Design Advisor</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>In relation to crime prevention and security I would ask that the dwellings are built to the police preferred security standard Secured by Design.</p> <p>Physical Security (SBD)</p> <p>Layout: Good layout , no rat runs, passive surveillance across the site</p> <p>Boundary: Close board 1.8 m fencing (2m with trellis optional, however improves security) to the rear and side of the properties. Gates to the side in line with the building , with a secure lock.</p> <p>Front Doors:</p> <p>Certificated to BS PAS 24:2016 or PAS 24:2022.</p> <p>Windows:</p> <p>Ground floor windows / Patio Doors and those easily accessible certificated to BS PAS 24:2016 or LPS 1175</p> <p>Dwelling security lighting:</p>

	<p>(Dusk to dawn lighting).</p> <p>Car Parking:</p> <p>Good to see allocated parking with EV charging.</p> <p>Kind Regards,</p>
Natural England	<p><u>RECONSULTATION</u></p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 8 June 2023, reference number (437037).</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
Natural England	<p><u>RECONSULTATION</u></p> <p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 08 June 2023, reference number (437037).</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
Nettleden with Potten End Parish Council	<p><u>RECONSULTATION</u></p> <p>Object</p> <p>We welcome the reduction in the total number of new houses proposed for this site with this new iteration. However, many issues raised in previous objections still remain unaddressed and unresolved,</p>

and as such we must maintain our position of objecting to this application.

By way of background, this application represents a small amendment to application submitted in May/June 2023 with the same case number. That one followed on from a refusal for a previous application (21/04555/FUL).

Objections related to CS8 - Highways/access issues:

The access road has been widened in this new application and at 5.5 metres appears adequate for emergency vehicles, as confirmed by the response from Hertfordshire Fire & Rescue (HCC) on 29/06/2023.

1. Waste collection remains an unresolved issue - the applicant's plans must be explicitly endorsed by Dacorum waste services. The applicant has also submitted an analysis of the path that could be taken by waste vehicles to service the development, including the ability to make a turn to avoid reversing back out onto the busy Water End Rd. However, we remain highly sceptical of whether waste vehicles will indeed follow this path. The swept path analysis shows that in ideal conditions, it would be possible. However, it only needs for a visitor or a delivery vehicle to be in the way, and it would render the turning impossible. Furthermore, the driver of the waste vehicle will not know if the access is clear until they have fully ventured into the development. At which point, if they cannot turn, they will be forced to reverse onto Water End Road, a manoeuvre that will be hazardous to them, passing traffic and pedestrians. We strongly urge officers to speak directly to the administrators at Cupid Green Depot to confirm whether their waste vehicles will follow the applicant's suggested path. If not, as pointed out in past objections, a large space will need to be found for the presentation of 10 wheelie bins (2 bins per house in the close) proximal to the road, in addition to the 4 from the new houses on Water End Road.
2. The current dropped curb is WHOLLY inadequate for the number of dwellings using it and represents a very real danger - especially to passing foot traffic.

We reiterate our concerns about the dropped curb access to Water End Road, which is significantly outside of HCC Highways guidance on such access. In their comment on the previous application, Highways stated that "dropped kerbs are normally only permitted for five dwellings, but the existing dropped kerb and access could be used for the six new dwellings." Highways failed to account for the other four properties also sharing this access lane and dropped kerb - all large family houses (25 Water End Rd, Hillcrest, Jenady, and the property behind 19-21 Water End Rd subject to 19/03263/FUL). This amended application would still add the cars of one further dwelling to the mix, so in total that would be eleven dwellings using an access that should only be approved for five. Each one of those, being a large family home in a rural location, has at least two vehicles. There will also be guest

cars, delivery trucks, and - supposedly - the waste vehicles.

This represents a dangerous breach of the guidelines - which are there for a reason. The reason that dropped curbs are limited to just a few dwellings is that the vehicles using it will be passing across a pedestrian footpath, and pedestrians will not be instantly aware that there is the possibility of passing traffic as they walk along it. This is only sustainable in the event of such vehicles being few in number. Where they become more numerous and frequent, guidance requires that the access be upgraded to a road. A road represents a clear break in the footpath, that prompts pedestrians to stop and check for traffic before crossing.

The danger is heightened in this location because of the absence of any visibility splay for oncoming foot traffic as cars exit this access road. This access road is relatively hidden to both drivers and pedestrians passing along Water End Road and footpath. Cars exiting from this lane onto Water End Road have similarly reduced visibility, until their front wheels are already halfway over the footpath. The site is very near a preschool and primary, with small children on pedal bikes and mums with pushchairs on that footpath.

Objections related to CS11 - respect adjoining properties

These houses remain too tall for their location, and fail to respect adjoining properties in terms of scale / bulk.

Elevation change on topographical maps shows an almost 10-20 metre rise in the ground-level from Browns Springs up to Water End Road. This means these houses will loom over those on the southern side of Browns Spring, especially those proximal to the boundaries of the site.

Furthermore, the pitch of the rooves is unnecessarily steep, creating taller than necessary structures, adding to the "looming" issue mentioned above. This would clearly allow for loft conversions, which would be problematic as the parking allowances would become inadequate for the number of bedrooms. Shallower pitched rooves would preclude this possibility.

Objections relating to Drainage & Sewage disposal

We reiterate our concerns around the pressures on the local sewerage system in this immediate area, which have been raised with the Council before. It is our understanding that Thames Water is still conducting frequent (weekly) visits to the area for remedial works, and this is attested to in some of the householder objections available on the planning portal.

This development will add enormously to the pressure on this system in two significant ways: Firstly, it will add another 7 family houses onto the sewerage system, which may not affect them, as they are further up the pipeline, but will undoubtedly be felt by

	<p>residents of Browns Spring. Secondly, the water run off that is currently absorbed by this stretch of land will now carry on down the incline towards Browns Spring. It has long been noted that in this area there is no separation between surface water and sewerage.</p> <p>We would therefore like to see plans of the surface water treatment clearly evidencing that surface water will not go into the sewerage system, especially in light of the loss of natural drainage through building on this plot of open land.</p> <p>Finally: We endorse the suggestion to include Swift bricks in each of the new dwellings. We note and endorse the call for these new builds (and indeed all new builds) to make provision for Swift bricks in their construction plans. Such bricks provide nest cavities for a wide variety of birds including four red-listed species of conservation concern: Swift, House Martin, House Sparrow and Starling.</p> <p>The council will be aware that there are increasing calls across all parties for such bricks to become a mandatory element in new homes, and Dacorum could join other councils in being at the forefront of implementing such measures. They represent a clear biodiversity gain, with very little effort.</p>
<p>Nettleden with Potten End Parish Council</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>Object</p> <p>A full version of this objection including plans and a footnote has been loaded onto the portal.</p> <p>The only reason for the refusal of the previous application (21/04555/FUL) cited in the minutes of the Development Management Committee after the last application was a concern regarding the access road. In the view of the Parish Council which was represented at the meeting, this doesn't fully capture the breadth of concerns that were raised by councillors, which also included overdevelopment/back-land development and sewerage/drainage issues.</p> <p>This is a complicated site and it's worth stating up front that elements of the proposed development affect not only the developments in this proposal but also:</p> <ul style="list-style-type: none"> '25 Water End Rd (which shares the drop kerb access to the proposed development), ' Hillcrest and Jenady (which share the drop kerb and access road) ' the unnamed property behind 19-21 Water End Rd (the subject of 19/03263/FUL) which shares the drop kerb and access and has its amenity space reduced by this proposal. <p>[see map]</p>

CS8 - Highways/access issues:

The access road has been widened in this new application and at 5.5 metres appears adequate for emergency vehicles, as confirmed by the response from Hertfordshire Fire & Rescue (HCC) on 29/06/2023. The applicant has also submitted an analysis of the path that could be taken by waste vehicles to service the development, including the ability to make a turn to avoid reversing back out onto the busy Water End Rd.

We strongly encourage officers to conduct a site visit to judge for themselves the appropriateness of the proposed access arrangement. We have the following concerns:

1. On the drawing the turning for the waste vehicle seems tight, with the vehicle scraping the boundary of the property behind 19-21 Water End Road (the subject of 19/03263/FUL). A major question for Dacorum is whether their waste service department is content to do this or whether they will still determine that they cannot go down this road. If they cannot, clearly there needs to be a bin store along the access road, big enough to allow for the storage of at least 12 wheelie bins [see footnote]. This would effectively narrow the access road again, and we would be back to the previous objection.

We note the response on the planning portal from DBC's Cupid Green Depot, dated 30/06/2023, which states:

"From a waste perspective there should be space to store 3 x wheeled bins and a curbside caddy. There should be space outside their boundary nearest the road to present 2 x wheeled bins and a curbside caddy for collection.

The collection vehicle is a 26t rigid freighter."

It is not clear from this response if the access suggested by the applicant is deemed acceptable, or if by "road" they are referring to the main road (Water End Road). It is also not clear to us if the applicant's vehicular analysis for the waste vehicle is based on a 26t rigid freighter, as that is not specified in the documents submitted. We therefore are still concerned about these arrangements.

2. The arrangements also rely on the parking staying only within allocated slots. The parking on site is at the absolute minimal level required by DBC, with 17 parking spaces for 8 houses (based on 2.25 spaces per three bedroom house and 1.8 spaces per two bedroom house, with 2 guest parking slots). Should any additional vehicles be parked on site, it is likely to interfere with the ability of the waste vehicle to manoeuvre its turn, and therefore it will need to reverse along the access road and then onto Water End Road. As an arterial route for East-West traffic, we are very concerned about any vehicles having to reverse onto Water End Road, particularly given visibility issues.

3. We reiterate our concerns about the dropped curb access to Water

End Road, which significantly outside of Highways past guidance on such access. In their comment on the previous application, Highways stated that "dropped kerbs are normally only permitted for five dwellings, but the existing dropped kerb and access could be used for the six new dwellings." Highways failed to account for the other four properties also sharing this access lane and dropped kerb - all large family houses (25 Water End Rd, Hillcrest, Jenady, and the property behind 19-21 Water End Rd subject to 19/03263/FUL). This application adds another two houses to the mix, so in total that would be 12 houses using an access that should only be approved for five.

We note that in their response to this updated application, Highways have now said:

"The site has an existing dropped kerb which serves the brownfield site to the rear. The proposal is to keep this dropped kerb and access but widen the internal route to allow two vehicles to pass and in case of an emergency a fire appliance truck to enter the site. Normally, HCC Highways would only allow 5 dwellings off a dropped kerb, however, within emerging guidance dropped kerbs are deemed to be able to cope with more trips than previously recommended. Therefore, in this instance the dropped kerb is deemed suitable for the proposal as this will ensure that the pedestrian environment is maintained which is in accordance with policies stipulated within HCC's Local Transport Plan (adopted 2018). Therefore, it is deemed that no alterations are proposed to the adopted highway network. If alterations are needed then this must be completed under a section 278 agreement - please see informatives 4. Cars are deemed to be able to turn on site which necessary to ensure highway safety. Parking is a matter for the Local Planning Authority and therefore any on-site parking arrangements must be agreed by them. The proposed dwellings will be located adjacent a footway which links to the town of Potten End which has facilities such as shops and pubs. The site is considered sustainable regarding highway matters and therefore is in line with policies stipulated within HCC's Local Transport Plan (adopted 2018)."

We have not been able to find any guidance regarding the number of dwellings suitable for a dropped kerb, either past or emerging, on the HCC's website. It is not clear if they acknowledge in this response that the increase would be from 5 to 12, which is a significant jump. Our concern is not regulatory rigour but the safety of the road and footpath users around this access road. Whilst the access road is widened, the dropped kerb is not.

4. We also wish to reiterate our concerns regarding the visibility for traffic coming out of this lane and joining onto Water End Road: This access road is relatively hidden to both drivers and pedestrians passing along Water End Road and footpath. Cars exiting from this lane onto Water End Road have similarly reduced visibility, until their front wheels are already halfway over the footpath. The site is very near a preschool and primary, with small children on pedal bikes and mums with pushchairs on that footpath.

CS12 - respect adjoining properties in terms of - density (Overdevelopment)

As noted in our previous objection, in our view this site is overdeveloped. We welcome the proposal of new housing that is smaller than a great deal of new development, making it accessible for first time buyers and those looking to downsize. However, we do still feel that ideally the number of houses (without enlarging what is currently proposed) should be 4-5. This would reduce the pressure on parking and the sense of too many small but tall houses crammed onto the site. It would also allow for a larger gap between what is currently plot number 4, and the rear of Hill View on Browns Spring.

In the previous officers' report that recommended approval, DPH figures were cited to show that this development was within typical density for the area. Those DPH figures were based on a small handful of historic Victorian workers cottages which are not representative of most of the nearby housing and we consider these comparisons wholly inappropriate. They are also - and crucially - only half the height of the houses in the proposed development.

CS12 - respect adjoining properties in terms of - Scale / Bulk:

Elevation change on topographical maps shows an almost 10-20 metre change in the ground from Browns Springs up to Water End Road. This means these houses will loom over those on the southern side of Browns Spring, especially those proximal to the boundaries of the site.

Furthermore, the pitch of the rooves is unnecessarily steep, creating taller than necessary structures, adding to the "looming" issue mentioned above. This would clearly allow for loft conversions, which would be problematic as the parking allowances would become inadequate for the number of bedrooms. Shallower pitched rooves would preclude this possibility.

Drainage & Sewage disposal

We reiterate our concerns around the pressures on the local sewerage system in this immediate area, which have been raised with the Council before. It is our understanding that Thames Water is still conducting frequent (weekly) visits to the area for remedial works.

We would therefore like to see plans of the surface water treatment clearly evidencing that surface water will not go into the sewerage system, especially in light of the loss of natural drainage through building on this plot of open land.

Property behind 19-21 Water End Rd - losing all amenity space?

We are aware that DBC have certain minimal amenity space requirements for a given amount of residential square footage. We note that the current proposal reduces the amount of amenity space available to this property relative to that proposed in 19/03263/FUL

	<p>(see maps below) and would ask that consideration be given to whether this is acceptable. If so, and if this application is approved, presumably there will need to be an alteration to 19/03263/FUL.</p> <p>Map below extracted from 19/03263/FUL.</p> <p>[see map]</p> <p>Map below from current application.</p> <p>[see map]</p>
Thames Water	<p><u>ORIGINAL CONSULTATION</u></p> <p>Waste Comments:</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://www.thameswater.co.uk/developers/larger-scale-</p>

	<p>developments/planning-your-development/working-near-our-pipes</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
Hertfordshire Highways (HCC)	<p><u>RECONSULTATION</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>AN 1) Construction Management Plan / Statement</p> <p>No development shall commence until a Construction Management Plan (or Construction Method 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 Management Plan / Statement shall include details of:</p> <ul style="list-style-type: none"> a. <i>Construction vehicle numbers, type, routing;</i> b. <i>Access arrangements to the site;</i> c. <i>Traffic management requirements</i> d. <i>Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);</i> e. <i>Siting and details of wheel washing facilities;</i> f. <i>Cleaning of site entrances, site tracks and the adjacent public highway;</i> g. <i>Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;</i> h. <i>Provision of sufficient on-site parking prior to commencement of construction activities;</i> i. <i>where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;</i> j. <i>Phasing Plan.</i> <p><i>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).</i></p>

Highway Informatives

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

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

AN 4) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

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

Comments

The amendments are in relation to the removal of a dwelling to now create 7 instead of 8.

The proposal is for the demolition of frontage buildings and redevelopment of site for 7 dwelling houses at 23 Water End Road And Land To Rear Of 21 Water End Road, Potten End, Berkhamsted. Water End Road is a 30 mph classified C Local Distributor route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the brownfield site to the rear. The proposal is to keep this dropped kerb and access but widen the internal route to allow two vehicles to pass and in case of an emergency a fire appliance truck to enter the site. Normally, HCC Highways would only allow 5 dwellings off a dropped kerb, however, within emerging guidance dropped kerbs are deemed to be able to cope with more trips than previously recommended. Therefore, in this instance the dropped kerb is deemed suitable for the proposal as this will ensure that the pedestrian environment is maintained which is in accordance with policies stipulated within HCC's Local Transport Plan (adopted 2018). Therefore, it is deemed that no alterations are proposed to the adopted highway network. If alterations are needed then this must be completed under a section 278 agreement - please see informatives 4. Cars are deemed to be able to turn on site which necessary to ensure highway safety. Parking is a matter for the Local Planning Authority and therefore any on site parking arrangements must be agreed by them. The proposed dwellings will be located adjacent a footway which links to the town of Potten End which has facilities such as shops and pubs. The site is considered sustainable regarding highway matters and therefore is in line with policies stipulated within HCC's Local Transport Plan (adopted 2018).

Drainage

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

Refuse / Waste Collection

Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

	<p>Emergency Vehicle Access</p> <p>HCC Highways has sent the fire appliance swept path to Herts Fire and Rescue. They will provide a response directly to DBC. HCC Highways would like to agree with any recommendation they make.</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives and conditions.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>ORIGINAL CONSULTATION</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>AN 1) Construction Management Plan / Statement</p> <p><i>No development shall commence until a Construction Management Plan (or Construction Method 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 Management Plan / Statement shall include details of:</i></p> <ul style="list-style-type: none"> <i>a) Construction vehicle numbers, type, routing;</i> <i>b) Access arrangements to the site;</i> <i>c) Traffic management requirements</i> <i>d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);</i> <i>e) Siting and details of wheel washing facilities;</i> <i>f) Cleaning of site entrances, site tracks and the adjacent public highway;</i> <i>g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;</i> <i>h) Provision of sufficient on-site parking prior to commencement of construction activities;</i> <i>i) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;</i> <i>j) Phasing Plan.</i> <p><i>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).</i></p> <p>Highway Informatives</p>

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

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website at:

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Comments

The amendments are in relation to the addition of an application form.

The proposal is for the demolition of frontage buildings and redevelopment of site for 8 dwelling houses at 23 Water End Road And Land To Rear Of 21 Water End Road, Potten End, Berkhamsted. Water End Road is a 30 mph classified C Local Distributor route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the brownfield site to the rear. The proposal is to keep this dropped kerb and access but widen the internal route to allow two vehicles to pass and in case of an emergency a fire appliance truck to enter the site. Normally, HCC Highways would only allow 5 dwellings off a dropped kerb, however, within emerging guidance dropped kerbs are deemed to be able to cope with more trips than previously recommended. Therefore, in this instance the dropped kerb is deemed suitable for the proposal as this will ensure that the pedestrian environment is maintained which is in accordance with policies stipulated within HCC's Local Transport Plan (adopted 2018). Therefore, it is deemed that no alterations are proposed to the adopted highway network. If alterations are needed then this must be completed under a section 278 agreement - please see informatives. Cars are deemed to be able to turn on site which necessary to ensure highway safety. Parking is a matter for the Local Planning Authority and therefore any on site parking arrangements must be agreed by them. The proposed dwellings will be located adjacent a footway which links to the town of Potten End which has facilities such as shops and pubs. The site is considered sustainable regarding highway matters and therefore is in line with policies stipulated within HCC's Local Transport Plan (adopted 2018).

Drainage

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

Refuse / Waste Collection

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	<p>Emergency Vehicle Access</p> <p>HCC Highways has sent the fire appliance swept path to Herts Fire and Rescue. They will provide a response directly to DBC. HCC Highways would like to agree with any recommendation they make.</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives and condition</p>
<p>Hertfordshire Fire & Rescue (HCC)</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>Hertfordshire Highways have asked us to review the above Planning Application and to pass comments to yourself.</p> <p>We note on the proposed site plan the access path is to be widened to 5.5m. This will offer attending firefighters plenty of room to stop if needed on that path and to open doors on both sides of a fire appliance. There also appears to be areas not marked as parking spaces to allow large vehicles to turn. We also note on one of the plans there is a proposal for a fire hydrant - we would support this proposal.</p>
<p>Scientific Officer (DBC)</p>	<p><u>RECONSULTATION</u></p> <p>Just confirming that there is still no change to previous advice:</p> <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application is for the construction of houses with private gardens on land that has historically been occupied by a variety of buildings and in the south west corner is adjacent to land historically occupied by a former works and a builder's yard. As such the possibility of ground contamination associated with former land uses, as well as made ground associated with areas that are to be demolished to enable the redevelopment, cannot be ruled out at this stage.</p> <p>It is noted that the Planning Statement refers to the reliance of a Land Contamination Discovery Condition in relation to permission 19/03263/FUL and concludes that a similar approach will be acceptable for this application. However, this application differs substantially for the reasons outlined above and because 19/03263/FUL was for conversion of an existing building without the introduction of private gardens.</p> <p>For the above reasons, the following planning conditions should be included if permission is granted.</p>

Contaminated Land Conditions:

Condition 1:

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

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

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

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

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

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

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

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

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and

	<p>subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative:</p> <p>The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p>
<p>Scientific Officer (DBC)</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application is for the construction of houses with private gardens on land that has historically been occupied by a variety of buildings and in the south west corner is adjacent to land historically occupied by a former works and a builder's yard. As such the possibility of ground contamination associated with former land uses, as well as made ground associated with areas that are to be demolished to enable the redevelopment, cannot be ruled out at this stage.</p> <p>It is noted that the Planning Statement refers to the reliance of a Land Contamination Discovery Condition in relation to permission 19/03263/FUL and concludes that a similar approach will be acceptable for this application. However, this application differs substantially for the reasons outlined above and because 19/03263/FUL was for conversion of an existing building without the introduction of private gardens.</p> <p>For the above reasons, the following planning conditions should be included if permission is granted.</p> <p>Contaminated Land Conditions:</p>

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

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

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

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

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

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

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

Condition 2:

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

	<p>writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p> <p>Please let me know if you have any questions.</p>
<p>Conservation & Design (DBC)</p>	<p><u>RECONSULTATION</u></p> <p>Following the receipt of the amended material for application referenced 23/01211/FUL at 21- 23 Water End Road, I believe the applicants have addressed many of the original design comments.</p> <p>The amendments to the layout are an overall improvement to the scheme, creating better offsets with adjacent properties and more meaningful landscaped spaces within the development. The proximity of unit 1 and the existing dwelling Jenady remain a concern and a greater offset should be considered.</p> <p>The changes to the materiality and detailing, whilst minor are appreciated and again considered to be an improvement. It remains that there are greater opportunities to improve the overall appearance and quality of the units. However, the overall appearance is considered acceptable from a design perspective.</p>
<p>Strategic Planning & Regeneration (DBC)</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>We do not wish to comment on this application on this occasion.</p>
<p>Dacorum Borough Council, Cupid Green Depot Redbourn Road Hemel Hempstead HP2 7BA</p>	<p><u>RECONSULTATION</u></p> <p>Houses will require 3 x wheeled bins and a curb side caddy. They will also need space outside their boundary to present them on collection day. The collection vehicle is a 26t rigid freighter.</p>
<p>Dacorum Borough Council, Cupid Green</p>	<p><u>ORIGINAL CONSULTATION</u></p>

<p>Depot Redbourn Road Hemel Hempstead Hp2 7ba</p>	<p>From a waste perspective there should be space to store 3 x wheeled bins and a curbside caddy. There should be space outside their boundary nearest the road to present 2 x wheeled bins and a curbside caddy for collection. The collection vehicle is a 26t rigid freighter</p>
<p>Hertfordshire Ecology</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>Overall Recommendation:</p> <p>Application can be determined (with any conditions listed below).</p> <p>Further information and/or amendments required before application can be determined.</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> • There is sufficient information on EPS (bats) to allow determination • Mitigation measures outlined in section 6 of the Preliminary Ecological Appraisal should be secured by condition. • A HRA for the Chilterns beechwood will be required. • A Ecological enhancement plan should be secured by condition. • Suggested wording for Conditions. <p>Supporting documents:</p> <p>I have made use of the following documents in providing this advice:</p> <ul style="list-style-type: none"> • Preliminary Ecological Appraisal by Philip Irving (report date February 2023). • S:ECOLOGY team3 Water End Road and Land to rear of 21 Water End Road Potten End <p>Comments:</p> <p>Ecological Summary: The site is within a semirural setting, Hertfordshire Environmental Records Centre have no additional information to add to that of the Preliminary Ecological Appraisal. This assessed the site as being composed of hard surfacing, disturbed ground and false oat grassland. I have no reason to dispute this assessment.</p> <p>Surveys: The Survey was carried out in February 2023 a suboptimal time for botanical surveys. However, given the location and character of the site I have no reason or further information to suggest that it contains notable or protected plant species or habitats. No evidence of protected species other than the potential for nesting birds was encountered during the survey, The site could have potential for common reptiles, but suitable mitigation is provided.</p> <p>Mitigation: Suitable mitigation is provided within section 6 of the report to safeguard protected herpetofauna, and mammals I advised these are secured by Condition (See below).</p>

Compensation & Enhancement: No details are given for the loss of habitats on site, however, an aspiration to minimise the loss of trees and hedges has been expressed in the PEA and reiterated in the Planning statement. The planning statement section 4.50 states that in order to be policy compliant with the NPPF with regards biodiversity net gain, new bat and bird nesting and roosting opportunities will be provided in the new buildings and access routes for badgers retained in fencing. The bat and bird features should be of the type that is integrated into the buildings. I advise that these measures as well as any planting or retention of vegetation that contributes to the compensation or net gain are demonstrated within a Landscape and Ecological Management Plan and secured by Condition (See below).

Biodiversity net gain: It is not yet mandatory for any site to deliver a biodiversity net gain of a minimum of 10%. Furthermore, for sites of this size mandatory net gain as defined by the environment act is not due to become mandatory till 2024.

Chilterns Beechwoods Special Area of Conservation (SAC): The proposed development comprises the construction of seven new dwellings which will result in a net increase in residential accommodation. Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', the Habitats Regulations 2017 (as amended) apply and we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).

This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.

If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.

Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).

Although the Planning Statement acknowledges the SAC there is no indication that the tariff(s) have been secured. It is our opinion that adverse effects cannot be ruled out and consent cannot be granted until adequate mitigation is provided.

Conditions and Informatives:

"Prior to commencement of the development, a Landscape and Biodiversity Plan shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan should be informed by the Preliminary Ecological Appraisal by Philip Irving (report date February 2023) and shall include details of any retained

	<p><i>vegetation, new planting, as well as the location of any habitat boxes and other ecological enhancements to be installed. The plan shall be submitted to the LPA to demonstrate the expectations of NPPF in achieving overall net gain for biodiversity have been met."</i></p> <p><i>"The Recommendations in section 6 in the Preliminary Ecological Appraisal by Philip Irving (report date February 2023) represent precautionary measures and best practice which should be followed to avoid the risk of harm to extant protected species"</i></p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
52	16	3	13	0

Neighbour Responses

Address	Comments
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This development would benefit from the inclusion of integrated Swift bricks incorporated within the fabric of the walls of the new houses. The Preliminary Ecological Appraisal mentions that Swift bricks could be provided.</p> <p>Swift bricks meet BS 42021:2022 and as such provide nest cavities for four red-listed species of conservation concern: Swift, House Martin, House Sparrow and Starling.</p> <p>One example of a Swift Brick is the S Brick which can be colour-matched to brickwork or incorporated within a rendered wall: https://www.actionforswifts.com/</p> <p>Such bricks would be ideally placed as high as possible on each of the three east facing gable ends on this development.</p> <p>Bearing in mind that the PEA only suggests the inclusion of Swift bricks I would ask that they are secured by way of condition, worded such as "no development shall take place until written details are provided of the model and location of 6 integrated Swift bricks, such bricks to be fully installed prior to occupation and retained thereafter"</p> <p>You may also wish to consider including integrated bat bricks into this condition as well</p> <p>Although not in force yet, this would be in accordance with draft local plan policy 18.24: "Features for wildlife should be integrated into the built environment e.g. bird boxes, bat boxes and hedgehog highways " The mention of Swift bricks in the Preliminary Ecological Assessment is welcome, but limited information is given about the number of them,</p>

	<p>Integrated Swift bricks conform to BS 42021:2022, making them universal as they provide nest cavities for a wide variety of birds including four red-listed species of conservation concern: Swift, House Martin, House Sparrow and Starling.</p> <p>On this development, Swift bricks could be easily grouped together on the gable ends of the new buildings, thus making inclusion a real biodiversity enhancement.</p> <p>Please do not impose a condition to simply comply with the PEA given the lack of detail. Instead please impose the following, the wording adapted from BS 42021:2022, which can also secure integrated bat boxes:</p> <p>"No development shall take place until written details are approved by the LPA of the model and location of 6 integrated Swift bricks and 4 integrated bat boxes, to be fully installed prior to occupation and retained thereafter", in accordance with CS26 and the NPPF</p>
<p>Springfield 25 Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p><u>RECONSULTATION</u></p> <p>We have concerns regarding the suitability of the only access from Water End Road to the site. Our property shares a dropped kerb/cross-over with both the entrance to this access and Water End Road.</p> <p>We believe the building of another 7 properties (8 including the redevelopment of a workshop with planning already granted) would increase traffic flows impacting on road user-safety when entering or exiting the site.</p> <p>Additionally, due to the insufficient parking spaces an increased number of vehicles will be forced to park on Water End Road, making the road more hazardous for both road-users and pedestrians.</p> <p>In conclusion, we feel that the site does not lend itself to the number of properties being proposed in this revised plan.</p>
<p>Springfield 25 Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p><u>FIRST CONSULTATION</u></p> <p>We have concerns regarding the suitability of the only access from Water End Road to the site. Our property shares a dropped kerb/cross-over with both the entrance to this access and Water End Road.</p> <p>We believe the building of another 8 properties (9 including the redevelopment of a workshop with planning already granted) would increase traffic flows impacting on road user-safety when entering or exiting the site.</p> <p>Additionally, due to the insufficient parking spaces an increased number of vehicles will be forced to park on Water End Road, making the road more hazardous for both road-users and pedestrians.</p>

	<p>In conclusion, we feel that the site does not lend itself to the number of properties being proposed.</p>
<p>Meadow View Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p>I wish to strongly oppose this application, on many different grounds, and I list some of these grounds below:</p> <ol style="list-style-type: none"> 1. Increased risk of accidents on Water End Road. <p>At the moment there is increased use of Water End Road for parking on this blind bend. This estate will just further increase the number of vehicles parked on this road, leading to an increased likelihood of further accidents. I am concerned at the moment, and with this development I believe there will be a risk of fatalities.</p> <ol style="list-style-type: none"> 2. Increased risk of flooding. <p>When there is heavy rainfall, we currently suffer with run-off. With this piece of ground built over, there is likely to be higher level of run-off</p> <ol style="list-style-type: none"> 3. Increased sewage spillage. <p>The pumping station is over worked, and it is a regular occurrence for workmen and vehicles to be seen clearing the problem. More houses will only increase the problem</p> <ol style="list-style-type: none"> 4. Local wild life. <p>My property backs up to this development. There are badger tracks across my lawn. Badgers feature regularly on my camera footage. The badger setts are somewhere. I would think most likely they are on this piece of land.</p> <ol style="list-style-type: none"> 5. Noise and exhaust pollution. <p>When I moved to this property, I was able to sit outside, hear the birds and breath in the air. I was told that this piece of land had remained 'under grass' for at least 100 years. Now it appears that right will be taken away.</p>
<p>Hill View Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p>The previous application was unanimously rejected, however it appears little has been absorbed following the many concerns raised.</p> <p>The applicant 'mis-measured' the access previously to show two-way traffic, it appears they have lost their ruler completely this time. Their answer appears to be to demolish property on the main road. This would be great if this resulted in a proper road with a walkway. The narrow property and adjacent garage he proposes to level, is replaced with not one, but two properties. This reduces the access back to 5.5 metres, then on top of that the plans show a walkway which will reduce this by 1.2 metres and therefore back to one-way traffic. There is also a telling lack of any measurements presumably to provide 'flex' as opposed to fact.</p> <p>The village has strived to support the two pubs and successful village shop. Now, even in their own planning statement they cite the need to</p>

	<p>provide housing to support local businesses, (item 4.56). The unnecessary demolition of the garage, which houses the kitchens for the thriving new chocolatiers, means the loss of another business in the village. The hypocrisy is choking.</p> <p>Highways advised the council in the previous application that a dropped kerb was acceptable for 5 properties and therefore as this was only 6, they would not object. The applicant did not enlighten them that there are already two existing substantial properties, approved planning for a sizeable property (guess who), and the property to the right of the access also must use this as entry/exit to the main road. That made 10 and the new applications answer to this? add another two, making 12. This is over double Highways normal allowance, do they think we are all stupid?</p> <p>Overcrowding of the site was raised by many of the councillors at the meeting and it was felt it would be far more appropriate to reduce it to a number more fitting to the plot size. This is the original centre of Potten End with the Fox Inn, Old Bakery and Elm Tree Cottages first mentioned in the 1700's. A modern, cramped cul-de-sac needs to be 'in keeping' with the surrounds.</p> <p>The vast quantity of groundwork and hard standing coupled with the sloping ground will result in substantial run off into the gardens below. We have already seen two flash floods this month proving the sinkhole repair in Hempstead Lane to be disastrous. I really don't want to be the next victim of optimism. The existing sewerage system is already not fit for purpose and although Thames Water say they have no objection, they are every month and often more, running their disgusting pipes up the road to dispose of goodness know what. A number of properties have experienced raw sewage over the years, videos can be supplied.</p> <p>I am fully aware that we need affordable housing, but these have high rooflines to encourage loft conversions which will mean properties at three times the value of flats in nearby towns. If the rooflines are reduced this will protect this as affordable.</p> <p>In short, the applicant has ignored everything that has been said by the locals, the Parish Council and Dacorum, so much for consultation.</p>
<p>Dunromin Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>RECONSULTATION</u></p> <p>I wish to object to amended plans submitted on behalf of the applicant on 24 October 2023. The development will abut my property in Browns Spring. Although the proposal indicates one less terraced dwelling this still constitutes back-land, over-development within this Green Belt area. The proposed site is stated by the Parish Council in their earlier objection as having an elevation of 10-20 metre change in ground level from Browns Spring up to Water End Road. The high elevation and the steep roof line will mean that the houses will dominate the skyline above my property. This visual intrusion will result in my loss of privacy and being overlooked. These factors will result in noise and disturbance causing loss of enjoyment of my amenity. Pollution and noise from traffic using this site will be a</p>

problem when using my outdoor space.

The removal of one dwelling will allow scope for an elevated side extension on Plot 4 in the future.

I am concerned with water run-off from this elevated site. At present the field has shrubs and vegetation for natural capture. The application mentions "capture and harvest". The Council is encouraging one new tree per dwelling. The applicant's response is that "efforts will be made to address this issue albeit the location limits the planting of trees on site." I fear that more hard surfaces will result in overload of drainage and run-off water from this elevation.

The vehicular drop-kerb access to the busy Water End Road is currently used by three houses Jenady, Hillcrest and 25 Water End Road. The parking spaces allocated for this new development will all use the drop-kerb access. There is also one proposed dwelling for which the applicant has successfully been granted planning permission (Ref. 19/03263/FUL) and this has not been taken into account with this application, therefore along with the three existing houses it will result in a dangerous operation when accessing this site.

The drop-kerb area crosses a pavement onto a blind bend in Water End Road with very poor visibility. Cars already park along this road causing congestion and restricting the view along Water End Road making it a hazardous and dangerous exit and entrance to the site. Water End Road is an arterial route for traffic to and from Hemel Hempstead and Berkhamsted with a constant flow of vehicles. There is a row of houses in Water End Road adjacent to the proposed development. These houses have no allocated parking spaces or driveways so parking for these residents is on Water End Road for their cars, their visitors and deliveries; that along with wheelie bins on the pavement currently obscures the view of traffic when approaching this area. This is the area of the drop-kerb arrangement to the proposed site. Is there a criteria for the number of properties using a drop kerb? Although the plans state that the access will be widened to 5.5m the new houses do not show any measurements to support this.

The plans show that waste collection vehicles or indeed any large delivery vehicles will need to make reverse turns in a congested zone. The success of this assumes that the tight parking arrangements are adhered to. Delivery drivers and visiting vehicles will have a great impact on this factor. It will be a hazardous operation for motorists and pedestrians accessing this site using the drop kerb/pavement on Water End Road. Pre-school and primary school users walk to the village school, children on pedal bikes, parents with pushchairs cross this busy drop-kerb access. There is an infrequent bus service to the village so cars will be the main mode of transport getting in and out of the village.

The mains sewer connection will be used for this development using the existing drainage system which is very concerning. The sewerage system is not running to meet existing needs and Thames Water struggles to maintain this system with visits every few weeks for maintenance of the inadequate out-dated pumping station. Five

	<p>houses in Browns Springs have a long-standing problem where sewage backs up and flows into their gardens along with blocked waste water in sinks and toilets.</p> <p>In view of these problems potential increased recreational pressure this application would place on the Chiltern Beechwood Special Area of Conservation is a matter which needs to be considered. Detailed supplementary information in respect of sewerage and foul drainage should form part of this planning application as it includes additional residential development.</p> <p>The 7 proposed houses are in addition to an earlier application 19/03263/FUL in the same location to convert commercial building to a dwelling for which permission has been granted. This additional proposed development should be taken into account with this new application.</p> <p>The site is connected by gardens to the ancient woodland, Browns Spring Wood. This woodland is an important wildlife habitat and houses and supports protected species. Active badger setts are in place. The applicant's surveyor mentions that "a well-worn path crossing the south-west area of grassland could indicate foraging badgers though it could also be due to muntjac and other deer". Having lived in Browns Spring for 47 years I can confirm that this well-worn foraging path is indeed a nightly route for badgers entering my garden. The photos in the report show quite clearly the mammal path. Currently there is a successful artisan business at the Bakery, 21 Water End Road making and selling chocolate and associated products on the premises. I understand that as a result of any development the business will not be able to operate. This will be a great loss to our community.</p> <p>I appreciate that the latest plans illustrate the removal of one dwelling but taking into account the whole development of this site does not take away or resolve the factors that contribute to my objection. Therefore when reviewing this application I should be grateful if my points would be taken into consideration.</p>
<p>Dunromin Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>FIRST CONSULTATION</u></p> <p>I wish to object to the over-development, in-filling within this Green Belt area. The proposed site adjoins my property and the site has a one metre and rising boundary elevation above my garden. Taking into account the high roof line and ground elevation the housing will dominate the skyline over my property. This visual intrusion will result in my loss of privacy and being overlooked. The plans show the development abutting my property and resulting use will cause noise and disturbance causing loss of the enjoyment of my amenity. Pollution from traffic using this site will be a problem when using my outdoor space.</p> <p>I am concerned with water run-off from this elevated site. At present the field has shrubs and vegetation for natural capture. The application mentions "capture and harvest". The Council is encouraging one new tree per dwelling. The applicant's response is</p>

that "efforts will be made to address this issue albeit the location limits the planting of trees on site." The plans have not allowed for planting of trees and shrubs. I fear that more hard surfaces will result in overload of drainage and run-off water from this elevation.

The mains sewer connection will be used for this development using the existing drainage system which is very concerning. The sewerage system is not running to meet existing needs and Thames Water struggles to maintain this system with frequent visits every few weeks for maintenance of the inadequate out-dated pumping station. Five houses in Browns Springs have a long-standing problem where sewage backs up and flows into their gardens along with blocked waste water in sinks and toilets.

In view of these problems potential increased recreational pressure this application would place on the Chiltern Beechwood Special Area of Conservation is a matter which needs to be considered. Detailed supplementary information in respect of sewerage and foul drainage should form part of this planning application as it includes additional residential development.

The 8 proposed houses are in addition to an earlier application 19/03263/FUL in the same location to convert commercial building to a dwelling for which permission has been granted. This additional proposed development should be taken into account with this new application.

The site is connected by gardens to the ancient woodland, Browns Spring Wood. This woodland is an important wildlife habitat and houses and supports protected species. Active badger setts are in place. The applicant's surveyor mentions that "a well-worn path crossing the south-west area of grassland could indicate foraging badgers though it could also be due to muntjac and other deer". Having lived in Browns Spring for 47 years I can confirm that this well-worn foraging path is indeed a nightly route for badgers entering my garden. The photos in the report show quite clearly the mammal path.

The vehicular drop-kerb access to the busy Water End Road is currently used by three houses Jenady, Hillcrest and 25 Water End Road. There are 17 parking spaces allocated for this new development, all using the drop-kerb access, plus the additional dwelling for which the applicant already has permission along with the three existing houses it will result in a dangerous operation when accessing this site. The drop-kerb area crosses a pavement onto a blind bend in Water End Road with very poor visibility. Cars park along the road restricting the view along Water End Road making it a hazardous/dangerous exit from the site. Houses nearby have no driveways for themselves and visitors or deliveries. Wheelie bins on the pavements also obscure the view. Is there a criteria for the number of properties using a drop kerb? Although the plans state that the access will be widened to 5.5m the new houses do not show any measurements to support this. The plans show that waste collection vehicles will need to make reverse turns in a congestion zone. It will be a hazardous operation for pedestrians alongside moving vehicles using this access and adjoining Water End Road pavement. There is

	<p>an infrequent bus service in the village, cars will be the main mode of transport for each household.</p> <p>Currently there is a successful artisan business at the Bakery, 21 Water End Road making and selling chocolate and associated products on the premises. I understand that as a result of any development the business will not be able to operate. This will be a great loss to our community.</p> <p>I should be grateful if you would take into account my points of this objection when considering this application.</p>
<p>19 Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>We strongly object to this planning application.</p> <p>We previously objected to 6 new properties being built on the small piece of land (7 including the redevelopment of the workshop on the same site - planning approved), which resulted in the development being declined due to site access (official reason) but gross overdevelopment was also a huge concern.</p> <p>Now, a development has been proposed which consists of the same 6 houses (7 including the approved workshop) but now an additional 2 houses attached to the terraced houses on water end road, so 9 in total</p> <p>Our objections are based on the following separate issues:</p> <ul style="list-style-type: none"> - Given the size of the piece of land, this is a gross overdevelopment. - There are 2 visitor spaces allocated for all 8 new proposed properties, with no parking anywhere else. The terraced houses do not have any allocated parking so there will be additional cars parking on water end road - The old pub is proposed to be demolished to widen the path, however there are now 2 additional houses being built making the access, again, extremely tight and impractical in reality. - Cars coming out from the development up the proposed track, due to cars parked along Water End Road, will have to be halfway out in the middle of the road to see what's coming, which is extremely dangerous. - Parents with pushchairs and children frequently use the pavement across the access and there will be poor visibility for pedestrians of any vehicles leaving the site - This will be 9 houses using a single dropped curb which is above regulation. - The new terraced houses along water end road will not be in keeping with the pebble dashed aesthetic of the rest of the

	<p>terraced houses.</p> <ul style="list-style-type: none"> - The turning manoeuvre suggested for the refuse would be extremely tight and impractical. This will be exacerbated by up to 26 wheelie (3 per household) bins having to be placed at the front of the proposed properties on collection day. <p>The list is extensive for the reasonings that this development should not go ahead. The consistent nature of the applications is upsetting and unsettling as we have not even been in the property 2 years yet.</p> <p>Thank you for your time in reading this and considering our reasonings.</p>
<p>13 Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p><u>RECONSULTATION</u></p> <p>We are from 13 Water End Road</p> <p>We would like to make objection to the planning application but I realise we missed the deadline of 1st Dec. We were away and only realised the deadline date on our return.</p> <p>We have previously objected and the same reasons stand for their revised application as it will still cause the same problems for us.</p> <p>So we are objecting for the following reasons:</p> <ol style="list-style-type: none"> 1. Affects local ecology, 2. Close to adjoining properties, 3. Inadequate access, 4. Inadequate parking provisions, 5. Increased danger of flooding, 6. Increased traffic, 7. Increased pollution, 8. Loss of privacy, 9. More open space needed on development, 10. Noise nuisance, 11. Over development, 12. Strain on existing local facilities, 13. Traffic and Highways, 14. Council permitting and causing danger to pedestrians/cyclists/drivers. <p>This is our third objection to this development which has now gone from 6 potential premises to 8/9 and now to 7. Like those residents who objected previously, we find ourselves having to jump through more hoops in order to object to what is predominantly the same development.</p> <p>The plot of land in question has been a feature of the areas landscape for well over 20 years and is an important part of the local ecological system. It accommodates numerous wildlife families such as foxes, badgers and hedgehogs, all of which use the land to traverse into local gardens including ours, where they thrive. They are now in danger of decimation or at the very least displacement.</p>

Some of the houses being built on this plot will butt up to our boundary fence and perimeter and instead of looking up over the fence to see sky, we will end up seeing the side walls and rooftops of houses.

There is only one small access road into and out of this new estate and it is unlikely to be widened enough to accommodate the number of potential vehicles belonging to those new houses, never mind the additional larger service vehicles needing to access the road, such as Refuse disposal trucks, service trucks and delivery vans.

With 7 houses, the area is looking at a potential uplift of 16 more vehicles and that doesn't even include other vehicles from friends, family's and others who wish to visit the new addresses.

Do I need to Labour the point of an increased risk of flooding in an area already burdened by an overstretched drainage infrastructure, never mind increasing the areas strain on sewerage and drainage by introducing 8/9 more family houses.

Displaced traffic from the new housing estate will migrate up to the Water End Road where parking will make driving dangerous for passing motorists and increase the risk to vehicles emerging from the new estate onto Water End Road, as they edge the front of their vehicles out into the middle of the road in order to see what's coming, before they pull out.

Pollution will undeniably increase with 8/9 new families added to the populous.

We personally, like our other neighbours will now suffer loss of privacy due to the proximity of the new houses, if this plan is allowed to go ahead without trimming it down to a more sensible level. A suggested approach would be to scale down the amount of houses thus reducing privacy intrusion and creating more open space for an already proposed cramped development.

Adjoining residents have benefited fairly low noise levels for well over 20 years and a likely increase in these noise levels is indisputable with all these houses cramped in to one small area.

The proposed site will be over developed in terms of having too many buildings in a small area with not enough infrastructure to support them and the already existing houses in the immediate locality. This will in turn put a further strain on existing local facilities, including refuse disposal, broadband/WiFi, electricity, gas, drainage, sewerage road usage, etc.

The movement of traffic both in the village and through the village will put further strain on the roads which already suffer from unacceptable pot hole damage and neglect.

Finally, there is only one footpath running through Potten End and in some places, particularly around the area of the proposed development, it narrows down to barely the width of a push chair. I

	<p>would like to know how the council are able to justify the increased risk to pedestrians, cyclist, equestrians and drivers by causing or permitting vehicles to park on an already difficult road, thereby reducing visibility to all the road users in and around the new access road junction.</p> <p>These are our objections. Please consider them seriously.</p> <p>Again sorry the objection is late, I hope it will be considered</p>
<p>13 Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>To be honest, initially it seemed pointless making an objection as invariably money talks and an extra 8/9 newly developed premises, all contributing to council taxes, charges and services will undoubtedly benefit the council greatly in the long run. However if we fail to make any representations then our voice will go unheard.</p> <p>So we are objecting for the following reasons:</p> <ol style="list-style-type: none"> 1. Affects local ecology, 2. Close to adjoining properties, 3. Inadequate access, 4. Inadequate parking provisions, 5. Increased danger of flooding, 6. Increased traffic, 7. Increased pollution, 8. Loss of privacy, 9. More open space needed on development, 10. Noise nuisance, 11. Over development, 12. Strain on existing local facilities, 13. Traffic and Highways, 14. Council permitting and causing danger to pedestrians/cyclists/drivers. <p>This is our second objection to this development which has now gone from 6 potential premises to 8/9 and like those residents who objected previously, we find ourselves having to jump through more hoops in order to object to what is predominantly the same development but now worse.</p> <p>The plot of land in question has been a feature of the areas landscape for well over 20 years and is an important part of the local ecological system. It accommodates numerous wildlife families such as foxes, badgers and hedgehogs, all of which use the land to traverse into local gardens including ours, where they thrive. They are now in danger of decimation or at the very least displacement.</p> <p>Some of the houses being built on this plot will butt up to our boundary fence and perimeter and instead of looking up over the fence to see sky, we will end up seeing the side walls and rooftops of houses.</p> <p>There is only one small access road into and out of this new estate</p>

and it is unlikely to be widened enough to accommodate the number of potential vehicles belonging to those new houses, never mind the additional larger service vehicles needing to access the road, such as Refuse disposal trucks, service trucks and delivery vans.

With 8/9 houses, the area is looking at a potential uplift of 16 more vehicles and that doesn't even include other vehicles from friends, family's and others who wish to visit the new addresses.

Do I need to Labour the point of an increased risk of flooding in an area already burdened by an overstretched drainage infrastructure, never mind increasing the areas strain on sewerage and drainage by introducing 8/9 more family houses.

Displaced traffic from the new housing estate will migrate up to the Water End Road where parking will make driving dangerous for passing motorists and increase the risk to vehicles emerging from the new estate onto Water End Road, as they edge the front of their vehicles out into the middle of the road in order to see what's coming, before they pull out.

Pollution will undeniably increase with 8/9 new families added to the populous.

We personally, like our other neighbours will now suffer loss of privacy due to the proximity of the new houses, if this plan is allowed to go ahead without trimming it down to a more sensible level.

A suggested approach would be to scale down the amount of houses thus reducing privacy intrusion and creating more open space for an already proposed crammed development.

Adjoining residents have benefited fairly low noise levels for well over 20 years and a likely increase in these noise levels is indisputable with all these houses crammed in to one small area.

The proposed site will be over developed in terms of having too many buildings in a small area with not enough infrastructure to support them and the already existing houses in the immediate locality. This will in turn put a further strain on existing local facilities, including refuse disposal, broadband/WiFi, electricity, gas, drainage, sewerage road usage, etc.

The movement of traffic both in the village and through the village will put further strain on the roads which already suffer from unacceptable pot hole damage and neglect.

Finally, there is only one footpath running through Potten End and in some places, particularly around the area of the proposed development, it narrows down to barely the width of a push chair. I would like to know how the council are able to justify the increased risk to pedestrians, cyclist, equestrians and drivers by causing or permitting vehicles to park on an already difficult road, thereby reducing visibility to all the road users in and around the new access road junction.

	<p>These are our objections. Please consider them seriously. In relation to 23/01211/FUL 23 water end road, land at rear of 21.</p>
<p>Puketaha Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>RECONSULTATION</u></p> <p>I understand the applicant, Mr Groom, has reduced the dwellings by one but this is laughable because the resident who will be in Plot 4 will obviously apply for planning permission to fill this space.</p> <p>This plot will be much higher than my garden, in fact it is one metre and rising above the boundary elevation. Noise and pollution from this estate with vehicles and people will greatly affect me and interfere with my privacy and enjoyment of my amenity.</p> <p>Parking for this development will be completely inadequate needing at least one car per household due to lack of public transport in the village. We in Browns Spring are being over-whelmed by parking as it is. There is no room for further parking here. We have the overspill from Olivers Close and Water End Road already as well as the hairdresser's clients from Water End Road and the MOT and service station in Browns Spring.</p> <p>I am concerned about the run off water from this elevated site. Thames Water struggles to maintain the sewage system with very frequent visits for maintenance at the outdated pumping station. At least five houses in Browns Spring have problems with sewage backing up, it flows into their gardens with blocked waste into their toilets and sinks.</p> <p>The site is connected by gardens to ancient woodland (Browns Spring wood.) This woodland is an important wildlife habitat and with active badger setts. The applicant's surveyor mentions that a well-worn path, on the new development, crossing the south-west area of grassland indicates foraging badgers. Having lived in Browns Spring for 48 years I can confirm that this path is a nightly route for badgers entering my garden and other gardens in Browns Spring.</p> <p>Plans have not allowed for planting trees and shrubs. It will result in a overload of draining and run-off water from this elevation.</p> <p>In view of these problems potential increased recreational pressure this application would place on Chiltern Beechwood Special Area of Conservation is a matter which needs to be considered. Detailed supplementary information in respect of sewerage and foul drainage should form part of this planning application as it includes additional residential development.</p> <p>We have a very successful artisan business making and selling chocolate at 21 Water End Road. I understand that as a result of any development this business will not be able to operate and will be a huge loss to our community.</p> <p>The busy drop-kerb access will still be a huge and dangerous problem for pedestrians and motorists. Many children walk to our local school</p>

	<p>along this pathway.</p> <p>Please take into account my points of objection.</p>
<p>Puketaha Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>I wish to object to the application on the following grounds. The houses will overlook our property, the ground on which the applicant, Mr Groom, intends to build is much higher than our garden in fact it is a one metre and rising boundary elevation. Noise from this estate with people and vehicles will greatly affect me along with pollution from vehicles and interfere with my privacy.</p> <p>Parking for this development will be completely inadequate needing at least one car per household due to the lack of public transport in the village. We in Browns Springs are being overwhelmed by parking as it is, there is no room for further parking here, we have the overspill from Olivers Close and Water End Road.</p> <p>I am concerned about the run-off water from this elevated site. Thames Water struggles to maintain the sewerage system with very frequent visits for maintenance at the out-dated pumping station. At least five houses in Browns Spring have problems with sewage backing up, it flows into their gardens with blocked waste water in sinks and toilets.</p> <p>The site is connected by gardens to ancient woodland, Browns Spring Wood. This woodland is an important wildlife habitat and houses and supports protected species. Active badger setts are in place. The applicant's surveyor mentions that a well-worn path crossing the south-west area of grassland indicates foraging badgers. Having lived in Browns Spring for 48 years I can confirm that this well-worn foraging path is a nightly route for badgers entering my garden and other gardens.</p> <p>Plans have not allowed for planting of trees and shrubs. It will result in an overload of drainage and run-off water from this elevation.</p> <p>In view of these problems potential increased recreational pressure this application would place on the Chiltern Beechwood Special Area of Conservation is a matter which needs to be considered. Detailed supplementary information in respect of sewerage and foul drainage should form part of this planning application as it includes additional residential development.</p> <p>21 Water End Road is currently a successful artisan business making and selling chocolate. I understand that as a result of any development this business will not be able to operate and will be a huge loss to our community.</p> <p>There is currently a drop-kerb access leading onto the busy Water End Road from this site, three existing properties use this access. There are 17 parking spaces allocated for this new development all will use the drop-kerb access, plus the additional dwelling for the applicant which permission has already been granted. This seems to</p>

	<p>be excessive for such a narrow access.</p> <p>Thank you for your consideration given to my objection.</p>
<p>Cedar Heights Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>My objection to the above planning application is based on over development of the site. I have serious concerns that should the existing proposal be approved will lead to Road and Access Safety issues and Drainage, Sewage & Run Off Water concerns.</p> <p>The application states, and plan demonstrates, that there are less than 2 parking spaces per property and that there will be only 2 Visitor Parking Spaces provided to support 8 large dwellings. This is grossly insufficient. This will result in drivers that use and access this estate to be forced to park elsewhere, namely in the proposed extended access road, thereby reducing the width for vehicles such as Emergency service, Refuse Collection services and general delivery vehicles. In turn this will cause greater impact to Water End Road and likely to force vehicles to park in Olivers Close and Browns Spring.</p> <p>Currently there are no parking restrictions that manage Water End Road, Olivers Close or Browns Spring. Should vehicles park on Water End Road opposite house numbers 25 & 27 - adjacent to the proposed widened access road to the site - will create a hazard for drivers attempting to turn either left or right out of the access road with dangerously reduced visibility of oncoming traffic.</p> <p>Browns Spring is already suffering considerably with increased and inappropriate vehicle parking directly as a result of the granting to B&H Autos, an MOT Test and Vehicle Repair centre.</p> <p>At the time of lodging this objection there are no vacant parking positions in Browns Spring however it is known that a number of vehicles parked in the road belong to, and or, are managed by B&H Autos despite there being sufficient parking provision within their own forecourt.</p> <p>My further objection is based on Drainage, Sewage and Run Off Water management.</p> <p>Currently, all of the above run to an inadequate, overworked and failing water processing infrastructure sited directly at the back of the properties sited on the lower side of Browns Spring.</p> <p>Having lived in the road for 15 years I have witnessed serious and concerning issues regarding run off water flooding and sewage leaking into neighbours' gardens.</p> <p>The current proposed development site can loosely be described as waste ground, a small percentage of which is hard surface meaning that the vast majority of land is porous allowing for rainfall and run off water to permeate into the water table below naturally.</p> <p>The development of the site, as proposed, vastly reduces the</p>

	<p>opportunity for water to be managed naturally, the construction of so many properties including new roads, drives and parking spaces massively increases the area of non porous surfaces meaning that run off water will enter the drainage systems and will increase already inadequate systems that are failing.</p> <p>It also means that a further 8 dwellings containing multiple bathrooms, utilities and additional wc's will exacerbate an already difficult sewage situation.</p> <p>To approve this application would be foolhardy and have detrimental effects to all existing property owners in the immediate areas surrounding the site.</p> <p>On this basis I lodge my objection to the proposed plan.</p>
<p>Jenady Water End Road Potten End Berkhamsted Hertfordshire HP4 2SH</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>Whilst we would not be against new houses in Potten End or new neighbours, as we were fully aware of the proposed 3 bed bungalow in the same area of land, we object to these plans on grounds of overlooking/ loss of privacy, inadequacy of parking/ turning and visual intrusion.</p> <ul style="list-style-type: none"> - Overlooking/ loss of privacy: our property is already overlooked considerably and so find issue with the additional 3 properties (2b) that would run alongside our own. Despite the plans including the current high hedge, there is no guarantee the residents from the neighbouring property would not have it removed and have a low fence that will incur loss of privacy to our sloping garden. Furthermore, we have little indication as to the distance of the closest property, the windows that might be along the east facing wall, or the distance of the parking spaces to our land- all of which impose upon our property. - Adequacy of parking/ turning: although parking has been allocated for each property as well as 2 visitor parking spaces (that serve all 8 properties) the surrounding roads cannot accommodate any further parked cars with parking along Water End Road already causing a hazard when pulling out of our lane. The road being widened may in fact add to the issue if residents park along the widened road (due to the lack of parking) causing a further congestion/ traffic issue and subsequent hazard. The access road (even when widened) does not have a footpath and poses a serious risk to pedestrians with the additional traffic cause by 8 homes. The end of the lane is a hazardous junction and so the vehicle access for an extra 8 houses will cause disruption and congestion- reversing vehicles onto water end road would be dangerous to any approaching vehicles. - Visual intrusion and visual amenity: due to the high number of properties proposed there would be a considerable visual intrusion from both the neighbouring property to the side of our own and the 2 properties facing Water End Road. The visual amenity of this area would be compromised.

<p>The Laurels Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p>I have read and agree with all of the comments submitted so far.</p> <p>Please take great care when looking at these site plans, they are optimistic at best.</p> <p>Consider the safety and the wellbeing of proposed new residents and their visitors, as well as the existing population and wildlife.</p>
<p>The Coppice Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>RECONSULTATION</u></p> <p>One less house on this proposal is not enough to reassure me about the drainage / sewer infrastructure not being overloaded. The houses will be towering over the bungalows below on Browns Spring. The parking here is constantly stretched and overflow from Water End Road invariably end up on Browns spring, further cluttering up the road with cars. The large bin lorry struggle to turn here even when there are no cars cluttering up the end of the culdesac so it will have no chance of turning in such a restricted place as this proposed development.</p> <p>I urge the council to visit the site and look closely at the topography of the site and how high these houses would be.</p> <p>The sewage system issues are also well documented</p>
<p>The Coppice Browns Spring Potten End Berkhamsted Hertfordshire HP4 2SQ</p>	<p><u>ORIGINAL CONSULTATION</u></p> <p>I would like to object to the above proposed planning application. I have valid concerns with regard to the sewage system being further stretched and potential for overflow, perhaps even into the proposed properties. The pumping station which services the whole area comes under considerable pressure when it rains and the surface water from hundreds of properties overloads the system. Thames Water have noted on their comment that any new development should have surface water redirected into a soakaway. However, the plans put forward by Mr Groom have no mention of how to mitigate for surface water going into the foul drainage system. In order to put soakaways into each garden I believe they have to be a certain distance from the building so as not to cause structural damage, however these houses are so tightly packed in I doubt this will be possible.</p> <p>Looking at the plans it looks like 6 small houses crammed into a very tiny site and I would be surprised if the refuse lorry would even attempt to go down the driveway to collect the bins which will no doubt result in the residence having to take their bins up to Water End Road. Once cars are littered around the site the manoeuvrability for a large vehicle will be severely limited.</p> <p>There will be too much hard standing and any heavy downpours will create excess water possibly running downhill into the properties on Browns spring.</p> <p>It is still unclear how big the entrance will be for access by vehicles,</p>

as the only measurements are a hand written 5.5 metres entrance.

Can I remind the planning department that last time we were told two cars could pass on the driveway but that was NOT the case. Will a site visit be happening this time, as again last time this did not happen? Not all residents in very near proximity have received notification by post regarding this, I am surprised by that.

In conclusion this site feels like an over development for what is a very small site with limited access and yes it will be noisy, disruptive and create an unwelcome amount of traffic to the area. But mostly the drain infrastructure cannot cope with 8 more properties.

I would urge the planners to consider suggesting maybe 2 houses on the site.