

**ITEM NUMBER: 5a**

<b>24/01496/MFA</b>	<b>Demolition of existing buildings and redevelopment of the site to provide 59 residential units (market and affordable), erection of a community hub building, sustainability measures together with associated landscaping, open space, parking, and highway improvement</b>	
<b>Site Address:</b>	<b>Haresfoot Farm, Chesham Road, Berkhamsted, Hertfordshire, HP4 2SU</b>	
<b>Applicant/Agent:</b>	<b>Haresfoot Limited</b>	<b>Mr Simon Warner</b>
<b>Case Officer:</b>	<b>James Gardner</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted East</b>
<b>Referral to Committee:</b>	<b>Contrary views of Berkhamsted Town Council</b>	

**1. RECOMMENDATION**

1.1 That planning permission be **DELEGATED** with a **VIEW TO APPROVAL** subject to conditions and the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure satisfactory mitigation for the Chiltern Beechwoods Special Area of Conservation, consistent with the Chilterns Beechwoods Mitigation Strategy, Biodiversity Net Gain (BNG) and other appropriate contributions and provisions to make the development acceptable in accordance with the development plan, NPPF and any other material considerations.

**2. SUMMARY**

2.1 The site is not within the settlement boundary of Berkhamsted and therefore is located within open countryside, wherein development is generally discouraged in accordance with Policy CS1 of the Dacorum Core Strategy.

2.2 On the basis that the site is already largely developed and the applicant is proposing a comprehensive package of off-site highway improvements that would substantially improve the locational sustainability of the site and offer a genuine choice of transport methods for future residents, the site is, on balance, considered to be a suitable location for housing.

2.3 Paragraph 154 of the National Planning Policy Framework (NPPF) states that the partial or complete redevelopment of a previously developed site is not inappropriate in the Green Belt, provided that it would not cause substantial harm to the Green Belt and contribute to meeting an affordable housing need in the area of the local authority.

2.4 The proposed development would be located on previously developed land (PDL), and due to the substantial reduction in footprint, volume, hardstanding and the spatial layout, it would not cause substantial harm to the openness of the Green Belt. Rather, it is considered that it would result in an overall improvement to openness. Accordingly, it is considered to be appropriate development<sup>1</sup> in Green Belt terms.

2.5 There would be some harm in the form of the loss of employment generating uses has been identified. However, it is clear from the Lambert Smith Hampton report that the existing buildings are unsuitable for modern occupational standards and that the site is in need for full-scale re-development if it is to compete with other commercial sites.

2.6 Highway and car parking impacts have been fully assessed and it has been concluded that there would be no adverse impacts on the highway network, nor concerns in relation to

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<sup>1</sup> In the words of the NPPF: 'not inappropriate'.

highway safety. Parking over and above that required by the Parking Standards SPD is to be provided on-site by way of surface parking and garaging.

2.7 It is appreciated that Members previously had concerns over the position of the development, located such as it is on the opposite side of the A41 to Berkhamsted and that this could result in a proliferation of development in this location. This would not be the case, however, as the site is encircled by the Haresfoot SANG, such that for the next 80 years<sup>2</sup> it would not be possible to develop the land surrounding the application site. As such, the site is very much an exception rather than a rule.

### 3. SITE DESCRIPTION

3.1 The site is located to the south of Berkhamsted and comprises of a former farm complex set within the Green Belt, in close proximity to the A41. Accessed via a semi-rural track, White Hill which currently serves the application site and a limited number of residential dwellings before connecting into Whelpley Hill.

3.2 The application site is within close proximity of an area of Ancient Woodland, located to the east of the site. The north-eastern corner of the site is bound by Berkhamsted 041 [Public Right of Way], which crosses the north-eastern corner of the application site, leading north to Berkhamsted, passing under the A41 towards the Town Centre.

3.3 The site contains a number of buildings, some of which were used for the manufacturing of props and scenery used by film studios and theatres, which were subsequently returned to the site and stored prior to repurposing prior to re-distribution. Other buildings on the site have been let out to other companies as part of a previous farm diversification project.

3.4 The land surrounding the site has planning permission<sup>3</sup> for a change of use from agriculture to Suitable Alternative Natural Greenspace (SANG) and is currently jointly owned by the applicants and Taylor Wimpey.

### 4. PROPOSAL

4.1 Planning permission is sought for the demolition of all buildings on site and the construction of 59 new dwellings, a community hub, site access road and highway improvements.

4.2 The site is to be laid out and designed in such a way that there will be four distinct character areas; namely Farmstead Edge and Arrival Yard, Courtyards, Mews and the Green Spine. The latter is a south-west / north-east pedestrian only route which leads to the Community Hub in the north-east, as well as connecting up with routes leading out into the nearby SANG. A cycle route intersects with the Green Spine approximately halfway along its length before continuing on its northern route toward the site entrance / exit and the SANG land beyond. A number of estate roads will provide vehicular access to the different areas of the development.

4.3 The following unit types and numbers are to be provided as part of the development:

<b>Market Housing</b>		<b>Affordable Housing</b>	
<i>Property Type</i>	<i>Number</i>	<i>Property Type</i>	<i>Number</i>
1 Bed Apartment	0	1 Bed Apartment	5
2 Bed Apartment	0	2 Bed Apartment	5
2 Bed House	0	2 Bed House	10
3 Bed House	13	3 Bed House	4

<sup>2</sup> Secured by way of a signed section 106 agreement.

<sup>3</sup> 23/02508/MFA.

4 Bed House	14	4 Bed House	0
5 Bed House	8	5 Bed House	0
Total:	35	Total:	24

4.4 The development would be built at a density of approximately 8.8 dwellings per hectare and would range in height from 1.75 – 2.5 storeys.

4.5 A significant number of off-site highway improvement works are proposed in order to maximise the sustainable travel options for the site. These will include the provision of a pedestrian path along White Hill and up to the junction with the A416 Chesham Road, traffic calming measures along White Hill, the re-location of bus stops on Chesham Road, the introduction of a controlled crossing and an accompanying reduction in speed limit (60mph to 40mph) to aid crossing to the western side of the road. Further works in the form of the widening of a traffic island and the widening of the path past Ashlyns are also proposed.

4.6 A section 106 Agreement shall secure the following heads of terms:

Matter	Contribution / Requirement
<b>Affordable Housing</b>	<p>A minimum of 40% affordable housing</p> <p>Tenure to be split as follows:</p> <p>50% Dacorum Affordable Rent. 50% Shared Ownership.</p>
<b>Education</b>	<p>£632,263 contribution (index linked to BCIS 1Q2022) towards the expansion of Ashlyns Secondary School and / or provision serving the development</p> <p>£71,485 contribution (index linked to BCIS 1Q2022) for the delivery of 113 additional Severe Learning Difficulty (SLD) special school places (WEST) for pupils aged 2 to 19 years old, through the relocation and expansion of Breakspare School and/or provision serving the development</p> <p>£11,125 contribution (index linked to BCIS 1Q2022) towards resources and reconfiguring the Hemel Hempstead Young People's Centre in order to ensure young people from Berkhamsted can access appropriate projects in response to growth in the area</p> <p>£340 (adjusted for inflation against RPI July 2021) in respect of Monitoring Fees</p>
<b>Healthcare</b>	<p>£98,624.40 to increase capacity at Manor Street Surgery.</p>

<b>Strategic Access Management and Monitoring Strategy (SAMMS)</b>	£53,918.92 contribution as part of the Chiltern Beechwoods Special Area of Conservation Mitigation Strategy.
<b>Suitable Alternative Natural Greenspace (SANG)</b>	Mechanism to secure SANG provision for 59 units at Haresfoot Farm SANG.
<b>Biodiversity Net Gain (BNG)</b>	Net gain to be secured for a minimum of 30 years.
<b>Site Management Company</b>	Establishment of a Management Company with responsibility for ongoing maintenance of open-space, play space and community hub building.
<b>HCC Travel Plan Monitoring Fee</b>	£6,000.
<b>HertsLynx Bus</b>	Hertslynx Bus Service to be extended to include a Bus Stop as shown on the Site Layout. A welcome pack that includes £100 of vouchers is to be provided to each household upon first occupation of the site.
<b>Electric Bicycles</b>	Provision of 10 communal electric bicycles for the use of residents of the development.
<b>Electric Car Club</b>	Developers to fund a car club.

## 5. BACKGROUND

5.1 There was a considerable level of engagement with and by the applicants prior to the submission of the previous application, which in turn is relevant to this application, as it represents the next iteration of that scheme.

5.2 Paragraph 137 of the NPPF is of relevance with regard to this matter, stating that:

*‘...Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.’*

5.3 Given that the NPPF specifically requires applications to be looked at in a more favourably if they are the result of a genuine collaborative engagement with the community, it is considered appropriate to provide further information and comment.

### Community Engagement and Pre-Applications Discussions

5.4 The public engagement carried out by the applicants is outlined in the Statement of Community Involvement document prepared by Meeting Place (dated January 2024). In summary, the public engagement included:

- A meeting with Berkhamsted Town Council in January 2024;
- Newsletters sent to local addresses within a 1.5km radius of the site, providing information on the proposal and details of the public consultation event.
- A dedicated website (<https://haresfootfarm-consultation.co.uk/>) with an online feedback form;
- A consultation event held at the Court House on 14th December (4pm – 8pm) in Berkhamsted.
- A dedicated email address, freephone telephone number and freepost address

5.5 The applicant's Statement of Community Involvement concludes that:

*'Engagement with local stakeholders was also undertaken and will continue to take place following the submission of the application.'*

*Haresfoot Limited have taken feedback onboard wherever possible to help evolve the proposals throughout the consultation process and will continue to engage with stakeholders and the local community.'*

5.6 In addition to the community and stakeholder engagement, there has also been engagement with the Planning Department.

5.7 The first stage of engagement comprised of a pre-application submitted in July of 2023, which included a meeting on 13th September.

5.8 The design was reviewed by both the Council's Conservation and Design Officer and its Principal Urban Design Officer, who were largely supportive, though did raise queries in relation to:

- The appropriate application of materials across the character areas to ensure coherence across the site as well as a recognisable distinction between character areas; and
- The proximity of development to the proposed SANG and the need for advanced planting buffers.

5.9 In terms of the suitability of the site for housing, it was advised that further information would need to be provided in terms of the distances of the site from local amenities, as well as confirmation from the Highway Authority that they are amenable to the proposed highway improvements.

5.10 In Green Belt terms, it was advised that the development of the southern quadrant of the site would represent inappropriate development in the Green Belt and would thus need to be supported by 'very special circumstances'.

5.11 The pre-application originally proposed the construction of 100 dwellings; however, following concerns raised by the Council in relation to the quantum of development, and Natural England in relation to the proximity of some units to the proposed SANG, this was reduced to 91 units.

5.12 The next stage of engagement with the Council was by way of a Planning Performance Agreement (PPA) and included five meetings, three of which took place prior to the submission of the formal planning application. At this stage, the number of units was reduced by a further five in order to limit the spread of built form into non-PDL land.

5.13 Further tweaks took place following the initial PPA meeting in response to a number of issues, which were subsequently addressed.

5.14 Members ultimately resolved to refuse planning permission at the committee meeting of 30<sup>th</sup> May 2024 on two grounds: Green Belt and suitability of the site for housing.

5.15 Following this, the applicants entered into further discussions with the planning department in order to explore ways in which the reasons for refusals could be addressed. In response:

- The quantum of development has been reduced by approximately 31% - i.e. 27 units.
- Development has been limited to the previously developed parts of the site.
- An electric car club has been introduced.
- A further two electric bicycle rentals have been included (despite the number of units having reduced), providing a total of ten.
- Additional information has also been provided in relation to how the Haresfoot Pantry would work in practical terms, giving confidence that this is a viable option for dealing with sustainability matters effectively.

## 6. PLANNING HISTORY

Relevant Planning Applications:

24/00330/MFA - Demolition of existing buildings and redevelopment of the site to provide 86 residential units (market and affordable), construction of a community hub building, together with associated landscaping, open space, parking, and highway improvement.  
Refused – 28<sup>th</sup> June 2024

6.1 The application has been submitted by the applicants following the refusal of application 24/00330/MFA by Members on 28<sup>th</sup> June 2024. The application was refused for two reasons:

1. *'The proposed development of the southern quadrant of the site would constitute inappropriate development and would result in visual and spatial harm to the openness of the Green Belt. In addition, the proposals would lead to a conflict with one of the five purposes of including land in the Green Belt - i.e. to assist in safeguarding the countryside from encroachment. The benefits of the scheme taken together do not clearly outweigh the harm and other harm identified. Very special circumstances have not been demonstrated to justify the proposed inappropriate development in the Green Belt. The proposals are therefore contrary to the Policy CS5 of the Dacorum Borough Core Strategy (2013) and paragraphs 142, 143, 152, 153 and 154 of the National Planning Policy Framework (2023).'*
2. *'The application site is located outside of the settlement boundary of Berkhamsted and in open countryside. By virtue of its distance from shops, services, amenities, places of work and a range of public transport links, and notwithstanding the measures proposed to maximise sustainable transport solutions, the site is not considered to be a suitable location for housing. The proposed development would therefore be contrary to Policy CS1 of the Dacorum Core Strategy and paragraph 109 of the National Planning Policy Framework (2023).'*

21/03607/DRC - Details as required by conditions 6 (parking areas), 7 (transport statement), 8 (ecological enhancement) and 9 (landscaping) attached to planning appeal E20/00023/MULTI (Erection of new buildings and intensification of industrial uses at the site) granted under the planning inspectorate (APP/A1910/C/20/3249358).  
Granted - 10<sup>th</sup> June 2022

21/03725/FUL - Single storey extension to existing building, including biomass boiler and associated plant and machinery.  
Granted - 26<sup>th</sup> January 2022

21/03839/FUL - Retrospective consent for temporary fencing. To be in place for 36 months in order to facilitate maturing of landscape features required by consent.  
APP/A1910/C/20/3249358  
*Withdrawn- 24th November 2021*

21/03841/RET - Retrospective consent for the installation of a weighbridge  
*Granted - 17th January 2022*

21/03848/FUL - Retrospective consent for the installation of temporary covered storage for a 12 month period.  
*Granted - 23rd February 2022*

21/04443/RET - Retrospective consent for temporary fencing. To be in place for 36 months in order to facilitate maturing of landscape features required by consent.  
APP/A1910/C/20/3249358 (resubmission)  
*Refused - 16th March 2022*

21/04496/RET - Retrospective consent for CHP enabled biomass system within existing building 4, including external flue.  
*Granted - 10th February 2022*

21/04629/FUL - Change of use to the storage, salvage, re-purposing and recycling of scenery and props. Addition of external materials.  
*Granted - 28th March 2022*

21/04649/FUL - Construction of new storage building to use for salvage, re-purposing and recycling of scenery and props associated with the entertainment industry which includes a biomass boiler with CHP capability.  
*Refused - 30th March 2022*

21/04689/FUL - Temporary use of hardstanding for the storage of standard shipping containers until 18th April 2022.  
*Refused - 12th April 2022*

4/01070/09/FUL - Demolition of farm building and construction of 24 stables and exercise arena.  
*Granted – 27<sup>th</sup> August 2009*

## **7. CONSTRAINTS**

Advert Control: Advert Special Control  
BCA Townscape Group  
CIL Zone: CIL1  
Green Belt: Policy: CS5  
Parish: Berkhamsted CP  
RAF Halton and Chenies Zone: Red (10.7m)  
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE  
Parking Standards: New Zone 3

## **8. REPRESENTATIONS**

### Consultation responses

8.1 These are reproduced in full at Appendix A.

## Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

## **9. PLANNING POLICIES**

Main Documents:

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

Relevant Policies:

### Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS2 – Selection of Development Sites  
CS5 – The Green Belt  
CS8 – Sustainable Transport  
CS9 – Management of Roads  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 – Quality of the Public Realm  
CS17 – New Housing  
CS18 – Mix of Housing  
CS19 – Affordable Housing  
CS23 – Social Infrastructure  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions

### Local Plan

Policy 13 – Planning Conditions and Planning Obligations  
Policy 18 – The Size of New Dwellings  
Policy 21 – Density of Residential Development  
Policy 76 – Leisure Space in New Residential Developments  
Policy 111 – Height of Buildings  
Policy 113 – Exterior Lighting

Appendix 3 – Layout and Design of Residential Areas

Appendix 8 – Exterior Lighting

### Supplementary Planning Guidance/Documents

Hertfordshire Place & Movement Planning and Design Guidance (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

10.1 The main issues to consider are:

- The suitability of the site for housing
- Green Belt Considerations
- The quality of the development and character and appearance
- The impact on residential amenity
- The impact on landscape character
- The Loss of employment generating uses
- Highway safety, car parking and servicing
- Social infrastructure and healthy communities

### **Suitability of Site for Housing**

9.1 Policy CS1 of the Dacorum Core Strategy states that: *'Decisions on the scale and location of development will be made in accordance with the settlement hierarchy in Table 1.*

9.2 Hemel Hempstead is to be the focus for housing development, followed by the market towns (i.e. Berkhamsted and Tring), the large villages (i.e. Bovingdon, Kings Langley and Markyate) and then the small villages in the Green Belt and Rural Area (i.e. Chipperfield, Flamstead, Potten End, Wigginton, Aldbury, Long Marston and Wilstone). Other small villages and land in open countryside are at bottom of the hierarch as they represent the least sustainable areas of the borough.

9.3 Paragraph 109 of the NPPF sets out that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It also acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that this should be taken into account in decision-making.

9.4 The application site is located outside the settlement boundary of Berkhamsted and in open countryside. Consequently, consideration needs to be given as to whether the site represents a suitable location for housing.

### **Background**

#### *Access to Public Transport*

9.5 Berkhamsted Town Centre is located approximately 1.4 miles from the application site. The quickest route by walking or cycling is by way of White Hill and Chesham Road. A bus stop with services into Berkhamsted Town Centre is located an 11-minute walk<sup>4</sup> from the edge of the application site on Chesham Road. There is, however, no pedestrian infrastructure between the application site and Chesham Road. Whilst a section of White Hill contains a narrow grass verge upon which pedestrians might be able to walk, this would be neither safe nor satisfactory for the less able-bodied during times of inclement weather.

9.6 The Chartered Institute of Highways and Transportation (CIHT) publication 'Planning for Walking' (2015) outlines how far people are likely to walk in order to access public transportation:

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<sup>4</sup> As measured from the security gate at the entrance to Haresfoot Farm.

*'...For bus stops in residential areas, 400 metres has traditionally been regarded as a cut-off point and in town centres, 200 metres (DOENI, 2000). People will walk up to 800 metres to get to a railway station, which reflects the greater perceived quality or importance of rail services.'*

9.7 Within the government document 'Inclusive Mobility' (2021) it states:

*In residential areas, bus stops should ideally be located so that nobody in the neighbourhood is required to walk more than 400 metres from their home. The spacing of bus stops should also take account of the gradients in the terrain within the vicinity of stops. A suggested standard is to reduce the maximum distance by 10 metres for every 1 metre of rise or fall. Such ease of access will help to remove barriers to the use of bus services.'*

9.8 It is acknowledged that these documents refer to distances in residential areas where the expectation of convenience is greater, and therefore it follows that those living outside of residential areas may be willing to walk farther to access public transportation.

9.9 The bus stop for services heading toward Berkhamsted requires maintenance, there is a limited area of hardstanding upon which to wait, and no means of shelter from the elements. These factors, in addition to the lack of pedestrian infrastructure along White Hill, will inevitably influence the travel choices of future residents of Haresfoot Farm. It is acknowledged, though, that upgrades and improvements to the bus stop would go a considerable way to making bus travel a more attractive as a means of reaching Berkhamsted. While it is accepted that the bus service<sup>5</sup> serving this stop could not, owing to its limited frequency, support regular commuting, it nonetheless provides an alternative means of transportation for persons who do not have access to a car or who are environmentally minded. That said, there is an argument to say that the frequency of the bus service could potentially be increased in the future, the development at Haresfoot Farm being the catalyst, thereby resulting in even greater use of sustainable means of transport.

9.10 For travel farther afield, the nearest train station is located in Lower Kings Road, Berkhamsted – a distance of some 1.9 miles from the application site – from which there are frequent and direct services to Hemel Hempstead, Watford Junction and London Euston. The distance of the train station from the application site is such that most persons would not consider walking as a realistic travel option. However, with a travel time of approximately 11 minutes, cycling would be a viable alternative.

#### *Walkability*

9.11 There is currently no pedestrian infrastructure between the application site and Chesham Road. There is a continuous footpath between the White Hill / Chesham Road junction and the slip road of the A41. Subject to widening and general maintenance, this section of the path can likely be made acceptable for use by a greater number of pedestrians. The interface between the A41 slip road (serving vehicles travelling along the east-bound carriageway) and pedestrians is problematic, notwithstanding the large central reservation.

9.12 The pedestrian footpath then proceeds past Ashlyns School until the junction with Hilltop Road, where it is necessary to cross in order to continue down Chesham Road toward the Town Centre. In total, the walking distance equates to approximately 27 minutes from the edge of the site to the town centre.

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<sup>5</sup> No. 354.

9.13 A map showing the location of key facilities and other amenities in relation to the site is included within the Haresfoot Farm Accessibility Strategy and reproduced below for ease of reference.

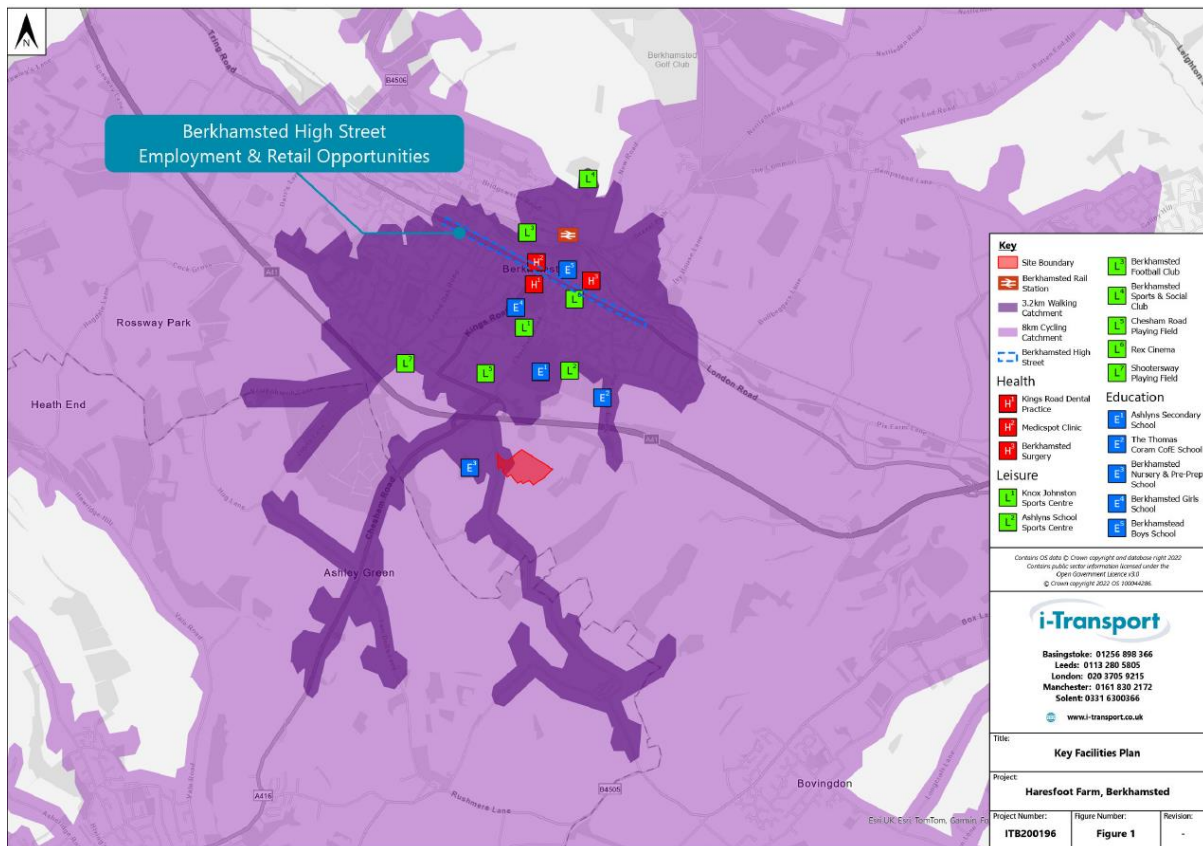


Figure 1: Location of site in relation to nearby services

9.14 There would there would be improved connections to the town by way of the footpaths proposed at Suitable Alternative Natural Greenspace (SANG), which would offer an alternative route to the town by way of Bridleway 55 and the A41 underpass. It is appreciated, however, that this is unlikely to be an attractive route during times of inclement weather or the hours of darkness.

### Cycling

9.15 The Department for Transport Local Transport Note 1/12<sup>6</sup> indicates that a width of 3 metres should generally be regarded as the preferred minimum for an unsegregated shared cyclist / pedestrian route, although acknowledges that a narrower route might suffice where there are few cyclists or pedestrians.

9.16 The proposed traffic calming measures along White Hill are likely to make the road more conducive to cyclists, while the average speeds of vehicles traversing Chesham Road have been established as being consistently at 40mph<sup>7</sup> or below. Were a reduction in speed limit along White Hill and Chesham Road to be agreed (see section below), then this would be likely to encourage more people to use cycling as an alternative means of transport. There are also alternative, quieter routes into Berkhamsted; in particular, along Shootersway, joining the Chiltern Cycleway on Cross Oak Road, which is traffic calmed on its approach to Berkhamsted town centre.

<sup>6</sup> 'Shared Use Routes for Pedestrians and Cyclists'.

<sup>7</sup> Mean and 85<sup>th</sup> percentile.

9.17 Berkhamsted High Street is located in a valley and thus it needs to be borne in mind that the return route would take longer, and require more effort. The advent of electric bicycles would largely mitigate this, although it is appreciated that these are not yet ubiquitous as a traditional, human-powered bicycle.

#### *Proposed Upgrades*

9.18 Through early pre-application discussions with the applicants, it was agreed that a number of upgrades to the highway network would be necessary to make this site suitable for housing.

9.19 A package of works to the highway is proposed to improve accessibility and promote sustainable means of transport. These include:

- Installation of a footway along White Hill, leading onto existing footways on A416. In hand with a series of traffic calming carriageway alternate priorities and with a series of street lighting.
- Widened footways along A416 and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled crossings prior to A416/Chesham Road roundabout, allowing crossing to west side of A416.
- Relocation of bus stops to within 550m walk of proposed development.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph along White Hill and A416 travelling north-east and south-west.
- Speed limit reduction to 40mph on A41 slip road.

9.20 The construction of a footway along White Hill, upgrades to the existing footway along the A416, provision of a controlled pedestrian crossing to west side of the A416 and a widened traffic island would facilitate a safe and convenient pedestrian network up to Ashlyns Secondary School, and from there to the heart of Berkhamsted.

9.21 Based on drawing nos. SK01, SK02 and SK03, there would be stretches of path that would meet or exceed the minimum 3m width recommendation for a shared cyclist / pedestrian route. Furthermore, it is unlikely that the route would be highly trafficked – either by pedestrians or cyclists – and thus there could be an argument to say that the route would be suitable as a shared space, although this approach would need to be deemed acceptable by the Highway Authority as part of the detailed section 278 discussions.

9.22 The relocation of the bus stops to within 550m of the site and the provision of both access kerbs and shelters would encourage greater use of the current bus service.

9.23 The Highway Authority have confirmed that they are supportive of all the aforementioned upgrades.

#### *Additional Sustainability Measures*

##### Community Hub

9.24 A community hub building, which will be managed and maintained by the Management Company, is proposed to be constructed as part of this application and would be capable of being configured for a range of events – including yoga classes, family parties and gatherings, as well as desks for remote working. The concept is that the building will encourage social interaction with other residents and, in the case of classes, preclude the need to travel farther afield.

9.25 As the quantum of development is such that there would not be the critical mass of people necessary to support a small convenience store, the applicants have advanced the idea of a pantry contained within the community hub building. The pantry would be stocked and managed by the Management Company, and would be a place where residents would be able to get essentials such as bread, milk, coffee, tea, eggs etc without resorting to a car journey. Since the previous application, further information has been provided in terms of how this would work in practice.

9.26 A pantry vending machine will be installed within the community hub building, which will consist of several cabinets of different sizes that include a mix of refrigerated and non-refrigerated for the appropriate produce. The cabinet-style machine allows easy collection of produce, but also ensures that the produce is not damaged. The vending machine will include a range of daily essentials – such as milk, bread, orange juice, butter and eggs etc – although the mix could potentially change depending on resident demand.

9.27 The specific arrangements are at an initial stage due to the absence of planning permission; however, the applicant has indicated that there are at least two manufacturers ([Farm Pantry](#) & [JSR Vending](#)) who offer solutions that appear appropriate for the Haresfoot hub building context.

## Machine design

### Highest quality



The vending cabinet consists of individual product boxes. These boxes are available in different sizes to suit your products. Each vending set also includes a payment terminal, which processes the transactions and allows the customer to select the product of their choice from the relevant box. The device's high quality design guarantees reliability and durability, even in severe conditions such as heat waves or icy weather.

Each Farm Pantry vending set consists of one payment terminal and any number of vending cabinets:



Photo 1: Pantry Vending Machine

9.28 With regard to the administrative process, it is understood that the vending machines include a payment terminal which can be tailored for a range of payment methods, including cash, card, Apple Pay, Loyalty Cards and via a mobile app.

9.29 It is the view of officers that this method of food distribution would limit the need of residents to travel outside of the site for the basic essentials of life and, essentially, act as a

very basic 'corner shop' and meet the 'Pint of Milk Challenge'<sup>8</sup> set by the Community Review Panel (CRP) when the initial scheme was first reviewed by them on 5<sup>th</sup> March 2024.

### Herts Lynx

9.30 Herts Lynx is a new service in Dacorum and described on the Intalink website in the following terms:

*HertsLynx is Hertfordshire County Council's Demand Responsive Transport (DRT) service, offering a flexible way to travel by bus; unlike traditional bus services, the HertsLynx service doesn't follow a timetable or have any set routes, instead passengers can choose from a wide variety of pick up and drop off locations within designated operating zones across Hertfordshire. Passengers can select where and when they would like to travel by using the HertsLynx app, booking website or by calling the HertsLynx team.*

9.31 It has been confirmed with Hertfordshire County Council that there are no issues with HertsLynx serving the development at Haresfoot Farm.

9.32 A sympathetically designed bus shelter is thus proposed to be constructed on-site for residents who wish to use this service.



Figure 2: Location of HertsLynx Bus Stop

9.33 The section 106 agreement will require the applicant to provide each household<sup>9</sup> with a Welcome Pack which explains how HertsLynx works and £100 in vouchers to encourage use of the service.

### Electric Bicycle Hire

9.34 An additional two electric bicycles are proposed in comparison to the previous scheme, providing a total of 10. These will be available for use of the residents on the site and the

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<sup>8</sup> How would residents of the development provide for the most basic shopping needs, and would they need to drive into Berkhamsted to do this?

<sup>9</sup> First occupiers only.

maintenance and management of these dealt with by the Management Company, all secured by the section 106 agreement.

### Electric Car Club

9.35 An Electric Vehicle Car Club (based at the Community Hub) is proposed to be introduced and funded by the developer, providing residents of the development with the ability to travel around the area in a low emission vehicle.

### *Assessment*

9.36 The facilities plan demonstrates the location of the appeal site relative to services, facilities and public transport.

9.37 The route from the edge of the application site to Berkhamsted High Street was walked by the case officer. This took approximately 27 minutes at an easy pace but at a brisker pace, the time could be reduced to around 24 minutes. A round trip of 48 minutes to 54 minutes is likely to deter a reasonable number of people from walking – especially if they are less mobile, accompanied by children or carrying purchases. Nonetheless, the footpath and other off-site highway works secured by the planning permission would enable some residents to safely walk to the town when not constrained by time, or for leisure purposes. It could be the case, for example, that residents of the development choose to walk into Berkhamsted on a weekend or bank holiday.

9.38 Chesham Road is reasonably busy but with the provision of a wider footpath, controlled crossing<sup>10</sup>, a reduction in speed limit from 60mph to 40mph, and the construction of a widened traffic island, pedestrians would be able to safely make their way to Berkhamsted Town Centre. Moreover, the facilities in Berkhamsted would be able to be reached relatively easily by bicycle or electric bicycle, the latter of which would mitigate against the incline on the return trip. There are also other facilities closer to the site than the High Street – e.g. Ashlyns School, Berkhamsted School, Thomas Coram Church of England School, Milton House Surgery etc – which residents would potentially be more inclined to walk to.

9.39 The National Travel Survey (NTS) identifies the mode share of different journey and confirms that most trips<sup>11</sup> of up to one mile (1.6km) are undertaken on foot. Journeys to facilities within one mile provide the greatest opportunity for trips be comfortably made by walking, but this is not to say that one mile is the maximum walking distance. Indeed, Manual for Roads and Bridges (DMRB) TD91/05 “Provision for Non-Motorised Users” states that: *‘Walking is used to access a wide variety of destinations including educational facilities, shops, and places of work, normally within a range of up to 2 miles.’*

9.40 Following relocation of the bus stops on Chesham Road, there would be bus services within 550m of the application site, which would offer a reasonable alternative to the private car. It is also to be noted that the new HertsLynx service, which the development could be served by, offers a convenient and cheap way of travelling into Berkhamsted and other parts of the Borough.

9.41 The Community Hub would reduce the need for residents to utilise their private motor vehicles in order to obtain basic essentials – e.g. milk, bread, tea, coffee etc – and offers the opportunity for social interaction on the development through aerobics and yoga classes, book club meetings etc. Should planning permission be granted, the legal agreement would require the delivery of the hub building as a priority.

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<sup>10</sup> Likely a Puffin Crossing but to be determined in the section 278 discussions with the Highway Authority.

<sup>11</sup> 80%.

9.42 In addition to the sustainability measures outlined above, the applicant's highway consultants<sup>12</sup> are exploring with Hertfordshire Highways the potential for widening the existing footway along Chesham Road further than currently proposed. The latest proposal is to widen the footway to 3m<sup>13</sup> which would result in the narrowing of the carriageway to around 6m. These discussions are ongoing and have not yet been finalised. A summary of the discussions to date is set out below:

- HCC Development Control section would in principle be supportive, but they would need to consult all sections requiring a Design Review Panel Process (DRP) due to the carriageway width reducing below standard for this road type.
- A range of required information was issued to HCC to allow the review to take place in mid-August.
- HCC confirmed that they do not require this additional footway widening, in their opinion the previously proposed footway widening and off-site highway works met their requirements which therefore forms the default position.
- They have not yet confirmed the outcome of the Design Review Panel Process, but a response is due soon.

9.43 Widening of the Chesham Road to 3m would provide sufficient space for a good-sized shared pedestrian / cycle path, further encouraging the use of sustainable means of transport. Although Hertfordshire Highways do not require these additional works, should the outcome of the DRP be positive and the go-ahead given by Highways, then it would be open to Members to require these works should they deem them necessary to make the development acceptable in sustainability terms. Further updates will be provided on this point in due course, which would, if these additional measures were agreed and secured, maximise sustainability measures and therefore should be given further weight.

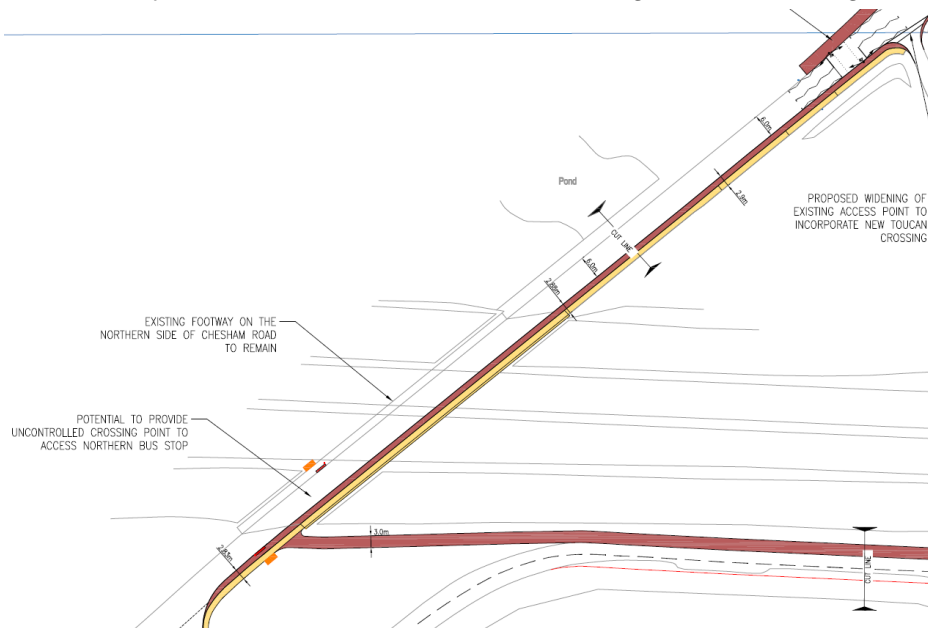


Figure 3: Proposed Additional Upgraded (yet to be agreed by HCC)

9.44 In forming a view with regard to the sustainability credentials of the site, it is important to bear in mind the site's current lawful use as commercial premises. While it is true that it is under-occupied at the moment due to the need for significant investment / redevelopment, when / if in full operation the emissions produced from commercial vehicular movements

<sup>12</sup> EAS.

<sup>13</sup> 2 – 2.4m is currently proposed.



and private vehicles<sup>14</sup> would arguably be more harmful from an environmental perspective than those arising from the residential use of the site. Indeed, as outlined in a later section of this report, it is estimated that a change of use from a commercial to residential use would result in a daily reduction of 274 vehicular movements.

9.45 In the context of an edge of settlement location, it is considered that the application site would, following implementation of off-site highway works and provision of the suite of sustainability measures outlined above, maximise the opportunities for accessing local services and facilities other than by private car.

9.46 Furthermore, the site already constitutes previously developed land (PDL), and as such, has trip generation associated with it.

9.47 In light of the above it is considered that the proposed development would be in partial compliance with Policy CS1 of the Dacorum Core Strategy. Accordingly, there would be a degree of harm arising as a result of the location. This harm is considered to be moderate and would need to be weighed against all the other benefits of the proposal.

### **Green Belt Considerations**

9.48 The application site is located within the Green Belt where there is a presumption against the construction of new buildings unless they fall within a specified category within paragraph 154 of the NPPF.

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

9.50 The proposed development would result in the construction of new buildings and therefore it needs to be determined whether this would represent inappropriate development in the Green Belt.

9.51 Paragraph 154 (g) gives one of the exceptions to inappropriate development as being:

*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*

9.52 The new development must therefore be shown to have no greater an impact on the openness of the Green Belt than the existing development, or to not cause substantial harm to the openness of the Green Belt where the development would reuse previously developed land and contribute to meeting an identified affordable housing need.

### **Whether Inappropriate Development**

#### *Previously Developed Land*

9.53 The Glossary to the Framework defines PDL as:

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<sup>14</sup> Given the lack of catering facilities on-site, it is not unreasonable to assume that staff would often drive into Berkhamsted to get lunch.

*'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*

9.54 Case law<sup>15</sup> has established that the extent of previously developed land is determined with reference to the curtilage of buildings.

9.55 The northern half of the site contains the majority of built form, and it is to be noted that the fields to the north comprise of land associated with the equestrian centre granted planning permission by application 4/01070/09/FUL.

9.56 Bearing in mind the disqualification of agricultural buildings and land within their curtilage as previously developed land, it is important at this stage to distinguish between the use of land for the grazing of horses and horses being kept on the land, the former comprising of an agricultural use and the latter comprising of an equestrian use.

9.57 Of relevance in this regard is the case of *Sykes v Secretary of State for the Environment* [1981], where it was held that land used for grazing non-agricultural horses would fall within the meaning of 'use of land as grazing land', for unlike the words 'breeding and keeping of livestock', there is nothing within the section 336 definition of agriculture which requires the animals to be used for the purposes of farming. It was also established that if horses are being kept on the land and 'being fed wholly or primarily by some other means so that that such grazing as they do was completely incidental and perhaps achieved because there was no convenient way of stopping then doing it', then the land would not be being used for grazing and, by extension, not in an agricultural use.

9.58 By way of background, the 'Proposal' section of the officer report in respect of 4/01070/09/FUL, stated that:

*The proposal seeks full planning permission for the construction of a single storey stable block and an exercise arena. The stable block will consist of 24 stables modelled on a rectangle foot-print, which would create a courtyard type complex. The building will also include a tack room, feed and bedding storage and ancillary office. The siting of the stable block will require the removal of an existing large agricultural barn, which currently rises to a height of 7.8 metres. The proposal also includes the provision of an exercise arena to the southeast of the stable block having an area of about 1500 sq ms. This exercise arena will introduce soft landscaping to the external boundaries being the southern and eastern boundaries.*

*The proposal primarily relates to the applicants financial need to diversify the operations of the farm by incorporating a livery enterprise comprises of seventeen owners with 24 horses in total. The agents have noted that the farming enterprise is not sustainable in profit and livelihood terms. Two years ago it achieved a profit of £8000 and one year ago the farm made a £4000 loss. In order to financially support the farming operation the applicant needs to maintain the income from the diversification comprising the livery yard. The annual income from the livery enterprise is £28,000, before the deduction of costs such as hay and feed which is provided by the applicant, and any labour charges. The agents conclude that the*

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<sup>15</sup> 9 R (oao Lee Valley Regional Park Authority) v Broxbourne BC [2015] EWHC 185 (Admin)

*livery operation income is essential to the farming enterprise and without it the farming would be unviable.*

9.59 It is clear, therefore, that the equestrian centre comprised<sup>16</sup> of a commercial equestrian use and thus any land within its curtilage would fall to be considered as previously developed.

9.60 The Hiley judgement<sup>17</sup> established that the correct approach in determining curtilage is that set out by the Court of Appeal in the decision of R (Hampshire County Council) v Secretary of State for Environment, Food and Rural Affairs [2022]; namely, for 'one hereditament to fall within the curtilage of another, the former must be so intimately associated with the latter as to lead to the conclusion that the former in truth forms part and parcel of the latter'.

9.61 The curtilage of the building to be ascertained is the stable building in the heart of the Haresfoot Farm complex.

9.62 The curtilage of the building to be ascertained is the stable building in the heart of the Haresfoot Farm complex.

9.63 The plan submitted in support of the historic application<sup>18</sup> (see Figure 3) indicated that the land to the north and north-east of the stable was to be used for grazing, which is confirmed in the officer report, where it is stated that 'there is more than sufficient grazing land available at the farm for the horses which will be stabled.'

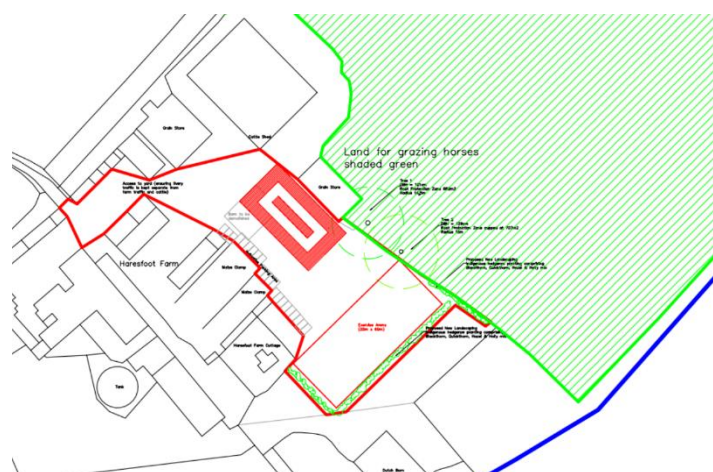


Figure 3: Grazing land associated with historic planning application

9.64 In addition to stabling and feed storage, facilities at livery yards typically include access to grazing. In this instance, the ability of horses to be safely led to the grazing field and, from there, the bridledways beyond with limited interaction with large and potentially dangerous machinery, would have undoubtedly been a key consideration when a decision was as to the final location of the equestrian centre and. It is considered that, by virtue of its proximity to the field and its intimate association in land use terms, the curtilage of the equestrian centre extends to the fields to the north of the northern quadrant of the site and, accordingly, constitute previously developed land.

9.65 There are a number of other buildings in the northern part of the site that were formerly in an agricultural use, but which have been let out to other companies as part of an ongoing

<sup>16</sup> The use has recently ceased, though all associated buildings and infrastructure remain in place.

<sup>17</sup> Hiley v Secretary of State for Levelling Up, Housing and Communities & Anor [2022]

<sup>18</sup> 4/01070/09/FUL.

process of farm diversification. It is accepted by Officers that these buildings are now in lawful non-agricultural use.

9.66 The southern part of the site contains three buildings (Buildings 7, 8 and Temp Building 1), only one of which is lawful.

9.67 Building 7 comprises of a metal framed structure erected by the previous owners of the site and held by the inspector appointed to deal with the enforcement notice appeal as inappropriate development. The terms of the partially upheld enforcement notice require its demolition. It is understood that an attempt was made by the applicants to decommission the building; however, this took place at a time of high rainfall when the ground was insufficiently firm to support the requisite heavy machinery.

9.68 As regards Building 8, it was accepted at the appeal that it was granted planning permission in 1998<sup>19</sup> as a barn for agricultural purposes with three open sides clad in dark stained Yorkshire boarding and a half clad north eastern elevation with profiled metal sheeting painted dark grey. In considering the appeal against the enforcement notice to remove the building in June 2021 (APP/A1910/C/20/3249358), the Inspector noted:

*“46...It also appears that the frame is original, albeit modified in this way. I therefore see no reason to doubt the appellants’ claim that this part of the building has been in place for more than 4 years. Although it has now been re-clad, this work was carried out after the issue of the enforcement notice and whether planning permission for this cladding should be granted is not within the remit of this appeal.*

*47. ... I consider that although it has had its original cladding removed, the frame is original; and, on its own, does not constitute a new building. The appeal on ground (d) in respect of it consequently succeeds and the requirement to demolish this section of it will be removed from the notice. It should however be noted that, should it be considered expedient, that Council might nevertheless be able to take enforcement action against the addition of the external cladding.”*

9.69 Planning permission<sup>20</sup> for retention of the external alterations to Building 8 and its change of use to the storage, salvage, re-purposing and recycling of scenery and props associated with the entertainment industry was granted 28th March 2022. Therefore, Building 8 and any land within its curtilage constitutes previously developed land.

9.70 In terms of Temp Building 1, planning permission<sup>21</sup> was granted on 23rd February 2022 for its retention for the storage of items associated the entertainment industry for a period of 12 months. This building has not been removed within the required time and is unlawful. Consequently, it does not represent previously developed land.

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<sup>19</sup> 4/00404/98/FUL

<sup>20</sup> 21/04629/FUL

<sup>21</sup> 21/03848/FUL



*Photo 1: The Manege, Temp Building 1, steel frame of Building 7, and Building 8*

9.71 A manège associated with the stable building is located to the north of Building 7. For similar reasons to those outlined above in respect of the fields set aside for grazing, it is considered to be part and parcel of the stable building and thus within its curtilage. It follows that it constitutes previously developed land.

9.72 Unlike the previous application, no non-PDL parts of the southern half of the site are proposed to be developed. Drawing no. 23-J4356 – 1005<sup>22</sup> shows the relationship between the existing and proposed development, and confirms that new development is confined to the footprint of existing lawful buildings and / or their respective curtilages.

*Whether Greater Impact on Openness / Substantial Harm to Openness of Green Belt*

9.73 It is acknowledged that a lesser test (i.e. that there be no substantial harm to the openness of the Green Belt) is pertinent where a proposal would contribute to meeting an identified need for affordable housing need.

9.74 The application proposes that 40%<sup>23</sup> of the units would be affordable:

Tenure Type	Number of Units per Tenure	Percentage per Tenure
Dacorum Affordable Rent <sup>24</sup>	12	50%
Shared Ownership	12	50%

*Table 1: Affordable Housing Tenures and Quantity*

9.75 Evidence of housing need in the area is provided in the South West Hertfordshire Local Housing Needs Assessment (September 2020), with Chapter 5 of this document showing that there remains a very substantial need for affordable housing in Dacorum.

9.76 The Affordable Rents in Dacorum report produced by Justin Gardener Consulting (May 2022) builds upon the analysis in the South West Hertfordshire Local Housing Needs Assessment and indicates that the borough is in great need of genuinely affordable rent (i.e. rents capped at 60% of market) due to the acute affordability crisis in the Borough and disparity between income and rent/house prices.

9.77 When based on income alone, it is clear that only a small proportion of households unable to afford market rents would be able to afford an affordable rent (at 80% of market

<sup>22</sup> Proposed Site Layout & Existing Overlay

<sup>23</sup> 24 units out of 59.

<sup>24</sup> Capped at 60% of market.

rent) at current costs without the need to claim benefits (or where it would be assumed they are spending too high a proportion of their income on housing costs).

9.78 Current local and national planning policy does not require affordable rented properties to be offered at less than 80% of market rent. Therefore, it is considered that the provision of 12 affordable rented properties at 60% of market rent would meet an identified need for affordable housing in the area and thus engage the less stringent requirement of paragraph 154 (g) – i.e. development must not cause substantial harm.

9.79 Substantial harm is a high bar and thus when the second limb of 154 (g) is engaged, a considerable level of harm<sup>25</sup> to the Green Belt can be caused without it constituting inappropriate development. Decisions as to whether substantial harm would occur ultimately fall to be matters of planning judgement.

*Whether Substantial Harm to Openness:*

9.80 Paragraph 142 of the NPPF states that ‘the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.’

9.81 In *Turner v Secretary of State for Communities and Local Government* EWCA Civ 466 [2016], the Court of Appeal held that:

‘The concept of ‘openness of the Green Belt’ is not narrowly limited to the volumetric approach suggested by [counsel]. The word ‘openness’ is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs ... and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.’

9.82 In terms of the factors which can be taken into account when considering the potential impact of development on the openness of the Green Belt, the National Planning Practice Guidance (NPPG), drawing on principles established by the courts in site-specific circumstances, identifies a number of matters which may need to be taken into account when forming a judgement. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

9.83 The *Turner* case (referred to above) also gives useful guidance in terms of the synergy between spatial and visual impacts:

*‘The openness of the Green Belt has a spatial aspect as well as a visual aspect, and the absence of visual intrusion does not mean that there is no impact on the openness of the Green Belt as a result of the location of a new or materially larger building there.’*

9.84 In forming a view as to whether the proposed development would cause substantial harm to the openness of the Green Belt, it is relevant to consider the current situation.

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<sup>25</sup> Although it must still be less than substantial harm.

9.85 The Planning Statement provides a useful comparison between the existing and proposed development on the site and has been reproduced below for ease of reference.

Attribute	Existing	Proposed	Difference	Change
Footprint (m <sup>2</sup> )	8,150	6,241	-1,909	-23.42%
Hardstanding	17,131 <sup>26</sup>	10,025	-7,106	-41.48%
Volume (m <sup>3</sup> )	47,851	29,850	-18,001	-37.62%
Green Space (m <sup>2</sup> )	40,385	56,818	+16,433	+40.69%

*Table 2: Green Belt Calculations*

9.86 In summary, in quantitative terms, the proposed development would result in a substantial reduction in footprint, hardstanding and volume.

9.87 The existing commercial / industrial buildings occupying the northern part of the site are, in general, large, bulky and utilitarian. In the case of buildings 3, 4 and 5, these extend along the south-western side of the site for some distance and form a single mass of development with limited spacing between them. These buildings have heights in the region of 6m – 7m. Building 2 occupies the northern corner of the site, in close proximity to PRoW 41, and has a maximum height of around 8m.

9.88 Brick buildings of a more traditional form and appearance (Units 1, 2, 3, 4 & 5) are located along the site frontage. Unit 3 is 1.5 storeys in height, while the remaining units are single-storey under clay tiled pitched roofs. Units 12-14 are accommodated within a traditional brick building that has a steeply pitched gable roof with a ridge height of 9.8m.

9.89 The heart of the complex is devoid of soft landscaping and comprises of a patchwork of hardstanding and haphazardly parked vehicles.

9.90 The openness of southern part of the site is reduced by the presence of Building 8, the design of which is large and bulky with limited articulation and blank facades, giving a strong impression of solidity. This is located in an isolated position and has a volume of 4,148m, a footprint of 575m<sup>2</sup> and a maximum height of 7.6m. To the north of Building 8 is an existing manège, which has an area of approximately 1,484m<sup>2</sup> and is separated from the boundary with Building 7 by a solid fence of approximately 2m in height.

9.91 The removal of the large, bulky and utilitarian buildings and their replacement with a number of smaller, articulated buildings would open up views across the site.

9.92 When viewed from White Hill, instead of the unbroken elevations of Buildings 3, 4 and 5, gaps would be created between the rows of dwellings, resulting in a greater sense of openness. There would be similar visual improvements from other perspectives, too; in particular along the site frontage, from within the SANG and from farther afield.

9.93 The southern elevation of Building 8 represents the outer limit of built form on the site and it is to be noted that new development would stop short of this. As such, there would be a reduction in encroachment into the countryside to the south. This does, however, need to be tempered by the introduction of the hub building and Plot 30.

9.94 Paragraph 154 (g) of the NPPF requires that development which contributes to meeting an identified affordable housing need in the area of the local planning authority does not cause substantial harm to the openness of the Green Belt. In this instance it is considered that – far from causing harm to openness – the proposal would result in a development which is considerably more open than the current situation.

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<sup>26</sup> The areas of existing hardstanding referred to in the table above include those required to be removed as part of the Enforcement Notice. Discounting these areas gives an overall figure of 15,585m<sup>2</sup>. Taking this into account, there would be a reduction of 35.67%.

## Quality of Development / Character and Appearance

### *Design*

9.95 As with the previous application, the design approach has been dictated by the rural landscape and the need for development to be sympathetic to its surroundings. As such, the concept of breaking the site up into a number of character areas was agreed as a suitable approach.

9.96 The Farmstead Edge character area seeks to emulate the largely unbroken line formed by the current historic farm buildings. Plots 3 and 59 flank the entrance and are modern interpretations of the existing white building to the right of the access. Materials are to comprise of white and natural coloured brick with heights ranging from 1.75 to 2.5 storeys. The entrances to the dwellings will be along the site edge – looking out toward the public footpath and future SANG. It is considered that the design and recreation of the existing farmstead frontage has been done to a high-standard, sensitively reflecting the strong characteristics of the historic farmstead charm. The design of plots 1-3 and 59-56 embeds the development in the local character and forms a scheme that has evolved from the historic usage and character.

9.97 The vision states that the development will incorporate characteristics of a farmstead, responding to local character, that feels like a natural evolution, framing what could be a potentially high-quality development. Overall, the approach to character across the site is a positive one, and the strategy is welcomed, reflecting the local context and architectural character. Similarly, the design principles represent the historic farmsteads characteristics and distinctive features. It is rare to see a development of this scale include character areas, however the scheme includes a comprehensive approach to character which is welcomed, generating a high-quality scheme.



Figure 4: Character Areas

### *Layout*

9.98 Whilst the number of units has decreased compared with the previous scheme, the layout remains largely unchanged and is still considered to be high-quality from a design



perspective, with the approach to the east-west landscape corridor in the south of the site being a major asset to the scheme that creates a unique environment that will be distinctive.

9.99 Parking has been carefully considered and sympathetically sited in courtyards to avoid cluttered streets.

#### *Density*

9.100 The development would be built at a density of approximately 8.8 dwellings per hectare – as compared with 11.8 dwellings per on the previous application. Given the site context and local character, this level of density is considered to be acceptable.

#### *Amenity Space*

9.101 In accordance with Appendix 3 of the Dacorum Local Plan, private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m, and that a range of garden sizes should ideally be provided to cater for different family compositions, ages and interests. A reduced rear garden depth may be acceptable for small starter homes, homes for the elderly and development backing onto or in close proximity, to open land, public open space or other amenity land.

9.102 Drawing no. 23-J4356-1009 (Private and Communal Amenity Plan) indicates the garden areas demised to the respective dwellings. Whilst there are examples of dwellings with garden depths marginally less than 11.5m, the site is exceptionally located in so far as public amenity space is concerned, being stone's throw from the future SANG and the considerable public open space on the site itself.

#### *Noise*

9.103 Planning Policy Guidance 24 (PPG24) guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. PPG24 has, however, now been cancelled and superseded by the NPPF, and whereas PPG24 included a sequential test and Noise Exposure Categories, the NPPF is less prescriptive:

9.104 Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

*e) Preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.*

9.105 Furthermore, Paragraph 191 of the NPPF states that:

*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*a) Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions – and avoid noise giving rise to significant adverse impacts on health and quality of life.*

9.106 An Acoustic Assessment and noise survey undertaken by Cass Allen identified that average noise levels, maximum noise levels and background noise levels across the site are

dictated by road traffic on the A41 - located approximately 280m from the northernmost corner of the site.

9.107 As regards internal noise levels, the report advises that, subject to the installation of suitable glazing and ventilation systems, acceptable internal noise levels will be achievable.

9.108 The Acoustic Assessment states at paragraph 5.24: *'The noise survey results indicate that noise levels in the majority of external amenity areas are predicted to generally achieve the BS8233 recommended levels.'* before going on to conclude, in paragraph 5.26, that the *'exceedance is anticipated to be below the level at which it would become perceptible under normal conditions (i.e. outside of a dedicated listening room) and is therefore considered negligible in practice'*.

9.109 Consideration is also given to the fact that the development of the SANG will require the construction of an acoustic fence, which will further attenuate sound levels.

9.110 In line with the conclusions of the report in respect of the previous (refused) application, officers remain of the view that the inclusion of an appropriately worded planning condition would address matters of noise. The suggested wording of the condition is set out below for ease of reference:

***No development above slab level shall take place until a scheme for sound insulation has been submitted to and approved by the Local Planning Authority demonstrating the means by which internal noise levels presented in Table 4 of BS8233:2014 will be achieved. Noise levels within private external amenity spaces should be designed to not exceed 55 dB LAeq,T wherever practical. Where noise levels are anticipated to exceed this value then the development should be designed to achieve the lowest practicable levels in those private external amenity spaces.***

### **Impact on Amenity of Neighbours**

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

9.112 The dwelling most likely to be affected by the development is Haresfoot Farm House. However, the relationship between this dwelling and Plot 1 is such that there would be no significant adverse effects, with overlooking being somewhat oblique and there being no direct visual intrusion. Indeed, it is considered that the removal of the large industrial / commercial buildings adjacent to the boundary of the curtilage would, in fact, result in improvements to amenity.

9.113 There are no other dwellings close enough to the site to be directly affected. Considering off-site impacts to amenity arising from, for example, traffic travelling along White Hill, it is instructive to note that the Transport Assessment predicts an overall reduction in vehicles entering and leaving the site.

9.114 Taking all of the above into account, it is considered that the development would accord with Policy CS12 of the Dacorum Core Strategy.

### **Impact on Landscape Character**

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

9.116 The site lies within the Landscape Character area of Ashlyns and Wigginton Plateau (Area 110), which is described as a gently undulating plateau, characterized by open farmland and punctuated by mixed woodland. Land use in the area is primarily pasture and secondarily arable. Buildings and uses are noted as isolated eyesores in this area. The historic parklands of Ashlyns Hall, Haresfoot, Rossway and Champneys are noted as important features of the landscape character of the area with the Cedars and Wellingtonias a visually dominant element of the skyline.

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

- promote the survey, retention and restoration of the historic parklands, including Ashlyns, Haresfoot, Rossway and Champneys through a range of initiatives; including; tree planting including parkland exotics (where over mature);
- encouragement to reverse arable to pasture and use of traditional metal estate fencing. Restoration of structures should be historically accurate;
- support a strategy to limit built development within the area or the impact of development that may affect the area from outside;
- conserve and enhance the distinctive character of settlements and individual buildings by promoting the conservation of important buildings and high standards of new building or alterations to existing properties, all with the consistent use of locally traditional materials and designed to reflect the traditional character of the area.

9.118 The application has been supported by a Landscape and Visual Appraisal (LVA) which assessed the likely landscape and visual effects of the development. The LVA establishes the baseline and provides comment on the nature of the changes and whether they will be significant in the determination of the application.

9.119 It is important to note that the Guidance for Landscape and Visual Impact Assessment, third edition (GLVIA 3) does not require an assessment of harm. Instead, it simply refers to whether a particular effect would or would not be significant. Judgements as to levels of harm, if any, are planning judgements.

9.120 Based upon a Zone of Theoretical Visibility (ZTV), photography has been undertaken to illustrate single vantage points. The limited visual envelope of the proposed development is such that the locations from which the new dwellings will be experienced relate to those where the existing development is already visible.

9.121 A degree of visual change is anticipated for people walking on footpath 41/42, people using Bridleway 36 south east of the Larches, people travelling along White Hill, and future users of the SANG. Importantly, however, the development does not introduce development into a hitherto undeveloped landscape; rather, it would replace large, utilitarian commercial buildings with smaller built components that are set within a landscape setting which will filter views, eventually reducing the visibility of the development from local roads and footpaths. Overall, however, the visual impact of this scheme would be less than that previously considered by Members (owing to the reduction in quantum).

9.122 Landscaping proposed within the nearby Haresfoot SANG would further soften the residential development. Given that the SANG is linked to the Grange Farm application<sup>27</sup> which will shortly be granted planning permission, there is a high degree of certainty that the SANG works will be implemented. Even if the SANG was not ultimately implemented, the

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<sup>27</sup> 23/02034/MFA.

considerable landscaping proposed within the development itself would mitigate any significant impacts.

9.123 In summary, following maturation of the areas of landscaping proposed as part of the development, it is not considered that there would be any significant adverse impacts on the landscape character of the area.

### **Loss of Employment Generating Uses**

9.124 The site currently hosts a number of storage and light industrial units. Saved Policy 34 of the Dacorum Local Plan states that established employment sites in the Green Belt 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.

9.125 Paragraphs 88 and 89 of the NPPF are supportive of the growth and expansion of all types of business in rural areas and acknowledge that sites to meet the needs of local business may be located adjacent to or beyond existing settlements, including locations that are not well served by public transport.

9.126 As outlined in comments from Strategic Planning at pre-application stage, there is a shortage of industrial space in both Dacorum and South West Hertfordshire as a whole, with very limited opportunities for new industrial development. This deficit includes small and medium sized units.

9.127 While it is appreciated that a number of the newer units on the site are restricted to the storage, salvage, re-purposing and recycling of scenery and props associated with the entertainment industry within use classes B8 and E(g), a relaxation of the use requirements is likely to be looked at positively given the shortage of light industrial space within the Borough. However, regard does need to be had to the specific site circumstances.

9.128 A report prepared by Lambert Smith Hampton and submitted in support of this application outlines the suitability of the site for employment uses and the utility of the existing units located on the site.

9.129 According to the report, 17 of the 23 separate units are vacant. The use of Buildings 2 – 8 are limited to the storage, salvage, repurposing and recycling of scenery and props associated with the entertainment industry within use classes B8 and E(g) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. This use was specific to the former owner of the site and is restrictive and likely to be wholly unsatisfactory for occupiers seeking unencumbered E, B2 or B8 uses.

9.130 The report considers whether the site could be re-purposed for use as a functional film studio. A requirement for a functional studio is no less than two 20,000 sq ft sound stages and ancillary accommodation, the latter of which can be split into set and prop storage, although both must be in close proximity to the sound stages. There is less of a need for costume and make up facilities to be in close proximity to the sound stage, but they do nonetheless need to be accommodated. The report goes on to advise that:

*There is clearly no demand for the accommodation at Haresfoot Farm from these occupiers – the units are too small and piecemeal, whilst the internal eaves heights fall below the ideal minimums required by these end users. The buildings are in a state of disrepair, there are no facilities on site such as toilets, office, kitchens and workshop space.*

*Furthermore, there has been a significant uplift in the amount of dedicated, purpose-built film studio sites including the likes of Sky Studio, Warner Brothers Watford, Pinewood and Sunset Studios. These facilities more than meet market demand levels, whilst coupled with the recent Writers and Actors strikes, has stunted current demand and led to a saturation of supply.'*

9.131 Lambert Smith Hampton have also provided commentary and analysis in terms of the potential for the site to be used for general commercial purposes. Key points have been set out below for ease of reference:

- At 42.2m sq ft, UK-wide take-up of commercial space in 2023 was the lowest annual total since 2017.
- Interest in commercial premises is focused on the quality end of the market, Grade A space accounting for approximately 70% of total take-up in 2023.
- The underlying make-up of supply has shifted following an increase in speculative development, with new and refurbished space accounting for 67% of total supply.
- Within Dacorum there is a good supply of higher quality commercial units than those found at Haresfoot Farm. The new units are purpose built and provide basic amenities such as toilets, kitchens, office content and are located in established employment locations with better road access and nearby services.

9.132 The report goes into considerable detail regarding the latter in assessing the suitability of the respective buildings for commercial use. The buildings are described as *'a mis-match of previous agricultural buildings and ancillary storage uses which have been added to and expanded over time'* and therefore considered to be *'wholly unsuited to modern occupational standards insofar as they do not provide any office content or key facilities such as WC provisions, welfare, kitchens/kitchenettes or changing facilities.'* Consideration is also given to the available areas of yard space, it being noted that some of the hardstanding is unlawful and subject to an Enforcement Notice, rendering the servicing space unacceptable to a significant proportion of prospective occupiers.

9.133 It is understood that Claridges Commercial were formally instructed to market the site in 2023 and although there was initial interest, this very quickly cooled, with feedback from prospective occupiers indicating the following issues:

- Poor location of site.
- Access for HGVs and larger vehicles is problematic.
- The units do not provide adequate amenities such as toilets and kitchens
- The units have inadequate service yards
- The units are inefficient
- The site lacks necessary nearby amenities
- Issues with lawful use.

9.134 In their current form and given the planning restrictions imposed on them, the buildings at Haresfoot Farm are unlikely to be attractive to the majority of occupiers. Coupled with the increase in high-quality, brand new, purpose-built accommodation in established industrial areas (such as Maylands Avenue) where there are a range of amenities nearby and the road network is sufficiently developed such that it can accommodate HGVs, it is clear that nothing short of full-scale re-development would suffice to make the site viable for commercial uses.

9.135 The above notwithstanding, it is acknowledged that eight of the units are currently occupied and would be deprived of commercial / storage space should re-development for

residential purposes proceed. It follows that this is a modest disbenefit of the scheme, although not sufficient, in the view of officers, to weigh in favour of a refusal on these grounds alone.

### **Highway Safety, Car Parking and Servicing**

9.136 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.

9.137 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.

### **Access**

9.138 The existing access to the site is to be altered to facilitate the residential development. The alterations are to comprise of a new bellmouth junction and the realignment and widening of the access, details of which are shown on drawing no. SK01 Rev. C<sup>28</sup>

9.139 Paragraphs 4.28 – 4.32 of the Transport Assessment prepared by EAS (dated June 2024) provide a list of road traffic accidents which have taken place in the vicinity of the site for the five-year period ending in 2022. It is to be noted that no accidents were recorded along White Hill, the closest being at the junction of White Hill and the A416. Other accidents were located even further from the site and would clearly have been unrelated to the application site access.

9.140 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

9.141 MfS illustrates the type of vehicles various carriageway widths can accommodate. Carriageway widths of 4.8 metres are sufficient to permit two cars to pass one another with relative ease and larger vehicles with care, while carriageway widths of 5.5m will allow cars and larger vehicles to pass with relative ease.

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<sup>28</sup> Found in Appendix E of the Transport Assessment dated June 2024.

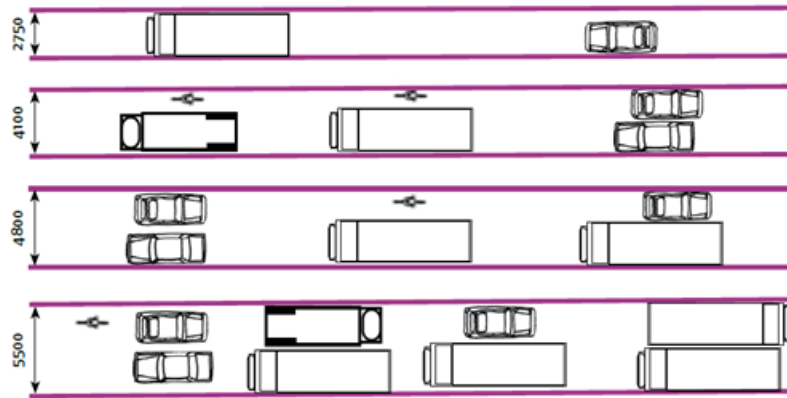


Figure 5: MfS Extract pertaining to carriageway widths

9.142 The proposed access road would measure approximately 5.5 metres and thus is considered to be commensurate with the anticipated level of traffic and nature of the vehicles likely to visit.

### Road Capacity

#### *General*

9.143 TRICS data has been used to predict the transport impacts of both the proposed and existing development. The TRICS database consists of a large amount of survey data, encompassing numerous developments throughout the country. TRICS will annually identify what datasets are lacking data, or data that is at risk of being out of date, and then look to find suitable sites they can survey. Transport consultants will set certain parameters – e.g. land use, location in relation to urban areas, tenure, unit numbers etc – and then use an average of the survey data in order to estimate the likely number of vehicular movements. Table 8.2 of the Transport Assessment sets out the expected number of vehicle movements in the morning and evening peaks (08:00 – 09:00 & 17:00 – 18:00) and between the hours of 07:00 – 19:00 for the proposed development. The data indicates that the combined development – i.e. 49 houses and 10 flats – would generate a total of 25 vehicle trips during the AM peak hour, 23 during the PM peak hour, and 214 over the day.

9.144 Paragraphs 8.11 – 8.18 compare the trip generation that would arise from the existing use of the site with the proposed residential use.

9.145 Figures stated in relation to the existing use have been adjusted to Passenger Car Units (PCU), which 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 cars.

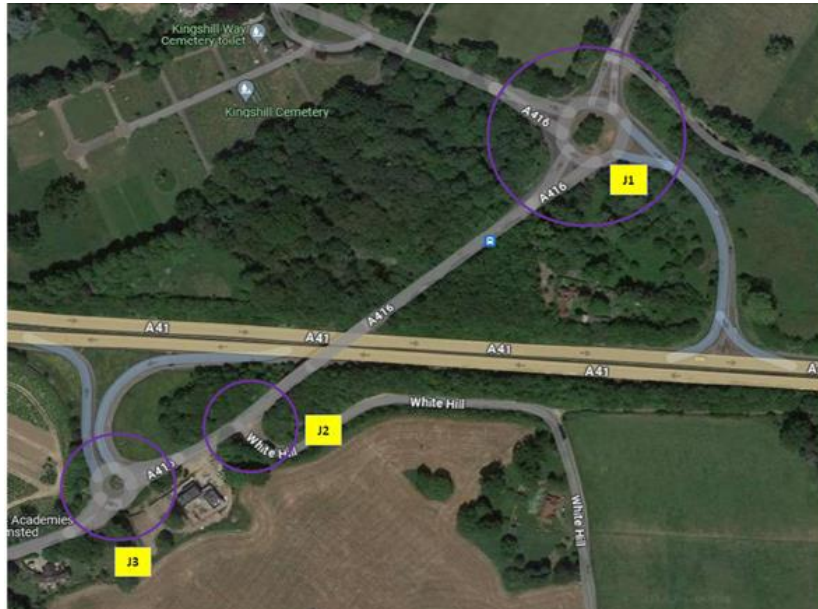
9.146 As the current land use will generate a significantly larger number of HGV movements than the proposed residential development, and as each HGV will individually have a greater impact than a single car, the use of PCUs is considered to be appropriate.

9.147 As per Table 8.6, when accounting for PCU values, the proposed development would be expected to reduce overall highway demand by a reduction of ~21 PCUs in the AM peak, ~30 in the PM peak and ~274 PCUs over the day as compared with the existing uses. This is a considerable improvement and results in a situation far more conducive to the prevailing

road conditions, such that no concerns are raised by officers in relation to the road capacity of White Hill between the site and the junction of the A416.

#### *A416 Priority Junction & Roundabouts*

9.148 Junction modelling over three scenarios<sup>29</sup> has taken place in respect of the A41 Roundabout (NE), the White Hill / A416 Priority Junction, and the A41 Roundabout (SW). The data indicates that the junctions are operating well within capacity and will continue to do so in all modelled scenarios.



*Figure 6: Junction Modelling Undertaken  
Whelpley Hill & Buckinghamshire Council Road Network*

9.149 Concerns have been raised by members of the public in relation to the potential traffic impact on the section of White Hill between the application site and the hamlet of Whelpley Hill, as well as Whelpley Hill itself.

9.150 White Hill to the south of the application site is predominantly single-track in width with limited passing spaces and flanked on either side by verges and tall, mature hedging, such that visibility and, by extension, speed is severely curtailed.

9.151 Given these constraints, it is entirely reasonable to assume that persons heading toward Whelpley Hill / Bovingdon would in most instances use the A416 / B4505 or A41 / A4251 / B4505 routes, for while these routes are longer in distance, travel times would be broadly similar and the respective journeys far less arduous.

9.152 A Technical Note providing further information in relation to trip distribution was provided by the transport consultants in respect of the previous application for 86 house, and is attached at Appendix P of the Transport Assessment submitted in support of this application.

9.153 The Technical Note advised that:

*'owing to the site's proximity to the A416 and the A41, it is found that very few car journeys are expected to route through Whelpley Hill. Overall, 6.7% of journeys to*

<sup>29</sup> 2023 Base Year Model, 2028 Growth Model & 2028 Growth + Development Model.



*work' would be expected to route through Whelpley Hill, with the remainder routing via the A41, A416 or Berkhamsted town.'*

9.154 It was estimated that the 86-unit scheme would have generated two car journeys through Whelpley Hill in both the AM and PM peak hours, or 17 vehicle movements between the hours of 07:00 – 19:00. The current scheme represents a reduction in unit numbers of approximately 31% and thus it is reasonable to conclude that the impact on Whelpley Hill will be even less.

9.155 The views of Buckinghamshire Council's Development Management Highways Team were sought in respect of this application given the relatively close proximity of the site to the county boundary. Their response is appended below:

*'Thank you for sending the attached consultation regarding the above application. This has been allocated to myself and I have the following comments:*

*Some development traffic will route onto Buckinghamshire's road network, in particular along the A416 Chesham Road, with a small amount also along White Hill/Whelpley Hill. Noting the previous application (ref: 24/00330/MFA) which was for a larger quantum of development, and considering the trips associated with the site's existing use which will be removed, the development impact on Buckinghamshire roads is minimal and does not give rise to any highway safety or network capacity concerns. The Highway Authority raises no objections.'*

#### *Cumulative Impact of Haresfoot SANG*

9.156 Members resolved to grant planning permission<sup>30</sup> for the change of use of agricultural land surrounding the application site to outdoor recreation with a view to it eventually becoming Suitable Alternative Natural Greenspace (SANG).

9.157 Following conclusion of the section 106 negotiations, planning permission has now been granted; and, as a result, it is correct to consider the interaction between traffic associated with the SANG and this development.

9.158 A letter was provided in relation to previous application to clarify the impact of the SANG in the vicinity of the proposed Haresfoot Farm development. This is attached at Appendix Q of the Transport Assessment submitted in support of this application.

9.159 The latter referred to the Transport Assessment submitted in support of the SANG, which stated that peak periods for SANG usage are likely occur during weekends and daytime hours on weekdays; that is to say, outside the peak AM and PM hours on weekdays (08:00 – 09:00 & 17:00 – 18:00). On this basis, the letter concluded that vehicle movements associated with the SANG would have *'minimal overlap with the expected vehicle movements generated by the proposed Haresfoot Farm residential scheme.'*

#### *Summary*

9.160 It is considered that the development would not result in highway capacity being exceeded; rather, it would represent a betterment when making a direct comparison between the existing and proposed land uses and quantum. In forming this view, regard has been had to the robust and substantial quantitative evidence provided by the applicant and the expert views of the Highway Authority.

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<sup>30</sup> 23/02508/MFA.

## Offsite Highway Works

9.161 The following off-site highway works are proposed:

- Installation of footway along White Hill, leading onto existing footways on A416, in addition to a series of traffic calming carriageway alternate priorities and street lighting.
- Widened footways along A416 and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled crossings prior to A416/Chesham Road roundabout, allowing crossing to west side of A416.
- Relocation of bus stops to within 550m walk of proposed development.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph along White Hill and A416 travelling north-east and south-west.

9.162 The site location plan submitted in support of this application does not include the land upon which the highway works are to be carried out. However, it is well established in planning law that Highways works outside of a red line boundary can be secured by way of a Grampian condition and the section 278 agreement with the Highway Authority. A Grampian condition is essentially a negatively worded condition that either prohibits development authorised by a planning permission or other aspects linked to the planning permission until a specified action – e.g. provision of supporting infrastructure – has been undertaken.

9.163 Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – i.e. prohibiting development authorised by the planning permission or other aspects linked to the planning permission (e.g. occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.

9.164 The Highway Authority have reviewed the proposed works and advised as follows:

*'Following a request from HCC as HA as part its pre-app discussions with the applicant, a Stage 1 Road Safety Audit and Designers Response was submitted as part of planning application ref. 24/00330/MFA. This is still relevant for the current application and is included in section 7 and appendix M of the TA. Following consideration of the audit results, designers response and feedback from HCC's Road Safety Audit Team, there would not be any objections to the proposed works at this stage from a safety perspective, subject to a full assessment as part of the 278 technical review and incorporation (and ultimately implementation) of all of the proposed amendments in the designer's response.*

*The applicant would need to submit the full Stage One Road Safety Audit and Designers Response as part of the 278 application. Please see the above conditions and informatives for more information in relation to applying for the 278.*

*The acceptability of the necessary works on Chesham Road / A416 would be subject to the aforementioned speed limit change from the national speed limit 60mph to 40mph. Any speed limit change in Hertfordshire is subject to approval from the Speed Management Group (SMG). Following submission of the necessary recorded vehicle speed survey data by the applicant (mean and 85<sup>th</sup> percentile speeds) and*

supporting information, the SMG has approved the recommended speed limit change and would not object to such a change and associated highway works. A copy of the full data is included in appendix K of the TA.'

9.165 It is noted that concerns have been raised by the occupiers of Redwoods in relation to the proposed traffic calming measures along White Hill and potential urbanisation of the lane. With regard to the former, the applicants commissioned EAS to undertake swept path analysis for a Land Rover and Ifor Williams trailer entering and exiting the respective accesses. The swept path analysis is reproduced below.



Figure 7: Swept Path Analysis for Redwoods Accesses

9.166 The manoeuvre into the southern access from the north would be tight, so it may be the case that the pedestrian path is narrowed slightly in this location to facilitate better manoeuvrability.

9.167 It is important to note that at this stage the works are merely indicative and full details would be provided to the Highway Authority at section 278 stage, where they would subject to a number of audits. The Highway Authority would not agree to any works which impede ingress and egress to an established access.

9.168 It is also anticipated that lighting will form part of the off-site highway works. This is confirmed at paragraphs 6.6, 6.49 and 7.32 of the Transport Assessment - set out below for ease of reference:

*'It is proposed that a continuous footway route would be installed (or improved) connecting all the way from the site to the Ashlyns secondary school and hence connections to existing infrastructure from then northwards all the way to Berkhamsted. Along White Hill, the proposed footway would have a series of associated street lighting which is currently absent.'*

*'Installation of footway provision along White Hill, leading onto existing footways on A416. In hand with a series of traffic calming carriageway alternate priorities and with a series of street lighting.'*

*'Designers response: Street lighting of White Hill has been discussed with the highway authority as part of a pre application process. It is proposed that street*

*lighting would be introduced along White Hill. This will benefit the above identified 'problem' as well as all user of the route.'*

9.169 Whilst it is acknowledged that the works in relation to White Hill would result in a degree of urbanisation; however, the following factors are considered to be of relevance:

- The crash barrier adjacent to A41 already urbanising factor, as will be the SANG car park, and therefore the road is not entirely devoid of urban features; indeed, these have been considered as acceptable.
- Approval of SANG ensures that the rural character of the area is largely retained for 80+ years.
- Traffic calming features can be sympathetically designed to help them integrate with the rural character of the area (as shown in the example below from Hertford).



*Photo 2: Example of Sympathetic Traffic Calming*

9.170 It is recommended that a condition requiring submission of a detailed scheme for the necessary off-site highway improvement works as indicated on drawing nos SK01 (Rev C), SK02, (Rev D) SK03 (Rev D), SK04 (Rev. B) and SK05 (Rev. B) be included with any grant of planning permission. This is to ensure that the works granted planning permission accord with those subsequently agreed at section 278 stage. A condition requiring implementation and completion of the highway works prior to first occupation of the development is also recommended for inclusion with any grant of planning permission.

### Car Parking

9.171 Policies CS8 and CS12 of the Dacorum Core Strategy seek to ensure that development provides sufficient and safe parking.

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

9.173 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.'*

9.174 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
4 bedrooms	Allocated	3.00
	Unallocated	2.40
5 bedrooms	Allocated	Case by case approach
	Unallocated	Case by case approach

9.175 Matters pertaining to parking provision fall within the remit of the local planning authority, although the Highway Authority may make specific comments where car parking would undermine sustainability objectives (by discouraging the utilisation of more sustainable means of travel), or where a shortfall may exacerbate local conditions to such a degree that the free flow of traffic or highway safety would be prejudiced.

9.176 Notwithstanding the proposed off-site highway works, it is not unreasonable to assume that the car would be the favoured travel option for a majority of residents.

9.177 To be considered de-facto parking for the purposes of the SPD, parking spaces are required to meet specified minimum dimensions. Paragraph 8.2 of the Dacorum Parking Standards SPD sets out the situation as follows:

*'The 'Roads in Hertfordshire: Highway Design Guide' focusses on the design aspects of roads and the streetscene in Hertfordshire. It advises on the dimensions and location requirements for parking bays and driveways. Guidance is in the process of being updated but until this new guidance is adopted the dimensions required for a standard parking space are 2.4m x 4.8m.'*

9.178 Hertfordshire County Council's *Place & Movement Planning and Design Guidance* was adopted by the County Council on 18<sup>th</sup> March 2024 and includes new guidance on standard parking spaces. A standard parking space should now have dimensions of 2.5m x 5m. This update acknowledges the trend of larger vehicle sizes and the issues this can cause in older car parks.

9.179 A total of 177 parking spaces are to be provided within the development, comprising of:

- 130 allocated parking spaces
- 17 unallocated parking spaces; and
- 30 visitor spaces.

9.180 The size and number of dwellings proposed gives rise to a parking requirement of 141 spaces. Excluding visitor spaces – which are additional where more than 50% of spaces are allocated – there would be a surplus of parking. Given the location of the site, there would not be an objection to a modest overprovision of parking.

#### *Visitor Parking*

9.181 The Parking Standards SPD identifies that no special provision need be made for visitor parking where at least half of parking provision associated with a development is unallocated. Where this is not the case, the car parking standard plus 20% is a requirement. On this basis, a total of 28 visitor spaces would be required. Since the site provides a total of 30 visitor spaces, no concerns are raised in this regard.

#### *Disabled Parking*

9.182 The Parking Standards SPD states that 5% of residential car parking spaces should be designated for use by disabled persons. It is important to note that this is 5% of total capacity, not additional. The total number of spaces to be provided in the development is 223; therefore, 11 disabled parking spaces would need to be provided in order for the development to be policy compliant.

9.183 Guidance on the dimensions of disabled car parking bays is provided in Traffic Advisory Leaflet 5/95:

*'Off-Street Parking -The dimensions of off-street parking bays should provide a rectangle at least 4800mm long by 2400mm wide for the vehicle, along with additional space as follows:*

*(a) where the bays are marked parallel to the access aisle and access is available from the side, an extra length of at least 1800mm (Figure 3), or*

*(b) where the bays are marked perpendicularly to the access aisle, an additional width of at least 1200mm along each side. Where bays are adjacent, space can be saved by using the 1200mm "side" area to serve the bays on both sides (Figure 4).'*

9.184 The parking standards SPD states that *'Any space not meeting this standard will not be taken into account when assessing whether the parking requirement has been met.'*

9.185 In accordance with the Parking Standards SPD, 5% of residential car parking spaces should be designated for use by disabled persons. It is important to note that this is 5% of total capacity, not additional. The total number of spaces to be provided in the development is 177; therefore, nine disabled parking spaces would need to be provided in order for the development to be policy compliant.

9.186 A disabled parking plan<sup>31</sup> has been submitted which shows a total of nine standard disabled parking spaces, all of which are located appropriately in relation to accessible dwellings within the development, one parallel bay and one space serving the hub building.

9.187 This arrangement is considered acceptable and would ensure that less able-bodied persons are appropriately catered for.

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<sup>31</sup> Drawing no. 23-J4356-1011



Figure 8: Location of Disabled Parking Spaces

### Electric Vehicle Charging

9.188 The EV charging provision requirements for planning purposes are set out in Table 1 on page 32 of the Parking Standards SPD, an extract of which has been provided below for ease of reference:

Land use	Provision	Type of Charger (minimum)	Power Supply
C3 Houses	1 per house active charging point	7kW Mode 2 with Type 2 connector	230v AC 32 Amp Single Phase dedicated supply
C3 Flats and other C3 uses	50% of all parking spaces to have active charging point, all remaining parking spaces to have passive provision. This assumes all the electric spaces are unallocated; if allocated, the Council will require a higher proportion of provision agreed on a case by case basis.	7kW Mode 2 with Type 2 connector  Feeder pillar or equivalent permitting future connection.	230v AC 32 Amp Single Phase dedicated supply

9.189 Full details of EV charging provision have not been provided; however, this is a detail that can be reserved by condition.

### Servicing Arrangements

#### *Refuse*

9.190 Appendix H of the Transport Assessment includes swept path analysis for a refuse freighter.

9.191 Four potential turning points are shown where a refuse freighter would be able to carry out the manoeuvres necessary to turn. This has been demonstrated with a freighter considerably larger than that used by Dacorum Waste Services as well as the closest match to the DBC freighter in the Autotrack database. In both cases it is noted that there would be sufficient space for manoeuvring.

#### *Fire*

9.192 Appendix I of the Transport Assessment includes swept path analysis for a fire tender and shows a number of potential turning points where the fire tender would be able to carry out the manoeuvres necessary to change direction. The specifications of the fire tender used do not accord with the tenders used by Hertfordshire Fire and Rescue. However, following discussions with the Highways Officer it has been confirmed that the difference between the tender used in the swept path and that used by Hertfordshire Fire and Rescue is not significant and thus would not unduly impact on its ability to manoeuvre within the site.

9.193 The Fire Safety Inspector at Hertfordshire Fire and Rescue has raised a query in relation to the distances of dwellings from the nearest stopping point for a fire tender. For some dwellings, this would be in excess of 45m and therefore give rise to a need for fire sprinklers. An appropriately worded condition requiring details of the sprinklers and their installation prior to occupation of the residential units.

### Social Infrastructure and Healthy Communities

9.194 Core Strategy Policy CS23 relates to the provision of social infrastructure within the Borough. The explanatory text of the policy outlines that this infrastructure includes education, health, community and leisure facilities. The policy states that new developments will be expected to contribute towards the provision of community infrastructure to support the development. In the case of larger developments, this could be in terms of the provision of land and/or buildings on site to accommodate required facilities or financial contributions towards off-site provision.

9.195 Paragraph 93 of the NPPF requires planning decisions to provide social, recreational and cultural facilities and services the community needs, including the provision and use of shared spaces such as open spaces.

9.196 Paragraph 92 (c) highlights explains that planning decisions should aim to achieve healthy, inclusive and safe places, which enable and support healthy lifestyles for example through the provision of safe and accessible green infrastructure, sports facilities, access to healthier food, allotments and layouts that encourage walking and cycling.

#### *Education*



9.197 Hertfordshire County Council as the Education Authority were consulted and have requested the following financial contributions:

- £632,263 contribution towards Secondary Education.
- £71,485 contribution towards Special Educational Needs and Disabilities (SEND)
- £11,125 contribution to Youth Services

9.198 These contributions meet the relevant tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and should be sought.

9.199 The applicant has confirmed their agreement to pay these contributions.

#### *Healthcare*

9.200 The Hertfordshire and West Essex Integrated Care Board (ICB) were consulted and have requested a financial contribution of £98,624.40 to expand the Manor Street surgery to accommodate the anticipated circa 141 new patient registrations which will result from the proposed development.

9.201 These contributions meet the relevant tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and should be sought.

9.202 The applicant has confirmed their agreement to pay these contributions.

#### *Open Space*

9.203 Saved Policy 76 of the Dacorum Local Plan explains that residential developments of over 25 dwellings will not be granted planning permission unless public leisure space is provided. This open land should be provided at a standard of 1.2 hectares per 1,000 population or 5% of the development area whichever is greater and should be useable, well located and purposefully designed.

9.204 Based on an estimated population of 2.4 persons per unit (i.e.  $2.4 \times 59 = \text{total } 142$ ), there would be a requirement for 0.1704 hectares of open space. However, the total development area (approximately 7.3 hectares) is such that 0.365 hectares of open space would be required.

9.205 The area of open space within the development comprises of parkland which wraps around the perimeter of the site as well as a green spine running north-east / south-west through the centre of the site, equating to some 5 hectares – far substantially receiving the policy requirement.

#### *Sports Provision*

9.206 Saved Appendix 6 of the Dacorum Local Plan provides further detail on requirements for open space and play provision. It requires the consideration of the National Playing Fields Association (NPFA) standards, now Fields in Trust (FIT), with a total of 2.8 hectares per 1,000 population; including: 1.6ha of adult/youth play (including pitches, 0.6ha for children's play over 5's, 0.2ha for under 5's and 0.4ha for additional leisure space.

9.207 Saved Policy 76 states, Major Developments will be required to contribute to other recreational needs of the development such as off-site provision of sports pitches or enhancements to other open spaces.

9.208 Sport England have not requested any contributions toward the off-site provision of sports pitches.

## Play Provision

9.209 In 2019, Dacorum commissioned and published several documents including: Open Space Standards Paper (OSSP) (2019); Playing Pitch Strategy and Action Plan (2019); and the Indoor Leisure Facilities Needs Assessment (2019) to provide an evidence base for the emerging Plan and provide direction to inform decisions on future strategic planning. The OSSP uses FIT standards for assessing current provision and existing deficits in the quality and quantity of play spaces and parks and gardens in the Borough. The *FIT: Guidance for Outdoor Sport and Play* (2020) also provides guidance on the recommended quantity of equipped/designated play space.

9.210 Table 2 of the FIT Guidance explains that LAPs should be provided for developments of 5-10 dwellings. Locally Equipped Areas of Play (LEAP) should also be provided for developments of 1-200 dwellings. Financial contributions towards improvement of an existing equipped/designated play space may be sought in lieu of on-site provision for larger scale play spaces, or where existing play space lies within the walking distance guideline of a proposed development.

**Table 2: Recommended Application of Quantity Benchmark Guidelines – Equipped/Designated Play Space**

Scale of Development	Local Area for Play (LAP)	Locally Equipped Area for Play (LEAP)	Neighbourhood Equipped Area for Play (NEAP)	Multi-Use Games Area (MUGA)
5-10 dwellings	✓			
10-200 dwellings	✓	✓		Contribution
201-500 dwellings	✓	✓	Contribution	✓
501+ dwellings	✓	✓	✓	✓

Figure 9: FIT Benchmark Guidelines

9.211 The recommended benchmark guidelines for the provision of play space are set out in Table 4.

**Table 4: Recommended minimum sizes – formal outdoor space**

Open space typology	Minimum sizes		Minimum dimensions	Buffer zones	
Playing pitches	<b>Association football</b>				
	Adult soccer	0.74ha	106 x 70 metres	-	
	Mini soccer U7/U8 pitch	0.14ha	43 x 33 metres	-	
	Mini soccer U9/U10 pitch	0.25ha	60 x 42 metres	-	
	<b>Rugby Union</b>		0.70ha	100 x 70 metres	-
	<b>Hockey</b>				
	Mini Hockey	0.31ha	65 x 48 metres	-	
	<b>Lacrosse</b>	0.66ha	100 x 60 metres	-	
	<b>Cricket</b>				
	Senior recreational 12 pitch	1.43ha	111.56 x 128.04 metres	-	
Other outdoor (non-pitch) sports	<b>Athletics</b>				
	6 lane track	1.51ha	172.03 x 87.64 metres	-	
	<b>Tennis courts</b>				
	1 recreational court	0.06ha	34.75 x 17.07 metres	-	
2 recreational courts	0.11ha	34.75 x 31.70 metres	-		
For each adjacent court	0.05ha	34.75 x 14.63 metres	-		
<b>Bowling greens</b>					
	Flat green	0.12ha	34.4 x 34.4 metres	-	
	Crown green	0.08ha	27.4 x 27.4 metres	-	
Equipped/designated play areas	<b>LAP</b>	0.01ha	10 x 10 metres (minimum activity zone of 100sqm)	5m min separation between activity zone and nearest property containing a dwelling	
	<b>LEAP</b>	0.04ha	20 x 20 metres (minimum activity zone of 400sqm)	20m min separation between activity zone and the habitable room façade of dwellings	
	<b>NEAP</b>	0.1ha	31.6 x 31.6 metres (minimum activity zone of 1,000sqm comprising an area for play equipment and structures & a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football))	30m min separation between activity zone and the boundary of the nearest property containing a dwelling	
Other outdoor provision (MUGAs and skateboard parks)	<b>MUGA</b>	0.1ha	40 x 20 metres	30m min separation between activity zone and the boundary of the nearest property containing a dwelling	

Figure 10: FIT Recommended Minimum Sizes

9.212 Based upon the size of the development, Local Area for Play (LAP) and a Locally Equipped Area for Play (LEAP) should be provided on site. LAPs should typically be 100m walking distance from dwellings and LEAPs within 400m.

9.213 An area of land to the south of the Hub Building as a LEAP, and three informal play areas are shown along the green spine; which, although not specified as such, could serve as LAPs. All are broadly within the 400m and 100m walking distances specified above. Full specifications of the LEAPs and LAPs are to be reserved by condition, and their ongoing maintenance secured through the section 106 agreement.

### **Other Material Planning Considerations**

#### *Affordable Housing*

9.214 Local planning policy requires 35% of the total number of units on sites of 10 or more dwellings to be affordable, as defined in the NPPF, equating to 20 units. In this case, however, the applicant is proposing that 40% of the total number of units be affordable, resulting in a total of 24 affordable units, which is welcomed given the acute shortage of affordable housing delivery in the Borough. Indeed, in terms of the number of affordable homes provided in Berkhamsted, the Council’s Strategic Planning and Infrastructure Team have confirmed that over the 10 year period from 2014/15 to 2023/24, a total of just 97, or approximately 10 per year, were provided.

Period	Address	Social Rent	Aff Rent	Int. Rent	S/O	Total
2022/23	Land At Junction Of Durrants Lane &, Shootersway, Berkhamsted		13			13
2021/22	Land At Junction Of Durrants Lane &, Shootersway, Berkhamsted		12		9	21
2019/20	9-11 & 13, High Street, Berkhamsted	12				12
2017/18	Land at Junction of Durrants Lane and Shootersway Berkhamsted	15				15
2016/17	Land at Junction of Durrants Lane and Shootersway Berkhamsted		9			9
2015/16	The Chilterns, Stoney Close, Northchurch	1				1
2015/16	Farm Place, Berkhamsted	26				26
		<b>54</b>	<b>34</b>	<b>0</b>	<b>9</b>	<b>97</b>

Table 2: Affordable Housing Completions in Berkhamsted / Northchurch for period 2014/15 – 2023/24

9.215 This naturally needs to be considered in the context of the considerable affordable housing need in Berkhamsted.

9.216 Whilst the Affordable Housing team have been unable to provide specific date around Berkhamsted due to it being a town, data has been provided in relation to the number of people on the Council’s housing list who bid on properties in Berkhamsted. As a quick overview the last advert for each property type had these amount of bids:

- 1 bed flat- 105
- 2 bed house- 87
- 3 Bed house- 91
- 4 bed-41

9.217 The provision of 24 affordable homes would equate to approximately 24.74% of the total number of homes provided in Berkhamsted over the last 10 years – a not insubstantial number, and would assist in addressing the acute shortage of affordable homes in the immediate area.

9.218 It is also relevant to have in mind that local and national planning policy do not require affordable rented properties to be offered at less than 80% of market rent. Therefore, it is considered that the provision of 12 affordable rented properties at 60% of market rent would provide an important and tangible contribution to affordable housing need in the Borough; a contribution which would result in genuinely affordable rental properties.

Tenure Type	Number of Units per Tenure	Percentage per Tenure
Dacorum Affordable Rent <sup>32</sup>	12	50%
Shared Ownership	12	50%

Table 3: Affordable Housing Tenures and Quantity

9.219 Shared ownership – as an affordable housing product aimed at home ownership also has an important role to play in providing an appropriate mix of tenures.

<sup>32</sup> Capped at 60% of market.

9.220 The provision of affordable housing and at a level above that required by policy, half of which would be genuinely affordable, is a substantial benefit of this scheme that weighs in favour of approval.

#### *Flood Risk and Drainage*

9.221 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.

9.222 The application has been supported by a site-specific Flood Risk Assessment (FRA) which identifies the site as being located within Flood Zone 1 for Rivers and Sea, nor modelled surface water floor scenarios up to a 0.1% annual probability and thus deemed to be at a very low risk of surface water flooding.

9.223 Advice from government is clear that the sequential test is not applicable to development in Flood Zone 1 unless there are flooding issues in the area of the development. There are no known issues and therefore a sequential test is not required.

9.224 Low infiltration rates mean that BRE 365 infiltration testing was unable to be carried out at any of the 7 testing locations, and therefore it has been established that the site is not suitable for surface level infiltration.

9.225 The proposed SuDS strategy comprises of 23 areas of permeable paving, a swale adjacent to the site entrance road to capture and attenuate run-off which will then be discharged by four deep bore soakaways, and a further three swales with depths of 0.75m – 1m which will discharge into the wetland area in the eastern part of the site prior to discharge to the deep bore soakaways.

9.226 The Lead Local Flood Authority (LLFA) have not responded to the consultation; however, given that the drainage strategy has not changed and the amount of hardstanding has reduced, no objections are anticipated and the conditions previously recommended are considered to be relevant.

9.227 In their previous response the LLFA noted that limited information had been provided in relation to the risk of dissolution features arising as a result of deep borehole soakaways and recommend that a suitably qualified geotechnical engineer is consulted to provide advice on subsidence. Dissolution features typically occur when water passes through soluble rocks and, in the process, creates voids and cavities.

9.228 Paragraph 180 (e) of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, *'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.'*

9.229 Thus, land stability is a legitimate matter which the local planning authority should carefully consider. In light of any further information in this regard and in order to ensure that the site is not undermined by land stability issues, it is recommended that a condition requiring additional geotechnical investigation takes place prior to any on-site development and, where appropriate, suitable mitigation put in place.

#### *Archaeology*

9.230 The application has been supported by an archaeological desk-based assessment prepared by Abrams Archaeology. Given that the farm was mapped in 1812, it concludes

that it is highly likely that it existed in the 18<sup>th</sup> century and has post-medieval origins. In addition, it also notes that the surviving pre-20<sup>th</sup> century building have some archaeological interest and may require historic recording.

9.231 The Historic Environment Advisor at the County Council has been consulted but no response has been received to date. However, the previous application was subject to review and it was advised that archaeological conditions should be included with any grant of planning permission. There are no cogent reasons to take a different approach in this instance.

### *Ecology*

9.232 The County Ecologist has reviewed the Ecological Impact Assessment and has confirmed that there are no ecological objections, subject to the inclusion of conditions and informatives.

9.233 The site is of no significant ecological interest owing to its current use as a complex of commercial buildings with a large amount of hardstanding and horse-grazed grassland.

9.234 A number of bat roosts have been identified within six buildings and would be lost were the development to go ahead. However, compensation is proposed to mitigate the impacts. A licence from Natural England would need to be obtained prior to demolition.

9.235 Wildlife enhancements are proposed in paragraph 5.35 of the Ecological Impact Assessment. These include, inter alia:

- Provision of new bat roosting opportunities – at least 22 purpose-built bat boxes (either Schwegler or Habibat) to be erected on mature trees or new builds.
- Provision of new bird nesting opportunities - least 22 nesting boxes to be provided in new / retained planting.

9.236 These will be secured by condition should planning permission be granted.

9.237 The application was submitted on 13<sup>th</sup> February and therefore subject to mandatory Biodiversity Net Gain. Biodiversity is proposed to be enhanced across the site by removing extensive areas of hardstanding and replacing it with landscaping and gardens.

9.238 The development would achieve a 21.47% increase in area Biodiversity Units and 313.32% increase in Hedgerow Biodiversity Units. It is important to note that BNG must meet a legal minimum of 10%. This must be achieved independently for each of the different habitat types (area, hedgerow or rivers – depending on which is included within the site and therefore calculation) which must individually meet that minimum. In this case, the minimum is markedly exceeded and it is submitted that this is a benefit which attracts very substantial weight in favour the development.

9.239 The County Ecologist has reviewed the Biodiversity Metric and confirmed that he is satisfied with the figures contained therein. Where substantial habitat creation would occur, it is a requirement that this is secured for a period of not less than 30 years. This will be secured by section 106 agreement should planning permission be granted.

### *Impact on Trees*

9.240 The Council's Trees and Woodlands Officer has been consulted and has no concerns or objections to the proposed development, stating that:

*'The revised tree survey is accurate and conforms with BS5837.*

*New documentation notes our previous comments that Ash trees should be removed prior to redevelopment, due to the presence and impact of Ash Dieback.*

*Further details of new tree planting in mitigation for proposed loss is required. AIA Section 6.11 states approx. 200 trees are to be planted with locations indicated pictorially (DAS section 5.4), but specific detail is required of proposed tree locations, species, planting sizes and maintenance regime.'*

9.241 The development would result in the loss of a number of trees, none of which are categorised in the arboricultural report as 'A' Category. A Category 'B' tree (Cedar T1) is scheduled for removal in order to facilitate the development. The tree is visible from the surrounding area and contributes to the character of the area. Consideration has been given as to whether pruning could be used to mitigate the impact of the tree on the proposed development. However, the report advises that Cedars do not respond well to pruning and therefore this would not be a viable way of addressing any post-development relationship. Although the loss of the tree is regrettable, given the substantial planting proposed as part of the application, it is considered that any harm would be mitigated.

9.242 Conditions requiring the implementation of tree protection measures and details of the new tree planting are recommended to be included with any grant of planning permission.

#### *Permitted Development Rights*

9.243 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."*

9.244 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.'*

9.245 In line with the guidance in the NPPG, careful consideration has been given to whether permitted development rights should be removed and, if so, the minimum level of restriction needed to ensure that the development is acceptable in planning terms. The following classes of permitted development are recommended for removal:

<b>Permitted Development Right</b>	<b>Sub Class</b>	<b>Plot Nos</b>	<b>Reason for Removal</b>
Schedule 2, Part 1, Class A	Single-storey rear extensions in excess of 3m	2	Plot 2 has a building line which extends forward Plot 1. This has the potential, through the exercise of larger householder extension permitted development rights, to result in unacceptable impacts on residential amenity - over and above that envisaged by central government. As such, this

			needs to be suitably controlled.
Schedule 2, Part 1, Class C	Front roof slopes	1 – 3, 30 – 39, 51 – 53 & 56 – 59	The provision of additional windows in the front roof slope would disrupt the attractive unbroken roof slopes, all of which would face the future SANG and thus be prominent from public vantage points.
Schedule 2, Part 1, Class E		3, 5, 32, 35, 36, 39, 54, 46, 59,	Gardens abut, or are in close proximity to, areas of public open space or strategic pathways and are not substantial size. Therefore, there is the potential for the unsympathetic siting of potentially large outbuildings that would erode the character of the estate.

### *Impact on Haresfoot SANG*

9.246 Planning permission has now been granted for a change of use of the adjoining land to outdoor recreation with a view to it eventually being designated as SANG. Given the change in the character of the land use, it is right (and material) to consider whether this would be prejudicial to the nascent SANG.

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

9.248 The relevant criterion which could be affected are set out below and shall be considered in turn:

- No unnatural intrusions (e.g. odour from sewage treatment works, noise from busy roads).
- There should be little intrusion of built structures such as dwellings, buildings, fencing (not constructed using natural materials), etc.

9.249 It is considered that the change of use from commercial to residential will result in benefits to the tranquillity of the area and the SANG. The existing commercial use of the site is not understood to be unduly noisy or to result in any other unnatural intrusions. If it were, the SANG application would not have been recommended for approval. However, it is submitted that the change of use would result in betterment – i.e. even less noise than there already is – and make the SANG more attractive to prospective visitors.

9. 250 In terms of the second point it is instructive to note that significant landscaping is indicated between the nearest dwellings and the SANG, which is in addition to the



landscaping already proposed within the SANG itself. Thus, the proposed development would result in a more robust green buffer that would be beneficial to future users of the SANG. Furthermore, only one dwelling<sup>33</sup> within the site could be argued to be close to the SANG boundary.

9.251 The amended scheme would result in a larger proportion of the development being located farther away from the SANG than the previous application, with most dwellings being located in excess of 30m from the boundary of the SANG. Thus, it is not considered that they would be perceived as a significant intrusion and prejudicial to the use of the surrounding land as SANG.

9.252 A secondary benefit relates to the reduction in scale of the individual buildings within the application site, the resultant effect of which would be buildings that are less visually dominant and, by extension, less likely to intrude upon the quiet enjoyment of the SANG

### Custom / Self Build Plots

9.253 The Self-Build and Custom Housebuilding Act 2015 places a duty on councils to keep a register of eligible individuals and associations who wish to self-build.

9.254 The Council's Strategic Planning team have provided information in respect of Custom and Self Build Housing supply and demand. This is set out below for ease of reference:

Base Period	Gross No. on register	No. formally registered	Queries but not removed from register	No. entrants removed / Blank Forms	No. declined	Net no. on register	Rolling period total	CIL Exempt. Delta returns)	Achieve Annual No.
Base period 1 (April 2016-30 October 2016)	19	18	0	1	0	18	18	22	4
Base period 2 (31 October 2016-30 October 2017)	36	35	2	1	0	35	53	55	20
Base period 3 (31 October 2017-30 October 2018)	27	26	0	1	0	26	79	42	16
Base period 4 (31 October 2018-30 October 2019)	22	20	0	2	0	20	99	39	19
Base period 5 (31 October 2019-30 October 2020)	34	32	6	1	1	32	131	30	-2
Base period 6 (31 October 2020-30 October 2021)	62	62	5	0	0	62	193	58	-4
Base period 7 (31 October 2021-30 October 2022)	16	16	2	0	0	16	209	18	2
Base period 8* (31 October 2022-30 October 2023)	11	11	0	0	0	11	220	15	4
	<b>227</b>	<b>220</b>	<b>15</b>	<b>6</b>	<b>1</b>	<b>220</b>		279	59

\* Base period 8 includes two associations (1x1 person and 1 x3 persons).

Figure 11: Custom and Self Build Plot Delivery

9.255 The data broadly show that the Councils is meeting the demand on the register if it fully takes into account all relevant CIL exemption data as a proxy for Custom and Self Build Housing plots. The only years showing a deficit are 19/20 and 20/21.

9.256 The above notwithstanding, the Planning Practice Guidance states that:

*'Local planning authorities should use the demand data from the registers in their area, supported as necessary by additional data from secondary sources (as outlined in the housing and economic development needs guidance), to understand and consider future need for this type of housing in their area. Secondary sources can*

<sup>33</sup> Plot 11.

*include data from building plot search websites, enquiries for building plots recorded by local estate agents and surveys of local residents. Demand assessment tools can also be utilised.'*

9.257 At present the Council is not utilising any data other than the CIL exemption forms to establish the level of demand for custom and self-build plots in the area. It is also noted that the Custom and Self-Build Register is not advertised anywhere other than the Council's website, and as such, there is an argument to say there could, in reality, be unmet demand.

9.258 There are two further relevant points of consideration in this regard:

- The supply should be reviewed over a rolling three year period and the calculation for the current year is yet to be undertaken.
- Even if the Council is currently meeting its duty to provide Custom and Self Build Plots, neither the saved policies of the Local Plan or the Core Strategy contain any policies that would enable the Council to secure new plots.

9.259 A total of two Custom / Self Build plots are proposed to be provided as part of this application. It is considered that the provision of Custom and Self Build plots is a benefit of the scheme.

#### *Fire Hydrants*

9.260 Hertfordshire Fire and Rescue have requested the provision of on-site fire hydrants. This is considered reasonable and it is therefore recommended that a condition requiring the provision of fire hydrants in the appropriate locations be included as part of any grant of planning permission.

#### *Agricultural Land*

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

9.262 Saved Policy 108 of the Dacorum Borough Local Plan (2004) seeks to protect the 'best and most versatile' (BMV) agricultural land<sup>34</sup>. The Agricultural Land Classification (East Region) map illustrates that the site is 'Good to Moderate' Grade 3 agricultural land. The land is not considered Grade 2 'Very Good' or Grade 1 'Excellent' in terms of its agricultural quality.

9.263 The majority of land within the redline boundary does not have an agricultural use, it being used for horse grazing associated with the commercial equestrian centre. The only land that arguably has an agricultural use is that to the south of the site. The loss of this small element would be extremely modest in the national context, especially given that the land is no longer part of an agricultural unit and thus very unlikely to ever be farmed.

#### *S106 Planning Contributions*

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<sup>34</sup> Best and most versatile agricultural land is defined by the NPPF Glossary as 'Land in grades 1, 2 and 3a of the Agricultural Land Classification.'

9.264 Policy CS35 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 current CIL requirements, as set out in the Annual CIL Rate Summary 2024, for residential within Zone 1 is £375 per square metre.

9.265 The planning obligations have been assessed to determine whether they meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and re-enforced by paragraph 57 of the NPPF. The tests are that planning obligations must only be sought where they meet the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

9.266 All the planning obligations in the section 106 Agreement meet the tests in CIL Regulation 122 and paragraph 57 of the NPPF.

#### *Environmental Impact Assessment*

9.267 Pursuant to Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, an Environmental Impact Assessment (EIA) screening opinion has been adopted.

9.268 The Local Planning Authority is of the view that, in having particular regard to the characteristics of the proposal and the site location, the scheme would be unlikely to lead to significant environmental impacts, not otherwise capable consideration within the context of the planning application and any associated planning conditions. Accordingly, the application is not considered to be EIA development.

#### *Chiltern Beechwoods Special Area of Conservation*

9.269 The Chilterns Beechwoods Special Area of Conservation (SAC) includes a number of separate sites in the Chiltern Hills and spans three counties. A SAC is an internationally recognised designation with habitats and species of significant ecological importance. The relevant sites to Dacorum are the Ashridge Commons and Woods Sites of Special Scientific Interest (SSSI) and the Tring Woodlands SSSI.

9.270 As part of Dacorum's emerging Local Plan, evidence was found that additional residential development in the Borough would lead to more visitors to, and increased recreational pressure on, these protected sites and an associated increase in adverse activities - e.g. trampling, dog fouling etc. To limit this impact, a habitat regulations assessment (HRA) is required for any development that results in an additional residential unit within the 'zone of influence'.

#### *General duty*

9.271 Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 imposes a duty on Dacorum to have regard to the requirements of the Habitats Directive so far as those requirements may be affected by the exercise of its functions. This general duty requires Dacorum to have regard to: -

- the need to establish necessary conservation measures (involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans) and appropriate statutory, administrative or contractual

- measures for the purpose of maintaining or restoring the qualifying habitats and species present at the SAC (Article 6 (1)); and
- the need to take appropriate steps to avoid the deterioration of those habitats and species (Article 6 (2)).

9.272 These duties impose a positive obligation on Dacorum to have regard to the need to conserve the features of the SAC, and to prevent the deterioration of the SAC. These general duties are reflected in paragraphs 185 - 188 of the NPPF.

#### Appropriate assessment

9.273 An appropriate assessment is required under the terms of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations). Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017) provides that all plans and projects which: -

- a) are likely to have a significant effect on the SAC (either alone or in combination with other plans or projects); and
- b) are not directly connected with or necessary to the management of the SAC;

must be subject to an “appropriate assessment” of their effects on the integrity of the SAC before the Council can grant consent - i.e. planning permission.

9.274 For the purposes of carrying out that assessment, the Council must consult Natural England and have regard to any representations which Natural England makes (per Regulation 63(3)). Dacorum should also consult the general public (if it considers it appropriate) (per Regulation 63(4)).

9.275 As the proposals involve new residential units, it is likely adverse impacts would arise from the development alone or in combination with other projects from additional recreation pressure harmful to the characteristics of the SAC. Therefore, suitable mitigation is required in-line with the Council’s Mitigation Strategy. The Strategy provides that each new residential unit shall provide a financial contribution to Strategic Access Management and Maintenance (SAMM) (currently measures at the Ashridge Estate and direct provision of Suitable Alternative Natural Green Space (SANG) via a legal agreement.

9.276 The Council may only grant consent for a plan or project if it is satisfied that the plan or project will not adversely affect the integrity of the SAC - i.e. that it will not undermine the achievement of the SAC’s conservation objectives in the long-term (per Regulation 63(5)). This is commonly referred to as the “integrity test”. If the integrity test is not satisfied, permission must be refused.

9.277 It is important to bear in mind that the integrity test does not offer any scope for normal “planning balance” exercises or similar judgements.

#### Mitigation

9.278 Regulation 63(6) requires Dacorum to have regard to the manner in which the plan or project will be carried out, and to any conditions or restrictions which might be applied to consent for the purpose of avoiding adverse effects. In effect, this allows the council to take into account mitigation measures as part of the appropriate assessment.

9.279 Case law has established that mitigation measures must:

- have a high degree of certainty that they will be effective;
- be secured and certain in their effect; and
- be delivered before an adverse effect on integrity is expected to occur.

9.280 Accordingly, this requires that mitigation is both secured (practically going to happen) and certain (in respect of its ecological effects) at the point at which the appropriate assessment is carried out and consent is granted.

9.281 The Dutch Nitrogen cases confirm that:

*“it is only when it is sufficiently certain that a mitigation measure will make an effective contribution to avoiding harm to the integrity of the [SAC], by guaranteeing beyond all reasonable doubt that the [development project] will not adversely affect the integrity of that site, that such a [mitigation] measure may be taken into consideration in the appropriate assessment”.*

9.282 In other words, unless mitigation has been both practically secured and the Council is certain as to its effects, it cannot be taken into account in the appropriate assessment and cannot form the basis for granting consent.

#### Proposed SANG Solution

9.283 As discussed above, the land subject to planning application 23/02508/MFA has been identified as a viable SANG solution, it being noted that it is capable of meeting the necessary criteria for it to be classified as a SANG.

9.284 The mitigation strategy states that:

- SANG will need to be provided at a rate of eight hectares per 1,000 new residents (equivalent to 0.0192 ha per dwelling);
- SANG needs to be of a scale for it to function properly as space.
- SANG catchment will depend on its particular characteristics and location.

9.285 The land proposed as SANG comprises of some 24 hectares and therefore could mitigate up to 1,248 new dwellings. Some of this is to be allocated to the development at Grange Farm, but there would remain ample capacity to mitigate the residential development at Haresfoot Farm. It should be further noted that the SANG has been developed in consultation with Natural England and meets its SANG criteria.

9.286 The application site is contiguous with the SANG and the proposed Site Layout Plan shows five points of access, ensuring that future residents would be able to easily access this resource.

9.287 It is acknowledged that the necessary physical infrastructure for the SANG to operate as intended is not currently in place. As part of the appropriate assessment, decision makers are obliged to consider the robustness and certainty of proposed mitigation measures. Should there be insufficient certainty over Haresfoot, the application must be refused. Both SAMM contributions and SANG provision is required to ensure sufficient mitigation to address the potential harm to the SAC.

9.288 There needs to be scientific certainty that the SANG will be delivered, and an appropriate mechanism in place to ensure its delivery is appropriately monitored and secured.

9.289 The fact that the Haresfoot SANG application has now been granted adds further certainty of deliverability.

9.290 Should Members be minded to grant planning permission, the application will need to be referred to Natural England prior to the decision notice being issued. Based on Natural England's comments in respect of this application, which acknowledge the likelihood of Haresfoot SANG coming forwards, there is no reason to believe that Natural England would not be supportive.

## 10. CONCLUSION

10.1 Paragraph 11 of the NPPF states that:

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

.....

.....

.....

*For decision making this means:*

....

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

*i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

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

10.2 Footnote 8 clarifies that the presumption in favour of sustainable development is applicable where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

10.3 The above exercise is known as the '*tilted balance*'. When the tilted balance is engaged, it is necessary to conduct a planning balance in determining applications, where a decision-maker will afford varying degrees of weight to the harms and benefits of the scheme.

10.4 The tilted balance does not guarantee consent and does not replace the legal responsibility of the decision-maker to first consider whether planning permission should be granted in accordance with the Development Plan, when read as a whole, unless material considerations indicate otherwise. It does, however, increase the likelihood of an approval by the tilting the balance, such that the scheme is looked at more benevolently than it ordinarily would be.

10.5 The Council cannot demonstrate a five year supply of land and thus the tilted balance is engaged.

10.6 Unlike the previous application, Officers are of the view that the proposed development does not represent inappropriate development in the Green Belt, as the areas subject to development comprise of Previously Developed Land and the totality of built form would not cause substantial harm to the openness of the Green Belt. As such, there is no need for very

special circumstances to be advanced and there are no clear reasons on Green Belt grounds to refuse the application.

10.7 In locational terms, it is noted that the site is not ideally situated, yet it needs to be borne in mind that the site is already developed and therefore represents an opportunity to provide much-needed housing within the Borough on largely redundant land, as opposed to new Green Belt release. The application secures a comprehensive package of sustainability measures that are broad in scope and which, in the first instance, limit the need to travel<sup>35</sup>, and then give priority walking and cycling<sup>36</sup> as an alternative to private motor vehicle, followed by optimisation of other means of transportation – e.g. public transport (standard bus services and Herts Lynx). This element of the scheme carries **moderate negative weight**, added to which would be **moderate negative weight** from the loss of employment generating land.

10.8 The provision of market and affordable housing has been afforded very substantial weight in the planning balance given the Council's housing supply position of 1.69 years, with no serious prospect of an improvement until a new local plan is adopted. With regard to affordable housing, local and national planning policy does not require affordable rented properties to be offered at less than 80% of market rent. Therefore, it is considered that the provision of 12 affordable rented properties at 60% of market rent would provide an important and tangible contribution to affordable housing need in the Borough; a contribution which would result in genuinely affordable rental properties. It is submitted that **very substantial weight** should, individually<sup>37</sup>, be given to these factors (provision of market and affordable housing).

10.9 The development would achieve a 21.47% increase in area Biodiversity Units and 313.32% increase in Hedgerow Biodiversity Units. In this case, the mandatory level of BNG is markedly exceeded and this would should attract **very substantial weight** in the planning balance.

10.10 Based on TRICS data and junction modelling, it has been determined that redevelopment of the site for housing would result in a reduction in total vehicle movements<sup>38</sup> and that capacity of the nearby junctions and roundabouts would not be exceeded. Analysis of the likely impacts on the section of White Hill between the application site and Whelpley Hill indicate that a minimal number of vehicles from the development would utilise the route, such that there would be no adverse impacts. Hertfordshire and Buckinghamshire Highway Authorities have been consulted and have raised no objections on highway safety or capacity grounds. As above, the lack of harm does not weight in favour or against the proposal.

10.11 A total of two Custom / Self Build plots are proposed to be provided as part of this application. It is considered that the provision of Custom and Self Build plots is a benefit that attracts **moderate weight** in the planning balance.

10.12 Economic benefits would arise from the proposal in the form of new direct and indirect employment during the construction process, a boost to the local economy through expenditure on goods and services etc. **Moderate weight** is afforded to this element.

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<sup>35</sup> The Hub Building and Haresfoot Pantry.

<sup>36</sup> Provision of footway along White Hill, traffic calming measures along White Hill, widening of existing footways, provision of a pedestrian crossing, speed limit reduction from 60mph to 40mph, provision of E-B

<sup>37</sup> Very substantial weight x 2.

<sup>38</sup> If the commercial use were operating at full capacity.

10.13 The lack of harm in relation to flooding, and the living conditions of neighbouring or future residents, cannot, by definition, weigh for or against the proposal.

10.14 Taking all of the above into account, officers are of the view that the limited adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

## **11. RECOMMENDATION**

11.1 That planning permission be **DELEGATED** with a **VIEW TO APPROVAL** subject to conditions and the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure satisfactory mitigation for the Chiltern Beechwoods Special Area of Conservation, consistent with the Chilterns Beechwoods Mitigation Strategy, Biodiversity Net Gain (BNG) and other appropriate contributions and provisions to make the development acceptable in accordance with the development plan, NPPF and any other material considerations.

### **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:**

<b>23-4356-SLP001</b>	<b>Site Location Plan</b>
<b>23-J4356-1000</b>	<b>Proposed Site Layout Rev. A</b>
<b>23-J4356-1001</b>	<b>Proposed Coloured Site Layout Rev. A</b>
<b>23-J4356-1002</b>	<b>Proposed Coloured Site Layout in Context Rev. A</b>
<b>23-J4356-1007</b>	<b>Tenure Plan</b>
<b>23-J4356-1008</b>	<b>Proposed Parking and Cycle Plan</b>
<b>23-J4356-1009</b>	<b>Private and Communal Amenity Plan</b>
<b>23-J4356-1010</b>	<b>Affordable Location and Tenure</b>
<b>23-J4356-1011</b>	<b>Disabled Parking Plan</b>
<b>23-J4356-2001</b>	<b>Plot 1 – 3 Floor Plans &amp; Elevations</b>
<b>23-J4356-2002</b>	<b>Plot 4 &amp; 5 Floor Plans &amp; Elevations</b>
<b>23-J4356-2003</b>	<b>Plot 6 – 9 Floor Plans &amp; Elevations</b>
<b>23-J4356-2004</b>	<b>Plot 10 Floor Plans &amp; Elevations</b>
<b>23-J4356-2005</b>	<b>Plot 11 &amp; 20 Floor Plans &amp; Elevations</b>
<b>23-J4356-2006</b>	<b>Plot 12 Floor Plans &amp; Elevations</b>
<b>23-J4356-2007</b>	<b>Plot 13 Floor Plans &amp; Elevations</b>
<b>23-J4356-2008</b>	<b>Plot 14 Floor Plans &amp; Elevations</b>
<b>23-J4356-2009</b>	<b>Plot 15 Floor Plans &amp; Elevations</b>
<b>23-J4356-2010</b>	<b>Plot 16 Floor Plans &amp; Elevations</b>
<b>23-J4356-2011</b>	<b>Plot 17 Floor Plans &amp; Elevations</b>
<b>23-J4356-2012</b>	<b>Plot 18 Floor Plans &amp; Elevations</b>
<b>23-J4356-2013</b>	<b>Plot 19 Floor Plans &amp; Elevations</b>



23-J4356-2014	Plot 21 & 29 Floor Plans & Elevations	
23-J4356-2015	Plot 22, 26 & 28 Floor Plans & Elevations	
23-J4356-2016	Plot 23 Floor Plans & Elevations	
23-J4356-2017	Plot 24 Floor Plans & Elevations	
23-J4356-2018	Plot 25 Floor Plans & Elevations	
23-J4356-2019	Plot 27 Floor Plans & Elevations	
23-J4356-2020	Plot 30 Floor Plans & Elevations	
23-J4356-2021	Plot 31 Floor Plans & Elevations	
23-J4356-2022	Plot 32 – 35 Floor Plans & Elevations	Rev. A
23-J4356-2023	Plot 36 – 39 Floor Plans & Elevations	Rev. A
23-J4356-2024	Plot 40 – 43 Floor Plans & Elevations	Rev. A
23-J4356-2025	Plot 44 – 47 Floor Plans & Elevations	Rev. A
23-J4356-2026	Plot 48 – 50 Floor Plans & Elevations	
23-J4356-2027	Plot 51 – 53 Floor Plans & Elevations	
23-J4356-2028	Plot 54 & 55 Floor Plans & Elevations	
23-J4356-2029	Plot 56 – 59 Floor Plans & Elevations	
23-J4356-3000	Carbarns 1 & 3 Vehicle Floorplans & Elevations	
23-J4356-3002	Electric Bike Store Floorplans & Elevations	
23-J4356-4000	Street Scene A-A & B-B	
23-J4356-4001	Street Scene C-C & D-D	
23-J4356-4002	Street Scene E-E	

SK01	Rev. C	Proposed Site Access Arrangement
SK02	Rev. D	White Hill Proposed Improvements
SK03	Rev. D	Chesham Road & White Hill Proposed Improvements
SK04	Rev. B	A416 & Chesham Road Roundabout Improvement Proposals
SK05	Rev. B	A416 & Chesham Road Improvement Proposals
SK27	Rev. B	Site Access Visibility Splay and Double Yellow Lines

**Arboricultural Impact Assessment and Arboricultural Method Statement (June 2024)**

**TPP/HFWBH/010 B Tree Protection Plan**

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

- 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 buildings hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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.

- No development (other than demolition) shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a detailed construction method**

statement have been submitted to and approved in writing by the local planning authority. The drainage scheme shall be constructed in accordance with the approved particulars and based on SuDS Drainage Report (REF: 4158/2023 Rev C dated 20 June 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority. The development shall include:

1. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent), three times in quick succession at the proposed depth of the proposed deep bore infiltration feature/s when they have been installed. The results shall be reviewed, and all the detailed drainage modelling calculations and detailed design be amended as appropriate.
2. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
  - i. 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
  - ii. 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
3. The design of the wetland, storage pond and swales for attenuation will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
4. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
5. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge including one additional step of treatment for discharge to a sensitive location (source protection zone 3).

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policy CS31 of Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

5. No development (other than demolition) shall commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details

**of how groundwater and discharge to the deep bore soakaways will be protected, who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving waterbody. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.**

Reason: To prevent flooding and pollution offsite in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

- 6. No development (other than demolition) shall take place until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show how the permanent drainage network will be protected from the temporary drainage arrangements and shall subsequently be carried out in accordance with the approved details.**

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

- 7. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:**

- 1) A timetable for its implementation.**
- 2) Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.**
- 3) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.**

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

- 8. Upon completion of the surface water drainage system, including any SuDS features, and prior to occupation of the development hereby approved, a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 4. Where necessary, details of corrective works to be carried out along with a timetable for their**

**completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with Policy CS31 of Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

**9. a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental 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.**

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

**c) 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 (b) 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.

**10. Any contamination, other than that reported by virtue of Condition 9 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.**

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.

**11. Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary off-site highway improvement works as referred to in the Transport Assessment have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**

- **New relocated vehicle bellmouth access and any associated works;**
- **Any works associated with closing off the existing vehicle access;**
- **Installation of footway provision along White Hill and traffic calming carriageway alternate priorities;**
- **Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road roundabout.**
- **Pedestrian controlled signalised crossing prior to A416/Chesham Road roundabout.**
- **Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.**
- **Tactile paving at key crossing points.**
- **Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416 Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.**
- **Any works associated with construction access into the site.**

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

- 12. The development hereby permitted shall not be occupied until the offsite highway improvement works referred to in Condition 11 have been completed in accordance with the approved details.**

Reason: To ensure construction of a satisfactory development, that the highway improvement works are designed to an appropriate standard in the interests of highway safety, that the off-site works are actually delivered and thereby provide the site with the requisite level of accessibility by maximising sustainable transport solutions, in accordance with Policies CS1 and CS12 of the Dacorum Core Strategy (2013), Policy 54 of the Dacorum Local Plan (2004) and paragraph 109 of the NPPF (2023).

- 13. Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

- 14. No development shall commence until a Construction Management Plan 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 shall include details of:**

- a. **Construction vehicle number and 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);**
- h. Provision of sufficient on-site parking prior to commencement of construction activities;**
- i. Post construction restoration/reinstatement of the working areas and any temporary access to the public highway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 54 of the Dacorum Borough Local Plan (2004).

- 15. 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 Part 1, Schedule 2, Classes A and D of the Order shall be undertaken in relation to all dwellings hereby approved until the local planning authority is satisfied that contamination will not pose a risk to human health, as evidenced by the submission and subsequent approval in writing of a Remediation Statement by the local planning authority**

Reason: In order to be satisfied that the site remediation measures will not be prejudiced / circumvented as a result of the exercise of permitted development rights by future occupiers in accordance with paragraph 189 (b) and (c) of the National Planning Policy Framework (2023).

Informative:

The Council will not unreasonably refuse to discharge the condition where it can be proven that the site conditions and method of remediation are such that they will not be prejudiced or circumvented by the exercise of permitted development involving groundworks.

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

**Schedule 2, Part 1, Class A (single-storey rear extensions in excess of 3m):**

**Plot 2**

**Schedule 2, Part 1, Class C (north-western facing roof slopes): Plots 1 – 3, 30 – 39, 51 – 53 & 56 – 59**

**Schedule 2, Part 1, Class E: Plots 3, 5, 32, 35, 36, 39, 54, 46 & 59.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity, in accordance with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), Policy 51 of the Dacorum Local Plan (2004) and Paragraph 135 of the National Planning Policy Framework (December 2023).

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

- i. The programme and methodology of site investigation and recording**
- ii. The programme and methodology of site investigation and recording as required by the evaluation**
- iii. The programme for post investigation assessment**
- iv. Provision to be made for analysis of the site investigation and recording**
- v. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- vi. Provision to be made for archive deposition of the analysis and records of the site investigation**
- vii. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.**

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

**18. i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 17.**

**ii) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 18 and the provision made for analysis and publication where appropriate.**

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

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

**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.

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

**The development hereby approved shall not be occupied until a scheme for the installation of sprinklers (the sprinkler system) in accordance with BS 9251:2014 or BS EN 12845 standard in respect of Plots 39, 53, 56 and 57 has been submitted to and approved in writing by the local planning authority. The sprinkler system shall be fully installed and operational prior to the occupation of any of aforementioned plots and thereafter permanently retained and maintained.**

Reason: To ensure that the layout of residential development is provided with appropriate access and makes adequate provision for the fighting of fires in accordance with Policies CS9 and CS12 of the Dacorum Core Strategy (2013).

21. **Details of the onsite play space (which shall, at a minimum, include 1 x Locally Equipped Area of Play and 3 x Local Areas of Play) provision shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details shall include:**

- a) location, layout , boundary treatment and design of the play space; and
- b) equipment / features.

**The play space and equipment/features shall be laid out and installed prior to the first occupation of the development hereby approved permanently maintained thereafter.**

Reason: In order to ensure a sufficient level of playspace for future children living on the development, in accordance with Appendix 6 of the Dacorum Borough Local Plan (2004) and Section 12 of the NPPF (2023).

22. **Prior to first occupation of the development hereby approved, details of benches and bins (locations and specifications) within the public open space and play area shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development provides high quality public space and good place making in accordance with Section 12 of the National Planning Policy Framework (2023).

23. **No development above slab level shall take place until full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

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).



- 24. The dwelling(s) shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.**

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; to use natural resources prudently in accordance with the National Planning Policy Framework (December 2023), and in accordance with Policy CS29 of the Dacorum Core Strategy (2013).

- 25. 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.
- 

**The approved hard landscaping works shall have been fully provided prior to first occupation of the dwellings hereby approved.**

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

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

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

- 26. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the local planning authority.**

**The CEMP shall set out, as a minimum, the proposed demolition, earthworks and construction methodology. The CEMP shall outline site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water. It shall also set out arrangements, by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP.**

**The SWMP shall, as a minimum, describe how materials will be managed efficiently and disposed of during the construction of the works, explaining how the re-use and recycling of materials will be maximised. It shall provide details on**

**how measures have been taken to reduce the amount of waste produced on site and shall contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type.**

**The development shall be carried out in accordance with the approved details.**

Reason: To reduce the environmental impact of the construction and impact on the public highway and amenities of neighbouring residents in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004), Policies CS8, CS12, CS29 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 109, 112, 114 and 192 of the National Planning Policy Framework (December 2023).

**27. Development shall be carried out in strict accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement (June 2024) and the Tree Protection Plan (TPP/HFWBH/010 B) throughout the entirety of the demolition and construction phases.**

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

**28. No development above slab level shall take place until a scheme for sound insulation has been submitted to and approved by the Local Planning Authority demonstrating the means by which internal noise levels presented in Table 4 of BS8233:2014 will be achieved. Noise levels within private external amenity spaces should be designed to not exceed 55 dB LAeq,T wherever practical. Where noise levels are anticipated to exceed this value then the development should be designed to achieve the lowest practicable levels in those private external amenity spaces.**

Reason: In order to ensure that both the internal and external living environments of the development are acceptable, in accordance with paragraphs 130, 180 and 191 of the NPPF (2023).

**29. No development shall take place until a geotechnical report by a qualified geotechnical engineer has been submitted to and approved in writing by the local planning authority.**

**The report shall provide commentary on the potential for dissolution features to arise as a result of the use of deep bore soakaways for the SuDS and, where appropriate, recommend measures to avoid or reduce the likelihood of dissolution.**

**Where avoidance or reduction measures are recommended, these shall be implemented prior to first use of the development hereby approved.**

Reason: In order to prevent new development from being put at unacceptable risk from, or being adversely affected by land instability, in accordance with paragraph 180 (e) of the NPPF (2023).

*This condition needs to be pre-commencement as avoidance or reduction measures may need to be implemented which may not be achievable if works have already commenced and progressed to a certain degree.*

**30. None of the dwellings hereby approved shall be occupied until all existing buildings currently on site have been demolished.**

Reason: To ensure an acceptable level of amenity for future residents of the site in accordance with paragraph 135 of the NPPF (2023).

**31. No development above slab level shall take place until full details of the following have been submitted to and approved in writing by the local planning authority:**

- **At least 22 purpose-built bat boxes and their location; and**
- **At least 44 nesting boxes, 22 of which will be integrated Swift Bricks and their location**

**The purpose-built bat boxes and 44 nesting boxes shall be fully installed prior to first occupation of the dwellings hereby permitted and permanently retained thereafter.**

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).

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Minerals And Waste Planning Policy (HCC)	<p>I am writing in response to the above planning application insofar as it raises issues in connection with minerals and waste matters.</p> <p><b>Minerals</b></p> <p>In relation to minerals, the site is not located within the 'Sand and Gravel Belt' or a Mineral Resource Block, as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002 - 2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. The Minerals Resource Blocks are regarded as the most viable areas for future mineral extraction in the county.</p> <p>British Geological Survey (BGS) data does not identify any potential superficial sand/gravel deposits beneath the application site. Given the lack of deposits beneath the site, the Minerals Planning Authority does not have any mineral sterilisations concerns.</p> <p><b>Waste</b></p> <p>Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development.</p> <p>The National Planning Policy for Waste (October 2014) sets out the following:</p> <p>'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:</p>

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

The policies in the adopted Waste Core Strategy and Development Management Policies DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP).

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

#### Project and People

- Identification of the client
- Identification of the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

#### Estimating Waste

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)
- Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)

#### Space for Later Recordings

- Space for the recording of actual figures against the estimated figures
- Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to
- Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates
- If a SWMP is not produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

Condition: No development shall take place until a Site Waste Management Plan (SWMP) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

<p>Strategic Planning &amp; Infrastructure (DBC)</p>	<p>Thank you for your email.</p> <p>We do not wish to comment on this application. Please see previous comments to earlier application.</p> <p>Please ask if you have any queries.</p>
<p>Berkhamsted Town Council</p>	<p>Objection</p> <p>The smaller scale of the new proposals does not adequately address previous objections or the contravening of policy.</p> <p>The site is beyond the town boundary and is not in close enough proximity to local infrastructure.</p> <p>The area has not been designated for development by the Borough and much of the existing works on the site were unconsented and subject to appeal.</p> <p>The plans would create an urban housing estate on open countryside, resulting in urban sprawl beyond the boundary of the built environment of Berkhamsted and to the west of the A41 to the detriment of the openness of the local area.</p> <p>The site access is inappropriate and the inevitable increased car usage to and from the site would negatively impact the main town and White Hill, which is already a hazardous single-track road.</p> <p>The safety of pedestrians has not been considered, particularly for children needing to get to school, and suggested traffic calming measures such as zebra crossings will not work in such a busy traffic area.</p> <p>The proposed development does not meet national planning policy criteria for building a residential development in the Greenbelt in special circumstances, as the potential harm is not outweighed by other considerations</p> <p>NPPF (paragraph 109), CS1, CS5</p>
<p>Natural England</p>	<p>SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED</p> <p>Natural England considers that without appropriate mitigation the application would:</p> <ul style="list-style-type: none"> <li>• have an adverse effect on the integrity of Chilterns Beechwoods Special Area of Conservation</li> <li>• damage or destroy the interest features for which Ashridge Commons and Woods Site of Special Scientific Interest has been notified.</li> </ul>

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- Payment of the Strategic Access Management and Monitoring (SAMM) per dwelling tariff as per Dacorum Borough Council's current rate;
- Haresfoot SANG (23/02508/MFA) is named as the SANG mitigation for the proposed development and 1.14ha of SANG capacity is drawn from the total SANG area to mitigate the proposed development of 59 dwellings;
- Payment, if required by the Haresfoot SANG owners, of a per dwelling financial contribution to the long-term management of Haresfoot SANG, according to the rate set by the SANG owners; and,
- The proposed new dwellings shall not be occupied until such time that the Haresfoot SANG (23/02508/MFA) is open and operational for visitors. This is to ensure that the mitigation for the proposed development is in place prior to first occupation of the new dwellings.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered, and relevant local bodies are consulted. Natural England's further advice on designated sites / landscapes and advice on other natural environment issues is set out below.

#### Chilterns Beechwoods Special Area of Conservation - Habitats Regulation Assessment

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. The HRA is embedded within the Ecological Impact Assessment (EclA, paragraphs 5.6-5.10, CSA, June 2024). The outcome of the Appropriate Assessment is summarised in the Planning Statement - Haresfoot Farm Berkhamsted (Warner, June 2024) as follows:

*'Chiltern Beechwoods SAC and Ashridge Common and Woods SSSI are present 3.6km north-east of the Site with recreational impacts mitigated for in full through Strategic Management & Monitoring Payments and use of a Suitable Alternative Natural Greenspace (SANG) which wraps around the Site'.*

As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions.

We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance



with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended).

Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Further advice on mitigation

Natural England accepts that the mitigation measures proposed, namely payment of the appropriate Strategic Access Management and Monitoring (SAMM) tariff and a financial contribution to the surrounding Haresfoot SANG based upon the proposed number of new dwellings, will avoid adverse effects on the integrity of the Chilterns Beechwoods Special Area of Conservation (CBSAC), subject to the following advice.

The chapter on 'Assessment of Effects' in the Ecological Impact Assessment: Haresfoot Farm, Berkhamsted report (CSA, June 2024) states that 'Based upon the net increase of an estimated 207 new residents [for 86 new dwellings], the latter SANG requirement is confirmed to be 1.7ha (on the basis of 8ha SANG per 1000 population). In combination with the wider SANG proposed around the Site (23/02508/MFA), this 1.7ha area will be drawn down upon the capacity of the wider SANG'.

Since the EclA was published, the application has been updated and the proposal is now for 59 residential dwellings. As such, the SANG requirement for the application is 1.14ha on the basis of 8ha SANG per 1000 new population.

The Haresfoot Farm application relies upon a SANG that encircles the proposed development, which has been subject to a Change of Use application (23/02508/MFA). The SANG application has been given a resolution to grant approval at planning committee, subject to completion of a Section 106 agreement that names a long-term managing agent for the SANG and secures in-perpetuity management (taken to be 80 years) of the SANG.

Natural England does not object to the planning application the subject of this consultation, provided that the following mitigation measures are secured via an appropriate planning condition or obligation:

- Payment of the Strategic Access Management and Monitoring (SAMM) per dwelling tariff as per Dacorum Borough Council's current rate;

- Haresfoot SANG (23/02508/MFA) is named as the SANG mitigation for the proposed development and 1.14ha of SANG capacity is drawn from the total SANG area to mitigate the proposed development of 59 dwellings;
- Payment, if required by the Haresfoot SANG owners, of a per dwelling financial contribution to the long-term management of Haresfoot SANG, according to the rate set by the SANG owners; and,
- The proposed new dwellings shall not be occupied until such time that the Haresfoot SANG (23/02508/MFA) is open and operational for visitors. This is to ensure that the mitigation for the proposed development is in place prior to first occupation of the new dwellings.

Potential impact of the development on the surrounding SANG

Relationship of proposed development to Haresfoot SANG

Natural England is pleased to note that the proposed new development will be located within the footprint of the existing built area, with wide margins of high-quality open space surrounding the new dwellings, which will screen the development proposal from the SANG that surrounds it.

Natural England has no concerns that the proposed development would negatively impact the semi-natural aspect of the SANG space and the SANG will benefit from having local residents use the SANG on foot from the proposed development, as this will provide welcome surveillance and a sense of community ownership of the new SANG.

The wide green corridor through the proposed development will provide an effective link between the north and south parts of the SANG, as an alternative to walking around the new development, providing opportunities for walking routes of varied lengths.

The provision of a community hub will further enhance the appeal of the SANG open space to both the new residents of the Haresfoot Farm proposal and to visitors from further afield.

Lighting

Natural England has reviewed the lighting strategy and plans for the proposed development and has no concerns that light would spill from the new development into the wider SANG.

Protected Landscape

The proposed development is located within an area which Natural England has assessed as meeting the criterion for designation as an Area of Outstanding Natural Beauty (known as a Proposed Boundary Extension Area) and may be included within a boundary variation to the Chilterns Area of Outstanding Natural Beauty (AONB, known as National Landscape). Whilst this assessment process does not confer any additional planning protection, the impact of the proposal on the

	<p>natural beauty of this area may be a material consideration in the determination of the proposal.</p> <p>Natural England considers the Chilterns to be a valued landscape in line with paragraph 180 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 182 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities.</p> <p>Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies. In addition, Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities to seek to further the statutory purposes of the area in carrying out their functions in relation to, or so as to affect, land in an AONB.</p> <p>An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issuing of the designation Order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.</p> <p>Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.</p> <p>Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.</p> <p>Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.</p> <p>If you have any queries relating to the advice in this letter, please contact me via <a href="mailto:fiona.martin@naturalengland.org.uk">fiona.martin@naturalengland.org.uk</a>.</p> <p>We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission. Should the proposal change, please consult us again.</p>
Affordable Housing (DBC)	<u>RECONSULTATION</u>

	<p>In respect of the current proposal of Affordable Housing, we are generally supportive of the Affordable Housing mix. It is good to see that there is a good proportion of Dacorum Affordable Rented being provided, alongside our preference for Affordable Home Ownership in the form of Shared Ownership. Dacorum Affordable rents are set at a more agreeable 60% of open market including service charges, rather than 80%, which can be unaffordable for many on the housing register. Most of the comments by the Team have been taken into account. We would have preferred a mix of Rented that included more 3 and 4 bedroom properties and for the additional units over the 35% to be brought forwards as rented, but the additionality is welcomed.</p> <p>The M4(3)(2)(b) unit is being shown as Shared Ownership on the latest plans, these type of units should be Affordable Rented so that they can benefit applicants on the housing register. We would also question whether there is any potential to improve the parking arrangements for Plots 32-39.</p>
Affordable Housing (DBC)	<p><u>ORIGINAL CONSULTATION</u></p> <p>Thank you for requesting comments on affordable housing.</p> <p>Quantum</p> <p>35% of 59 we would expect 21 affordable dwellings to be provided. Proposing an over provision at 40% - 24 dwellings.</p> <p>Tenure</p> <p>We would prefer not to over provide the First Homes out of the 35% if possible. 6 being offered as opposed to 5. [25% of 21 = 5.25].</p> <p>The updated proposal offers the 3 additional at discount market sale (DMS) which would just about be affordable at 65% for the 2 bedrooms, unaffordable any higher as the household income cap would be £80k.</p> <p>The 3 bedrooms DMS are unaffordable. We would prefer rented/shared ownership to DMS if possible.</p> <p>Mix</p> <p>The updated proposal offers just 2 x 3 bed houses for rent (down from 4 in the previous proposal) and no 4 beds (where the previous proposal had 1). If there were potential to increase the rented number of 3 beds at all, and/or provide a 4 bed this would be better.</p> <p>Accessibility</p> <p>Plots 7-14 of the 89 unit iteration had a ground floor flat shown as the M4(3)(2)(b). We would ask for the wheelchair unit to be rented and details of which unit to be confirmed. We would normally seek 10% M4(3)(2)(b) for rent and the rest of the rented M4(2) where possible (not the 1st floor flatted in this instance as impractical).</p>

	<p>Other</p> <p>We are pleased to see the rented at Dacorum Affordable Rent levels (i.e. 60% of open market rent). Although unlikely to exceed Local Housing Allowance rates we would expect rents anyway to be capped at 60% or Local Housing Allowance Rates, whichever is the lower.</p> <p>We would normally expect First Homes and Discount Market Sale to be sold directly by the developer to eligible households. The government's First Homes Guidance and the Council's local connection policy for affordable tenures not allocated via the housing register would apply. The rented would be allocated via the housing register and transferred to and let by a registered provider of social housing.</p>
Sport England	<p>Thank you for consulting Sport England on the above application.</p> <p><b>Sport England's Position</b></p> <p>The proposed development does not fall within our statutory remit as set out in the Town &amp; Country Planning (Development Management Procedure) (England) Order 2015. Therefore, Sport England has not provided a detailed response in this case, but general advice is set out below to aid the assessment of the application.</p> <p>Sport England's Planning for Sport Guidance provides general advice which can be accessed at <a href="#">Planning for Sport</a>.</p> <p>Although Sport England is not in a position to provide a detailed response on this occasion, where relevant you may wish to consider advice provided by recognised sport National Governing Bodies (NGBs), a list of which is available at <a href="#">Recognised Sports</a>.</p> <p>The relevant NGB(s) may be able to provide advice on specific matters such as the need for the new/enhanced facility, the design and layout of the new/enhanced facility or the impact of the development proposal on the current facility.</p> <p>In the case of equestrian facilities, the recognised National Governing Body is the British Equestrian Federation. Should the Local Planning Authority wish to consult British Equestrian Federation, the relevant contact details are at <a href="https://www.britishequestrian.org.uk/contact-us">https://www.britishequestrian.org.uk/contact-us</a>. The British Horse Society (BHS), one of the British Equestrian Federation's member bodies may also be able to provide advice <a href="https://www.bhs.org.uk/about-us/contact-us/">https://www.bhs.org.uk/about-us/contact-us/</a>.</p>
Trees & Woodlands	<p>Not a lot to add from previous comments.</p> <p>The revised tree survey is accurate and conforms with BS5837.</p> <p>New documentation notes our previous comments that Ash trees should be removed prior to redevelopment, due to the presence and impact of Ash Dieback.</p>

	<p>Further details of new tree planting in mitigation for proposed loss is required. AIA Section 6.11 states approx. 200 trees are to be planted with locations indicated pictorially (DAS section 5.4), but specific detail is required of proposed tree locations, species, planting sizes and maintenance regime.</p>
<p>Hertfordshire Fire &amp; Rescue (HCC)</p>	<p>Following information sent to us from Highways Agency, with regards to the above planning application, we have examined the drawings and note that the provision for access does not appear to be adequate to comply with the building regulations 2010. Further to previous advice given, please see below the guidance which should be met to allow access for fire crews in the event of a fire.</p> <p><b>ACCESS AND FACILITIES</b></p> <p>Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB) Vol 1, section B5, sub-section 13 including Table 13.1.</p> <ol style="list-style-type: none"> <li>1. Appliance access minimum width of the road between kerbs is to be 3.7m. Minimum width of gateways is 3.1 m</li> <li>2. Access measures more that 45m from the furthest point inside the dwelling to the nearest stopping point for a fire appliance.</li> </ol> <p>A number of dwellings, including those on plots 11, 39 and 56 appear to exceed this distance due to extensive reversing distances. Vehicular access can be increased significantly if a sprinkler system is installed and where the arrival time for the fire service is not more than ten minutes.</p> <p>BS 9991 - 2015 Residential Buildings 50.1.2 states:</p> <p>Where sprinklers, in accordance with BS 9251:2014 or BS EN 12845 (see 11.2, Table 2) are fitted throughout a house or block of flats:</p> <ol style="list-style-type: none"> <li>a) the distance between the fire appliance and any point within the house (in houses having no floor more than 4.5 m above ground level) may be up to 90m;</li> <li>b) the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75 m (in houses or flats having one floor more than 4.5 m above ground level).</li> </ol> <ol style="list-style-type: none"> <li>3. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 19 tonnes.</li> <li>4. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Diagram 13.1 in section B5.</li> </ol> <p>The plans provided in the Transport Assessment Document June 2024 provide swept path analysis using a vehicle smaller than that of an HFRS vehicle which measures 8.1m long and 2.9m wide.</p>

	<p>It appears the options below may be of assistance in order to meet fire access guidance:</p> <ul style="list-style-type: none"> <li>a) The installation of sprinklers throughout the dwelling.</li> <li>b) The positioning of the hammerheads/turning facilities be moved in such a way to reduce the reversing distances to those dwellings that are not reachable.</li> <li>c) The access roads in all areas be wide enough to accommodate an operational fire appliance, so access to dwellings is achievable throughout the site.</li> </ul> <p><b>WATER SUPPLIES</b></p> <p>For guidance and requirements water for supplies for fire-fighting (Fire hydrants) at this location, please contact Hertfordshire Fire &amp; Rescue Services water officer on 01992 507507 or <a href="mailto:water@hertfordshire.gov.uk">water@hertfordshire.gov.uk</a></p> <p>The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.</p> <p>We hope the above information assists you and if you have any questions please do not hesitate to contact us.</p>
<p>Crime Prevention Design Advisor</p>	<p><u><b>ORIGINAL CONSULTATION</b></u></p> <p>Thank you for sight of planning application 24/01496/MFA</p> <p>Proposal: Demolition of existing buildings and redevelopment of the site to provide 59 residential units (market and affordable), erection of a community hub building, sustainability measures together with associated landscaping, open space, parking, and highway improvement</p> <p>Address: Haresfoot Farm Chesham Road Berkhamsted Hertfordshire HP4 2SU.</p> <p>Crime prevention measures have been mentioned in the Design and Access statement (5.13, Safer Places , page 46). However, I (sic) concerned that the wording indicates looking at the Secured by Design principals but not actually building the development to the Secured by Design standard.</p> <p>"These measures are incorporated into the design to enhance safety and prevent crimes in line with Secured by Design."</p> <p>In relation to crime prevention and security the site layout is generally good and does provide adequate passive surveillance.</p> <p>I do have concerns about the parking area behind plots 11, 12, 13 10, 9 and 8, this has extremely poor surveillance . We are experiencing a huge rise in vehicle crime , areas like this also attract anti-social behaviour.</p>

	<p>I have not listed all the physical Secured by Design security requirements, however if the application is granted, I would like to discuss these with the architect/developer.</p>
<p>Crime Prevention Design Advisor</p>	<p><u>RECONSULTATION</u></p> <p>Thank you for sight of the re consultation for Haresfoot Farm Chesham, Berkhamsted Hertfordshire HP4 2SU.</p> <p>It is really good to see that it is the intention to build the development to the police security standard Secured by Design.</p> <p>I note the comments regarding the lighting and possible CCTV however I do still have concerns regarding the car parking areas. Although most do have some passive surveillance, the area at the front of the site behind plots 1,4 and 5 does not have any. My concerns are not from a burglary perspective but from possible anti-social behaviour problems. This will be a high-end development and Berkhamsted is a very nice relatively low crime area, however we do get called out regularly to asb incidents.</p> <p>I have been called out and spoken to residents that live in nice areas but with this design (drive through to a rear parking area). Drug taking and drinking take place and it just makes it miserable for the people that live there. It could be covered by CCTV, but I doubt it will be monitored 24/7 and it will be the police who are called to deal with it placing extra demand on an already stretched police force. Is it not better to learn from experience and design out the crime from the outset.</p> <p>Please contact me if you would like to discuss the above.</p>
<p>Environment Agency</p>	<p>We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in our Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals. We therefore have no site-specific comments on the application.</p> <p>As the site is situated in a vulnerable groundwater area within Source Protection Zone 3 on a bedrock aquifer these proposals need to be dealt with in a way which protects the underlying groundwater. Please therefore take note of the following advice. Where land contamination may be an issue for a prospective development, we encourage developers to employ specialist consultants/contractors working under the National Quality Mark Scheme.</p> <p>Advice for Local Planning Authority</p> <p>Groundwater Standing Advice</p> <p>We recommend that the requirements of the National Planning Policy Framework and National Planning Policy Guidance are followed. This</p>



means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. We expect reports and Risk Assessments to be prepared in line with our Approach to Groundwater protection (commonly referred to as GP3) and the updated guide Land contamination: risk management (LCRM). LCRM is an update to the Model procedures for the management of land contamination (CLR11), which was archived in 2016.

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution (e.g. soakaways act as preferential pathways for contaminants to migrate to groundwater and cause pollution).
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

The applicant should refer to the following (non-exhaustive) list of sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

1. Follow the risk management framework provided in the updated guide LCRM, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information we require in order to assess risks to controlled waters from the site. The Local Planning Authority can advise on risk to other receptors, such as human health.
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. The Planning Practice Guidance defines a "Competent Person" (to prepare site investigation information) as: "A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation." For this definition and more please see here.
4. Refer to the contaminated land pages on Gov.uk for more information.
5. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by contamination e.g. British Standards when investigating potentially contaminated sites and groundwater,

and references with these documents and their subsequent updates:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009, BS 6068- 6.11: 2009 Water quality. Sampling. Guidance on sampling of groundwaters (a minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns but more may be required to establish the conceptual site model and groundwater quality. See RTM 2006 and MNA guidance for further details);
- BS ISO 18512:2007 Soil Quality. Guidance on long-term and short-term storage of soil samples;
- BS EN ISO 5667:3- 2018. Water quality. Sampling. Preservation and handling of water samples;
- Use MCERTS accredited methods for testing contaminated soils at the site;
- Guidance on the design and installation of groundwater quality monitoring points Environment Agency 2006 Science Report SC020093 NB. The screen should be located such that at least part of the screen remains within the saturated zone during the period of monitoring, given the likely annual fluctuation in the water table. In layered aquifer systems, the response zone should be of an appropriate length to prevent connection between different aquifer layers within the system.

A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a "Competent Person" e.g. a suitably qualified hydrogeologist. More guidance on this can be found at: <https://sobra.org.uk/accreditation/register-of-sobra-risk-assesors/>. In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.

Further points to note in relation to DQRAs:

- GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land->

contamination-groundwater-compliance-points-quantitative-risk-assessments

- Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50 metres.
- For the purposes of our Approach to Groundwater Protection, the following default position applies, unless there is site specific information to the contrary: we will use the more sensitive of the two designations e.g. if secondary drift overlies principal bedrock, we will adopt an overall designation of principal.

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During the risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

- Up-flow percolation column test, run to LS 2 - to derive kappa values;
- pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario;
- LS 2 batch test - to benchmark results of a simple compliance test against the final step of the column test.

Following the DQRA, a Remediation Options Appraisal should be completed to determine the Remediation Strategy, in accordance with the updated guide LCRM.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period before, during and after ground works e.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. The verification report should be undertaken in accordance with in our guidance Verification of Remediation of Land Contamination.

We only consider issues relating to controlled waters (groundwater and watercourses). Evaluation of any risks to human health arising from the site should be discussed with the relevant local authority Environmental Health Department.

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery

used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority. The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Advice for Applicant

Water Resources

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Residential developments

The supply of water in the area is under serious water stress (as identified in our report: Water stressed areas - 2021 classification). All

	<p>residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within the Building Regulations &amp;c. (Amendment) Regulations 2015.</p> <p>This standard or higher may already be a requirement of the local planning authority.</p> <p>We also recommend you contact your local planning authority for more information.</p> <p>Pre-Application Advice</p> <p>Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at <a href="mailto:HNLsustainableplaces@environment-agency.gov.uk">HNLsustainableplaces@environment-agency.gov.uk</a>.</p> <p>Further information on our charged planning advice service is available at; <a href="https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions">https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions</a>.</p> <p>Final comments</p> <p>Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.</p>
<p>BCA Townscape Group</p>	<p>This is a rural area within the Green Belt wherein residential development is only permitted in exceptional circumstances. Whilst this could be considered a 'brownfield' site containing some large, unattractive buildings, exceptional circumstances have not been proven to justify the proposed development. The BCA objects to the scale of the development as demonstrated by the cramped and excessive number of buildings and hard surfacing not conducive to this former historic parkland. The applicant quotes a reduction in overall building volume and hard surfacing, but the layout of the dwellings and the associated car parking is, in effect, a very urban approach in this rural area which takes no cognisance of its setting.</p> <p>This is a relatively isolated location; thus the residents will be reliant on cars. The access road, White Hill, is unsuitable for the amount of traffic likely to be generated by the development. There is a question over sustainability as the site cannot be considered to be on the 'fringe of Berkhamsted and Hemel Hempstead' as the former is separated from the town by the A41 bypass and the latter is some 8 km away. The site is also on the plateau of the southern slope of the Bulbourne valley and it is unrealistic to assume that residents will walk or cycle to the facilities in the town some 2.75km away, along unsuitable roads and having to negotiate a slope with a gradient of 1:5.</p>

	<p>The number of dwellings and the required car parking for each unit results in an excessive amount of hard surfaces. The site is already susceptible to surface water flooding at times of exceptional rainfall which, given climate change, will occur more frequently. It would appear that most parking is provided in the form of surface parking, many in courts, and often quite divorced from the relevant property. This constitutes very poor planning highlighted by the Crime Prevention Officer who states that the scheme does not meet either the gold or silver standard, which is woeful for a new development.</p> <p>Although there is green space around the built development - a proposed SANG, which provides a 'setting', there is minimal green space within the development itself. The properties also have minimal private open space, and the blocks of flats have no immediate amenity space at all. Whilst there is a narrow 'green' corridor through the centre of the site there is no space along the roads for any structural landscaping. The requirement of one tree per dwelling has not been met.</p> <p>The site location is outside the settlement boundary (of Berkhamsted) and is therefore not considered to be a suitable location for housing i.e. regardless of the number of units proposed, site is not suitable for housing.</p> <p>These comments all lead to the conclusion that the development constitutes an unacceptable development in the Green Belt, an overdevelopment of the site which introduces a very urban housing estate into open countryside to the detriment of its rural character. Therefore, the BCA objects to the application.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>DESCRIPTION: Demolition of existing buildings and redevelopment of the site to provide 59 residential units (market and affordable), erection of a community hub building, sustainability measures together with associated landscaping, open space, parking, and highway improvement.</p> <p>LOCATION: Haresfoot Farm Chesham Road Berkhamsted Hertfordshire HP4 2SU</p> <p>Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p> <p>Water quality</p> <p>We have reviewed the planning application documents and we can confirm that the site is not located within an Environment Agency defined groundwater Source Protection Zone (SPZ) or close to our abstractions.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction</p>

works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

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

#### Water efficiency

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

We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit [Water efficiency credits \(affinitywater.co.uk\)](https://affinitywater.co.uk/water-efficiency-credits).

#### Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).

Due to its location, Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

Thames Water	<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>Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company.</p>
Hertfordshire Highways (HCC)	<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>



1. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
  - a. Visibility splays of 2.4m by 25m illustrated on a scaled plan at any junctions / main vehicle accesses within the site.
  - b. Comments or recommendations from the rights of way officer as to any comments or recommendations in respect to the rights of way surrounding and through the site.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

#### Part A: Highway Improvements - Offsite (Design Approval)

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as referred to in the Transport Assessment have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- New relocated vehicle bellmouth access and any associated works;
- Any works associated with closing off the existing vehicle access;
- Installation of footway provision along White Hill and traffic calming carriageway alternate priorities;
- Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled signalised crossing prior to A416/Chesham Road roundabout.
- Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416 Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.
- Any works associated with construction access into the site.

#### Part B: Highway Improvements - Offsite (Implementation / Construction)

Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018)

## 2. Provision of Internal Access Roads, Parking & Servicing Areas

Prior to the first use of the development hereby permitted the proposed internal access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

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

## 3. Travel Plan

Prior to the first use of the approved development an updated Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The updated plan shall include:

- Text to be added to confirm that the secondary contact details provided upon appointment of the Travel Plan Co-ordinator (TPC).
- Offer of a sustainable travel voucher to the value of £50 for each flat and £100 for each house, as per HCC travel plan guidance.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

## 4. Construction Management Plan

No development shall commence until a Construction Management Plan 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 shall include details of:

- a. Construction vehicle numbers, type, routing;
- 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);
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and any temporary access to the public highway.

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

#### Highway Informatives

HCC recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Construction standards for works within the highway (s278 works):  
The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

The Public Rights of Way near the site should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from

traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 or [row@hertfordshire.gov.uk](mailto:row@hertfordshire.gov.uk) for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works. <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx>

#### Comments / Analysis

The planning application consists of redevelopment of the existing Haresfoot Farm site to provide a residential development of 59 residential dwellings and associated works. The site is located to the south of Berkhamsted and is accessed from White Hill, which is designated as an unclassified local access road, subject to a derestricted speed limit of 60mph and classified as P1/M1 (rural lane) on HCC's Place and Movement Network. Whitehill then joins onto Chesham Road, which is designated as a principle A road (A416), subject to a speed limit of 60mph and classified as P2/M3 (main connector) on the Place and Movement Network.

Public footpath Berkhamsted 41 runs through the site. It is therefore recommended that the Rights OF Way. It would therefore be recommended that Clayton Rae (the Dacorum Rights of Way Officer) be consulted in respect to the proposals and any objections, recommendations or comments that he may have in respect to the impact on the rights of way surrounding and running through the site.

A previous application for the site for 86 dwellings ref. 24/00330/MFA was refused at committee by Dacorum Borough Council (DBC) as Local Planning Authority. HCC as the Highway Authority did not object to the proposals subject to recommending the inclusion of various planning conditions (including for a number of off-site highway works).

A Transport Assessment (TA) and Travel Plan (TP) have been submitted as part of the application.

#### 1. Access

##### a. Highway Works

The proposals include amending the existing access into the farm site to facilitate access to the residential development in the form a new bellmouth vehicle access and separate pedestrian footpath as indicated on drawing number SK01 B. The location and general design of the access is the same as for the previous application 24/00330/MFA and considered to be acceptable by HCC as HA.

As part of the previous application review, it was recommended that double yellow lines are provided for at least the length of the required visibility splays in either direction from the access point on White Hill, to prevent any potential overspill parking from the proposed adjacent SANG site from parking within the necessary splay lines (2.4m by 101m in either direction from the access point, which is sufficient for the recorded 85th percentile speeds). The highway works plan were

subsequently updated to include this, the details of which are shown on submitted drawing number SK27. The double yellow lines can be included as part of any 278 application / 278 technical review process, in addition to the other highway works referred to below (albeit the double yellow lines themselves also needing to be secured by a separate Traffic Regulation process).

A number of off-site highway works have been included as part of the proposals and are supported by HCC as HA to ensure that access to and from the site is acceptable and sufficient for all users including pedestrians and to ensure that the proposals are in accordance with Policy 1: Transport User Hierarchy and Policy 5: Development Management of Hertfordshire's Local Transport Plan (LTP4) and Paragraphs 110 to 112 of the NPPF.

The applicant would ultimately need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the necessary works that would be needed on highway land. The works are indicated on the submitted plans in Appendix E of the TA and include:

- New relocated vehicle bellmouth access;
- Any highway works associated with closing off the existing vehicle access;
- Installation of footway provision along White Hill and traffic calming carriageway alternate priorities;
- Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled crossing prior to A416/Chesham Road roundabout.
- Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416

Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.

- Any works associated with construction access into the site.

Following a request from HCC as HA as part its pre-app discussions with the applicant, a Stage 1 Road Safety Audit and Designers Response was submitted as part of planning application ref. 24/00330/MFA. This is still relevant for the current application and is included in section 7 and appendix M of the TA.

Following consideration of the audit results, designers response and feedback from HCC's Road Safety Audit Team, there would not be any objections to the proposed works at this stage from a safety perspective, subject to a full assessment as part of the 278 technical review and incorporation (and ultimately implementation) of all of the proposed amendments in the designer's response.

The applicant would need to submit the full Stage One Road Safety Audit and Designers Response as part of the 278 application. Please see the above conditions and informatives for more information in relation to applying for the 278.

The acceptability of the necessary works on Chesham Road / A416 would be subject to the aforementioned speed limit change from the national speed limit 60mph to 40mph. Any speed limit change in Hertfordshire is subject to approval from the Speed Management Group (SMG).

Following submission of the necessary recorded vehicle speed survey data by the applicant (mean and 85<sup>th</sup> percentile speeds) and supporting information, the SMG has approved the recommended speed limit change and would not object to such a change and associated highway works. A copy of the full data is included in appendix K of the TA.

#### b. Internal Site Road Layout

The proposed site layout is shown on submitted drawing numbers 23-J4356-1000 and 23-J4356-1001. The proposals include a 5.5m carriageway width for vehicles (with localised narrowing further into the site) and a network of pedestrian footways and cycleway throughout the site, the overall layout of which is considered to be acceptable by HCC as Highway Authority.

The overall works would need to be built to a design speed of 20mph in accordance with guidelines as documented in MfS and HCC's recently adopted Place & Movement Planning and Design Guidance (P&MPDG), which does appear to be the case when taking into account the proposed features, which include raised tables, crossing points, localised narrowing and localised shared use areas.

Crossings points would need to be designed and provided in accordance with Cycle Infrastructure Design: Local Transport Note 1/20 (LTN1/20), 2020 and Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (IM), 2021 as necessary.

Visibility splays of 2.4m by 25m would need to be provided and maintained at any internal junctions within the site. This is to ensure that the visibility levels are sufficient for the design speed of 20mph. It would therefore be recommended that such splays are illustrated on a scaled plan.

Swept path analysis plans have been submitted as part of the TA to illustrate that a refuse vehicle (appendix H) and fire tender (appendix I) would be able to use the proposed internal site access arrangements, turn around on site and egress to the highway in forward gear. Any access and turning areas would need to be kept free of obstruction to ensure permanent availability and therefore consideration would need to be given to preventing vehicles parking on any turning areas and access routes. The collection method would also need to be confirmed as acceptable by Dacorum Borough Council (DBC) waste management.

The Highway Authority does not have any specific concerns in respect to access for emergency vehicles. Nevertheless due to the number of dwellings, as part of the highway authority's assessment of this planning application, we have forwarded to Hertfordshire Fire and Rescue for any comments which they may have. This is to ensure that the proposals are in accordance with guidelines as outlined in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses (and subsequent updates).

The HA would not agree to adopt any of the proposed internal access roads as the route would not be considered as being of utility to the wider public. However the works would need to be built to adoptable standards to be in accordance with guidelines as documented in MfS and P&MPDG. The developer would need to put in place a permanent arrangement for long term maintenance. At the entrance of the development, the road name plate would need to indicate that it is a private road to inform purchasers of their future maintenance liabilities.

#### c. Sustainable travel assessment / LTP4 policy considerations

The location of the site is approximately 900m to 1km (via the White Hill / Chesham Road access route) from the southern settlement edge of Berkhamsted. Berkhamsted town centre and its associated facilities and amenities are approximately 1.6km to 2km from the site, including the railway station. The nearest bus stops at present are located a 750m walking distance from the site entrance on Chesham Road, which is greater than the normally recommended maximum walking distance of 400m from any homes as laid out in guidance in IM and CIHT's Planning for Walking, 2015.

A policy and Sustainable Accessibility review was completed for the previous application 24/00330/MFA been included in section 6 of the TA. Whilst acknowledging the limitations of the site when taking into account its location, on balance following a review of the points raised in the TA (including the review of the policy considerations) and proposed off-site highway and access works, it has been considered

that there is not a reason to recommend refusal in respect of the sustainable travel options to and from the site. The proposed aforementioned off-site highway works would enable pedestrian access to bus stops closer to the site and therefore connections to bus services to the wider area including other facilities within Berkhamsted. The highway works would also enable safe pedestrian access to Ashlyns School (approximately 1km using the proposed new footways and pedestrian crossing points) and there would not be an objection in this respect.

HCC as HA would be supportive of the proposed community hub on site and proposed pedestrian links into the proposed adjacent Suitable Alternative Natural Greenspace (SANG) site, which is the subject of a separate planning application 24/00330/MFA. The pedestrian links would improve pedestrian permeability in and around the site in addition to the proposed highway footway link. The proposals include cycle storage provision for all of the dwellings in addition to an electric cycle store (the floorplan and elevation of which is shown on submitted plan number 23-J4356-3002), which would be supported by HCC as HA to promote and maximise cycling as a sustainable form of travel to and from the site.

## 2. Car Parking

The proposals include 147 car parking spaces for the proposed dwellings in addition to 30 dedicated visitor parking spaces. HCC as HA would therefore not have any objections in respect to the level of parking. In respect to electric vehicle charging provision, the submitted TA states that 50% of spaces will have active provision with the remaining 50% having passive provision. This would be supported by HCC as HA to ensure that the proposals are in accordance with LTP4, Policy 5h, which states that developments should "ensure that any new parking provision in new developments provides facilities for electric charging of vehicles, as well as shared mobility solutions such as car clubs and thought should be made for autonomous vehicles in the future".

DBC as the parking and planning authority for the district would ultimately need to be satisfied with the overall proposed parking levels on site taking into account DBC's PSSPD, use class, accessibility zone and the local area.

## 3. Trip Generation, Distribution and Traffic Junction Analysis

### a. Trip Generation

A trip generation assessment has been included in section 8 the TA, the details of which have been based on trip rate information from the TRICS database. This approach is considered to be acceptable by HCC as Highway Authority. The number of vehicular trips associated with the overall proposed development are estimated to be 25 two-way vehicle movements in the AM peak (0800-0900) (net reduction of -21 when compared to existing permitted use) and 23 two-way vehicle movements in the PM



peak (1700-1800) (net reduction of -30 when compared to the existing permitted use) with a total of 217 between 0700 and 1900.

An additional note / letter was submitted as part of application 24/00330/MFA in relation to trip distribution and numbers (in addition to those submitted as part of the original Transport Assessment), specifically in relation to trip numbers and distribution via Whelpley Hill to the south of Haresfoot Farm. The updated note included a comparison of the expected proposed trip generation against the existing use (based on a manual traffic count) to provide some greater details on traffic flows towards and from Whelpley Hill. The results show an expected 1 or 2 additional 1 and 2 additional car movements in the AM and PM peak hours.

HCC as Highway would not have any specific comments or concerns in respect to the methodology or data presented, which show a small number of additional vehicular movements travelling to and from the site via Whelpley Hill. This was also based on the larger number of dwellings and therefore would also be no concerns in this respect for the current application.

#### b. Junction Modelling

Following a request from HCC as HA as part of the pre-application review for the previous application 24/00330/MFA, junction modelling assessments were completed for the following junctions:

- A41 Roundabout (SW)
- White Hill/A416 Priority Junction
- A41 Roundabout (NE)
- 

The modelling has been updated as part of the current application to reflect the revised scheme with the reduced number of proposed dwellings (59). A Junctions 9 assessment has been carried out on the above junctions to a future year of 2028 both without and with the development, using baseline traffic data, TEMPRO growth factors to 2028 and the above TRICs vehicle trip rates in the AM and PM peak. The results of the modelling show that the Ratio of Flow to Capacity (RFC) at all of the arms of all junctions were well within the generally agreed practical capacity of 0.85.

From a highways and transport perspective, HCC as HA has assessed and reviewed the capacity and modelling results from the proposals in the context of paragraph 109, National Planning Policy

Framework (NPPF) (update 2023), which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". In this context and in conjunction with a review of the application and above model results, it has been demonstrated that there would not a severe impact on the road network.

	<p>4. Travel Plan</p> <p>A Travel Plan (TP) has been submitted as part of the application to support the promotion and maximisation of sustainable travel options to and from the site and to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan and the National Planning Policy Framework (NPPF). The TP is considered to be generally acceptable for this stage of the application.</p> <p>Nevertheless the in order to be acceptable the TP would need to be updated taking into account the following:</p> <ul style="list-style-type: none"> <li>• Supply details of a secondary contact to the TPC, when known. In the interim, please insert text that commits to informing HCC of the details of a secondary contact.</li> <li>• As per HCC travel plan guidance, please offer a sustainable travel voucher to the value of £50 for each flat and £100 for each house.</li> </ul> <p>For further information please see the following link  <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx</a></p> <p>OR by emailing  <a href="mailto:travelplan@hertfordshire.gov.uk">travelplan@hertfordshire.gov.uk</a></p> <p>5. Conclusion</p> <p>Following consideration of the overall application and the associated off-site highway works, HCC as Highway Authority has considered that there would not be sufficient ground to recommend refusal from a highways perspective. The applicant would also ultimately need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works. Therefore HCC as HA would not wish to object to the granting of planning permission, subject to the inclusion of the above planning conditions, informatives and comments in respect to the TP.</p>
Waste Services (DBC)	<p>Each house will require space to store 3 x wheeled bins and a curb side caddy and space outside their road side boundary to present 2 x wheeled bins and a curb side caddy on collection day.</p> <p>Each block of 4 flats will require space to store 1 x 770ltr container for residual waste, 1 x 770ltr container for comingled recycling and a wheeled bin for food waste and there should be no steps between the waste store and the collection vehicle.</p> <p>Residents should not have carry their waste more than 30mtrs and the collection crew should not have to collect from more than 25mtrs</p> <p>The collection vehicles are 26ton rigid freighters and reversing should be kept to a minimum, employing a loop road system to help achieve this.</p>

<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application submissions, including the TRC Desk Based Geoenvironmental Site Assessment (ref. 579790) dated 24th June 2024 and information held by the Environmental and Community Protection (ECP) Team I can 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 present that it will be remediated.</p> <p>This reflects the introduction of a residential end use that would be vulnerable to the presence of contamination on to a brownfield site that has a long history of agricultural and commercial uses.</p> <p>If permission is granted, the below condition will be required to enable the assessment of the land contamination risk associated with the site and if necessary appropriate decisions to be made to ensure that the future site is safe and suitable for its intended use.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <ul style="list-style-type: none"> <li>a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes: <ul style="list-style-type: none"> <li>iii. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</li> <li>iv. The results from the application of an appropriate risk assessment methodology.</li> </ul> </li> <li>b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.</li> <li>c) This site shall not be occupied, or brought into use, until: <ul style="list-style-type: none"> <li>iii. All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) 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.</li> <li>iv. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</li> </ul> </li> </ul> <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>
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	<p>Condition 2:</p> <p>Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <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 in line with paragraphs 180 (e) &amp; (f) and 189 and 190 of the NPPF 2023.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here:</p> <p><a href="https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm">https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</a></p> <p>and here:</p> <p><a href="https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8">https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8</a></p>
Hertfordshire Ecology	<p><b>ECOLOGICAL IMPLICATIONS</b></p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation:</p> <p>Confirmation that all HRA issues are satisfied and legally secured will be required before the application can be determined. Otherwise, there are no ecological objections, pending conditions / informatives listed.</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> <li>• No extant ecological interest sufficient to represent a fundamental constraint on the proposals.</li> <li>• Where necessary, bat issues can be addressed under licence.</li> <li>• Baseline assessment acceptable</li> <li>• Biodiversity Net Gain has been demonstrated and is likely to be deliverable.</li> </ul>

- HRA and SANG requirements need to be legally secured prior to determination, but can be accommodated within separate SANG proposals.
- CEMP and LEMP conditions required, the latter to address species enhancements. HMMP secured by condition.
- Lighting strategy appears acceptable.

Detailed comments:

#### Background

1. This application is a re-submission of similar proposals previously refused (24-00330-MFA), although housing numbers have now been reduced. Given this is a new, full application, all comments will be repeated or updated accordingly where appropriate.

1.1 The proposal is to create a new housing estate on a former farm building complex within open countryside. Until recently this was one of the last active dairy farms in Hertfordshire. There have been numerous recent permissions in respect of different uses for the site so that the original farm complex is now somewhat degraded. The redevelopment represents a significant change in use and character of this site which will need to be considered by the LPA accordingly.

#### 2. Ecology - Habitats

2.1 Although there are local sites of ecological value present in the wider area, there is no apparent extant interest on record associated with the former farm building complex.

2.2 No significant ecological interest was recorded on the site - largely a building complex and horse grazed grassland paddocks. This was considered to be Other Neutral Grassland (ONG) despite containing key 'modified grassland' species. This would be regarded as being of moderate value. However, the evidence for this (Appendix E) may suggest it could be regarded as 'modified grassland'. No abundances or % cover is provided for any species which also help determine ONG, and only 6/30 quadrat samples have at least 9 species which is one of the ONG criteria, whether or not some may be considered undesirable - which is a condition consideration anyway. 6/10 locations recorded quadrats with at least nine species, although only 1/10 locations averaged at least 9 species. Whilst I consider the assessment may over-estimate the grassland distinctiveness value, it does not under-estimate their value. In any event there is no existing or submitted evidence to suggest that the grasslands are of sufficient quality to require avoidance of any development. Ultimately they are essentially low quality grasslands, consistent with typical agriculturally improved grasslands for productive livestock grazing and subsequently horse-grazed pastures.

2.3 Furthermore, although a total of six LWS indicators were recorded, the grassland would not meet Local Wildlife Site grassland criteria.

#### 3. Ecology - protected species

3.1 Six low conservation status bat roosts (day / night roosts of pipistrelle / brown long-eared) have been recorded within five buildings on site, and these will need to be addressed accordingly under licence. If mitigation and compensation as outlined in EclA 5.20 is followed, I see no reason as to why any such licence would not be issued. Some trees are considered to have mainly low potential but none are proposed for removal.

3.2 No badger setts were recorded on site but some use of the site was. Limited hedgehog habitat was recorded given most of the grasslands were well grazed.

3.3 Old swallow nests were recorded from one building.

3.4 The site is largely unsuitable for amphibians and reptiles.

#### 4. Ecological impacts

4.1 Whilst much of the potential for species is also linked with site management - and this could change - there would appear to be no fundamental ecological constraints associated with the proposals.

#### 5. Ecological enhancements

5.1 A number of species enhancements and other measures have been proposed (EclA 5.36) and these should be pursued as part of any approval. They should also include appropriate provision of integrated bat and bird (swift) boxes, which should be secured as part of the LEMP condition.

#### 6. Biodiversity Net Gain

6.1 This application is subject to mandatory Biodiversity Net Gain. This has been calculated for this development as being a 21.47% increase in area Biodiversity Units (a gain of 8.66 BU) and 313.32% in hedgerow BU (1.58 BU gain). The latter is a substantial increase and although true, is perhaps a little misleading given the almost total lack of hedgerows currently present (none shown on the habitat map or visible in any Landscape photos, although 90m are claimed in the BNG metric and will be lost). This means this increase is relatively easily achieved with new hedgerow planting.

6.2 Consequently, this proposal clearly meets in excess of the mandatory minimum 10% BNG requirements.

6.3 Whilst I have raised a question regarding the accuracy of grassland assessment, it does not under-estimate the grassland value and in this respect I would not object to the baseline score. Whilst the landscaping and management details have yet to be fully detailed, I consider that the BNG condition is capable of being met.

6.4 Further detail will be needed in respect of management of the areas claimed to deliver biodiversity benefits, and appropriate grassland management will be essential. This will need a Biodiversity

Gain Plan to be submitted as a condition of approval, informed by the completed metric and a Habitat Management and Monitoring Plan, which for consistency I advise should use the HMMP Template proposed by NE / DEFRA.

6.5 BNG is not included within the proposed Heads of Terms (Planning Statement) - which would be required if the BNG is to be secured via a S106 agreement. It is, however, proposed as a condition - which will be needed in any event in the form of the BNG condition.

6.6 A Construction and Environment Management Plan (CEMP) is proposed as a condition of approval (EclA 6.4) and I would support this.

6.7 A Landscape and Ecology Management Plan (LEMP) is proposed (EclA 6.4) but I consider this only needs to cover species enhancements on site, as all other significant BNG will be included within the HMMP.

6.8 A lighting strategy is proposed as a condition (EclA 6.4). This has already been presented as part of the proposals (see below). If further details / confirmation of the strategy is required if approved, I support this condition.

## 7. HRA / SANG requirement

7.1 The proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence' and so the Habitats Regulations 2017 (as amended) apply. As the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).

7.2 It is recognised that the application will be subject to the requirements associated with the Chilterns Beechwoods SAC (incl. Ashridge Commons & Woods SSSI), and the following mitigation will be adopted (EclA 5.8):

- Strategic Access Management & Monitoring (SAMM) payment to contribute to management of recreational pressures at the Chilterns Beechwoods SAC in line with current rates to be confirmed by DBC;
- Suitable Alternative Natural Greenspace (SANG) provision at a rate of 8ha/1000 increase in population. Based upon an estimated increase of 207 new residents, this would amount to 1.7ha SANG requirement (EclA 5.9).

7.3 These figures are the same as those calculated for the previous application 24-0330-MFA and so are incorrect. However, given there will be less houses, and less additional residents, it is reasonable to conclude the SANG area requirements will also be less.

7.4 In respect of SANG capacity, in addition to the (too high) 1.7ha SANG required for the Haresfoot development as outlined above, the

Bovingdon Application (23/02034/MFA) suggested 4.280ha of SANG were required for that development. Given the proposed Haresfoot SANG (23-02508-MFA) delivers 24.049ha of SANG, both developments can be accommodated by the existing SANG proposals, if agreed with NE.

7.5 Payment of the appropriate tariff has been proposed as part of the application, but I am unaware of any further details regarding this. However, to allow the HRA to conclude that adverse effects can be ruled out alone or in-combination, beyond reasonable scientific doubt, this must be secured via a legal agreement. Once this is achieved, the application can then be determined accordingly.

7.6 In this respect, it is important that the legal status of the proposed SANG must also be secured before this application is determined. The reason for this is explained in the last three paragraphs of Natural England's (NE) letter of 21 November 2023 in relation to application no: 23/02508/MFA, in particular: As it currently stands, NE will object to any housing developments that rely on the Haresfoot SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC until such time that a legal agreement between the applicant and DBC regarding step-in rights and SANG security has been agreed. Consequently, if this issue has not been resolved, DBC should also take full account of NEs advice before determining this application.

7.7 The ownership interest incorporates a significant proportion of land at Haresfoot already subject to a planning application for delivery of a SANG, which has yet to be determined. However, it was stated that Natural England had confirmed that the site is acceptable for creation of a SANG in respect of the application site at Grange Farm Bovingdon (23/02508/MFA Planning Statement 4.3).

7.8 The Haresfoot development will help contribute to the delivery of the adjacent SANG (Planning Statement). How? The SANG is already subject to its own planning application and it is not clear how further development will contribute to its provision, other than address the existing tumbledown nature of the building complex and so remove the untidiness of this. However, if SANG delivery is in any event a legal requirement of approval, in itself it can't be afforded any planning weight unless its proposed size in excess of that required is considered.

7.9 The proposed Heads of Terms for a S106 to include the SANG is noted.

## 8. Landscaping

8.1 The proposal includes:

- Provision of interconnected open spaces, incorporating new trees and woodland.



- A general increase in tree cover and, specifically, the reintroduction of parkland trees to enhance the historic relevance of the landscape in the long-term.
- Facilitate connections with the off-site SANGs and provide circular routes and supplement the alternatives for those walking in the local area.
- Encourage the retention of the existing pattern of hedges and to create new features to further enhance landscape and ecological links between woodlands, using old field boundaries where possible.
- Promote the survey, retention and restoration of the historic parklands, including Ashlyns and Haresfoot, through a range of initiatives, including tree planting including parkland exotics (where over mature), encouragement to reverse arable to pasture and use of traditional metal estate fencing.

8.2 This would contribute to restoring the local character of the area surrounding the development, although management proposals for such areas are not provided. The parkland and surrounding SANG areas are unlikely to involve any livestock grazing given the primary use of these areas will have to be for SANG purposes i.e., leisure and recreation which will inevitably include dog walking, so their potential ecological contributions will be limited accordingly. Further details will be needed in respect of landscaping details - proposals and management, although these may be provided as part of the HMMP.

8.3 It is not clear from the landscaping whether any wetland areas for SUDS will be designed to hold permanent water, although the planning statement indicates that a permanent water depth of 600mm within pools will be created. If permanent water bodies are not created, the wetland ecological contributions of SUDS will be limited.

8.4 The proposals could potentially include a Community orchard, although this is not a feature of any habitat creation proposals for BNG.

## 9. Trees

9.1 There is a limited proposed loss of trees, primarily associated with the immediate environs of the former farm complex. There is nothing to suggest this would have significant ecological implications sufficient to represent a constraint on the proposals. 296 new trees are proposed to be planted as outlined within the BNG metric, although these may be reduced in number if the plots have been reduced in number.

## 10. Lighting

10.1 The site location is in a prominent 'rural' position on high ground above the Bourne Gutter and Bulbourne Valley south of Bekhamsted. Without appropriate design considerations it has the potential to generate significant light pollution locally but also within the wider landscape of the Chilterns due to sky-glow which could be visible from the National Landscape towards Little Heath.

	<p>10.2 The lighting strategy recognises the location of the development adjacent to the SANG. The development also sits within what is otherwise open countryside, albeit within an urban fringe environment with the edge of Berkhamsted and the A41 close-by. It is considered to be within an E2 Rural surrounding in respect of existing lighting.</p> <p>10.3 It also considers latest guidance in respect of bats (Lighting Report, 3.4), given roosts are present within some of the buildings and will require compensation. Ecological receptors have been recognised and considered in the lighting strategy, which would appear to be acceptable in limiting the lighting associated with the development. The proposals will still, by default, introduce an element of new lighting into an otherwise sensitive rural location. Appendices 1 and 2 do not appear to be available for scrutiny. Other than this, I have no reasons to object to the lighting proposals.</p> <p>11. Conclusion</p> <p>Based on the above, there would not appear to be any fundamental ecological constraints to the proposals themselves. However, the HRA issues must be fully secured to the satisfaction of the LPA to tenable the application to be determined accordingly.</p> <p>12. Further Information/amendments required:</p> <ul style="list-style-type: none"> <li>• Confirmation that HRA all issues have been legally secured to enable determination.</li> </ul> <p>13. If approved, the following conditions and informatives are required / advised:</p> <ul style="list-style-type: none"> <li>• Independent BNG condition.</li> <li>• Construction Environment Management Plan condition to consider needs of protected species on-site as appropriate, as outlined within 5.4 of the EclA. This would include precautionary measures required for bats as outlined within 5.20 of the EclA and badgers, as outlined within EclA 5.26.</li> <li>• LEMP condition to consider a range of species proposals, including as outlined above.</li> <li>• Habitat Management and Monitoring Plan condition to inform BNG delivery.</li> <li>• Informative for nesting birds.</li> </ul>
Water Officer (HCC)	This will require a condition for the provision and installation of fire hydrants, at no cost to the county council, or fire and rescue services. This is to ensure there are adequate water supplies available for use at all times.
The Chiltern Society	The Chiltern Society maintains its objection to the scheme for the reasons set out in our objection of 08.03.2024. In particular, the transport and access issues and the distance from local amenities, being separated by the A41. The lack of public transport and increase

of traffic flow onto a congested road system, and strain on local facilities eg schooling, medical care are still not adequately addressed.

Education (HCC)

I am writing in respect of planning obligations sought towards non-transport services to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information to date for the development of 59 dwellings we would seek financial contributions towards the following projects:

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	4	6
3	15	2
4+	22	0
Total	41	8

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	3	2
2	3	2
3	0	0
4+	0	0
Total	6	4

PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought

Secondary Education Contribution towards the expansion of Ashlyns Secondary School and/or provision serving the development (£632,263 index linked to BCIS 1Q2022)

Special Educational Needs and Disabilities (SEND) Contribution Delivery of 113 additional Severe Learning Difficulty (SLD) special school places (WEST) for pupils aged 2 to 19 years old, through the relocation and expansion of Breakspeare School and/or provision serving the development (£71,485 index linked to BCIS 1Q2022)

Youth Service Contribution towards resources and reconfiguring the Hemel Hempstead Young People's Centre in order to ensure young people from Berkhamsted can access appropriate projects in response to growth in the area (£11,125 index linked to BCIS 1Q2022))

Monitoring Fees - HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an

appropriate methodology for the obligations sought in this instance.

The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): "fairly and reasonably relates in scale and kind to the development".

Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

#### Justification

The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021 and is available via the following link: [Planning obligations and developer infrastructure contributions](#)

In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission."

The development plan background supports the provision of planning contributions.

The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development.

The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used

	<p>towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.</p> <p>(iii) Fairly and reasonably related in scale and kind to the development.</p> <p>The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).</p> <p>PLEASE NOTE THE FOLLOWING:</p> <p>Consult the Hertfordshire Fire and Rescue Service Water Officer directly at <a href="mailto:water@hertfordshire.gov.uk">water@hertfordshire.gov.uk</a>, who may request the provision of fire hydrants through a planning condition.</p> <p>I would be grateful if you would keep me informed about the progress of this application so that either instruction for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested financial contributions and provisions.</p> <p>Should you require any further information please contact the Growth &amp; Infrastructure Unit.</p>
<p>Buckinghamshire Council Highways</p>	<p>Thank you for sending the attached consultation regarding the above application. This has been allocated to myself and I have the following comments:</p> <p>Some development traffic will route onto Buckinghamshire's road network, in particular along the A416 Chesham Road, with a small amount also along White Hill/Whelpley Hill. Noting the previous application (ref: 24/00330/MFA) which was for a larger quantum of development, and considering the trips associated with the site's existing use which will be removed, the development impact on Buckinghamshire roads is minimal and does not give rise to any highway safety or network capacity concerns. The Highway Authority raises no objections.</p>
<p>Campaign to Protect Rural England (CPRE)</p>	<p>I write with regard to the above application which follows the refusal of planning permission for the same site under planning application reference 24/00330/MFA to which we objected on a number of grounds. We support the Council's previous decision and note the reasons for refusal including the lack of very special circumstances to overcome the harm which would be caused to the Green Belt.</p> <p>We also support the second reason for refusal relating to the sustainability of the proposed isolated location of the development in relation to Berkhamsted and repeat the following concerns from our previous submission which we believe apply equally to this application.</p> <ol style="list-style-type: none"> <li>1. The land identified for this proposed development is designated as London Metropolitan Green Belt in the adopted Dacorum Core Strategy where development is seen as inappropriate unless very special circumstances are identified</li> </ol>

	<p>which clearly outweigh the harms caused, according to criteria in the National Planning Policy Framework (NPPF).</p> <ol style="list-style-type: none"><li>2. The Planning Statement prepared by consultants for the Applicant seeks to suggest that the site is "previously developed" and "adjacent to a defined settlement" (reference page 12 Planning Policy). It is clearly not adjacent to a settlement, being outside the built-up area of Berkhamsted, entirely surrounded by open countryside, most of which is proposed as Suitable Alternative Natural Greenspace (SANG) in an associated application.</li><li>3. The varied and extensive planning history affecting the site indicates a gradual build-up of various uses of both commercial and equestrian activities which have changed the nature of the original agricultural use to some extent by adding low-rise shed type buildings and hard-standings. Specific reference is made to the appeal decision (APP/A1910/C/20/3249358) permitting new buildings and allowing some intensification of existing uses.</li><li>4. The appeal decision was however partial and significant attention was paid by the Inspector to Green Belt issues, and specifically the effect on openness of existing and proposed buildings. It is clear from the Inspector's decision that the generally rural character of both the existing development and surrounding area is significant and should be maintained.</li><li>5. It is therefore not appropriate to suggest that the introduction of a completely different use, that is, a residential housing estate, should be permitted on the basis of consents granted for the intensification of uses which have been seen previously as compatible with a Green Belt location. The total redevelopment of the site marks a considerable departure from the previous planning history which is made up of numerous consents and refusals of permission for a wide variety of relatively low intensity uses over a period of many years.</li><li>6. The proposed site is an unsustainable location for a residential development of 59 units with personal and community services such as schools and medical facilities requiring private vehicle use or a significant walk or cycle journey. For example, the location of Ashlyns School, which is presently significantly over-subscribed, is noted as being accessible "within a 15 to 20 minute walk" with the use of the road network, and there is no indication of local primary or other school or community provision, other than a small "community hub building".</li><li>7. Public transport is almost entirely lacking in the area and the quantum of development proposed, while causing landscape and visual impacts, will not be sufficient to support special or even additional provision from the existing limited bus services. The local limited network of small country lanes surrounding the site will be detrimentally affected by the inevitable increased car usage.</li><li>8. There is evidence of significant deterioration of the lanes in the immediate vicinity of the proposed development. Further increased usage will affect existing local users, rural residents and businesses which are already impacted by lack of maintenance and inadequate road capacity.</li></ol>
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	<p>9. The proposed total redevelopment envisages the demolition of the existing original farm buildings as well as the more modern additions. There will be significant impacts on the rural character of the area caused by the demolition of extensive farm buildings which also contribute to the heritage context.</p> <p>10. Notwithstanding the promotion of the previously developed nature of the site as justification for the proposed development, which we challenge as above, 'very special circumstances' are also promoted in terms of a range of benefits. According to the National Planning Policy Framework (NPPF), these need to clearly outweigh the harm caused to the Green Belt which we believe will be detrimentally affected by the total redevelopment of the site, affecting both the visual and landscape characteristics of the area.</p> <p>11. The very special circumstances identified relate primarily to the provision of housing of various types, highway and environmental provision, and economic benefits, all of which would be anticipated from any similar development of this size and nature. We believe that very special circumstances should be related to the specific conditions of the site and surrounding area.</p> <p>12. We support local community concerns relating to local services, facilities and the gradual deterioration of the farm and buildings due in part to unauthorised development over a period of years. A significant development south of the A41 and well outside the built-up area of Berkhamsted would comprise a significant encroachment into the Green Belt, and we urge the Council to refuse permission for this unsustainable and inappropriate proposal.</p>
<p>UK Power Networks Barton Road, Bury St Edmunds IP32 7BG</p>	<p>We note there are HV overhead cables and Underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.</p> <p>In the instance of overhead cables within the vicinity, GS6 (Advice on working near overhead powerlines) and a safety visit is required by UK Power Networks. Information and applications regarding GS6 can be found on our website <a href="https://www.ukpowernetworks.co.uk/safety-equipment/power-lines/working-near-power-lines/advice-on-working-near-overhead-power-lines-gs6#Apply">https://www.ukpowernetworks.co.uk/safety-equipment/power-lines/working-near-power-lines/advice-on-working-near-overhead-power-lines-gs6#Apply</a></p> <p>All works should be undertaken with due regard to Health &amp; Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office.</p> <p>Should any diversion works be necessary because of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.</p> <p>You can also find support and application forms on our website <a href="#">Moving electricity supplies or equipment   UK Power Networks</a></p>

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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	33	3	23	7

### Neighbour Responses

Address	Comments
Haresfoot Grange Chesham Road Berkhamsted Hertfordshire HP4 2SU	<p>Haresfoot Park is a rural hamlet in the Green Belt consisting of 7 properties separated from Berkhamsted by the A41 bypass. This application is a re-submission of a scheme that was previously refused by the planning committee for the reasons below:</p> <p>Inappropriate development in the Green Belt.</p> <p>Conflicting with one of the five purposes of including land in the Green Belt - (c) to assist in safeguarding the countryside from encroachment.</p> <p>The site is not considered to be a suitable location for housing contrary to policy CS1 of Dacorum Core Strategy and paragraph 109 of the National Planning Policy Framework (2023).</p> <p>The only change to this re-submission is the applicants have reduced the number of houses from 86 to 59. This is for no other reason than to circumnavigate Core Strategy CS5 (inappropriate development in the Green Belt) by concentration of the housing on the previously developed land sections of the site. However it still goes against policy CS5 in that the development and road alterations will have a significant impact on the character and appearance of the countryside. Therefore the reasons for refusal highlighted above are still valid along with a number of core strategies that the application fails to meet.</p> <p>Policy CS1 states that the rural character of an area will be conserved. Haresfoot Farm is located in open countryside in the Green Belt, and although the land in which the houses will be located is previously developed, siting of 59 houses will alter the character of the area. The proposed changes to the country lane will further cause damage to the existing character of Haresfoot Park and essentially urbanise open countryside with its double yellow lines, pavements, street lighting, traffic calming and illuminated road signs. The planning committee voted against the previous application stating the site is not considered to be a suitable location for housing, and nothing has fundamentally changed in this current application for this view to be different. Therefore the application fails to meet the Policy CS1</p>



Policy CS2 states developments on previously developed land are within defined settlements. There is the question of whether Haresfoot Park lies within the Berkhamsted settlement boundary. Regardless of this, caveat (a) states development must allow good transport connections, which cannot exist without major road alterations, which goes against caveat (d) respect local character and landscape context. The proposal clearly does not respect the local character of the area with its urbanising effect.

We also have to consider caveat (c) ensure the most effective use of land. The applicants state and I quote from email correspondence from Griggs homes

The site cannot continue in its existing form, the vacancy rate is increasing on a monthly basis and the buildings are not fit for purpose, many without key facilities required for a commercial premises. It is not viable to carry on as a commercial premises in its existing form.

We believe this needs addressing and feel the applicants are not being entirely transparent. Haresfoot Farm had operated successfully as a light industrial site for around 15 years prior to Griggs acquiring the farm. There were new buildings erected and others upgraded in 2020 which although subject to enforcement and appeal in 2021, only one building (number 7) was ordered to be taken down.

Griggs acquired Haresfoot Farm in 2022, paying over double the market value and outbidding local residents and farmers, whom viewed the farm as a going concern. The farm was marketed with a rentable income of over £800,000 per year, and yet Griggs state it is not viable. Research shows the commercial buildings have not actively been advertised for some considerable time, and when they were, it was only offered on a 3 year lease. This is not only significantly below industry standard terms, but would put most companies off, given the costs involved in relocating.

This, along with the tons of rubbish/spoil and general untidiness of the site, we believe was all part of the plan to support the application for housing. Therefore we believe the application fails to meet Policy CS2 on numerous points.

Although the application meets Policy CS5 & CS7 in that the housing will occupy previous developed land. The caveats are

No significant impact on the character and appearance of the countryside.

It supports the rural economy and maintenance of the wider countryside.

We believe not only would an estate of 59 houses look out of character in open countryside, but the impact that the significant alterations to the country lane would have a devastating effect on the character and appearance of the countryside. What is being proposed is urbanisation of a rural hamlet with double yellow lines, pavements, street lighting, traffic calming and illuminated signage. Not only this,

the property known as The Redwoods, would be severely effected with the traffic calming lane and illuminated signage directly in front of the property. It would severely impact access to the driveway and the owner would be unable to pull out and shut their gates without blocking the road.

The rural economy will suffer with the complete loss of the commercial aspect of Haresfoot Farm. Jobs have already been lost through the mis-management of the site since Griggs acquired the farm. Although the application states the housing will have a positive effect on the rural economy. Any benefit will be short term and not provide long term employment which could be seen with a commercial enterprise. Therefore this application does not meet the requirements of Policy CS5 & CS7.

Policy CS20 refers to rural sites for affordable housing. The policy wording states 'Small-scale schemes for local affordable homes will be promoted in and adjoining selected small villages in the countryside (see Policies CS6 and CS7) and exceptionally elsewhere with the support of the local parish council'. These selected villages highlighted in Policy CS6 include Chipperfield, Flamstead, Potten End and Wiggington. Policy CS7 includes Aldbury, Long Marston and Wilstone. Therefore as Haresfoot Park is not included in the selected villages (and cannot be remotely described as a village), this application does not meet the requirements of Policy CS20. Only if Berkhamsted Town Council supports the application, would the application meet the requirements of Core Strategy CS20.

In terms of personal impact, our property lies to the north east of the application site and the closest proposed house would be roughly 100 metres away from our boundary and horse stabling. We are concerned regarding 59 households setting off fireworks simultaneously impacting the welfare of our horses and local wildlife. These days fireworks do not appear to be limited to the days around November 5th, i.e New Years Eve, Birthdays, Diwali, Eid etc. Despite the applicants knowing this information, nothing has been put in place to mitigate this.

We would also be impacted by the increase in traffic on the country lane and the proposed traffic calming which will cause more congestion than it is designed to relieve. The traffic data and highways report are based on theory and do not echo real life. We know from experience that a small increase in traffic on the lane, due to road closures in Ashley Green, brings the lane to a standstill. Our driveway and that of our neighbours become like a car park and this will only become a common occurrence with the granting of this application.

On balance, this application conflicts with Dacorum Core Strategies CS1, 2, 5, 7 and 20. It also conflicts with one of the five purposes of including land in the Green Belt - (c) to assist in safeguarding the countryside from encroachment. It will irrevocably cause harm to open countryside and damage the character of Haresfoot Park with the proposed urbanisation. Considering Taylor Wimpey is proposing a scheme for 850 houses less than a mile away, the application at

	<p>Haresfoot Farm seems futile to help deliver the housing need, considering the major road alterations that would be required and the overall damage it will cause to the countryside for a mere 59 houses.</p> <p>For these reason we ask you to refuse this application.</p>
<p>10 Kings Road Berkhamsted Hertfordshire HP4 3BD</p>	<p>This site is in Green Belt and is not specified as an area of development in the Core Strategy Site Allocation document. It is contrary to CS Policies 1, 5 and 9.</p> <p>There will be increased traffic on White Hill, which is already difficult to navigate, and not wide enough in many parts for 2 passing cars.</p> <p>Although there is a genuine need for affordable housing, the council should consider brownfield sites before developing on Green Belt. For this reason I object to the development.</p>
<p>The Base 15B Middle Road Berkhamsted Hertfordshire HP4 3EQ</p>	<p>Quite simply and most importantly the development is in the wrong place. It isn't in Berkhamsted, or Ashley Green, nor Chesham. A unsupported hamlet in the middle of the countryside doesn't match the needs of the population. I note the reduction in numbers of houses but a location so far from the envelope of the settlements is not appropriate.</p> <p>The envelope of Berkhamsted should be kept north and east of the A41.</p> <p>It seems that substantial changes will be required to the local road and footpath network, it will be important that these are implemented before other building takes place. Relying on existing public transport provision seems to be evading developers responsibilities.</p> <p>I'd prefer not to pick at details, so just a single comment on detail, I'm not sure the travel times (isochrones) are realistic. As an example, I suggest that primary school children will not walk for (an optimistic) 40 minutes - I don't think young children can walk at 13min/km. If this assumes the use of the footpath under the A41 south from the Ashlyns Care Home (Chiltern Society ref BK40), it needs to be enlarged, relit and made considerably more pleasant at the developers expense.</p>
<p>Wentworth Shootersway Lane Berkhamsted Hertfordshire HP4 3NW</p>	<p>Having considered the documents filed by the Applicant on 1.7.24, I object to the application for planning permission relating to the proposed development of Haresfoot Farm - 24/01496/MFA.</p> <p>I have also read the papers relating to a previous application for planning permission for 86 houses at the same site (24/00330/MFA) and the minutes of the Development Management Committee dated 30.5.24 where that application was turned down.</p> <p>The Applicant's Planning Statement refers to the earlier application being refused '.....due to some elements of the proposal being just outside the area officers believed was the brownfield envelope of the</p>

site and insufficient sustainability measures had been promoted to justify development in this location'. The minutes of the Development Management Committee meeting dated 30.5.24 actually state that the decision was based upon the fact that the application contravened the National Planning Policy Framework (NPPF) and Core Strategy (2013) Policies 1 and 5 and that 'the site is not considered to be a suitable location for housing'.

In summary, my objections to the proposed development are that the new application remains contrary to:

1. the National Planning Policy Framework (2023) ('NPPF') paras 109, 142, 143, 152, 153, & 154
2. the Core Strategy (2013)
3. the Dacorum Borough Local Plan (as amended)
4. the Hertfordshire Local Transport Plan 4 (LTP4) 2018

In detail I object on the following grounds as follows:

1. Contrary to the NPPF (2023) and Core Strategy (2013)

1.1 The application remains contrary to Policy 1 of the Core Strategy (2013) relating to Distribution of Development which provides that:

'The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported.'

Critically, the Applicant has still failed to provide relevant material consideration as to why this policy should be contravened particularly bearing in mind the overarching vision of the Core Strategy (2013) para 1.17 relating to 'small settlements' where the focus is on '....(maintaining) the openness of the areas of the borough designated as Green Belt'. The area in which Haresfoot Farm is situated is a tiny hamlet - the photographs in the Applicant's Planning Statement demonstrate this. The introduction of 59 houses will fundamentally destroy the rural and open character of the area.

1.2 Importantly, there is no mention of the Haresfoot Farm site within the Site Allocations Development Plan document - it has never been designated for housing development. The proposed development is to be built on the site of a farm in the middle of open countryside outside of Berkhamsted's settlement boundary thus damaging the rural character of the borough and contravening Policy 2 of the Core Strategy (2013) relating to the Selection of Development Sites which provides that developments should be within defined settlements.

There is little point in having clearly defined planning policy if it is to be ignored.

The Applicant's argument appears to revolve around Haresfoot Farm being a brownfield site situated in Green Belt and therefore

development should be allowed. The reality is that this site has been a farm for decades until the pandemic when excessive development took place with seeming disregard for planning which culminated in applications for retrospective permissions and lack of appropriate enforcement action by Dacorum Borough Council. This does not provide valid reason for policy within the Core Strategy (2013) to be contravened further.

1.3 The application remains contrary to Policy 5 of the Core Strategy relating to Green Belt (and consequently Policy 11 relating to the Quality of Neighbourhood Design) which provides that small scale development may be permitted where:

'(a) building for the uses defined as appropriate in national policy;  
(b) the replacement of existing buildings for the same use;  
(c) limited extensions to existing buildings;  
(d) the appropriate reuse of permanent, substantial buildings; and  
(e) the redevelopment of previously developed sites.....

provided that (my emphasis)

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

Critically the Applicant has still failed to provide any evidence to show why a development of 59 houses in the middle of Green Belt is a small-scale development permitted under this policy in circumstances where the Development Management Committee has already determined that the site is an unsuitable location for housing. The Applicant has provided no evidence to show that this development will have no significant impact on the character and appearance of the countryside and how it will support the maintenance of the wider countryside or how it does not contravene NPPF paras 142, 143, 152, 153 and 154.

Specifically NPPF para 143 provides that one of the 5 objectives of Green Belt land is to '...assist in safeguarding the countryside from encroachment'. No material consideration has been provided by the Applicant to demonstrate why this policy should be contravened - at a very basic level it is clear that this overdevelopment would create the 'urban sprawl' that the Green Belt is designed to protect particularly given its proximity to an ancient historic town. What is also clear is that no 'very special circumstances' have been provided as to why the development should be allowed to encroach on this area of Green Belt where it will inevitably prove harmful to wildlife, the biodiversity and ecology of the area.

1.4 The Applicant has failed to realistically demonstrate how this site will meet the strategic objective set within the Core Strategy (2013) of '.....(minimising) the impact of traffic and (reducing) the overall need to travel by car.....' and thus continues to contravene NPPF para 109.

The application is contrary to Policy 9 of the Core Strategy (2013) relating to the Management of Roads which provides that:

'All new development will be directed to the appropriate category of road in the road hierarchy based on its scale, traffic generation, safety impact, and environmental effect.

The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments'.

Whilst the Applicant asserts various measures to improve traffic management, the reality is that White Hill is a rural country road which narrows significantly soon after the proposed development. Lighting along White Hill and within the development will result in visual harm and visual intrusion to the countryside. Bus stops on Chesham Road (and pedestrian crossing facilities adjacent to the roundabouts) will slow traffic attempting to access the A416, the A41 and the town causing further traffic build up on an already congested road network. Whilst much is made of proposed sustainable transport measures these are wholly unrealistic for a development positioned outside of a town whose geography is such that residents will almost undoubtedly rely on the use of their cars.

White Hill narrows to a single track as it passes by the development and on through to Whelpley Hill - the road is poorly maintained not least due to the flooding caused by the Bourne Gutter and can in no way be relied upon for safe and easy passage. If road users turn left out of the development to Whelpley Hill this will inevitably cause traffic chaos should any vehicle or farm traffic come the other way as there are few passing places. If road users turn right along White Hill any attempts to then turn right onto the A416 particularly in the peak periods will take some time and will likely cause traffic chaos - cars can drive along here at speed notwithstanding the proximity of the roundabouts. Pressure on this junction is likely to increase at peak hours with traffic also accessing the proposed adjacent SANG and parents/carers dropping off/collecting children from the Haresfoot campus of Berkhamsted School. If the Taylor Wimpey development north of the A41 is allowed to proceed there will be cars from another 850 houses entering the road network on the Chesham Road and accessing the A416 roundabouts.

The traffic assessment of travel times between the development and the town for walking, cycling and by car are unrealistic not least because they fail to take into account the geography of the town situated at the bottom of a steep valley. For example, there is no mention of the fact that it is inevitably far quicker travelling downhill on foot or by bicycle than when making the return journey uphill; the walking times stated do not take into account the slower speed that children walk in comparison with adults; and the times stated for car travel do not allow for the congested roads at peak times (and/or during bad weather) particularly for those attempting to access the heavily used railway station on the north side of Berkhamsted via the only north-south route across the town along Kingshill Way and Kings Road. This residential road is already severely impacted by heavy traffic including traffic associated with Berkhamsted School situated halfway along the road. The inevitable consequence of the

development's geographical position is that residents will have recourse to their cars adding to further road congestion.

What is more, the detail given within the traffic assessment for bus timetables is misleading giving the impression that there are 15/16 buses daily Monday to Saturday - any consultation of the current 354 timetable will show that buses to Berkhamsted are infrequent and are not compatible with commuter travel to London with the first bus dropping travellers at the station at 8.28 and the last bus leaving the rail station at 1818. There are no buses on a Sunday. Again, the inevitable consequence is that there will be greater reliance upon cars by residents of the proposed development.

1.5 The core purpose of local place strategies is stated at para 19.4 of the Core Strategy (2013) as being to 'Maintain and enhance the character, built heritage, natural environment and leisure assets of each settlement and the wider countryside

Berkhamsted Place Strategy at Para 21.6 of the Core Strategy (2013) provides that 'New development must respect and maintain the distinctive physical and historic character of the town and its valley setting..... It will not be supported where it has an adverse impact on the sensitive open valley sides and ridge top locations'.

1.6 No material consideration has been submitted by the Applicant to demonstrate why the vision contained within the Berkhamsted Place Strategy of the Core Strategy should be overridden for a development within the wider countryside.

## 2. Contrary to the Dacorum Borough Local Plan (DBLP)

2.1 The application is contrary to Policy 51 of the DBLP relating to Development and Transport impacts which provides that 'Overall capacity in the main road network will be regarded as an important constraint on development proposals which would have a significant transport impact.....The acceptability of all development proposals will always be assessed specifically in highway and traffic terms and should have no significant impact upon: (a) the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; (b) the provision of routes and facilities for pedestrians, cyclists and passenger transport users, including links to existing networks; .....(d) the design and capacity of parking areas and the implications for on-street parking.' (my emphasis).

The Applicant has failed to demonstrate that it has met these criteria - clearly the introduction of road users from the development (and users of the adjacent proposed SANG (23/02508/MFA) with a 24 space car park on the bend of White Hill) will have a significant impact on the existing highway network which is already at breaking point. The documents supporting the application refer to the fact that 130 parking spaces are envisaged for the 59 properties; 17 unallocated parking spaces; and 30 visitors parking spaces with 1 electric car club parking place. This does not appear to be a development that is going to be able to embrace sustainable travel options.

2.2 No material consideration has been submitted by the Applicant to demonstrate why the DBLP should be overridden.

### 3. Contrary to LTP4 2018

The objectives of the LTP are to '..... Preserve the character and quality of the Hertfordshire environment; and reduce carbon emissions'.

The development will not address these objectives - the inevitable car usage by the development's residents will negatively impact on the rural character of the county and the natural environment with additional noise, light pollution and visual intrusion as well as additional carbon emissions caused by increased road congestion. The built and historic environment of Berkhamsted will also be adversely impacted by the additional traffic caused by the development.

LTP4 provides that 'All transport measures delivered by the county council must be in accordance with the LTP policies'. Policy 5 refers to the need to 'Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users'. The development will severely affect the rural nature of White Hill and further damage the residential nature of Kings Road by the increase in traffic entering the town centre - the Applicant has provided no material consideration as to why this policy should be contravened.

#### Conclusion

Regardless of whether the development is for 86 or 59 dwellings it still represents an unacceptable overdevelopment in the Green Belt. Whilst reference has been made in the Statement of Community Involvement to an earlier public consultation for 86 houses taking place at this site with information sent to addresses within a radius of 1.5km, it should be noted that as the surrounding land is in Green Belt the consultation area covered mainly comprised fields. There were a comparatively small number of properties consulted and few attendees to the consultation event (in stark contrast to the proposal for development of the South Berkhamsted Concept) in circumstances where the impact of traffic on the whole of Berkhamsted of this development and particularly for all those residents who currently use King's Road will be significant.

In summary,

- The application is in clear contravention of policy within the NPPF, Core Strategy (2013), DBLP and LTP4 (2018).

- A slight revision of the proposals (by reducing the number of homes to be built) does not mean that the previous decision of the Development Management Committee (that the site is not a suitable location for housing) should be ignored or that overarching strategic planning policies should be similarly ignored.



	<p>- Whilst there is a clear need for 'affordable' housing locally, the 'affordable' (and other) housing promised by this development is very clearly in the wrong place with no existing infrastructure to support it and will amount to an intolerable strain being placed on the local road network. It should be noted that the idea of 'affordable' housing becomes even less affordable when every resident needs a car to get to key services and/or their place of work.</p> <p>- Rather than dealing with matters on a piecemeal basis, decision makers need to reflect on the overdevelopment of the historic town of Berkhamsted and the impact on its existing residents particularly so far as the local road network is concerned.</p> <p>For the reasons expressed above I object to the revised application for planning permission re 24/01496/MFA.</p>
<p>29 Shrublands Avenue</p> <p>Berkhamsted Hertfordshire HP4 3JH</p>	<p>I object to the planning application 24/01496/MFA</p> <ul style="list-style-type: none"> <li>- The scheme is not only in the green belt but falls outside of the existing Berkhamsted town boundary.</li> <li>- The application is in clear contravention of policy within the NPPF, Core Strategy (2013), DBLP and LTP4 (2018)</li> <li>- The development will increase traffic on already very congested roads, particularly at peak periods.</li> <li>- The development will add extra pressure on health provision in the town, which is already at capacity.</li> <li>- The planning statement states that children will be able to walk or cycle to schools - this is highly unlikely as the roads are very busy and speed limits for part of the route are high, making them far too dangerous for children to cycle. Primary school provision is not close by, so young children are unlikely to walk such distances with parents.</li> <li>- I would question the validity of the 'Public Consultation' - this is an important planning issue for the whole town and yet very few residents were contacted by letter. The single public meeting was not widely publicised and held at a busy period in the run up to Christmas.</li> <li>- I note that the developers have been in close discussion with Dacorum Borough Council (DBC) planning department regarding the proposal, in particular regarding so called "Affordable Homes". If DBC were serious about providing good quality, low cost homes for local people surely they should be exploring existing Brown Field sites within the Town? For example, the former Roy Chapman garage derelict site at Gossoms End, which has been vacant for many years and is close to 2 primary schools and a Health centre.</li> </ul>
<p>13 Hall Park Gate Berkhamsted Hertfordshire HP4 2NL</p>	<p>This application should be dismissed for the same reasons the applicants previous application was refused which are not countered by reducing the scale of development.</p> <p>It is in Green Belt. It is outside the built up area of the town in a relatively remote location and will generate considerable amounts of private vehicular traffic with no mitigating factors.</p>

	It is not in the draft Local Plan
<p>12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF</p>	<p>This development is suitable for the inclusion of integrated Swift bricks within the walls of the new buildings.</p> <p>NPPF paragraph 186(d) states: "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate"</p> <p>At present the Ecological Impact Assessment proposed 22 tree mounted boxes. Frankly, such boxes are of limited ecological benefit as they will only be used by the most common species of birds. Instead, integrated Swift bricks should be required. Integrated bricks have the advantage of lasting the lifetime of the building and requiring no maintenance. Unlike externally fitted boxes, they cannot become dislodged or be replaced.</p> <p>Swift bricks are universal nest bricks and so no other types of box are required to be installed on buildings. This is because they conform to the British Standard for integrated nest boxes, BS42021:2022, and in doing so provide nest cavities for a number of birds including four red-listed species of conservation concern: Swift, House Martin, House Sparrow and Starling, making inclusion a real biodiversity enhancement for the site.</p> <p>Similar comments were made in relation to the previous application for this site, 24/00330/MFA, and the committee report included a draft condition for 22 Swift Bricks</p> <p>Bearing in mind the scale of the development, please consider securing Swift bricks by way of a specific condition, which could alternatively be a condition of a LEMP.</p> <p>The condition should be worded: "no development shall take place until written details are approved by the LPA of the model and location of 22 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter", in accordance with the NPPF</p>
<p>12 The Mallards Hemel Hempstead Hertfordshire HP3 9DP</p>	<p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p> <p>Great for the area and providing more housing</p> <p>I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>• The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>• There's 40% provision for much needed affordable housing which is above and beyond existing policy allowing residents to get onto the housing ladder</li> </ul>

	<ul style="list-style-type: none"> <li>• There is significant off-site highway and sustainable transport improvements to the local area and network</li> <li>• A community hub for residents, including places to work, meet, and access everyday groceries at the community pantry bringing community cohesion to the development</li> <li>• New landscaping, including significant tree planting with a total of 292 new trees planted</li> <li>• Retaining 69% of the site as open space - 20 times the council's policy requirement</li> <li>• In excess of 20% biodiversity net gain</li> <li>• Reduction of vehicle movements from the baseline of existing consented uses</li> </ul> <p>I hope the council will support this planning application and grant permission.</p>
<p>13 Poynders Hill Hemel Hempstead Hertfordshire HP2 4PQ</p>	<p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p> <p>Given the housing crisis that is currently happening I am in support of this new development</p> <p>I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>• The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>• In excess of 20% biodiversity net gain</li> </ul> <p>I hope the council will support this planning application and grant permission</p>
<p>12 The Mallards Hemel Hempstead Hertfordshire HP3 9DP</p>	<p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p> <p>This will improve the overall quality of the location.</p> <p>I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>• The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>• A community hub for residents, including places to work, meet, and access everyday groceries at the community pantry bringing community cohesion to the development</li> <li>• New landscaping, including significant tree planting with a total of 292 new trees planted</li> </ul> <p>I hope the council will support this planning application and grant permission.</p>
<p>6 Trevalga Way Hemel Hempstead Hertfordshire</p>	<p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p>

<p>HP2 6NW</p>	<p>I think it's a great idea, and will bring lots of beautiful homes to the area I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>• The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>• There's 40% provision for much needed affordable housing which is above and beyond existing policy allowing residents to get onto the housing ladder</li> <li>• There is significant off-site highway and sustainable transport improvements to the local area and network</li> <li>• A community hub for residents, including places to work, meet, and access everyday groceries at the community pantry bringing community cohesion to the development</li> <li>• New landscaping, including significant tree planting with a total of 292 new trees planted</li> <li>• Retaining 69% of the site as open space - 20 times the council's policy requirement</li> <li>• In excess of 20% biodiversity net gain</li> <li>• Air source heat pumps and other sustainable construction methods - meaning no gas boilers</li> <li>• Reuse of a previously developed site incorporating a substantial reduction in built footprint, volume and hardstanding</li> <li>• Reduction of vehicle movements from the baseline of existing consented uses</li> </ul> <p>I hope the council will support this planning application and grant permission.</p>
<p>Town End Shootersway Lane Berkhamsted Hertfordshire HP4 3NW</p>	<p>Dear Sir,</p> <p>Objections to Application for Planning Permission re Demolition of existing buildings and redevelopment of the site at Haresfoot Farm to provide 59 residential units (market and affordable), erection of a community hub building, sustainability measures together with associated landscaping, open space, parking, and highway improvement - 24/01496/MFA</p> <p>I wish to register my objection to the application for planning permission relating to the proposed development of Haresfoot Farm - 24/01496/MFA.</p> <p>I object for the following reasons:</p> <p>I am aware of the papers relating to a previous application for planning permission for 86 houses at the same site (24/00330/MFA) and the minutes of the Development Management Committee dated 30.5.24 where that application was turned down.</p> <p>The minutes of the Development Management Committee meeting dated 30.5.24 state that the decision was based upon the fact that the application contravened the National Planning Policy Framework</p>

(NPPF) and Core Strategy (2013) Policies 1 and 5 and that 'the site is not considered to be a suitable location for housing'.

The application is in clear contravention of policy within the NPPF, Core Strategy (2013), DBLP and LTP4 (2018).

1.1 The application does not follow Policy 1 of the Core Strategy (2013) relating to Distribution of Development

The Applicant has not demonstrated why this policy should be contravened particularly bearing in mind the overarching vision of the Core Strategy (2013) para 1.17 relating to 'small settlements' where the focus is on '...(maintaining) the openness of the areas of the borough designated as Green Belt'. The area in which Haresfoot Farm is situated is a tiny hamlet and the introduction of 59 houses will fundamentally destroy the rural and open character of the area.

1.2 Secondly there is no mention of the Haresfoot Farm site within the Site Allocations Development Plan document - it has never been designated for housing development. The proposed development is to be built on the site of a farm in the middle of open countryside outside of Berkhamsted's settlement boundary. This will damage the rural character of the borough and contravenes Policy 2 of the Core Strategy (2013) relating to the Selection of Development Sites, which requires that developments be within defined settlements.

I do not understand why the clearly defined planning policy is being ignored.

The Applicant's argument seems to be that Haresfoot Farm is a brownfield site situated in Green Belt and, therefore, development should be allowed. This is not an accurate representation. The reality is that this site had been a farm for decades until the pandemic. The general disruption caused by the pandemic seemed to provide an opportunity for excessive development to take place with seeming disregard for planning. This culminated in applications for retrospective permissions and lack of appropriate enforcement action by Dacorum Borough Council. This does not provide valid reason for policy within the Core Strategy (2013) to be contravened further.

1.3 The application remains contrary to Policy 5 of the Core Strategy relating to Green Belt (and consequently Policy 11 relating to the Quality of Neighbourhood Design)

The Applicant has still failed to provide any evidence to show why a development of 59 houses in the middle of Green Belt is a small-scale development permitted under this policy in circumstances where the Development Management Committee has already determined that the site is an unsuitable location for housing. The Applicant has provided no evidence to show that this development will have no significant impact on the character and appearance of the countryside and how it will support the maintenance of the wider countryside or how it does not contravene NPPF paras 142, 143, 152, 153 and 154.

It is clear is that no 'very special circumstances' have been provided as to why the development should be allowed to encroach on this area of Green Belt where it will inevitably prove harmful to wildlife, the biodiversity and ecology of the area.

1.4 The Applicant has failed to realistically demonstrate how this site will meet the strategic objective set within the Core Strategy (2013) of '.....(minimising) the impact of traffic and (reducing) the overall need to travel by car.....' and thus continues to contravene NPPF para 109.

The application is contrary to Policy 9 of the Core Strategy (2013) relating to the Management of Roads

The Applicant asserts various measures to improve traffic management. However, the reality is that White Hill is a rural country road, which narrows significantly soon after the proposed development. Lighting along White Hill and within the development will result in visual harm and visual intrusion to the countryside. Bus stops on Chesham Road (and pedestrian crossing facilities adjacent to the roundabouts) will slow traffic attempting to access the A416, the A41 and the town causing further traffic build-up on an already congested road network. Whilst much is made of proposed sustainable transport measures, these are wholly unrealistic for a development positioned outside of a town whose geography is such that residents will almost undoubtedly rely on the use of their cars.

White Hill narrows to a single track as it passes by the development and on through to Whelpley Hill - the road is poorly maintained not least due to the flooding caused by the Bourne Gutter and can in no way be relied upon for safe and easy passage. If road users turn left out of the development to Whelpley Hill, this will inevitably cause traffic chaos should any vehicle or farm traffic come the other way, as there are few passing places. If road users turn right along White Hill, any attempts to then turn right onto the A416 particularly in the peak periods will take some time and will likely cause traffic chaos - cars can drive along here at speed notwithstanding the proximity of the roundabouts. Pressure on this junction is likely to increase at peak hours with traffic also accessing the proposed adjacent SANG and parents/carers dropping off/collecting children from the Haresfoot campus of Berkhamsted School. If the Taylor Wimpey development north of the A41 is allowed to proceed there will be cars from another 850 houses entering the road network on the Chesham Road and accessing the A416 roundabouts.

The traffic assessment of travel times between the development and the town for walking, cycling and by car are unrealistic. In particular, they fail to take into account the geography of the town situated at the bottom of a steep valley. For example, there is no mention of the fact that it is far quicker to travel downhill on foot or by bicycle than to return uphill; the walking times stated do not take into account the slower speed that children walk in comparison with adults; and the times stated for car travel do not allow for the congested roads at peak times (and/or during bad weather) particularly for those attempting to access the heavily used railway station on the north side of Berkhamsted via the only north-south route across the town along

Kingshill Way and Kings Road. This residential road is already severely impacted by heavy traffic including traffic associated with Berkhamsted School, situated halfway along the road. The inevitable consequence of the development's geographical position is that residents will prefer to use their cars adding to further road congestion.

In addition, the detail given within the traffic assessment for bus timetables is misleading. It gives the impression that there are 15/16 buses daily Monday to Saturday, whereas any consultation of the current 354 timetable will show that buses to Berkhamsted are infrequent and are not compatible with commuter travel to London, with the first bus dropping travellers at the station at 8.28 and the last bus leaving the rail station at 1818. There are no buses on a Sunday. Again, the inevitable consequence is that there will be greater reliance upon cars by residents of the proposed development.

## 2. Contrary to the Dacorum Borough Local Plan (DBLP)

### 2.1 The application is contrary to Policy 51 of the DBLP relating to Development and Transport impacts

The Applicant has failed to demonstrate that it has met the criteria stated in this Policy. It is clear that the introduction of road users from the development (and users of the adjacent proposed SANG (23/02508/MFA) with a 24 space car park on the bend of White Hill) will have a significant impact on the existing highway network which is already at breaking point. The documents supporting the application refer to the fact that 130 parking spaces are envisaged for the 59 properties; 17 unallocated parking spaces; and 30 visitors parking spaces with 1 electric car club parking place. This does not appear to be a development that is going to be able to embrace sustainable travel options.

2.2 No material consideration has been submitted by the Applicant to demonstrate why the DBLP should be overridden.

## 3. Contrary to LTP4 2018

The inevitable car usage by the development's residents will negatively impact on the rural character of the county and the natural environment with additional noise, light pollution and visual intrusion as well as additional carbon emissions caused by increased road congestion. The built and historic environment of Berkhamsted will also be adversely impacted by the additional traffic caused by the development.

The development will severely affect the rural nature of White Hill and further damage the residential nature of Kings Road by the increase in traffic entering the town centre - the Applicant has provided no material consideration as to why this policy should be contravened.

## 4. Additional points

	<p>Whether the development is for 86 or 59 dwellings, this remains an unacceptable overdevelopment in the Green Belt.</p> <p>I see that reference has been made in the Statement of Community Involvement to an earlier public consultation for 86 houses taking place at this site with information sent to addresses within a radius of 1.5km. It should be noted, however, that as the surrounding land is in Green Belt, the consultation area covered comprised mainly fields. As a result, very few properties were consulted and there were few attendees to the consultation event (in stark contrast to the proposal for development of the South Berkhamsted Concept). This is in circumstances where the impact of traffic will have a significant effect on the whole of Berkhamsted and especially on those residents who currently use King's Road.</p> <p>Whilst there is a clear need for 'affordable' housing locally, the 'affordable' (and other) housing promised by this development is very clearly in the wrong place; there is no existing infrastructure to support it and will amount to an intolerable strain being placed on the local road network. It should be noted that the idea of 'affordable' housing becomes even less affordable when every resident needs a car to get to key services and/or their place of work.</p> <p>Rather than dealing with matters on a piecemeal basis, decision makers need to reflect on the overdevelopment of the historic town of Berkhamsted and the impact on its existing residents particularly so far as the local road network is concerned.</p> <p>For the reasons expressed above I object to the revised application for planning permission re 24/01496/MFA.</p>
<p>1 Coram Close Berkhamsted Hertfordshire HP4 2JG</p>	<p>I object to the planning application 24/01496/MFA.</p> <p>The area should be retained as green belt. This proposal is in the wrong place. There is no existing infrastructure to support it. It would create a significant strain on the local road network given its proposed location. This proposal will harm biodiversity and wildlife. It will create a community isolated from amenities which will necessitate significant car use to access those amenities that exist in the town centre which is already struggling with the amount of car traffic.</p>
<p>Spring Meadow Farm Whelpley Hill Berkhamsted HP4 2SX</p>	<p>I am a land worker on one of the farms in Whelpley Hill. Having a big housing project in this area is not good for anyone, as lorries get stuck on the lane and there will be long delays sometimes for hours. Also large combines and tractors regularly use the lane tending their fields.</p> <p>Building on the green belt isn't good either, for environment and would mean certain habitats would be destroyed.</p>
<p>Harriotts End Farm House Chesham Road Berkhamsted</p>	<p>The applicant has recently proposed the construction of 86 houses, this was rejected and now is coming back with 59 houses. In my opinion, there is not any difference now as compared with the previous application.</p>



<p>Hertfordshire HP4 2SU</p>	<p>The traffic will be horrendous, it is already busy at times with cars running between Bovington and Berkhamsted, we are talking about a country lane in the beautiful English countryside. This proposal will dramatically change the character of the area.</p> <p>I have lived here for 10 years and I have walked from my house to Berkhamsted two or three times maximum, it is simply too far (40 minutes) and people will use their cars to go shopping, nobody will walk and carry bags. This will increase pollution and it will be a hazard to pedestrians, runners, bickers, etc, whom enjoy the countryside as it is.</p> <p>The nearest school is Ashlyns which already has a long waiting list, I believe there are about 500 potential students waiting for a place and I know that parents from Berkhamsted school will be looking to move their children to Ashlyns as VAT will be applied to school fees, this will certainly increase the waiting list.</p> <p>Development should take place in buildup areas, not in the countryside which many people enjoy as it is.</p>
<p>2 Hall Park Gate Berkhamsted Hertfordshire HP4 2NJ</p>	<p>We object to this over development in a rural setting</p> <p>The area should be retained as green belt - it is down a quite rural road. Development should not be allowed in farmland where it will harm biodiversity and wildlife.</p> <p>The access road is small and the houses would not be near any local amenities requiring extra car journeys and congestion. There is not sufficient public transport and pedestrian access is not secure and too far from amenities.</p> <p>It is an unacceptable development on green belt land creating an isolated community away from amenities and damaging the environment.</p> <p>It is not in keeping with the area and does not, as the Core Strategy 2013 demands "preserve the rural character of the borough."</p>
<p>Whelpley Hill Farm Whelpley Hill Berkhamsted HP4 2SY</p>	<p>I would like my all objections to the previous application to stand.</p> <p>I would also like to point out that the developers state 'that the site cannot continue in its existing form as the vacancy rate is increasing on a monthly basis' Maybe this is because they have given notice to quit to many of the businesses. The very successful livery yard was forced to close earlier this year. This yard was used by many local horse and pony owners to enjoy the extensive adjoining bridleway network for their leisure and relaxation. Most of these people now travel many miles to find equivalent facilities.</p> <p>White Hill is a single track rural lane. While it may be possible to widen it and add lighting and turn it into suburbia that will substantially alter the rural nature and affect the wildlife - badgers, foxes, hares, deer etc that inhabit the adjoining woodland areas. In addition the lane</p>

	<p>through to Whelpley Hill is single track,with big bends, in a deep cutting in many places. On 10th June this year, as a result of works on the A416, so much traffic used the lane that its whole 2 miles length was full of cars with noone being able to move other than by using residents front gardens. It took 2 hours to remove the vehicles. I was unable to access or leave my property during this period and I have photographice evidence of the chaos. I am still repairing my front lawn. The prospect of more traffic using the lane is shocking. It is a very small rural lane, largely used by those involved in agriculture trying to do their job and feed the nation. To have periods when farm machinery and residents cannot get about is not acceptable.</p> <p>The times for walking to/from Berkhamsted make no allowance for the steepness of the roads. Very few people would be fit enough to carry their shopping back from the High Street to Haresfoot Farm.</p> <p>The local bus service is very limited and not particularly helpful for linking with rail stations at any normal commuting times.</p> <p>The number of traffic movements seem to be very overestimated a regards current usage and masively underestimated for 59 homes.</p> <p>The developers keep describing it as a 'brownfield' site. It is green belt and the 'ugly buildings' are farm buildings put up for the use of the very large dairy herd that were there for many years. Since the demise of the farm, following its purchase/sale by a series of developers/entrepreneurs/asset strippers, much of the land has been sold off and extra buildings put up, many without planning permission. However it is still in the green belt and should not be allowed for massive development.</p>
<p>Wentworth Shootersway Lane Berkhamsted Hertfordshire HP4 3NW</p>	<p>Further to my comment submitted on 23.7.24, I would wish to add that the documents supporting the application refer to the fact that 130 parking spaces are envisaged for the 59 properties; 17 unallocated parking spaces; and 30 visitors parking spaces with 1 electric car club parking place. This does not appear to be a development that is going to embrace sustainable travel options and will undoubtedly adversely impact the local road network with this number of cars travelling to and from it.</p> <p>Having considered the documents filed by the Applicant on 1.7.24, I object to the application for planning permission relating to the proposed development of Haresfoot Farm - 24/01496/MFA.</p> <p>I have also read the papers relating to a previous application for planning permission for 86 houses at the same site (24/00330/MFA) and the minutes of the Development Management Committee dated 30.5.24 where that application was turned down.</p> <p>The Applicant's Planning Statement refers to the earlier application being refused '.....due to some elements of the proposal being just outside the area officers believed was the brownfield envelope of the site and insufficient sustainability measures had been promoted to justify development in this location'. The minutes of the Development Management Committee meeting dated 30.5.24 actually state that the</p>

decision was based upon the fact that the application contravened the National Planning Policy Framework (NPPF) and Core Strategy (2013) Policies 1 and 5 and that 'the site is not considered to be a suitable location for housing'.

In summary, my objections to the proposed development are that the new application remains contrary to:

1. the National Planning Policy Framework (2023) ('NPPF') paras 109, 142, 143, 152, 153, & 154
2. the Core Strategy (2013)
3. the Dacorum Borough Local Plan (as amended)
4. the Hertfordshire Local Transport Plan 4 (LTP4) 2018

In detail I object on the following grounds as follows:

1. Contrary to the NPPF (2023) and Core Strategy (2013)

1.1 The application remains contrary to Policy 1 of the Core Strategy (2013) relating to Distribution of Development which provides that:

'The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported.'

Critically, the Applicant has still failed to provide relevant material consideration as to why this policy should be contravened particularly bearing in mind the overarching vision of the Core Strategy (2013) para 1.17 relating to 'small settlements' where the focus is on '....(maintaining) the openness of the areas of the borough designated as Green Belt'. The area in which Haresfoot Farm is situated is a tiny hamlet - the photographs in the Applicant's Planning Statement demonstrate this. The introduction of 59 houses will fundamentally destroy the rural and open character of the area.

1.2 Importantly, there is no mention of the Haresfoot Farm site within the Site Allocations Development Plan document - it has never been designated for housing development. The proposed development is to be built on the site of a farm in the middle of open countryside outside of Berkhamsted's settlement boundary thus damaging the rural character of the borough and contravening Policy 2 of the Core Strategy (2013) relating to the Selection of Development Sites which provides that developments should be within defined settlements.

There is little point in having clearly defined planning policy if it is to be ignored.

The Applicant's argument appears to revolve around Haresfoot Farm being a brownfield site situated in Green Belt and therefore development should be allowed. The reality is that this site has been a farm for decades until the pandemic when excessive development took place with seeming disregard for planning which culminated in

applications for retrospective permissions and lack of appropriate enforcement action by Dacorum Borough Council. This does not provide valid reason for policy within the Core Strategy (2013) to be contravened further.

1.3 The application remains contrary to Policy 5 of the Core Strategy relating to Green Belt (and consequently Policy 11 relating to the Quality of Neighbourhood Design) which provides that small scale development may be permitted where:

'(a) building for the uses defined as appropriate in national policy;  
(b) the replacement of existing buildings for the same use;  
(c) limited extensions to existing buildings;  
(d) the appropriate reuse of permanent, substantial buildings; and  
(e) the redevelopment of previously developed sites.....

provided that (my emphasis)

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

Critically the Applicant has still failed to provide any evidence to show why a development of 59 houses in the middle of Green Belt is a small-scale development permitted under this policy in circumstances where the Development Management Committee has already determined that the site is an unsuitable location for housing. The Applicant has provided no evidence to show that this development will have no significant impact on the character and appearance of the countryside and how it will support the maintenance of the wider countryside or how it does not contravene NPPF paras 142, 143, 152, 153 and 154.

Specifically NPPF para 143 provides that one of the 5 objectives of Green Belt land is to '....assist in safeguarding the countryside from encroachment'. No material consideration has been provided by the Applicant to demonstrate why this policy should be contravened - at a very basic level it is clear that this overdevelopment would create the 'urban sprawl' that the Green Belt is designed to protect particularly given its proximity to an ancient historic town. What is also clear is that no 'very special circumstances' have been provided as to why the development should be allowed to encroach on this area of Green Belt where it will inevitably prove harmful to wildlife, the biodiversity and ecology of the area.

1.4 The Applicant has failed to realistically demonstrate how this site will meet the strategic objective set within the Core Strategy (2013) of '.....(minimising) the impact of traffic and (reducing) the overall need to travel by car.....' and thus continues to contravene NPPF para 109.

The application is contrary to Policy 9 of the Core Strategy (2013) relating to the Management of Roads which provides that:

'All new development will be directed to the appropriate category of road in the road hierarchy based on its scale, traffic generation, safety impact, and environmental effect.

The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments'.

Whilst the Applicant asserts various measures to improve traffic management, the reality is that White Hill is a rural country road which narrows significantly soon after the proposed development. Lighting along White Hill and within the development will result in visual harm and visual intrusion to the countryside. Bus stops on Chesham Road (and pedestrian crossing facilities adjacent to the roundabouts) will slow traffic attempting to access the A416, the A41 and the town causing further traffic build up on an already congested road network. Whilst much is made of proposed sustainable transport measures these are wholly unrealistic for a development positioned outside of a town whose geography is such that residents will almost undoubtedly rely on the use of their cars.

White Hill narrows to a single track as it passes by the development and on through to Whelpley Hill - the road is poorly maintained not least due to the flooding caused by the Bourne Gutter and can in no way be relied upon for safe and easy passage. If road users turn left out of the development to Whelpley Hill this will inevitably cause traffic chaos should any vehicle or farm traffic come the other way as there are few passing places. If road users turn right along White Hill any attempts to then turn right onto the A416 particularly in the peak periods will take some time and will likely cause traffic chaos - cars can drive along here at speed notwithstanding the proximity of the roundabouts. Pressure on this junction is likely to increase at peak hours with traffic also accessing the proposed adjacent SANG and parents/carers dropping off/collecting children from the Haresfoot campus of Berkhamsted School. If the Taylor Wimpey development north of the A41 is allowed to proceed there will be cars from another 850 houses entering the road network on the Chesham Road and accessing the A416 roundabouts.

The traffic assessment of travel times between the development and the town for walking, cycling and by car are unrealistic not least because they fail to take into account the geography of the town situated at the bottom of a steep valley. For example, there is no mention of the fact that it is inevitably far quicker travelling downhill on foot or by bicycle than when making the return journey uphill; the walking times stated do not take into account the slower speed that children walk in comparison with adults; and the times stated for car travel do not allow for the congested roads at peak times (and/or during bad weather) particularly for those attempting to access the heavily used railway station on the north side of Berkhamsted via the only north-south route across the town along Kingshill Way and Kings Road. This residential road is already severely impacted by heavy traffic including traffic associated with Berkhamsted School situated halfway along the road. The inevitable consequence of the

development's geographical position is that residents will have recourse to their cars adding to further road congestion.

What is more, the detail given within the traffic assessment for bus timetables is misleading giving the impression that there are 15/16 buses daily Monday to Saturday - any consultation of the current 354 timetable will show that buses to Berkhamsted are infrequent and are not compatible with commuter travel to London with the first bus dropping travellers at the station at 8.28 and the last bus leaving the rail station at 1818. There are no buses on a Sunday. Again, the inevitable consequence is that there will be greater reliance upon cars by residents of the proposed development.

1.5 The core purpose of local place strategies is stated at para 19.4 of the Core Strategy (2013) as being to 'Maintain and enhance the character, built heritage, natural environment and leisure assets of each settlement and the wider countryside

Berkhamsted Place Strategy at Para 21.6 of the Core Strategy (2013) provides that 'New development must respect and maintain the distinctive physical and historic character of the town and its valley setting..... It will not be supported where it has an adverse impact on the sensitive open valley sides and ridge top locations'.

1.6 No material consideration has been submitted by the Applicant to demonstrate why the vision contained within the Berkhamsted Place Strategy of the Core Strategy should be overridden for a development within the wider countryside.

## 2. Contrary to the Dacorum Borough Local Plan (DBLP)

2.1 The application is contrary to Policy 51 of the DBLP relating to Development and Transport impacts which provides that 'Overall capacity in the main road network will be regarded as an important constraint on development proposals which would have a significant transport impact.....The acceptability of all development proposals will always be assessed specifically in highway and traffic terms and should have no significant impact upon: (a) the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; (b) the provision of routes and facilities for pedestrians, cyclists and passenger transport users, including links to existing networks; .....(d) the design and capacity of parking areas and the implications for on-street parking.' (my emphasis).

The Applicant has failed to demonstrate that it has met these criteria - clearly the introduction of road users from the development (and users of the adjacent proposed SANG (23/02508/MFA) with a 24 space car park on the bend of White Hill) will have a significant impact on the existing highway network which is already at breaking point.

2.2 No material consideration has been submitted by the Applicant to demonstrate why the DBLP should be overridden.

## 3. Contrary to LTP4 2018

The objectives of the LTP are to '..... Preserve the character and quality of the Hertfordshire environment; and reduce carbon emissions'.

The development will not address these objectives - the inevitable car usage by the development's residents will negatively impact on the rural character of the county and the natural environment with additional noise, light pollution and visual intrusion as well as additional carbon emissions caused by increased road congestion. The built and historic environment of Berkhamsted will also be adversely impacted by the additional traffic caused by the development.

LTP4 provides that 'All transport measures delivered by the county council must be in accordance with the LTP policies'. Policy 5 refers to the need to 'Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users'. The development will severely affect the rural nature of White Hill and further damage the residential nature of Kings Road by the increase in traffic entering the town centre - the Applicant has provided no material consideration as to why this policy should be contravened.

#### Conclusion

Regardless of whether the development is for 86 or 59 dwellings it still represents an unacceptable overdevelopment in the Green Belt.

Whilst reference has been made in the Statement of Community Involvement to an earlier public consultation for 86 houses taking place at this site with information sent to addresses within a radius of 1.5km, it should be noted that as the surrounding land is in Green Belt the consultation area covered mainly comprised fields. There were a comparatively small number of properties consulted and few attendees to the consultation event (in stark contrast to the proposal for development of the South Berkhamsted Concept) in circumstances where the impact of traffic on the whole of Berkhamsted of this development and particularly for all those residents who currently use King's Road will be significant.

In summary,

- The application is in clear contravention of policy within the NPPF, Core Strategy (2013), DBLP and LTP4 (2018).
- A slight revision of the proposals (by reducing the number of homes to be built) does not mean that the previous decision of the Development Management Committee (that the site is not a suitable location for housing) should be ignored or that overarching strategic planning policies should be similarly ignored.
- Whilst there is a clear need for 'affordable' housing locally, the 'affordable' (and other) housing promised by this development is very clearly in the wrong place with no existing infrastructure to support it and will amount to an intolerable strain being

	<p>placed on the local road network. It should be noted that the idea of 'affordable' housing becomes even less affordable when every resident needs a car to get to key services and/or their place of work.</p> <ul style="list-style-type: none"> <li>- Rather than dealing with matters on a piecemeal basis, decision makers need to reflect on the overdevelopment of the historic town of Berkhamsted and the impact on its existing residents particularly so far as the local road network is concerned.</li> </ul> <p>For the reasons expressed above I object to the revised application for planning permission re 24/01496/MFA.</p>
<p>16 Kings Road Berkhamsted Hertfordshire HP4 3BD</p>	<p>I object to the proposal to build 59 houses on Haresfoot Farm greenbelt land for the following reasons:</p> <p>The application is in clear contravention of policy within the NPPF, Core Strategy (2013), DBLP and LTP4 (2018).</p> <ul style="list-style-type: none"> <li>- A slight revision of the proposals (by reducing the number of homes to be built) does not mean that the previous decision of the Development Management Committee (that the site is not a suitable location for housing) should be ignored or that overarching strategic planning policies should be similarly ignored.</li> <li>- Whilst there is a clear need for 'affordable' housing locally, the 'affordable' (and other) housing promised by this development is very clearly in the wrong place with no existing infrastructure to support it and will amount to an intolerable strain being placed on the local road network. It should be noted that the idea of 'affordable' housing becomes even less affordable when every resident needs a car to get to key services and/or their place of work.</li> <li>- Rather than dealing with matters on a piecemeal basis, decision makers need to reflect on the overdevelopment of the historic town of Berkhamsted and the impact on its existing residents particularly so far as the local road network is concerned. The impact on Kings Rd, which is essentially residential will be considerable particularly when looked at together with the 850 new dwellings proposed at the top of Swingate Lane.</li> <li>- It should also be borne in mind that whilst the population of this area expands the health infrastructure shrinks. The proposed health hub in Hemel Market Square is no replacement of the hospital.</li> </ul> <p>For the reasons expressed above I object to the revised application for planning permission re 24/01496/MFA.</p>
<p>1 Coram Close Berkhamsted Hertfordshire HP4 2JG</p>	<p>This development is in the wrong place. There are no other housing estates nearby, making it completely out of character with the area. It's on green belt land, local traffic is already a problem, this would add to it. Being the other side of the A41 from Berkhamsted town centre this is over development. Local schools are already oversubscribed.</p>



	<p>The development conflicts with the local plan. There has been insufficient local consultation.</p>
<p>Harratts Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>The developers state:</p> <p>"The site cannot continue in its existing form, the vacancy rate is increasing on a monthly basis and the buildings are not fit for purpose, many without key facilities required for a commercial premises. It is not viable to carry on as a commercial premises in its existing form."</p> <p>This is an incorrect statement; it could be viable but would not be as profitable in the short term as turning the site into houses. There is a big difference.</p> <p>It was a viable site before. The area it is located is in the M1 A1 corridor and is perfect for light industrial warehousing facilities.</p> <p>Modernisation is required but would be a low cost compared to the current housing development plan and then could provide work for around 50 to 60 local people.</p> <p>An example is Peterley Manor Fram, which makes a profit and employs people while housing local businesses like plant nurseries, stables, multi-space work areas, gyms and wellbeing centres etc.</p> <p>This, mixed with storage and light industrial spaces, could provide a very valuable business centre just outside Berkhamstead and near Ashley Green.</p> <p>Property developers have been known to run sites down deliberately and destroy businesses. This allows them to then state the site is economically unviable and the only option is to build housing. This is typically done with pubs but now increasingly with farm sites on the green belt. Councils, local communities, and the courts have noticed this practice and have stopped it previously.</p>
<p>Spring Meadow Farm Whelpley Hill Berkhamsted HP4 2SX</p>	<p>I strongly object to the application, a resubmission from previously with fewer dwellings, however the site remains inaccessible and the development remains unsustainable in such a remote location.</p> <p>Whilst further sustainable transport measures have now been introduced in the re-application, given the remote location these can not provide the real alternative to the car required to fulfil HCC's LTP4 Policy 2.</p> <p>The application sets a precedent for development on this side of the A41 bypass and would destroy the openness of the green belt, with which it is surrounded. The demolition would sanction the loss of historic, vernacular farm buildings, replacing them with new buildings out of keeping with rural character of the countryside.</p> <p>I believe the scale of this application cannot be supported by the surrounding infrastructure or available services . Take the local road</p>

	<p>network, in particular the single roadway from the proposed site to the A416 is already under stress from existing two-way traffic, which was added to with the Berkhamsted School exit. The proposal adds another 127 cars into the mix while introducing " traffic calming features ". These features cut the flow at the same time as an increase in traffic, which is entirely unworkable. Further, the traffic calming features are immediately outside the Redwoods and take no account for the resident's needs for access. One last point on this stretch of road - the minimum width in places is 3.5m only - insufficient for the proposed roadway, pavement and cyclepath.</p> <p>Secondly on the infrastructure - the application presumes that most schoolchildren will attend Ashlyns School, however the school is currently oversubscribed. This will necessitate children attending schools further afield and further car traffic on the road network.</p> <p>There are countless other measures introduced on White Hill and the A416, street lighting, pelican crossing, reduced speed limit, expanding traffic island, to name a few; all of which are deleterious to the appearance of this rural area and and an unjustifiable imposition, solely for the development of a housing project.</p> <p>Finally, the application is made on the basis of the site being commercially unviable - however the application does not sufficiently prove this to be the case and there is a body of evidence to suggest this is in fact not true. As a primary issue the applicant should be required to provide better evidence to support their position.</p> <p>I commend these points to the Councillors for their consideration, while registering my deep objection to the application.</p>
<p>29 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>When the last local plan that I am aware of, went through public consultation, it was clear that the long term intention was to build on all available land between the A4251 (Berkhamsted &amp; Northchurch High Streets) and the A41 Berkhamsted by-pass. This has been steadily happening, and is mostly executive housing. There has been no additional provision for local amenities, and traffic density has increased noticeably. However poorly executed, there was some geographic logic to this expansion as the by-pass forms a barrier.</p> <p>However, to jump, like some mutating virus, across the by-pass, will push the Berkhamsted envelope south towards the county border and onto Ashley Green. There is no logic to this, just as there will be no additional amenities or access ways. But what it will do is set a precedence that when another landowner, hyperthetically, say the Rossway Estate, decides to exploit the position, then it will be difficult to refuse... ..and so it goes on...</p> <p>I suggest that if you are really concerned about homes for people, especially local people, you should be looking for solutions which are less car-orientated, and considerably higher density. That can still be achieved with a high quality of living, through careful and imaginative design, planning and construction.</p>
<p>The Redwoods Haresfoot Park</p>	<p>1. Introduction</p>

Berkhamsted  
HP4 2SU

I am pleased to see references to my property, the Redwoods, in some of the documents and it's inclusion on one of the drawings. It is a pity, therefore, that this does not herald the taking on board of the objections and points that I raised in connection with the previous, refused, application.

## 2. Consultation

I attended the community engagement event held on 14th December 2023 in Berkhamsted to promote the previous application, 24-00330-MFA. I asked about the "significant off-site highway improvements", but they were not able to give me an answer as apparently there were no drawings or other details available. So I had to wait for the application to be submitted. I also visited the website set up by the applicants. I think that, from my side, I have attempted to engage with the applicants.

In connection with the present application I, on 20th June, and my neighbours, received a letter from Griggs (STATEMENT\_OF\_COMMUNITY\_INVOLVEMENT-1508194.pdf Appendix K pdf-p63) offering a meeting to discuss the revised plan they were "working towards". One of my neighbours replied, on 24th June, on behalf of the group of us that we would like to have a meeting and also requested a summary of the revised plan. There were a few emails back and forth but before we were able to fix a date the rug was pulled from under our feet by an email on 2 July from Griggs telling us that they had already submitted the application. There was nothing in their letter, to suggest that the application was practically complete and they were on the verge of submitting it.

This somewhat clouds the issue of the sincerity with which the Applicant wishes to engage with neighbours.

I would like the Councillors from Berkhamsted and Dacorum councils, and the officers of the planning department, to take note of this when they read: "An invitation has been made to meet neighbours, but we have yet to receive a response" in the Planning Statement, a document created on 28 June (PLANNING\_STATEMENT-1508259.pdf pdf-p40)

Throughout this process, the previous application (and the SANG one as well) we have felt as if our existence was inconvenient and best ignored. One example among many is where the Planning Statement gives a list of those likely to experience visual change (pdf-p85). Whilst it includes people travelling on white Hill absolutely no mention is made of adjoining neighbours, for whom the site is in direct view. It has taken a lot of hard work to get now some acknowledgement (although that's all it seems to be at this stage). I think my neighbours are still waiting.

## 3. White Hill - Road 'improvements'.

I object most strongly to the alterations proposed for White Hill. In particular the priority traffic calming features shown on drawing SK02 rev D (PART\_1-1509223.pdf pdf-p84)

The Design And Access Statement (pdf-p20) makes the assertion that "Implementation of traffic calming along white Hill will promote a

suitable highway arrangement for the proposed development as well as existing properties such as The Redwoods." It will not. My objections were already known from the previous application.

These proposals are exactly the same as those in the previous application and no account has been taken of the objections I raised at that time.

The juxtaposition of the traffic calming and the gates to my house would make entering and exiting by vehicle very difficult and possibly dangerous. It would cause conflict with other vehicles approaching or queuing at the traffic calming and it would create an ambiguous situation with regards to the movement of vehicles in or out of my property. Also I need to pull up on the verge opposite in order to get out and open the gate before driving or reversing in. Up to now, this has not been a problem, but with the proposed layout I can foresee difficulties. With the proposed footpath and kerb it would necessitate stopping fully on the carriageway in the middle of the traffic calming feature.

These difficulties are even worse in the case of larger vehicles, for example, a Land-rover and trailer or a heavy goods vehicle, which require the full width of the road at present to manoeuvre, particularly when reversing in. The top gate was constructed especially to allow larger vehicles to be able to enter or exit and therefore not remain on the road in order, for example, to make a delivery. There is also the case where a vehicle needs to stop in the road to make a delivery, such as the postman or other similar delivery driver.

In addition to this there is also the gate to the field next to my property, to the north. This needs to be kept clear as it is required for access by the Electricity company for maintenance of the 11kV pole and transformer and installation of a generator at times of power failure. These generators are usually transported by a large HGV with a trailer which has to park at the edge of the road opposite this gate.

It is not clear why two sets of traffic calming would be needed on such a short piece of lane such as this. The northernmost one is too close to the bend. I can foresee congestion resulting as vehicles have to queue up whilst others come from the opposite direction. This would especially be the case when 50 or 60 cars come from the school in the afternoon.

In short, this proposal for traffic calming measures would be impractical, dangerous, and would cause undue conflict with other road users and should be abandoned forthwith.

Further, I strongly object to the alterations proposed for White Hill in general. The proposals would change the whole character of White Hill from rural lane to a kerbed, street-lit, traffic-calmed suburban road - not out of place in a town but certainly not what one would expect in the countryside. On top of this there would be all the signs, possibly lit. It is stated in paragraph 6.6 of the Transport Statement (pdf-p31) that White Hill "would have a series of associated street lighting which is currently absent." Of course it's absent - it's a rural country lane and we want it to stay that way.

Worryingly, I notice that on drawing SK03 rev D (PART\_1-1509223.pdf pdf-p85) that there is a red line marked "assumed carriageway width ...". In the legend it designates such a red line as "New proposed carriageway extension". It appears that it is proposed to widen the lane along this stretch to the full width of the passing-place. We had this passing-place left here after the by-pass was completed. Since that time the verges and banks along this part of the lane are just coming to a state of pleasant maturity with an interesting mix of plants and flowers to lift the spirits as one drives home. We do not want this interfered with. It's strange that the applicants want to widen this part whilst further on round the bend putting in constrictions by way of traffic calming - it does not make sense.

No thought seems to have been given to using the paths through the SANG instead of putting one along White Hill. With some improvement to the tunnel under the A-41 this could bring pedestrians out onto Chesham Road already a fair way to Berkhamsted.

Also the proposed footpath along White Hill would take up a strip of SANG land which was supposed to be planted with shrubs to provide some screening. We would need re-assurance that this planting would be reinstated along the new fence-line.

#### 4. Heritage

Haresfoot Farm was part of the Haresfoot Estate, home of the 19th C agricultural improver Lt. Colonel Robert Dorrien (ARCHAEOLOGICAL\_ASST-1508187.pdf 6.1.6, pdf-p22).

The range of white farm buildings along the northern side of the farm, with the dovecot and slightly mediterranean appearance, are a link to that age of agriculture. They form a characteristic part of the view across the fields and have featured in the works of some members of Berkhamsted Art Society over the years. The archaeological interest is recognised in the archaeological assessment (ibid. 9.1.10 pdf-p37).

The heritage statement (HERITAGE\_STATEMENT-1508190.pdf) seems to attach great weight to the Locally Important Historic Parks and Gardens (LIHPG) as the only measure of heritage. It then goes to great lengths to make a case that Haresfoot Farm lies in neither Ashlyns or Haresfoot LIHPG and therefore has little heritage value. Much of the report's conclusions are subjective and there seems to be an unwillingness to find any value in the heritage of the farm at all. The extracts from external sources are, however, useful.

Whether the farm falls within one or other LIHPG or not is not the major criterion, what does matter is the heritage value of Haresfoot Farm itself. Animals from the farm more than likely grazed in the park; which belonged to Haresfoot House. The animals, the park, the farm, Haresfoot House and the Dorrien family are all inextricably linked, and one of the only remaining parts is those white farm buildings, with the dovecote at the end. I am not aware of any other farm buildings with a dovecot like this.

Heritage is what is handed down to us from earlier generations - what we inherit. It is not just the bricks and mortar, but the history and

culture. Therefore when we have something like this before us we should think very long and hard before destroying it. The demolition of these buildings would be a great loss and they should be incorporated, as far as possible, in any future plans for the farm - the electric bike store for example.

#### 5. Planning and Green Belt

In the transport Assessment (PART\_1-1509223.pdf pdf-p35) it is acknowledged that "the proposed development site lies at the fringes of generally large urban conurbations consisting of Berkhamsted, Hemel Hempstead and Chesham." It is precisely this kind of area that the Green Belt was intended to protect.

The A41 Berkhamsted By-pass has hitherto formed a boundary beyond which, it could be assumed, no further development would occur. This planning application forms a major threat to this assumption. If allowed, one has to wonder which other farms or settlements up and down the Bourne Gutter might be sought out for their 'previously developed' land to be exploited for further development.

On 17 July Taylor Wimpey ran a consultation event in Berkhamsted about their plan, currently at a very early stage, to build 850 houses. Unlike the Haresfoot Farm application, the land concerned is already in the Dacorum Local Plan, BK01 and lies between the town and the by-pass. 850 houses in this location seriously lessens any need to build at Haresfoot Farm and increases the need for employment.

#### 6. Other Uses - commercial.

We believe that the case for commercial use has not been sufficiently or imaginatively pursued.

The Draft Commercial Report (DRAFT\_COMMERCIAL\_REPORT\_REVISED-1508810.pdf pdf-p5) relies heavily on a perceived use as film studio space in making their case; but studio space, filming use has never been advocated by anyone. For storage and support services to the film industry, however, the buildings could be used.

This report accepts, or assumes, that the planning use class (restricted to the entertainment industry) cannot be changed. This seems strange considering that the current planning application seeks to do just that - from B8 to residential. It should, therefore, not be too difficult to explore changing the use class to accommodate business use that is suitable to this area.

The buildings are already in existence. If the site was tidied up and cared for it would go a long way to making it appeal to potential occupants.

The lack of facilities such as toilets, kitchens and even office space has been given as a barrier to letting, but the provision of these should be no problem to a builder such as Griggs.

The report does not really consider any other than fairly large potential occupiers. However some small and medium sized businesses, who can find it difficult to find suitable premises, could be suitable tenants.

I would, however, be vehemently opposed to a waste re-cycling or processing use, as has been the case in the past.

Berkhamsted is not exactly awash with employment opportunities, especially in some sectors, and if large numbers of houses are built in the town, such as the 850 by Taylor Wimpey, one needs to consider what employment opportunities there will be for them.

A major advantage of continuing the commercial use would be that there would be no need for any so-called highway improvements and White Hill could be left alone.

#### 7. CO2 climate change

Many of the buildings at Haresfoot Farm have only been built in the last six years and should have decades of life left in them. The production of the concrete and other materials used in their construction will have produced a high output of CO2, to justify which the life of the buildings should be as long as possible. We should not squander this CO2 'debt' by destroying what has been built after such a short time only to build something else in its place causing further CO2 emissions associated with the production of the materials necessary. We should be very careful about what we build in the first place and what we do with it thereafter.

#### 8. Utilities

It is proposed to disconnect the water supply to Haresfoot Farm before the commencement of groundworks. (Utilities Statement 3.2 pdf-p10).

The water main that supplies Haresfoot Farm also supplies several other, unrelated, properties in the area and it is essential that the supplies to these properties are NOT disconnected. If any alteration in the means of supply is found to be necessary this should be at no cost or undue inconvenience to these properties.

Further to my previous comments:

I wish to elaborate on the direct effects on my house with reference to drawing SK02 rev D. (PART\_1-1509223.pdf pdf-p84)

As well as the traffic calming measures which I have already dealt with the proposals involve two highway signs outside my property, one directly outside the house, both visible from the house and probably with lighting which would shine into the house throughout the night. The street lighting would also be a visible intrusion into the countryside - a line of lamp-posts down the road by day and light shining around the area and into my house by night. While the final details of this have not been provided, I wish to make clear my objection to any such addition or development, of the lane - White Hill. We do not need any more light pollution.

	<p>Since my earlier comments, the finalists of the RIBA Sterling Prize have been announced, one of which is the renovation and re-use of old dairy buildings at Wraxall Yard. These farm buildings were in a not dissimilar state of needing repair to the range of white farm buildings which have graced the northern side of Haresfoot Farm for as long as anyone can remember. The award of the Sterling Prize for Wraxall Yard demonstrates what could, with a little imagination, be achieved at Haresfoot by a sympathetic, competent, professional developer.</p> <p>I provide here some links to pictures of Wraxall Yard for comparison.</p> <p>Photographs in the initial state:  <a href="https://structureworkshop.co.uk/site/wp-content/uploads/2020/08/SW_18125_Wraxall_6-2880x2160.jpg">https://structureworkshop.co.uk/site/wp-content/uploads/2020/08/SW_18125_Wraxall_6-2880x2160.jpg</a>  <a href="https://www.spice-home.co.uk/uploads/Media/Residential/IMG_20190111_120143%20(1).jpg">https://www.spice-home.co.uk/uploads/Media/Residential/IMG_20190111_120143%20(1).jpg</a>  <a href="https://www.spice-home.co.uk/uploads/Media/Residential/IMG_20190111_115303%20(1).jpg">https://www.spice-home.co.uk/uploads/Media/Residential/IMG_20190111_115303%20(1).jpg</a>  <a href="https://www.spice-home.co.uk/uploads/Media/Residential/IMG_20190111_115406%20(1).jpg">https://www.spice-home.co.uk/uploads/Media/Residential/IMG_20190111_115406%20(1).jpg</a></p> <p>Architect's web page:  <a href="https://clementineblakemore.com/projects/wraxall-yard/">https://clementineblakemore.com/projects/wraxall-yard/</a></p>
<p>68 Upper Hall Park  Berkhamsted  Herts  HP4 2NR</p>	<p>I attach here a copy of objections from [REDACTED] relating to the above application, the content of which I would like you to accept as one and the same as my objections.</p> <p>[REDACTED] and I have discussed this application and our objections to the same, and our views accord entirely. I will not therefore trouble you again with the detail that she has already provided.</p> <p>However, for the sake of providing an appropriate, individual response, I will confirm that, in addition to all existing plans and decisions published in respect of this application, I have reviewed the updated set of plans - as filed by the Applicant on 1 July 2024 - and object to the same on the basis that the new application remains contrary to:</p> <ul style="list-style-type: none"> <li>• The NPPF 2023 (specifically paras 109, 142, 143, 152, 153 and 154)</li> <li>• The Core Strategy 2013</li> <li>• The Dacorum Borough Local Plan (as amended)</li> <li>• The Hertfordshire Local Transport Plan (LTP4) 2018</li> </ul> <p>Further, I would struggle to see how a small reduction in the number of dwellings for which approval is now being sought could negate the detailed decision already made (by the Development Management Committee) that the site is not a suitable location for housing. That decision, and all of the policies set out in the publications above,</p>



remain relevant, and so should require that this latest application is rejected, as was the last.

Objections to Application for Planning Permission re Demolition of existing buildings and redevelopment of the site at Haresfoot Farm to provide 59 residential units (market and affordable), erection of a community hub building, sustainability measures together with associated landscaping, open space, parking, and highway improvement - 24/01496/MFA

Having considered the documents filed by the Applicant on 1.7.24, I object to the application for planning permission relating to the proposed development of Haresfoot Farm - 24/01496/MFA.

I have also read the papers relating to a previous application for planning permission for 86 houses at the same site (24/00330/MFA) and the minutes of the Development Management Committee dated 30.5.24 where that application was turned down.

The Applicant's Planning Statement refers to the earlier application being refused '.....due to some elements of the proposal being just outside the area officers believed was the brownfield envelope of the site and insufficient sustainability measures had been promoted to justify development in this location'. The minutes of the Development Management Committee meeting dated 30.5.24 actually state that the decision was based upon the fact that the application contravened the National Planning Policy Framework (NPPF) and Core Strategy (2013) Policies 1 and 5 and that 'the site is not considered to be a suitable location for housing'.

In summary, my objections to the proposed development are that the new application remains contrary to:

1. the National Planning Policy Framework (2023) ('NPPF') paras 109, 142, 143, 152, 153, & 154
2. the Core Strategy (2013)
3. the Dacorum Borough Local Plan (as amended)
4. the Hertfordshire Local Transport Plan 4 (LTP4) 2018

In detail I object on the following grounds as follows:

1. Contrary to the NPPF (2023) and Core Strategy (2013)

1.1

The application remains contrary to Policy 1 of the Core Strategy (2013) relating to Distribution of Development which provides that:

'The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported. '

Critically, the Applicant has still failed to provide relevant material consideration as to why this policy should be contravened particularly bearing in mind the overarching vision of the Core Strategy (2013) para 1.17 relating to 'small settlements' where the focus is on '...(maintaining) the openness of the areas of the borough designated as Green Belt'. The area in which Haresfoot Farm is situated is a tiny hamlet - the photographs in the Applicant's Planning Statement demonstrate this. The introduction of 59 houses will fundamentally destroy the rural and open character of the area.

### 1.2

Importantly, there is no mention of the Haresfoot Farm site within the Site Allocations Development Plan document - it has never been designated for housing development. The proposed development is to be built on the site of a farm in the middle of open countryside outside of Berkhamsted's settlement boundary thus damaging the rural character of the borough and contravening Policy 2 of the Core Strategy (2013) relating to the Selection of Development Sites which provides that developments should be within defined settlements. There is little point in having clearly defined planning policy if it is to be ignored.

The Applicant's argument appears to revolve around Haresfoot Farm being a brownfield site situated in Green Belt and therefore development should be allowed. The reality is that this site has been a farm for decades until the pandemic when excessive development took place with seeming disregard for planning which culminated in applications for retrospective permissions and lack of appropriate enforcement action by Dacorum Borough Council. This does not provide valid reason for policy within the Core Strategy (2013) to be contravened further.

### 1.3

The application remains contrary to Policy 5 of the Core Strategy relating to Green Belt (and consequently Policy 11 relating to the Quality of Neighbourhood Design) which provides that small scale development may be permitted where:

- '(a) building for the uses defined as appropriate in national policy;
- (b) the replacement of existing buildings for the same use;
- (c) limited extensions to existing buildings;
- (d) the appropriate reuse of permanent, substantial buildings; and
- (e) the redevelopment of previously developed sites.....

provided that (my emphasis)

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

### 3

Critically the Applicant has still failed to provide any evidence to show why a development of 59 houses in the middle of Green Belt is a

small-scale development permitted under this policy in circumstances where the Development Management Committee has already determined that the site is an unsuitable location for housing. The Applicant has provided no evidence to show that this development will have no significant impact on the character and appearance of the countryside and how it will support the maintenance of the wider countryside or how it does not contravene NPPF paras 142, 143, 152, 153 and 154.

Specifically NPPF para 143 provides that one of the 5 objectives of Green Belt land is to '...assist in safeguarding the countryside from encroachment'. No material consideration has been provided by the Applicant to demonstrate why this policy should be contravened - at a very basic level it is clear that this overdevelopment would create the 'urban sprawl' that the Green Belt is designed to protect particularly given its proximity to an ancient historic town. What is also clear is that no 'very special circumstances' have been provided as to why the development should be allowed to encroach on this area of Green Belt where it will inevitably prove harmful to wildlife, the biodiversity and ecology of the area.

1.4 The Applicant has failed to realistically demonstrate how this site will meet the strategic objective set within the Core Strategy (2013) of '.....(minimising) the impact of traffic and (reducing) the overall need to travel by car.....' and thus continues to contravene NPPF para 109.

The application is contrary to Policy 9 of the Core Strategy (2013) relating to the Management of Roads which provides that:  
'All new development will be directed to the appropriate category of road in the road hierarchy based on its scale, traffic generation, safety impact, and environmental effect.

The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments'.

Whilst the Applicant asserts various measures to improve traffic management, the reality is that White Hill is a rural country road which narrows significantly soon after the proposed development. Lighting along White Hill and within the development will result in visual harm and visual intrusion to the countryside. Bus stops on Chesham Road (and pedestrian crossing facilities adjacent to the roundabouts) will slow traffic attempting to access the A416, the A41 and the town causing further traffic build up on an already congested road network. Whilst much is made of proposed sustainable transport measures these are wholly unrealistic for a development positioned outside of a town whose geography is such that residents will almost undoubtedly rely on the use of their cars.

White Hill narrows to a single track as it passes by the development and on through to Whelpley Hill - the road is poorly maintained not least due to the flooding caused by the Bourne Gutter and can in no way be relied upon for safe and easy passage. If road users turn left out of the development to Whelpley Hill this will inevitably cause traffic chaos should any vehicle or farm traffic come the other way as there

are few passing places. If road users turn right along White Hill any attempts to then turn right onto the A416 particularly in the peak periods will take some time and will likely cause traffic chaos - cars can drive along here at speed notwithstanding the proximity of the roundabouts. Pressure on this junction is likely to increase at peak hours with traffic also accessing the proposed adjacent SANG and

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parents/carers dropping off/collecting children from the Haresfoot campus of Berkhamsted School. If the Taylor Wimpey development north of the A41 is allowed to proceed there will be cars from another 850 houses entering the road network on the Chesham Road and accessing the A416 roundabouts.

The traffic assessment of travel times between the development and the town for walking, cycling and by car are unrealistic not least because they fail to take into account the geography of the town situated at the bottom of a steep valley. For example, there is no mention of the fact that it is inevitably far quicker travelling downhill on foot or by bicycle than when making the return journey uphill; the walking times stated do not take into account the slower speed that children walk in comparison with adults; and the times stated for car travel do not allow for the congested roads at peak times (and/or during bad weather) particularly for those attempting to access the heavily used railway station on the north side of Berkhamsted via the only north-south route across the town along Kingshill Way and Kings Road. This residential road is already severely impacted by heavy traffic including traffic associated with Berkhamsted School situated halfway along the road. The inevitable consequence of the development's geographical position is that residents will have recourse to their cars adding to further road congestion.

What is more, the detail given within the traffic assessment for bus timetables is misleading giving the impression that there are 15/16 buses daily Monday to Saturday - any consultation of the current 354 timetable will show that buses to Berkhamsted are infrequent and are not compatible with commuter travel to London with the first bus dropping travellers at the station at 8.28 and the last bus leaving the rail station at 1818. There are no buses on a Sunday. Again, the inevitable consequence is that there will be greater reliance upon cars by residents of the proposed development.

1.5 The core purpose of local place strategies is stated at para 19.4 of the Core Strategy (2013) as being to 'Maintain and enhance the character, built heritage, natural environment and leisure assets of each settlement and the wider countryside Berkhamsted Place Strategy at Para 21.6 of the Core Strategy (2013) provides that 'New development must respect and maintain the distinctive physical and historic character of the town and its valley setting..... It will not be supported where it has an adverse impact on the sensitive open valley sides and ridge top locations'.

1.6 No material consideration has been submitted by the Applicant to demonstrate why the vision contained within the Berkhamsted Place

Strategy of the Core Strategy should be overridden for a development within the wider countryside.

## 2. Contrary to the Dacorum Borough Local Plan (DBLP)

2.1 The application is contrary to Policy 51 of the DBLP relating to Development and Transport impacts which provides that 'Overall capacity in the main road network will be regarded as an important constraint on development proposals which would have a significant transport impact.....The acceptability of all development proposals will always be assessed specifically in highway and traffic terms and should have no significant impact upon: (a) the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; (b) the provision of routes and facilities for pedestrians, cyclists and passenger transport users, including links to existing networks; .....(d) the design and capacity of parking areas and the implications for on-street parking.' (my emphasis).

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The Applicant has failed to demonstrate that it has met these criteria - clearly the introduction of road users from the development (and users of the adjacent proposed SANG (23/02508/MFA) with a 24 space car park on the bend of White Hill) will have a significant impact on the existing highway network which is already at breaking point.

2.2 No material consideration has been submitted by the Applicant to demonstrate why the DBLP should be overridden.

## 3. Contrary to LTP4 2018

The objectives of the LTP are to '..... Preserve the character and quality of the Hertfordshire environment; and reduce carbon emissions'.

The development will not address these objectives - the inevitable car usage by the development's residents will negatively impact on the rural character of the county and the natural environment with additional noise, light pollution and visual intrusion as well as additional carbon emissions caused by increased road congestion. The built and historic environment of Berkhamsted will also be adversely impacted by the additional traffic caused by the development.

LTP4 provides that 'All transport measures delivered by the county council must be in accordance with the LTP policies'. Policy 5 refers to the need to 'Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users'. The development will severely affect the rural nature of White Hill and further damage the residential nature of Kings Road by the increase in traffic entering the town centre - the Applicant has provided no material consideration as to why this policy should be contravened.

Conclusion

	<p>Regardless of whether the development is for 86 or 59 dwellings it still represents an unacceptable overdevelopment in the Green Belt. Whilst reference has been made in the Statement of Community Involvement to an earlier public consultation for 86 houses taking place at this site with information sent to addresses within a radius of 1.5km, it should be noted that as the surrounding land is in Green Belt the consultation area covered mainly comprised fields. There were a comparatively small number of properties consulted and few attendees to the consultation event (in stark contrast to the proposal for development of the South Berkhamsted Concept) in circumstances where the impact of traffic on the whole of Berkhamsted of this development and particularly for all those residents who currently use King's Road will be significant.</p> <p>In summary,</p> <ul style="list-style-type: none"> <li>• The application is in clear contravention of policy within the NPPF, Core Strategy (2013), DBLP and LTP4 (2018).</li> <li>• A slight revision of the proposals (by reducing the number of homes to be built) does not mean that the previous decision of the Development Management Committee (that the site is not a suitable location for housing) should be ignored or that overarching strategic planning policies should be similarly ignored.</li> <li>• Whilst there is a clear need for 'affordable' housing locally, the 'affordable' (and other) housing promised by this development is very clearly in the wrong place with no existing infrastructure to support it and will amount to an intolerable strain being placed on the local road network. It should be noted that the idea of 'affordable' housing becomes even less affordable when every resident needs a car to get to key services and/or their place of work.</li> <li>• Rather than dealing with matters on a piecemeal basis, decision makers need to reflect on the overdevelopment of the historic town of Berkhamsted and the impact on its existing residents particularly so far as the local road network is concerned.</li> </ul> <p>For the reasons expressed above I object to the revised application for planning permission re 24/01496/MFA.</p>
<p>20 Hall Park Gate Berkhamsted Hertfordshire HP4 2NJ</p>	<p>On behalf of BRAG (Berkhamsted Residents Action Group)</p> <p>BRAG objects strongly to planning application 24/01496/MFA</p> <p>BRAG notes that CPRE Hertfordshire made a comprehensive 12-point objection to the initial planning application 24/00330/MFA for 86 residential. BRAG fully supported that objection and a reduction to 59</p>

	<p>residential units makes no material difference to the points made back in April.</p> <p>The land proposed for development remains in the Metropolitan Green Belt and fully serves the purposes required for Green Belt designation.</p> <p>Indeed, the proposed development is some distance the nearest built area of Berkhamsted, while being surrounded by open countryside, so this proposal remains a major incursion into Green Belt and there are no special circumstances to warrant such.</p> <p>The developers promote benefits to the existing community, but the site's lack of connectivity makes it difficult to envisage anything but further strain on an already creaking infrastructure, especially in terms of traffic and access.</p> <p>The roads surrounding the Chesham Road / Shooters Way traffic island already grind to a halt during peak times, which also creates dangerous environment for children going to Ashlyns School.</p> <p>Given Berkhamsted is a steep-sided valley town, the road topography means the developers claims that resident will enjoy the 40 min walk into Berkhamsted rather than driving can be disregarded as fanciful.</p> <p>The development will simply increase car traffic as public transport is also not an option in that area, with the developers misrepresenting the frequency, reliability and usability of the existing poor bus service operating at present.</p> <p>BRAG urges the Council to refuse permission for this unsustainable and inappropriate proposal.</p> <p>Chair BRAG</p>
<p>Spring Meadow Farm Whelpley Hill Berkhamsted HP4 2SX</p>	<p>I would like to make one point regarding road access to and from the proposed site - We live on White Hill and travel daily in both directions along it - taking our life in our hands each time. It is a single track with passing places and has many blind bends - if the application were approved, which I hope it will not - access should not be permitted through Whelpley Hill and limited only to and from the A416 .</p>
<p>13 Poynders Hill Hemel Hempstead Hertfordshire HP2 4PQ</p>	<p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p> <p>Redevelopment is always positive - brings new life to the area</p> <p>I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>o The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>o There's 40% provision for much needed affordable housing which is above and beyond existing policy allowing residents to get onto the housing ladder</li> <li>o There is significant off-site highway and sustainable transport improvements to the local area and network</li> </ul>

	<ul style="list-style-type: none"> <li>o A community hub for residents, including places to work, meet, and access everyday groceries at the community pantry bringing community cohesion to the development</li> <li>o New landscaping, including significant tree planting with a total of 292 new trees planted</li> <li>o Retaining 69% of the site as open space - 20 times the council's policy requirement</li> <li>o In excess of 20% biodiversity net gain</li> <li>o Air source heat pumps and other sustainable construction methods - meaning no gas boilers</li> <li>o Reuse of a previously developed site incorporating a substantial reduction in built footprint, volume and hardstanding</li> <li>o Reduction of vehicle movements from the baseline of existing consented uses</li> </ul> <p>I hope the council will support this planning application and grant permission.</p>
<p>21 Lyne Way Hemel Hempstead Hertfordshire HP1 3PL</p>	<p>Dear Dacorum Borough Council,</p> <p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p> <p>Create affordable housing and bring more revenue to the area. \nJob opportunities for local trades.</p> <p>I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>o The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>o There's 40% provision for much needed affordable housing which is above and beyond existing policy allowing residents to get onto the housing ladder</li> <li>o There is significant off-site highway and sustainable transport improvements to the local area and network</li> <li>o A community hub for residents, including places to work, meet, and access everyday groceries at the community pantry bringing community cohesion to the development</li> <li>o New landscaping, including significant tree planting with a total of 292 new trees planted</li> <li>o Retaining 69% of the site as open space - 20 times the council's policy requirement</li> <li>o In excess of 20% biodiversity net gain</li> <li>o Air source heat pumps and other sustainable construction methods - meaning no gas boilers</li> <li>o Reuse of a previously developed site incorporating a substantial reduction in built footprint, volume and hardstanding</li> <li>o Reduction of vehicle movements from the baseline of existing consented uses</li> </ul> <p>I hope the council will support this planning application and grant permission.</p> <p>Yours faithfully,</p>



<p>3 Widmore Drive Hemel Hempstead Hertfordshire HP2 5JJ</p>	<p>Dear Dacorum Borough Council,</p> <p>I am writing to register my support for the proposed new development at Haresfoot Farm (24/01496/MFA) for the following reasons:</p> <p>Affordable housing is so important to any community</p> <p>I am also supporting this application because of the following benefits it will deliver:</p> <ul style="list-style-type: none"> <li>• The scheme will deliver 59 high-quality new homes which are much needed in the area</li> <li>• There's 40% provision for much needed affordable housing which is above and beyond existing policy allowing residents to get onto the housing ladder</li> <li>• A community hub for residents, including places to work, meet, and access everyday groceries at the community pantry bringing community cohesion to the development</li> </ul> <p>I hope the council will support this planning application and grant permission.</p>
<p>3 Chalet Close Berkhamsted Hertfordshire HP4 3NR</p>	<p>1) the reasons for rejecting the previous application are still valid, particularly 2 - " outside the settlement of Berkhamsted .....the site is not considered a suitable location for housing"</p> <p>Although the new application keeps the proposed development within the area of the already developed land, special circumstances for approving development within the Greenbelt have not been identified. Additionally the proposed buildings are higher than the current ones, are primarily in red brick, despite "the character areas" so will be significantly more intrusive in the Greenbelt than the existing largely aged wooden buildings which blend into the landscape. Particularly when viewed from Whitehill. On that basis para 154 of the NPPF ( 151 in new Draft) still applies.</p> <p>2) This site is disconnected from any community either Berkhamsted or Ashley Green. This is acknowledged in para 6 of the D&amp;A statement justifying the need for a community hub and the emphasis on the availability of home deliveries in para 5</p> <p>3) The D&amp;A and transport statements make much of the easy access to Berkhamsted on foot or by cycle. The timings forget that walking back up the steep hill takes significantly longer, and requires a lot more effort, even without shopping or a buggy, and few if any will walk.</p> <p>The narrow congested streets with parking either side and busy main roads are a deterrent to cycling, so even with an electric bike few apart from the most experienced are likely to attempt cycling into Berkhamsted.</p>

The proposed electric bikes and a single electric car ( car club) are simply a sop to the NPPF requirement for various modes of transport to be available.

4) the time table for the 354 bus does not show a bus stop on Kingshill Way - but if there is one, the proposal to move it for the benefit of the site at the possible detriment to those who currently use it, cannot be acceptable !

5) It's proposed that Ashlyns kids will use byway 40 to walk to school ( in summer!!) - this path is narrow, muddy in wet weather, is not lit, has scrub either side and passes through a short graffiti decorated tunnel under the A41. It's not a pleasant walk and without improvements such as proper surfacing, lighting regular maintenance of the scrubby areas, I would not consider this a safe path for a child walking to school. If it is minded to approve this application please condition such improvements to this byway.

Primary school children will of course need to be driven to school.

This site will just add to the congestion in Berkhamsted. The transport statement acknowledges that based on census data almost 50% of journeys from this site will be by car - but that does not take account of the topography of the town and the location of this site.

6) it's not clear from the application who would run the proposed hub, electric car club and electric bike hire/borrowing. If it is minded to approve this application please ensure that these proposal are enforced by conditioning ( I've seen proposals on other applications, which are not conditioned and are therefore unenforceable when not met !!)