

ITEM NUMBER: 5b

24/00782/FUL	Demolition of existing buildings and construction of 7 dwellings with associated parking and landscaping.	
Site Address:	Birchin Grove Farm Half Moon Lane Pepperstock Luton LU1 4LL	
Applicant/agent:	Mr Brunson	Mr Dicker
Case officer:	Kirsty Shirley	
Parish/Ward:	Flamstead Parish Council	Pepperstock
Referral to Committee:	Contrary views of Flamstead Parish Council	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The proposal is considered to constitute previous developed land which would not have a greater impact on the openness of the Green Belt than the existing development, and therefore accords with Policy CS5 of the Dacorum Core Strategy and paragraph 154 g) of the National Planning Policy Framework (NPPF) (2023).

2.2 The proposed development would satisfactorily integrate with the local character and would not result in any significant adverse impacts on neighbouring properties.

3. SITE DESCRIPTION

3.1 The application site is entirely within the Metropolitan Green Belt with public rights of way to the north and west of the site. The public rights of way do not adjoin or traverse the application site.

3.2 The application site is located on the south-east side of Half Moon Lane and is setback approximately 40m from the road.

3.3 To the east, south and west of the site is open countryside with residential development to the north of the site.

3.4 The application site includes part of the Fantastic Fireworks business, which specialises in fireworks operations.

3.5 The application site contains several buildings and shipping containers across the application site which have been described as being previously used and now partly used by Fantastic Fireworks to store their products.

4. PROPOSAL

4.1 Planning permission is sought for the development is for the demolition of existing buildings and erection of seven dwellings.

4.2 All of the existing buildings within the site would be demolished.

4.3 The dwellings would be positioned around a central core, constituting a roundabout with open spaces to the north, northeast, south and south west of the site.

4.4 The dwellings comprise of three dwellings in a terrace and four link detached properties joined by garaging. The dwellings would be a storey and half in height and benefit from on-site car parking.

5. BACKGROUND

5.1 Pre application enquiries have been submitted for residential development of the site in 2016, 2021, 2022 and 2023.

5.2 The most recent pre application was for seven dwellings, where it was concluded that the principle of development was acceptable subject to design amendments to ensure the development would not have a greater openness on the Green Belt.

6. PLANNING HISTORY

6.1 Planning Applications (If Any):

4/01019/19/FHA - Proposed detached double garage and extended parking area
REFUSED - 27th June 2019

4/01760/18/DRC - Details required by condition 7c (contamination) and 8 (fire hydrants) attached to planning permission 4/03038/16/ful (demolition of outbuildings and construction of 3 dwellings and new vehicular Access).
GRANTED - 18th September 2018

4/00974/17/DRC - Details as required by conditions 2 (materials), 3 (landscaping) and 7 (contamination) of planning permission 4/03038/16/ful (demolition of outbuildings and construction of 3 dwellings and new vehicular access)
GRANTED - 8th June 2017

4/03038/16/FUL - Demolition of outbuildings and construction of 3 dwellings and new vehicular access
GRANTED - 17th January 2017

4/01699/15/FUL - Demolition of outbuildings and erection of 2 dwellings, creation of new Access.
GRANTED - 22nd June 2015

4/01862/06/FUL - Temporary workshop and stable buildings
TMP - 13th October 2006

4/01528/05/ROC - Revised layout

REFUSED - 2nd September 2005

4/00043/03/ROC - Removal of condition 5 of planning permission 4/01101/00 (demolition of dwelling, outbuildings and some farm buildings, replacement dwelling and relocation of residential curtilage (amendment to approved scheme)) to allow retention of original dwelling
REFUSED - 6th February 2003

4/01743/02/FUL - Replacement office building (amended scheme)
GRANTED - 22nd October 2002

4/01527/00/FUL - Replacement office building
GRANTED - 13th March 2001

4/01101/00/FUL - Demolition of dwelling, outbuildings and some farm buildings. replacement dwelling and relocation of residential curtilage (amendment to approved scheme)
GRANTED - 7th September 2000

4/02128/99/FUL - Erection of a replacement office building
REFUSED - 11th February 2000

4/02094/99/DRC - Details of menage surface required by condition 4 of planning permission 4/01639/99ful (demolition of existing farm buildings, construction of barn, stables and menage)
GRANTED - 4th January 2000

4/01639/99/FUL - Demolition of existing farm buildings. construction of barn, stables, and menage
GRANTED - 19th November 1999

4/01207/99/DRC - Details of materials required by condition 2 of planning permission 4/0274/99 (demolition of existing dwelling, outbuilding and some farm buildings replacement dwelling. relocation of residential curtilage)
GRANTED - 29th July 1999

4/00274/99/FUL - Demolition of existing dwelling, outbuilding and some farm buildings. erection of replacement dwelling. relocation of residential curtilage
GRANTED - 31st March 1999

4/00220/99/RET - Extensions to existing office building. retention of buildings 3 and 4. Siting of additional magazines
GRANTED - 7th May 1999

4/00860/90/FUL - Detached building & use of land for storage & assembly of fireworks for display & formation of access track
GRANTED - 16th May 1996

Appeals: None

7. CONSTRAINTS

Advert Control: Area of Special Control for Adverts

CIL Zone: CIL2

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

HSE Consultation Zone: Haz. Subst. Buffer

Site: Fantastic Fireworks Ltd Birchin Gr, Substance: Explosives
Parish: Flamstead CP
RAF Halton and Chenies Zone: Red (10.7m)
Parking Standards: New Zone 3
EA Source Protection Zone: 3
Wildlife Sites: Birchin Grove Meadow

8. REPRESENTATIONS

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

9. PLANNING POLICIES

Main Documents:

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

Relevant Policies:

Core Strategy:

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 – Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS18 – Mix of Housing
CS29 - Sustainable Design and Construction

Local Plan:

Policy 18 – The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents:

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)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

10. CONSIDERATIONS

Main Issues

10.1 The main issues to consider are:

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

Principle of Development

10.2 The application site lies within the Metropolitan Green Belt. The Government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

10.3 Paragraph 152 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except unless very special circumstances exist.

10.4 Paragraph 154 of the National Planning Policy Framework (NPPF) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but then goes on to list a number of exceptions. Of relevance is paragraph 154 g) which excludes partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development.

10.5 It is acknowledged that proposed alterations to the NPPF are currently undergoing consultation and exception paragraph 154 g) is proposed to be amended to:

‘...would not cause substantial harm to the openness of the Green Belt’,

in place of:

‘...would not have a greater impact on the openness of the Green Belt than the existing development.’

10.6 While it is acknowledged that this alteration would amend the assessment of development under exception criteria 154 g), given that the alteration is at consultation stage and not formally amended, limited weight can be attributed to this altered assessment.

10.7 Policy CS5 of the Dacorum Core Strategy (2013) 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. Policy CS5 clarifies that small scale development – including the redevelopment of previously developed sites – is acceptable provided that:

- 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

Appropriateness

10.8 The Glossary to the Framework defines Previously Developed Land (PDL) as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. 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.'

10.9 Case law has established that the extent of previously developed land is determined with reference to the curtilage of buildings.

10.10 The Hiley judgement 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'*.

10.11 Within the site there is considerable hardstanding, a number of buildings and shipping containers mainly used for storage.

10.12 The hardstanding, buildings and shipping containers are primarily positioned to the periphery of the application site with inconsistent distances between the buildings. While the fireworks shop itself is not part of this application, the hardstanding, buildings and shipping containers are intimately associated with one another through the fireworks business for storage purposes. As such, the application site is considered to be previously developed land for the purposes of paragraph 154 g).

Openness

10.13 Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. It seeks to keep land free from built development and the curtilages of dwellings have a role to play in keeping land open.

10.14 There is no definition of openness in the NPPF but, in the context of the Green Belt, it is generally held to refer to freedom from, or the absence of, development. However, assessing the impact of a proposal on the openness of the Green Belt requires a judgment based on the circumstances of the case.

10.15 Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant. The duration of the development, degree of activity, the specific characteristics of the proposal and its setting are also relevant in this case when making an assessment.

Spatial impact

10.16 The surrounding area is characterised by open countryside with dwellings, a mobile home park and caravan storage site to the north of Half Moon Lane. To the south of Half Moon Lane are sparse dwellings with a paintball venue to the north-east of the application site. The application site is situated at the end of Half Moon Lane, to the east of a fireworks shop with the east and south of the site surrounded by open countryside.

10.17 The majority of the existing buildings within the site are approximately 2.5m to 2.8m in height, with two buildings approximately 4.3m to 5m in height. The existing buildings, particularly those around the periphery of the site, are not particularly visible from the surrounding area. There is dense vegetation to the south, which limit views from Flamstead Footpath 3, which runs adjacent (west) to the site. However, it may be that glimpsed views of the structures are possible during times of leaf-fall.

10.18 The tables below demonstrate the existing and proposed footprint and volume calculations for the development:

Existing Footprint and Volume Calculations		
Existing Overall Footprint (and Floor) Area (m2)		1285.2
Existing Overall Volume (m3)		3755.5
	Footprint (m2)	Volume (m3)
Block 1	299.4	686.9
Block 2	83.8	205.4
Block 3	335.8	1215.7
Block 4	95.4	410.4
Block 5	28.8	77.6
Block 6	73.9	184.7
Block 7	74.1	185.3
Block 8	102.4	256.0
Block 9	29.6	79.9
Block 10	77.6	217.4
Block 11	84.4	236.3
TOTAL	1285.2	3755.5

Figure 1. Extract of existing footprint and volume calculations within the application site

Proposed Overall Floor Area (m2)			1134.8
Proposed Overall Volume (m3)			4272.4
	Footprint (m2)	Floor Area (m2)	Volume (m3)
Plot 1	118.21	167.74	635.76
Plot 2	118.21	167.74	635.76
Plot 3	101.75	149.39	557.32
Plot 4	93.76	165.08	614.73
Plot 5	101.75	149.39	557.32
Plot 6	118.21	167.74	635.76
Plot 7	118.21	167.74	635.76
TOTAL	770.1	1134.8	4272.4

Figure 2. Extract of proposed footprint, floor area and volume calculations within the application site (excluding garaging).

10.19 The development would introduce development taller in height than the existing buildings on site, as well as a larger volume than the existing buildings within the site. However, the development would result in reductions to the footprint within the site, as demonstrated in figure 3.

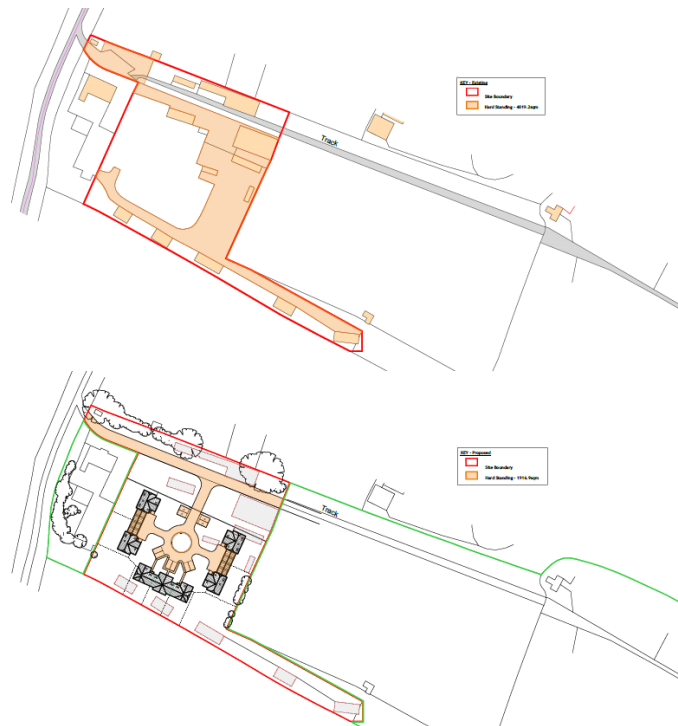


Figure 3. Extract of existing and proposed hardstanding within the site.

10.20 The proposals would consolidate the development on the site, reducing the sprawl of buildings and significantly reduce the amount of hardstanding within the site.

10.21 The significant reduction in hardstanding, in combination with the introduction of greater amount of soft landscaping by virtue of the creation of residential gardens and substantial open paddock areas, would spatially increase the Green Belt's openness.

Visual Impact

10.22 As all of the proposed dwellings would be taller than the tallest and predominant single-storey buildings, the dwellings would be further prominent and visible within the site and from surrounding public vantage points when compared to the existing situation.

10.23 While the height and volume of the proposed dwellings would be greater than the existing buildings, the design of the development, by virtue of gable and hipped roof slopes and features, storey and a half height dwellings and sympathetic materials, would ensure that the development would not be unduly prominent and visible within the site and from surrounding public vantage points when compared to the existing situation. The development would not be unacceptably discernible from the public realm.

10.24 In order to allow the Local Planning Authority to duly assess the impact of any future development within the site on the Green Belt, it is considered reasonable and necessary in this case to remove permitted development rights under Classes AA, A, B, D, E and F under Schedule 2, Part 1 of the General Permitted Development Order (2015) (as amended) for the proposed dwellings.

10.25 It is therefore considered that the proposed development would not have a greater impact on the openness of the Green Belt in both visual and spatial terms than the existing development and therefore it would not comprise inappropriate development within the Green Belt.

Quality of Design / Impact on Visual Amenity

10.26 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

10.27 The layout of the development would be a U-shaped courtyard, which would be sympathetic to the rural location the site is within. The proposed dwellings would be a storey and half in height and 'barn style' in appearance, due to the low eaves in relation to the larger roofs which would be half hipped in design. During the course of the application, alterations to the roof form to be half hipped on both sides and reductions in glazing size was submitted to ensure consistent roof forms and proportionate fenestration within each dwelling.

10.28 The lengths and heights of the garaging between the east and west ranges has been reduced during the course of this application, ensuring the garages appear as a sympathetic and ancillary feature towards the respective dwellings.

10.29 Plots 1, 2, 6 and 7 benefit from garaging to the side of the property to park vehicles, with a hardstanding to the front of garage to allow further car parking. The positioning of the hardstanding prevents vehicles parking directly in front of the respective dwelling and allows for soft landscaping to be predominant to the frontages of dwellings. The hardstanding for car parking of plots 3, 4 and 5 are setback from the front of dwellings and would allow for soft landscaping to surround the parking spaces, mitigating the hardstanding's impact and ensuring the hardstanding would not dominate the frontages of these dwellings.

10.30 The majority of the dwellings would have the opportunity to store bins to the rear of the dwellings however it is acknowledged that it is convenient to store bins to the front of properties for ease on collection days. Bin storage can result in visual clutter and so the details of bin storage and the positioning for each dwelling can be secured by condition.

10.31 The dwellings would be finished in dark weatherboard on red brick plinths with clay effect roof tiles, which would not harmfully detract from the character and appearance of the wider area. Should the application be recommended for approval, details of the external finish can be secured by condition.

Impact on Residential Amenity

10.32 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

10.33 Neighbouring representations have been received that raise concerns regarding the impact of development on ancient woodland, Central Bedfordshire Council not consulted, contamination, insufficient car parking and road network capacity, no sewerage information, impact to the rights of way and public footpath within the site, insufficient information to ensure fire appliance can access the site, maintenance of the paddocks, insufficient information regarding drainage, storage for business being retained, overlooking towards existing dwellings, and light pollution.

10.34 It is noted that the application site is in close proximity with Central Bedfordshire. Central Bedfordshire have been consulted for this application and made no comments on the application. In this case it is considered that the scale of the development would not result in an adverse impact to the county of Bedfordshire.

10.35 The sewerage system of the development would not be managed under the planning system.

10.36 Matters concerning ancient woodland, contamination, insufficient car parking, road network capacity, impact to the rights of way and public footpath within the site, insufficient information to ensure fire appliance can access the site, maintenance of the paddocks, insufficient information regarding drainage, and storage for business being retained have been addressed elsewhere within the report.

10.37 The positioning of the development would leave a considerable distance between the proposed dwellings and existing dwellings to the north of the site. The considerable distance, in combination with the orientation, scale and positioning of the dwellings within the application site would not result in adjoining neighbours to experience an undue loss of light or privacy, nor would the development appear unduly dominant or overbearing towards adjoining neighbours. The positioning and scale of the development would also not result in an introduction of light pollution that would be unduly harmful or disruptive to adjoining neighbours.

10.38 The positioning and orientation of the proposed dwellings would also not result in future occupiers of the site to experience inadequate levels of daylight and sunlight or undue overlooking from other proposed dwellings in this development.

Future Occupier Amenity

10.39 Saved Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Each dwelling would be afforded its own private rear amenity space that would be functional in size and shape, with a minimum depth of 11.5m

10.40 While not every plot would have a minimum depth of 11.5m, each dwelling would be provided a private rear garden that would be functional in size and shape. Open countryside and footpaths are in close proximity to the site, and large paddock areas are also shown in the submitted site plan to the corners of the application site. While it is not clear how these paddock areas will be maintained or how residents will have access to these areas, details of their maintenance and access can be submitted as part of a condition in the event of an approval.

10.41 In this case it is therefore considered that sufficient private amenity space and opportunity to wider amenity space would be available for residents.

Impact on Highway Safety and Parking

10.42 The NPPF (2023), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (SPD)(2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

10.43 In this location, a four-bedroom dwelling should provide either 2.4 unallocated or 3 allocated car parking spaces. This would result in the site needing to provide 16.8 to 21 on-site car parking spaces.

10.44 Each dwelling would be provided two on-site car parking spaces, with four visitor spaces to the front of the site. This would total 18 car parking spaces on-site.

10.45 The development would therefore provide sufficient on-site car parking spaces. While it is noted that each dwelling would only benefit from two allocated spaces, this would encourage a reduced reliance on private vehicles, with sufficient car parking spaces to accommodate visitors to the site.

10.46 The Hertfordshire Highways Authority have objected to the development on the basis of the site's unsustainable location and location in an isolated site. The Highways Authority to identify that the rights of way and footpath routes from the site are not surfaced or lit, and would not be appropriate for most journeys other than leisure.

10.47 However, the rights of way and footpath routes do provide alternative methods of travel than private vehicle. The development would not alter the rights of way. Slip End benefits from a shop, public house, village hall and primary school approximately 1km away which can be accessed by foot, though it is acknowledged that this would be via a public right of way which would not be suitable in adverse weather or in dark conditions.

10.48 There is a bus stop approximately 400m from the site on Half Moon Lane, however it is acknowledged that there are no footpaths from the site to access the bus stop and pedestrians would need to utilise the adjoining soft verge to avoid vehicles.

10.49 The Highways Authority has raised no concerns regarding access to the site, including fire appliance access which has been raised by neighbours as a concern. The Highways Authority do identify that the highways further north to the site on Half Moon Lane are not maintained as part of HCC's Highways network. Central Bedfordshire Council were consulted as part of this application, but a no comment response was received.

10.50. While the application site does benefit from public rights of way in close proximity to the site and footpaths further north of Half Moon Lane, it is acknowledged that these options would not result in the location be considered a sustainable location. Future occupiers of the proposed dwellings would likely be reliant on private vehicle for most journeys. However this is the existing situation for residents of properties to the north of the site, and it is considered that the location of the application site in proximity to existing dwellings and alternative transport options available to future residents result in the sites location to be acceptable in this case.

Loss of Employment Land

10.50 Policy 34 states:

“Established employment generating uses 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.”

10.51 The employment opportunities provided by the site are retained, as the fireworks shop is based outside of the application site. The application site itself contains ancillary storage facilities which would not operate independently of the shop, and the submitted planning statement advises replacement storage facilities are in the process of being secured.

10.52 The absence of the replacement storage information does not prevent this application from being determined. Should new buildings or relocation of buildings be required to accommodate the existing storage, this would likely be subject to requiring further planning consent.

The Tilted Balance and the Council's Housing Land Supply

10.53 Paragraph 11 of the NPPF states Plans and decisions should apply a presumption in favour of sustainable development. Part d) of paragraph 11 is relevant in this case as the policies which are most important for determining the application are out-of-date, as the proposal is for housing and the local planning authority cannot demonstrate a five year supply. In this case, the application should therefore be granted permission unless:

- i. the application of policies within the NPPF 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.

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

Other considerations

Landscaping

10.55 Saved Policies 99 and 100 of the Dacorum Borough Local Plan and Policy CS12 of the Core Strategy seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees. Policy CS25 states proposals should ensure they conserve or improve the prevailing landscape quality, character and condition.

10.56 There is Ancient Woodland to the north of the site however the application site is not within Ancient Woodland.

10.57 The application would not remove any trees and the submitted plans show indicative landscaping, with substantial paddock areas. The paddock areas provide important amenity space for future occupiers as well as preserving the openness of the Green Belt and therefore the paddock areas must be preserved as part of this development. Information regarding the maintenance of the paddock areas has not been submitted with this application, but given the paddocks importance to the acceptability of the development, information regarding the maintenance of the paddocks can be secured by condition.

10.58 The Council's Tree team have commented that the trees within the proximity of the site are located away from the main development, there is a possibility of harm to the trees through storage of materials and vehicular movement. A Tree Protection Plan can therefore be secured by condition to ensure the trees will be afforded appropriate protection during construction.

10.59 Precise details of a hard and soft landscaping within the scheme can also be secured by condition in the event of an approval.

Contamination

10.60 The Council's Environmental Health team have commented that 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 it will be remediated. This can be secured by condition.

10.61 The Council's Environmental Health team have raised no objections or concerns regarding noise, odour or air quality. Informatives have been recommended and these can be included to advise the applicant in the event of an approval.

10.62 The HSE Explosives Inspectorate have been consulted; however no comments have been received.

Drainage

10.63 The application site is within Flood Zone 1, which has a low probability from flooding from rivers and the sea. In this case therefore no further flooding or drainage information is required to support the application.

Biodiversity Net Gain

10.64 Biodiversity Net Gain (BNG) is now a legal requirement for major development and small sites.

10.65 The application was submitted to the Council on the 28th of March, prior to mandatory BNG, and is therefore not subject to mandatory BNG.

Community Infrastructure Levy (CIL)

10.66 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 Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application site resides in CIL Zone 2 and may be CIL Liable.

Chilterns Beechwoods Special Area of Conservation

10.67 The Council has a legal obligation under the Habitat Regulations to ensure that the integrity of the Chilterns Beechwoods SAC is maintained. A Mitigation Strategy has been approved which sets out targeted measures to protect the site and to accommodate the predicted pressures associated with future growth within the 12.6 kilometre Zone of Influence that extends from Ashridge Commons and Woods Site of Special Scientific Interest (SSSI).

10.68 The Council has worked with Natural England and other relevant partners to agree a mitigation strategy which enables the Council to carry out their legal duties and grant residential development in the Borough. The mitigation strategy requires financial contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands as a standard contribution per dwelling.

10.69 The development would cause additional reactional pressure to the CBSAC and as such were consent to be granted mitigation would need to be secured via a legal agreement.

11. CONCLUSION

11.1 The proposed development would constitute redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development, and is therefore acceptable in principle. Careful consideration has been given to the design and layout of the proposed dwellings with amendments to the design during the course of the application to ensure high quality design.

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

12. RECOMMENDATION

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

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:**

9165/10 C
9165/03 C
9165/04 C
9165/PLOT 1 C
9165/PLOT 2 C
9165/PLOT 3 A
9165/PLOT 4 A
9165/PLOT 5 A
9165/PLOT 6 C
9165/PLOT 7 C
9165/20 A

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

3. **No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development 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. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

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

5. **(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites)**

with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

- a If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until 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 (b), 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 (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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

- 6. Any contamination, other than that reported by virtue of Condition 5 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.

- 7. No construction of the superstructure 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:**
 - o all external hard surfaces within the site;**
 - o other surfacing materials;**
 - o means of enclosure;**

- o **soft landscape works including maintenance and enclosure of the open areas to the north of the site, the paddock areas to the south of the site, and a planting scheme with the number, size, species and position of trees, plants and shrubs;**

The planting must be carried out within one planting season of completing the development.

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

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).

8. **Prior to the first occupation of the dwellings hereby permitted, a Paddock Management Plan shall be submitted to and approved in writing by the local planning authority, detailing the management, maintenance and access arrangements of the paddocks. The Paddock Management Plan shall be implemented in accordance with the approved details.**

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).

9. **No construction of the superstructure shall take place until details of the provisions for the storage and recycling of refuse have been submitted to and approved in writing by the Local Planning Authority. Such provisions shall be made/constructed prior to the first occupation of the building(s) and shall thereafter be made permanently available for the occupants of the building(s) for that purpose unless further written approval for an alternative scheme is gained from the Local Planning Authority.**

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent obstruction to pedestrian movement in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

10. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or reenacting 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 for the dwellings approved under this application: Classes AA, A, B, D and F under Schedule 2, Part 1 of the General Permitted Development Order (2015) (as amended).**

Reason: In order to allow the Local Planning Authority to duly assess the impact of any future development within the site on the Green Belt in accordance with Policy CS5 of the Core Strategy (2013) and chapter 13 of the National Planning Policy Framework (2023).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.
3. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
4. In the event that ground contamination is encountered at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.
5. Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>.
6. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Flamstead Parish Council	<p>Although not unanimous, there was a majority objection to this application for the following reasons:</p> <p>The site location is not clear on the plans</p> <p>The application states that there are 6 x 3 bedroomed houses and one x 4 bedroomed when in fact they are all 4 bedroomed.</p> <p>The parking provision is insufficient as each dwelling could generate up to 4 vehicles.</p> <p>It is considered to be over development of this site which is in the Green Belt as with 7 dwellings the development is too dense and creates too much mass.</p> <p>Object</p>
Environmental And Community Protection (DBC)	<p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, Air Quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p> <p>Working Hours Informative</p> <p>Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday,</p>
	<p>8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Waste Management Informative</p> <p>Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so</p>

	<p>on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately. Air Quality Informative.</p> <p>As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.</p> <p>As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.</p>
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	<p>A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.</p> <p>Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.</p> <p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>Invasive and Injurious Weeds - Informative</p> <p>Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-otherinvasive-plants</p>
<p>Health & Safety Executive</p>	<p>Thank you for your email seeking HSE's observations on application 24/00782/FUL.</p> <p>HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - https://pa.hsl.gov.uk/ - for them to use to consult HSE and obtain HSE's advice.</p> <p>Please note, this lies within an explosive safeguarding zone and you will need to contact the Explosives Inspectorate. Contact details will be given on the pdf obtained from the Web App consultation.</p> <p>Therefore, I would be grateful if you would ensure that the HSE Planning Advice Web App is used to consult HSE on this planning</p>

	<p>application and any future developments including any which meet the following criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard pipeline.</p> <ul style="list-style-type: none"> * residential accommodation; * more than 250m² of retail floor space; * more than 500m² of office floor space; * more than 750m² of floor space to be used for an industrial process; * transport links; * or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area. <p>There are additional areas where HSE is a statutory consultee. For full details, please refer to annex 2 of HSE's Land Use Planning Methodology: www.hse.gov.uk/landuseplanning/methodology.htm</p> <p>NB HSE is a statutory consultee with regard to building safety (in particular to fire safety aspects) for planning applications that involve a relevant building.</p> <p>A relevant building is defined in the planning guidance at gov.uk as: containing two or more dwellings or educational accommodation and meeting the height condition of 18m or more in height, or 7 or more storeys</p> <p>If the planning application relates to Fire Statements and applications relating to relevant buildings, then these are not dealt with by the Land Use Planning team and instead they should be sent to PlanningGatewayOne@hse.gov.uk</p> <p>There is further information on compliance with the Building Safety Bill at https://www.gov.uk/guidance/fire-safety-and-high-rise-residentialbuildings-from-1-august-2021 .</p>
Natural England	<p>NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p>
	<ul style="list-style-type: none"> o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. o Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy. <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Please re-consult Natural England once this information has been obtained</p>
Conservation & Design (DBC)	<p>The site is within the Green Belt but there are no associated heritage constraints. A public footpath runs past the site and the existing access road to the site is narrow.</p>

	<p>The application proposes a U-shaped courtyard development of tall 1 ½ storey 'barn style' dwellings. The dwellings are a good size and have a rather top heavy appearance due to the low eaves in relation to the larger roofs but are acceptable in terms of design and materials (dark weatherboard on brick plinth with dark frame windows and tile roof). The lengths of garaging between the east and west ranges does increase the built form on site.</p> <p>The layout is broadly sympathetic to the rural location but the courtyard itself has a rather suburban character and will likely be dominated by car parking. Will there be sufficient parking for 7 x 4-bed dwellings?</p> <p>Two areas of paddock are shown but it is not clear how they will be accessed /maintained. There are two further areas of grass to the front of the site which don't look to belong to any of the properties, again how will these be maintained?</p> <p>If consent is granted the submission of materials (details) should form a condition of consent.</p>
Hertfordshire Highways (HCC)	<p>Proposal Demolition of existing buildings and construction of 7 dwellings with associated parking and landscaping</p> <p>Recommendation 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 recommends that permission be refused for the following reasons: 1) The development site, by reason of its' remote location from local</p>
	<p>shops, services and employment, shall not be sustainable in transport terms, with all residents heavily reliant on the use of private vehicles contrary to the paragraphs 114 and 116 of the National Planning Policy Framework (NPPF) and contrary to Hertfordshire County Councils (HCX) Local Transport Plan (2018) policies 1 and 5.</p> <p>Comments: The proposal is for the demolition of existing buildings and construction of 7 dwellings with associated parking and landscaping at Birchin Grove Farm, Half Moon Lane, Pepperstock. Half Moon Lane adjacent the site is part of the adopted highway network that is highway maintainable at public expense. However, it is isolated and the carriageway further north is parts of central Bedfordshire and not maintained or part of HCC's Highway network. The site is fronted by Flamstead Footpath 001 which accesses onto Markyate BOAT 003.</p> <p>The surrounding site provides a number of rights of way including (Markyate BOAT 003 and Flamstead Footpath 001). Such routes do provide permeability to the surrounding villages. A lot of the routes are not surfaced or lit. They do not represent an attractive walking route (particularly in the dark) and are unlikely to represent an attractive alternative to use of footways for anyone other than for leisure (pedestrian) activities.</p> <p>The use of RoW network is not appropriate for most journey choices (school access, employment, access to shops / services etc for matters of convenience and safety (particularly for school age, or in wet weather whereby the route can be extremely muddy, or dark) in this instance</p>

	<p>dark. Walk distances via the highway footway network is available as there is not footway linking the site. The consideration of this site as a non-sustainable location is consistent with the HA's determination across the whole of Hertfordshire.</p> <p>There is a bus about 400 metres from the site which serves bus route 232 to Dunstable Asda which would need to be accessed via walking on the highway network. The 232 only runs 3 times in the morning out with the final bus back at 12:36 pm which does not provide an attractive alternative to the private motor car for trips such as school, commuting or even leisure.</p>
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	<p>Rail services are not within 2 km of the site. The IHIE document - Guidelines for providing for journeys on Foot (2000) directs (table 3.3) that the accepted preferred Maximum walk distance to town centres should be 800m, for commuting (e.g. access to rail, school etc) is 2km and, elsewhere is 1200m. This therefore places the development site well below the maximum walk distances, giving weight to the HA's position that residents will elect to use the car. Planning for walking (2015) even states walking to a station at 800 metres and is a more recent document and therefore holds more weight.</p> <p>As per LT120 Figure 4.1: Appropriate protection from motor traffic on highway, it deems that cycling within the carriageway for mixed traffic is not suitable for most potential users such as school children and casual cyclists and therefore cycling to and from the site is not applicable and as per the highway code no one should be cycling within the footway. The County Councils Local Transport Plan (policy 1) seeks to ensure that, in line with the golden thread of the NPPF, development is sustainable and located such that it can enable opportunity of choice to travel mode to reduce the reliance on the use of the private car. Such objective also underpins policy 5 to the LTP (adopted 2018).</p> <p>The HA present that the development does not offer alternatives that are within achievable sustainable travel distances to the use of the private car, and is therefore contrary to Policies 1 and 5 of HCC's LTP, as well as failing to comply with the NPPF. The NPPF directs that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use and that the needs of people with disabilities and reduced mobility in relation to all modes of transport are addressed. (Para 115/116 NPPF) nor that safe and suitable access to the site can be achieved for all users; (Para 114 NPPF).</p> <p>This Authority therefore presents significant concern that residents of</p>
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	<p>the site shall be highly reliant on the use of the private car, and therefore that the development proposals are contrary to national and local highway authority policy, and for this reason recommend that the application be refused.</p> <p>Conclusion</p>
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	<p>The Highway Authority are acceptant of the access proposals. Similarly the HA does not present that the vehicle trips arising from the residential shall have an unacceptable impact on their own to the network, however this Authority identifies that the development shall be car borne. Whilst the use existing represents a traffic demand, the Residential units proposed shall have differing needs (shopping, access to schools, employment, leisure) with differing user needs (children, mobility impaired, elderly). Residents shall be reliant on the private car. The Hertfordshire County Council LTP (adopted 2018), as well as input to local plans, is predicated upon achieving a mode shift for all development in the plan period, recognising without the network impacts of development shall be severe. The non-sustainable nature of this development is therefore contrary to LTP4 and NPPF policies, and for this reason, the HA presents an objection to the development as a whole.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where present that it will be remediated.</p> <p>This reflects the introduction of a residential land use, that would be vulnerable to the presence of contamination, on to a brownfield site. A site that is currently under a commercial land use and which was previously part of a brickfield and brick works, both of which have the potential to have resulted in ground contamination.</p> <p>Contaminated Land Conditions: Condition 1:</p> <p>(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk</p>
	<p>assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.</p> <p>(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.</p> <p>(d) This site shall not be occupied, or brought into use, until:</p> <p>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully</p>

	<p>completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</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>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:</p> <p>The above conditions are considered to be in line with paragraphs 180 (e) & (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: https://www.gov.uk/government/publications/land-contamination-riskmanagement-lcrm and here: https://www.dacorum.gov.uk/docs/default-source/environmenthealth/development-on-potentially-contaminatedland.pdf?sfvrsn=c00f109f_8</p> <p>Having reviewed the additional documents I can confirm that the advice sent out on 30/04/2024 for contaminated land conditions has remained the same.</p>
The Countryside Charity	<p>I write with regard to the above application to which CPRE Hertfordshire objects for the following reasons.</p> <ol style="list-style-type: none"> 1. The land identified for this proposed development is designated as London Metropolitan Green Belt in the adopted Dacorum Core Strategy where development is inappropriate unless very special circumstances are identified which clearly outweigh the harms caused, according to criteria in the National Planning Policy Framework (NPPF). 2. In the absence of a Planning Statement, the Design and Access Statement (DAS) notes very briefly that the site is in the Green Belt but provides no justification for the proposed development. The proposed site is effectively open ground with a number of containers which cannot reasonably be regarded as constituting previous development. 3. Adjacent existing premises, formerly used by Fantastic Fireworks, are not included in the site. The proposed development would constitute a substantial encroachment into the open countryside,

	<p>in a relatively isolated and unsustainable location, affecting openness and changing the rural character of the area.</p> <p>4. The unimaginative layout would introduce a discordant element into the rural landscape.</p>
	<p>We urge the Council to refuse permission for this inappropriate speculative development.</p>
Central Bedfordshire Council - Planning	<p>Thank you for your recent consultation letter.</p> <p>Central Bedfordshire Council have no comment to make on the above planning application.</p>
Strategic Planning & Regeneration (DBC)	<p>We do not wish to comment on this application.</p>
Trees & Woodlands	<p>With regard to Re-Consultation on Planning Application 24/00782/FUL.</p> <p>There are a number of trees along the northern and southern boundary of the site which could be detrimentally affected by the proposal. The applicant has not demonstrated how these trees will be protected. Therefore, I require the applicant to provide further information in the form of a tree survey as described in BS5837:2012 Trees in relation to design, demolition and construction. I would expect this to include a tree protection plan which clearly demonstrates how trees will be protected throughout the development.</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 recommends that permission be refused for the following reasons: 1) The development site, by reason of its' remote location from local shops, services and employment, shall not be sustainable in transport terms, with all residents heavily reliant on the use of private vehicles contrary to the paragraphs 114 and 116 of the</p>
	<p>National Planning Policy Framework (NPPF) and contrary to Hertfordshire County Councils (HCX) Local Transport Plan (2018) policies 1 and 5.</p> <p>Comments:</p> <p>The amendments are in relation to the size of the building and do not propose to alter the highway network from that of the previous iteration. Therefore, please see our previous response below.</p> <p>The proposal is for the demolition of existing buildings and construction of 7 dwellings with associated parking and landscaping at Birchin Grove Farm, Half Moon Lane, Pepperstock. Half Moon Lane adjacent the site is part of the adopted highway network that is highway maintainable at public expense. However, it is isolated and the carriageway further north is parts of central Bedfordshire and not maintained or part of HCC's Highway network.</p> <p>The site is fronted by Flamstead Footpath 001 which accesses onto Markyate BOAT 003.</p> <p>The surrounding site provides a number of rights of way including (Markyate BOAT 003 and Flamstead Footpath 001). Such routes do provide permeability to the surrounding villages. A lot of the routes are not surfaced or lit. They do not represent an attractive walking route</p>

	<p>(particularly in the dark) and are unlikely to represent an attractive alternative to use of footways for anyone other than for leisure (pedestrian) activities.</p> <p>The use of RoW network is not appropriate for most journey choices (school access, employment, access to shops / services etc for matters of convenience and safety (particularly for school age, or in wet weather whereby the route can be extremely muddy, or dark) in this instance dark. Walking distances via the highway footway network is not available as there is no footway linking the site.</p> <p>The consideration of this site as a non-sustainable location is consistent with the HA's determination across the whole of Hertfordshire.</p> <p>There is a bus about 400 metres from the site which serves bus route 232 to Dunstable Asda which would need to be accessed via walking on the highway network. The 232 only runs 3 times in the morning out with the final bus back at 12:36 pm which does not provide an attractive alternative to the private motor car for trips such as school, commuting or even</p>
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	<p>leisure.</p> <p>Rail services are not within 2 km of the site. The IHIE document - Guidelines for providing for journeys on Foot (2000) directs (table 3.3) that the accepted preferred Maximum walk distance to town centres should be 800m, for commuting (e.g. access to rail, school etc) is 2km and, elsewhere is 1200m. This therefore places the development site well below the maximum walk distances, giving weight to the HA's position that residents will elect to use the car. Planning for walking (2015) even states walking to a station at 800 metres and is a more recent document and therefore holds more weight.</p> <p>As per LT120 Figure 4.1: Appropriate protection from motor traffic on highway, it deems that cycling within the carriageway for mixed traffic is not suitable for most potential users such as school children and casual cyclists and therefore cycling to and from the site is not applicable and as per the highway code no one should be cycling within the footway.</p> <p>The County Councils Local Transport Plan (policy 1) seeks to ensure that, in line with the golden thread of the NPPF, development is sustainable and located such that it can enable opportunity of choice to travel mode to reduce the reliance on the use of the private car. Such objective also underpins policy 5 to the LTP (adopted 2018).</p> <p>The HA present that the development does not offer alternatives that are within achievable sustainable travel distances to the use of the private car, and is therefore contrary to Policies 1 and 5 of HCC's LTP, as well as failing to comply with the NPPF. The NPPF directs that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use and that the needs of people with disabilities and reduced mobility in relation to all modes of transport are addressed. (Para 115/116 NPPF) nor that safe and suitable access to the site can be achieved for all users; (Para 114 NPPF).</p>
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	This Authority therefore presents significant concern that residents of
	<p>the site shall be highly reliant on the use of the private car, and therefore that the development proposals are contrary to national and local highway authority policy, and for this reason recommend that the application be refused.</p> <p>Conclusion The Highway Authority are acceptant of the access proposals. Similarly the HA does not present that the vehicle trips arising from the residential shall have an unacceptable impact on their own to the network, however this Authority identifies that the development shall be car borne. Whilst the use existing represents a traffic demand, the Residential units proposed shall have differing needs (shopping, access to schools, employment, leisure) with differing user needs (children, mobility impaired, elderly). Residents shall be reliant on the private car. The Hertfordshire County Council LTP (adopted 2018), as well as input to local plans, is predicated upon achieving a mode shift for all development in the plan period, recognising without the network impacts of development shall be severe. The non-sustainable nature of this development is therefore contrary to LTP4 and NPPF policies, and for this reason, the HA presents an objection to the development as a whole</p>
Health & Safety Executive	<p>HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - https://pa.hsl.gov.uk/ - for them to use to consult HSE and obtain HSE's advice.</p> <p>HSE were consulted on this planning application on 28 June 2024 by Kirsty Shirley and HSE's advice was received (: HSL-24062810313373 Crosses Explosive Safeguarding Zones) The site which you have identified currently lies within one or more Explosives Safeguarding Zones; please contact the HSE Explosives Inspectorate. The Explosives Inspectorate can be contacted at: explosives.planning@hse.gov.uk</p> <p>I would be grateful if you would ensure that the HSE Planning Advice Web App is used to consult HSE on this planning application and any future developments including any which meet the following criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard pipeline.</p> <ul style="list-style-type: none"> o residential accommodation; o more than 250m2 of retail floor space; o more than 500m2 of office floor space;
	<ul style="list-style-type: none"> o more than 750m2 of floor space to be used for an industrial process; o transport links; o or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area. <p>There are additional areas where HSE is a statutory consultee. For full details, please refer to annex 2 of HSE's Land Use Planning Methodology: www.hse.gov.uk/landuseplanning/methodology.htm</p>
Natural England	NATURAL ENGLAND'S ADVICE

	<p>OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERNs BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations</p> <p>Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. o Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy. <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Please re-consult Natural England once this information has been obtained.</p> <p>When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.</p> <p>Page 2 of 15</p> <p>Footprint Ecology carried out research in 2021 on the impacts of recreational and urban growth at Chilterns Beechwoods Special Area of Conservation (SAC), in particular Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). Due to this new evidence, Natural England recognises that new housing within 12.6km of the internationally designated Chilterns Beechwoods SAC can be expected to result in an increase in recreation pressure.</p>
	<p>The 12.6km zone proposed within the evidence base¹ carried out by Footprint Ecology represents the core area around Ashridge Commons and Woods SSSI where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.</p> <p>In addition Footprint Ecology identified that an exclusion zone of within 500m of the SAC boundary was necessary as evidence indicates that mitigation measures are unlikely to protect the integrity of the SAC. Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. The report identified several ways in which public access and disturbance can have an impact upon the conservation interest of the site, these included:</p> <ul style="list-style-type: none"> o Damage: encompassing trampling and vegetation wear, soil compaction and erosion; o Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species; o Fire: increased incidence and risk of fire; and o Other: all other impacts, including harvesting and activities associated with site management. <p>In light of the new evidence relating to the recreation impact zone of influence, planning authorities</p>

	<p>must apply the requirements of Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 12.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC. Natural England are working alongside all the involved parties in order to achieve a Strategic Solution that brings benefits to both the SAC and the local area to deliver high quality mitigation. Once the strategy has been formalised all net new dwellings within the 500m - 12.6km zone of influence will be expected to pay financial contributions towards the formal strategy. Consequently, it is Natural England's view that the planning authority</p>
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	<p>will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 64. We would like to draw your attention to a recent appeal for St Leonard's Church Hall (Ref: APP/X0415/W/21/3278072) dated 1 March 2022. The appeal relates to net development within 12.6km of Chilterns Beechwoods SAC and was dismissed. The appeal decision is attached in Annex A. 1 Panter. C, Liley. D, Lake. S, Saunders. P & Caals. Z, March 2022, Visitor Survey, recreation impact assessment and mitigation requirements for the Chilterns Beechwoods SAC and the Dacorum Local Plan. Available at: dacorumrecreation-evidence-base-200322.pdf Page 3 of 15 Protected Landscapes - Chilterns Beechwoods AONB The proposed development is located partly within/ 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 natural beauty of this area may be a material consideration in the determination of the proposal. 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</p>
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	impacts on the designated areas. An assessment of the landscape and visual
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	<p>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. 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>Ancient woodland, ancient and veteran trees The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.</p> <p>Local sites and priority habitats and species The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on</p>
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	<p>local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies. Emerging Local Nature Recovery Strategies may also provide further useful information.</p> <p>Priority habitats and species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on Gov.uk.</p> <p>Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental</p>
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	<p>value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.</p> <p>Page 4 of 15</p> <p>Further general advice on the consideration of protected species and other natural environment issues is provided at Annex B.</p>
Affinity Water - Three Valleys Water PLC	Affinity Water has no comments to make regarding planning application 24/00782/FUL.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
9	8	2	6	0

Neighbour Responses

Address	Comments
<p>2 brick hill park half moon lane pepperstock LU1 4LW</p>	<p>I wish to object to planning application 24/00782/FUL on the following grounds:</p> <ol style="list-style-type: none"> 1. The site lies in the Green Belt and adjacent to the Ancient Woodland of Birchen Grove. Development of housing would be inappropriate and would compromise the ecological integrity of the area. I refer to planning application 21/04073/FUL three years ago for wider discussion of this issue. I also concur with the comments of Natural England on the current application. 2. Access to the site is via Half Moon Lane, a narrow tarred road in a built-up area subject to a 30 mph speed limit and wholly administered by Central Bedfordshire County Council and Slip End Parish Council. Neither body appears in the list of consultees. Hertfordshire Highways (HCC) is a consultee, but is only responsible for the adjacent byway west of the access point. In a previous consultation (21/04073/FUL) HCC expressed the opinion the speed limit on Half Moon Lane was 60 mph, which suggests that they are not the appropriate body to offer comment in this instance. Dialogue with CBCC and SLPC is therefore essential. 3. The central feature of the housing plan is a raised grassed mound of approximately 70X60 m in the area currently within the chain link fenced zone. There is local concern that the mound was constructed over waste and building debris from the small agricultural holding that occupied the site prior to its development as a fireworks depot in the 1990s. Planning documentation for the site goes back to 1990, but does not mention this feature, although it may also be part of the landscaping carried out since. Assurance that no hazardous waste, for example asbestos, is present on site is a pre-requisite for any development.

<p>Oak Barn Half Moon Lane Pepperstock Luton Hertfordshire LU1 4LL</p>	<p>The application is short of detail in several respects and misleading in others. It gives insufficient attention to parking and traffic issues.</p> <p>The proposal is for seven houses with four bedrooms so the population is likely to be in the region of thirty five or more. There are only 14 spaces provided for parking of residents' cars. This is unlikely to be sufficient and the nature of the proposed site layout and the adjacent highway (a single track road with no parking/passing places) provides no facility for on-street parking. The highway authority for the road is Central Bedfordshire and, as far as I know, they have not been consulted.</p> <p>There is likely to be a significant increase in traffic arising from this development. Half Moon Lane is a cul-de-sac (ending at the entrance to this site where the road turns into a Bridle Path) and the length of it immediately adjacent to the site is one track with no possibility of passing other than by causing damage to the verges/hedges.</p> <p>On site the application seems to ignore the public footpath which runs across it. The reference to an "existing road" is clearly nonsense.</p>
	<p>There is only a track along which runs the public footpath and this is outside the fenced area currently used by Fantastic Fireworks and not used by vehicles. The site is clearly visible from the footpath although the application states otherwise.</p> <p>The arrangements for Refuse collection seem to me to be impracticable. There is no indication as to where bins would be stored and what is suggested would probably require a change in the working practices of the collectors.</p> <p>There is no mains sewage in this part of Half Moon Lane and no indication within the application as to the proposed sewage disposal arrangements or the location of any sewage plant.</p> <p>Half Moon Lane and the footpaths that lead off it are widely used by walkers (many with dogs). Their enjoyment of the countryside would be severely affected by this development. The additional traffic generated would also create problems for walkers. There is no footpath along Half Moon Lane.</p> <p>Other objectors have raised other issues on which I am not qualified to comment but the extent of all these issues together makes it clear to me that this proposal should not be approved.</p> <p>Given the sites proximity to the Dacorum boundary with Central Bedfordshire, there also needs to be adequate consultation with Central Beds and with Slip End Parish Council.</p>
<p>Cedar Barn Half Moon Lane Pepperstock Luton Hertfordshire LU1 4LL</p>	<p>As a result of these extra houses and cars (25 plus?) there will be significant additional traffic movements, noise and pollution each day in addition to the existing traffic from Fantastic Fireworks.</p> <p>The entry road from Half-Moon Lane is single-track (with NO passing passes) how will that accommodate the extra traffic from the proposed 7 x 4-bedroom houses in addition to the Fantastic Firework commercial traffic? What road and traffic proposals have been put in place to manage this ?</p> <p>This is a quiet cul-de-sac with entry to woods and footpaths for the peaceful enjoyment of local people. This development would be detrimental to that local environment creating significant increase in traffic and noise to a well-known and used country walk area.</p>

	<p>There is no pavement/ safe footpath down the proposed entry end of Half Moon Lane and there are lot of walkers, many elderly, local residents, are living in the adjacent Halfmoon Lane retirement park homes. This would present a clear pedestrian safety hazard.</p> <p>No mention of the existing public footpath crossing the site has been offered in the planning proposal, it states "No footpath" on application. There is no detail of the new road by way of dimensions, footpath or passing places for vehicles etc.</p>
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	<p>The application forms state there are no hazardous materials on site, or that the site is not likely to be contaminated. It has been used for explosive storage for many years, and previously old farmyard materials (stables are 25 years plus old, asbestos maybe?)</p> <p>Although no figures are quoted, by looking at the scale etc, estimation leads to these houses being 7.9m high, which looks like a two-storey house, rather than the quoted "1.5 storeys" .</p>
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<p>Keepers Cottage Half Moon Lane Pepperstock Luton Hertfordshire LU1 4LL</p>	<ol style="list-style-type: none"> 1. The application form suggests there are 6x3 bed houses and 1x4 bed. Clearly, they are all 4 beds, so that should mean - in Zone 3 of the Dacorum guide - that they need at least 3 spaces per unit, plus visitor's spaces, so 23+. They quoted 2 per unit and 4 visitors - total 18. 2. They should have to supply a "swept path" analysis for a fire engine to access the site. 3. The furthest of the units is more than 180m from a new fire hydrant, so they should have to supply two more. 4. There is no detail of the new road by way of dimensions, no footpath or passing places for vehicles etc. 5. There is no initial assessment of the site in terms of ecology [protected species], which is a legal requirement for new builds. There exists a broad range of wildlife there, for example Bats, deer, foxes, owls, wood peckers, lots of different birds, butterflies, different types of bees, etc 6. No plan proposed for any ecological enhancements. This could be by way of Condition, but needs to be added now. 7. Who would own the paddocks and how do you gain access to them if there are cars parked in the parking bays? 8. The application forms state there are no hazardous materials on site, or that the site is not likely to be contaminated. It has been used for explosive storage for many years, and previously old farmyard materials (stables are 25 years plus old, asbestos maybe?) 9. There is no reference anywhere to drainage provision, either surface water, or foul. So, no plan attached to prevent flooding of the site etc, which would normally require a SUDs design (Sustainable Urban Drainage) 10. There are no plans of the existing buildings being removed, which would demonstrate how "low-rise" they are currently. Are the nonfixed structure/metal shipping containers part of the building footprint? 11. The volume calculations suggest the average existing building height is 3m, whilst the new proposed development averages in
	<p>excess of 4m. This is a 33% + increase in overall height and volume.</p> <ol style="list-style-type: none"> 12. The floor area calculations ignore the garaging/car ports, which should be included i.e. An additional 125m² ??.... 13. Although no figures are quoted, by looking at the scale etc, estimation leads to these houses being 7.9m high, which is more like a two-storey house, rather than the quoted "1.5 storeys".

	<p>14. No appraisal or consideration of the public footpath crossing the site has been offered in the planning proposal, it states "No footpath" on application, which is clearly incorrect.</p> <p>15. This is a quiet cul-de-sac with entry to woods and footpaths for the peaceful enjoyment of local people. This development would be detrimental to that local environment creating significant increase in traffic and noise to a well-known and used country walk area.</p> <p>16. As a result of these extra houses and cars (25 plus?) there will be significant additional traffic movements each day in addition to the existing traffic from Fantastic Fireworks,</p> <p>17. They are keeping the existing Fantastic Fireworks office building, therefore where will the explosives now go and their equipment?</p> <p>18. The entry road from Half-Moon Lane is single-track (with NO passing passes) how will that work with the extra traffic from the proposed 7 x 4-bedroom houses in addition to the Fantastic Firework commercial traffic? What road and traffic proposals have been put in place to accommodate this?</p> <p>19. There is no pavement/ safe footpath down the proposed entry end of Half Moon Lane and there are lot of dog walkers, many elderly, most of the local residents are in the Halfmoon Lane retirement park homes. This would present a clear pedestrian safety hazard.</p> <p>20. The new proposed houses would be facing towards and overlooking Keepers Cottage. The common borderline trees and hedges in between Fantastic Fireworks and Keepers Cottage property cannot by law, be removed by either property owners. There is a good amount of open space (no privacy screening) in between Keepers cottage and the proposed houses opening the existing privacy to Keepers cottage.</p> <p>21. The proposal states they would be putting up post and rail fencing in between. This will not serve any purpose, it would need to be secure high fencing to stop dogs and people, children getting into the Keepers Cottage property, especially dangerous as Keepers Cottage has several dogs and horses. With pruning of the hedges and taking down the building bordering the Keepers Cottage perimeter, it would leave the property very much open to dogs, people, and loss of privacy. Therefore, the large gaps in the common borderline hedging would need to be filled with non-poisonous hedging as part of a proposed development plan. This would also :</p>
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	<ul style="list-style-type: none"> - improve air quality, by removing particles and pollutants from the air - absorb carbon dioxide from the atmosphere. - contribute to the character and appearance of our most valued landscapes.
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	<p>22. In 25 years there has been no evidence of Fantastic Fireworks ever maintaining the trees and hedges within the borderline.</p> <p>23. If planning permission were given, would there be adequate fencing put up to protect property and animals, while the work is going on.</p> <p>24. What plans exist with regards to restricting light pollution and effecting the wildlife, and Keepers Barn Property.</p> <p>25. The site is in an Ancient Woodland area as advised by The Hertfordshire Ecology Dept.</p> <p>Regards,</p>
<p>Oak Tree Farm Pepsal End Lane Pepperstock Luton Hertfordshire LU1 4LH</p>	<p>1.The plans mention a track, this is actually a Public Footpath. I am concerned that the access to use the footpath while construction goes ahead will be effected and this footpath is regularly used by many people incorporating all ages and especially dog walkers.</p> <p>2.The development can be seen from the footpath and it is at the end of the road.</p> <p>3.There would be significant increase in traffic and the access is along a single track lane with no passing places and no pavement for pedestrians. This part of the road is well used by pedestrians to gain access to the 2 footpaths and one green lane.</p> <p>4. There is mention of paddocks which look quite small, would these be for horses? How would access be gained ?</p>
<p>43 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EW</p>	<p>The PC objects unanimously. We objected in April 2024 and are comments (below) are unchanged.</p> <p>The site location is not clear on the plans.</p> <p>The application states that there are 6 x 3 bedroomed houses and one x 4 bedroomed when in fact they are all 4 bedroomed.</p> <p>The parking provision is insufficient as each dwelling could generate up to 4 vehicles.</p> <p>It is considered to be over development of this site which is in the Green Belt as with 7 dwellings the development is too dense and creates too much mass.</p>
<p>Central Bedfordshire</p>	<p>Ref: 24/00782/FUL Demolition of existing buildings and construction of 7 dwellings with associated parking and landscaping.</p> <p>I am writing on behalf of Slip End Parish Council in Central Bedfordshire which borders the land for the above planning application.</p> <p>We would like to raise our concerns as follows:</p> <p>The site is situated within green belt land, adjacent to Ancient Woodland in Birchen Grove. The Council sees the development of housing as inappropriate and would, compromise the ecological integrity of the area.</p> <p>A planning application submitted three years ago: 21/04073/FUL was refused stating:</p> <p>The proposal would constitute inappropriate development in the Greenbelt which would be harmful to its openness.</p> <p>The site is part of an Ancient Woodland designation where the soil itself, like Ancient Woodlands themselves, take hundreds of years to establish, are relatively undisturbed and support a complex soil ecology and residual seed bank that cannot be found in the soils of recently planted woodland. For this reason, the habitat is considered irreplaceable and the proposal would result in degradation of this habitat which would have an impact on the integrity of the wider Ancient Woodland.</p>

	<p>The Council agree with the comments above and continue to do so. Access to the site is via Half Moon Lane, a narrow, tarred road in a built-up area subject to a 30 mph speed limit and comes under the remit of Central Bedfordshire County Council and Slip End Parish Council. The council is concerned that CBC or Slip End Parish Council were not included in the list of consultees. Hertfordshire Highways (HCC) who are a consultee is responsible for the adjacent byway, west of the access point. In the first application they stated that the lane was a 60 mph limit which is incorrect and Slip End Parish Council want this rectified.</p> <p>1 Whyleys Cottages, Woodside Road, Lower Woodside, Beds, LU1 4DH Phone: 07487 850249 e-mail: clerk@slipendparishcouncil Councillors: Sarah Minnighan (Chair), Carol Beeton, Carol Brennan, Paul Shaw, Simon Patterson, Steve Baird, Stuart Durnsdell</p> <p>There are also concerns that access to the site with construction vehicles will damage the road surface, and cause disruption to local, residents.</p> <p>The central feature of the housing plan is a raised grassed mound of approximately 80x80 m in the area currently within the chain link fenced zone. There are concerns that the mound was constructed over waste and building debris from the small agricultural holding that occupied the site prior to its development as a fireworks depot in the 1990s. This needs to be investigated and confirmed. The Planning documentation</p>
	<p>for the fireworks depot 1990, does not mention this mound. The council would like assurances that no hazardous waste is present on this site. Please could the above concerns for the planning application be noted and considered in your consultation period.</p>
<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 houses. At present the application has no ecology report submitted and no biodiversity enhancements are proposed..</p> <p>Paragraph 186(d) of the NPPF 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>Swift bricks are universal as 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</p> <p>Please consider securing by way of a condition, the wording of which has been previously used by the LPA: "No development shall take place until written details are approved by the LPA of the model and location of 4 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter", in accordance with the NPPF</p>