

Haresfoot Farm, White Hill, Berkhamsted, HP4 2SU

Planning Statement

June 2024



WARNER

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1 Introduction

This revised planning application is submitted by Warner Planning on behalf of Haresfoot Limited. The application seeks permission for the demolition of existing buildings and redevelopment of the site to provide 59 residential dwellings (market and affordable), erection of a community hub building, together with associated landscaping, sustainability measures, open space, parking, and highway improvements at Haresfoot Farm, Chesham Road, Berkhamsted, Hp4 2SU

The following documents support the application:

- Application Form,
- Plans
 - SLP001 Site Location Plan
 - 1000 Proposed Site Layout
 - 1001 Proposed Coloured Site Layout
 - 1002 Proposed Coloured Site Layout In Context
 - 1003 Existing Site Coverage
 - 1004 Proposed Site Coverage
 - 1005 Proposed Site Layout & Existing Overlay
 - 1006 Proposed Building Heights
 - 1007 Tenure Plan
 - 1008 Proposed Parking Plan
 - 1009 Private and Communal Amenity Plan
 - 1010 Affordable Location and Tenure
 - 2001 Plot 1-3 Floor plans & Elevations
 - 2002 Plot 4&5 Floor plans & Elevations
 - 2003 Plot 6-9 Floor plans & Elevations
 - 2004 Plot 10 Floor plans & Elevations
 - 2005 Plot 11&20 Floor plans & Elevations
 - 2006 Plot 12 Floor plans & Elevations
 - 2007 Plot 13 Floor plans & Elevations
 - 2008 Plot 14 Floor plans & Elevations
 - 2009 Plot 15 Floor plans & Elevations
 - 2010 Plot 16 Floor plans & Elevations
 - 2011 Plot 17 Floor plans & Elevations
 - 2012 Plot 18 Floor plans & Elevations
 - 2013 Plot 19 Floor plans & Elevations
 - 2014 Plot 21&29 Floor plans & Elevations
 - 2015 Plot 22,26&28 Floor plans & Elevations
 - 2016 Plot 23 Floor plans & Elevations



- 2017 Plot 24 Floor plans & Elevations
- 2018 Plot 25 Floor plans & Elevations
- 2019 Plot 27 Floor plans & Elevations
- 2020 Plot 30 Floor plans & Elevations
- 2021 Plot 31 Floor plans & Elevations
- 2022 Plot 32,33,34,35 Floor plans & Elevations
- 2023 Plot 36,37,38,39 Floor plans & Elevations
- 2024 Plot 40,41,42,43 Floor plans & Elevations
- 2025 Plot 44,45,46,47 Floor plans & Elevations
- 2026 Plot 48-50 Floor plans & Elevations
- 2027 Plot 51-53 Floor plans & Elevations
- 2028 Plot 54&55 Floor plans & Elevations
- 2029 Plot 56-59 Floor plans & Elevations
- 3000 Car barns
- 3002 Electric Bike Store Floor Plans & Elevations
- 4000 Proposed Street Scene A-A & B-B
- 4001 Proposed Street Scene C-C & D-D
- 4002 Proposed Street Scene E-E
- 5000 Proposed Hub Building
- 6000 Existing Site Plan
- 6001 Existing Site Buildings Survey
- Design and Access Statement including, Waste Management Plan, Daylight and Sunlight, Crime Prevention Measures, Safer Places Statement
- Neighbour Notification Sheet
- Affordable Housing Statement
- Sustainability and Energy Statement
- Utilities Report.
- Tree Survey and Arboricultural Implications Report
- Transport Assessment
- Archaeological Assessment
- Heritage Assessment
- Protected Species Surveys and Ecological Assessment
- Tier 1 Ground Investigation Assessment
- Lighting Assessment
- Air Quality Assessment
- Noise Impact Assessment
- Flood Risk Assessment and Suds Report
- Economic Benefits Report
- Commercial Marketing Report
- Landscape Visual Impact Assessment
- Statement of Community Involvement
- CIL forms



This Planning Statement sets out the background relevant to the determination of the application by describing the site and its general locality before setting out details of the proposed development. The statement provides an overview of the planning policy context against which the development is assessed, followed by a detailed consideration of the development proposals against this policy context and all other relevant material considerations.

The proposal has been developed via substantial successful pre-application discussions with the Council, Town Council and local residents. The Council welcomed the redevelopment of this previously developed site. The design of the scheme has evolved and been developed in cooperation with planning and design officers, who have welcomed the high quality design and landscaping of the proposal. The applicants and the project team have also worked in cooperation with Hertfordshire Highways to develop a scheme of highways and transport measures to support the planning application.

The application is submitted following the refusal of application 24/00330/MFA at the site. This application reduces the number of proposed dwellings from 86 to 59 dwellings (a 31% reduction of dwellings) whilst maintaining the level of affordable homes at 40%. The proposed dwellings are all located on the existing previously developed land.

In making this planning application, it is our submission that the application proposes a high-quality, sustainable development that will complement the immediate locality and the wider area.

There are significant benefits to be delivered by the development. It is considered that there are compelling grounds to grant planning permission for the proposed development, with these set out as follows:

- Provide much-needed homes at a time when the Council cannot demonstrate a five-year housing land supply, which is currently stated to be 2.36 years.
- Reuse of a previously developed site.
- 40% of the development to be affordable homes exceeding the policy requirement
- Provision of self build plots, there is a significant need for such plots
- High-quality design
- Additional residential units to further add to the mix of housing types in the area
- Range of affordable home tenure provided, to match the Council requirements, including highly sought-after social rent dwellings – which there is a significant need for.
- Removal of a non-conforming use in Green Belt.



- Significant reduction of vehicle movements from the site
- Reduction of volume on the site by 38%
- Reduction of hardstanding on the site by 41%
- Reduction of footprint on site by 23%
- Increase of green space on site by 41%
- 69% of the site to be provided as public open space
- New landscaping
- Significant biodiversity net gain, significantly exceeding the Environment Act
- Provision of a community hub for residents
- Approximately 300 new trees
- Substantial Highways, footpath and bus stop improvements
- Provision of an on site pantry for residents
- Provision of electric bikes
- On site electric pool car
- On site bus stop integrated into the HertsLynx on-demand service
- Improved drainage, and natural drainage
- Removal of contaminated land
- Provision and integration with SANG. Development is at the heart of the SANG to facilitate its success.
- Residents will deliver economic benefits by supporting local businesses.
- Economic benefits during the construction phase and post-construction.
- Future residents will support the local economy by paying taxes and visiting local facilities and businesses.

This Planning Statement should be read in conjunction with the supporting documents and existing and proposed plans submitted to accompany this planning application.



2 The site and surrounding area

Haresfoot Farm is located directly south of the A41 in Berkhamsted. The site was a former farm, dated to 1890s. Presently, the site comprises a mix of existing built structures primarily designed for industry employment purposes - serving as film and television prop storage and other commercial storage and distribution uses. Additionally, a former residential dwellings (used as an office), an equestrian centre with stables, ad hoc structures, hardstanding and various containers and out storage (spoil) spread across the site.

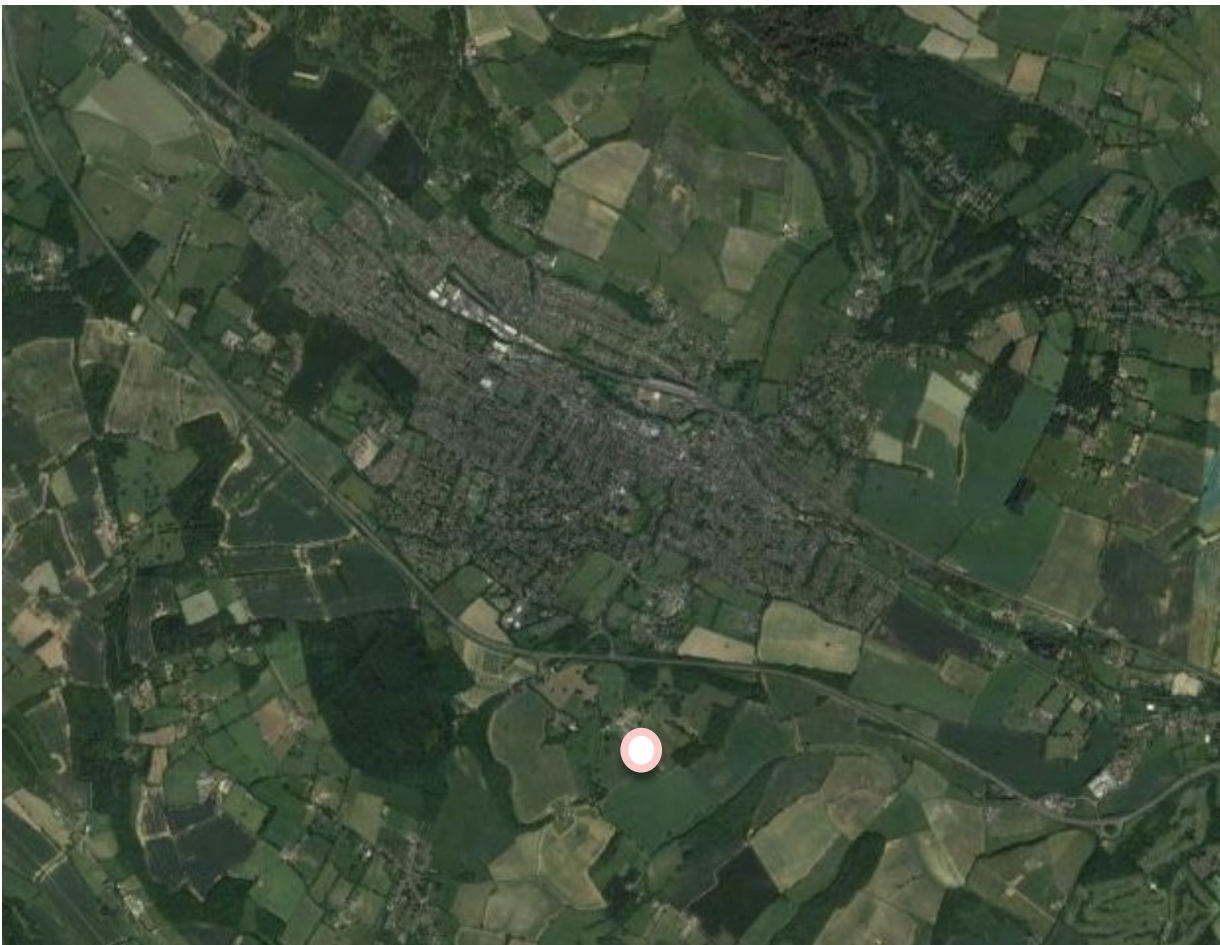


Figure 1: Location of the site

Access to the site by vehicle, cycle or foot, is via the A416 and directly off White Hill. The site is bound by Berkhamsted FP 041 (Public Right of Way) which links north to Berkhamsted passing under the A41 leading to Berkhamsted Town Centre.

The site is bound by an ancient woodland located to the southeast and the land surrounding the site is proposed as SANG. One residential property borders the site on the western boundary, this is also owned by the applicant.





Figure 2: Site Location (not to scale, for identification purposes only)

The site has a varied planning history, which mainly relates to the use of the site and buildings. Of note is planning appeal decision 20/3249358, which confirms the commercial use, and buildings on the site. The applicants, who have purchased the site since the appeal, have ensured that the site complies with the appropriate planning permissions and enforcement notices, and conditions. An application for the redevelopment of the site as 86 dwellings was resolved to be refused by Councillors at planning committee on 30th May 2024. This decision overturned the strong recommendation for approval by officers. Application 24/00330/MFA is considered in more detail, later in this chapter.

Reference	Description	Status
24/00330/MFA	Demolition of existing buildings and redevelopment of the site to provide 86 residential units (market and affordable), construction of a community hub building, together with associated landscaping, open space, parking, and highway improvement	Awaiting decision – members resolved to refuse the application 30 th May 2024
23/02508/MFA	Change of use from agricultural land to a suitable Alternative Natural Green Space (SANG) together with provision of a new car park	With Planning Case Officer
23/01848/FUL	Demolition of existing cottage and extension to existing 'building 6'	Permission Granted September 2023



23/01834/LDP	Construction of new Hardstanding	With Planning Case Officer
23/01569/DRC	Details as required by conditions (security lighting plan & assessment) attached to appeal reference APP/A1910/C/20/3249358 (E20/00023/MULTI)	Permission Granted August 2023
23/00859/FUL	Single Storey extension to existing building	Permission Granted July 2023
23/00858/FUL	New building for the storage, salvage, re-purposing and recycling of scenery and props associated with the entertainment industry within use classes B8 and E(g) of the Town and Country Planning (Use Classes) (Amendment) (England) regulations 2020	Permission Refused November 2023
23/00395/DRC	Details as required by condition 5 (lighting) attached to planning permission E/20/00023/MULTI (Appeal ref: APP/A1910/C/20/3249358) (Erection of new buildings and intensification of industrial uses at the site)	Permission Refused June 2023
20/00294/DRC	Details as required by condition 8 (Ecological Enhancement) attached to planning permission E20/00023/MULTI (Erection of new buildings and intensification of industrial uses at the site)	Permission Granted June 2023
22/03642/LDP	Proposed Hardstanding	Permission Refused March 2023
22/03644/LDP	Proposed Hardstanding	Permission Refused March 2023
22/03643/LDP	Proposed Hardstanding	Permission Refused March 2023
22/00561/MFA	Improvements to open space to accommodate equestrian teaching and practise facilities. To include provision suitable for those with accessibility needs	Application Withdrawn September 2022
21/04689/FUL	Temporary use of hardstanding for the storage of standard shipping containers until the 18 th April 2022	Permission Refused April 2022
21/04649/FUL	Construction of new storage building to use for salvage, re purposing and recycling of scenery and props associated with the entertainment industry which includes a biomass boiler with CHP capacity	Permission Refused March 2022
21/04630/FUL	Addition of administration, managerial and welfare facilities to support the storage, salvage and re-purposing and recycling of scenery and props	Application Withdrawn September 2022
21/04629/FUL	Change of use to the storage, salvage, re-purposing and recycling of scenery and props. Addition of external materials	Permission Granted March 2022



21/04496/RET	Retrospective consent for CHP enabled biomass system within existing building 4, including external flue.	Permission Granted February 2022
21/04443/RET	Retrospective consent for temporary fencing. To be in place for 36 months in order to facilitate maturing of landscape features required by consent APP/A1910/C/20/3249358 (resubmission)	Permission Refused March 2022
21/04445/RET	Retrospective consent for the erection of fencing to the existing equestrian menage.	Application Withdrawn September 2022
21/03848/FUL	Retrospective consent for the installation of temporary covered storage for a 12-month period	Permission Granted February 2022
21/03841/RET	Retrospective consent for the installation of a weighbridge	Permission Granted January 2022
21/03839/FUL	Retrospective consent for temporary fencing. To be in place for 36 months in order to facilitate maturing of landscape features required by consent APP/A1910/C/20/3249358	Application Withdrawn November 2021
APP/A1910/C/20/3249358	Appeal against Enforcement Notice - Without planning permission, construction of buildings and the change of use of buildings and land at Haresfoot Farm, Chesham Road, Berkhamsted.	Appeal Part Allowed June 2021
21/03840/FUL	Retrospective consent for the installation of fencing to the existing equestrian menage	Application Withdrawn November 2021
21/03725/FUL	Single storey extension to existing building, including biomass boiler and associated plant and machinery	Permission Granted January 2022
21/03607/DRC	Details as required by condition 6 (parking areas), 7 (transport statement), 8 (ecological enhancement) and 9 (landscaping) attached to planning appeal e6520/00023/MULTI (Erection of new buildings and intensification of industrial uses at the site granted under the planning inspectorate APP/A1910/C/20/3249358)	Permission Granted June 2022
21/03513/LDP	Replacement of existing Flue	Application Withdrawn November 2021
21/03511/LDP	New Hardstanding	Application Withdrawn November 2021



21/03510/LDP	Extension to industrial building	Application Withdrawn November 2021
21/03512/LDP	New Hardstanding (Building 4)	Application Withdrawn November 2021
APP/A1910/C/20 /3249358)	Appeal - Erection of new buildings and intensification of industrial uses at the site	Part Allowed
4/02191/VAR	Variation of legal agreement	Permission Granted November 2017
4/01641/16/FUL	Equine reproduction and rehabilitation centre – comprising a main building, barn, office, horse boxes, staff area, storage barn, quarantine barn and menage.	Permission Refused November 2016
4/00086/15/MF A	Equine reproduction and rehabilitation centre with associated ancillary residential accommodation	Application Withdrawn June 2015
4/01311/13/FUL	Two storey side extension to farmhouse (amended scheme)	Permission Granted October 2013
4/00884/13/NM A	Two storey side extension to farmhouse – non - material amendment to planning permission 4/00189/FHA	Permission Refused June 2013
4/00189/FHA	Two storey side extension to farmhouse	Permission Granted March 2013
4/01265/12/FHA	Two storey side extension (amended scheme)	Permission Refused September 2012
4/00815/12/FHA	Two storey side and rear extension	Application Withdrawn July 2012
4/1070/09/FUL	Demolition of farm building and construction of 24 stables and exercise arena	Permission Granted August 2009
4/01573/03/AG D	Details of storage barn required by agricultural determination 4/01088/03 (construction of storage barn)	Prior Approval Granted July 2003
4/01088/03/AG D	Construction of storage barn	Prior Approval Required July 2003
4/01390/01/FUL	Construction of portal framed building for cattle	Permission Granted September 2001
APPEAL of application 4/01072/99/FUL	One 30m monopole tower with 3 cross polar antennae, 2 dish antennae and 1 radio equipment housing	Appeal Allowed



4/01072/99/FUL	One 30m monopole tower with 3 cross polar antennae, 2 dish antennae and 1 radio equipment housing	Permission refused August 1999
4/00455/98/FUL	Agricultural building	Permission Granted May 1998
4/00455/92/CM A	Extraction of material for use in by-pass	Permission Granted September 1992
4/01335/91/FUL	Erection of covered yard for cattle	Permission Granted November 1991

Table 1: Site Planning History



Figure 3: Site Photograph



Planning Policy

A review of the Local Plan and Policies Map, identifies that the previously developed site is located within the Green Belt. The site is located adjacent to a defined settlement, is not subject to identified flood risk, and the site has no designations that influence development on the site.

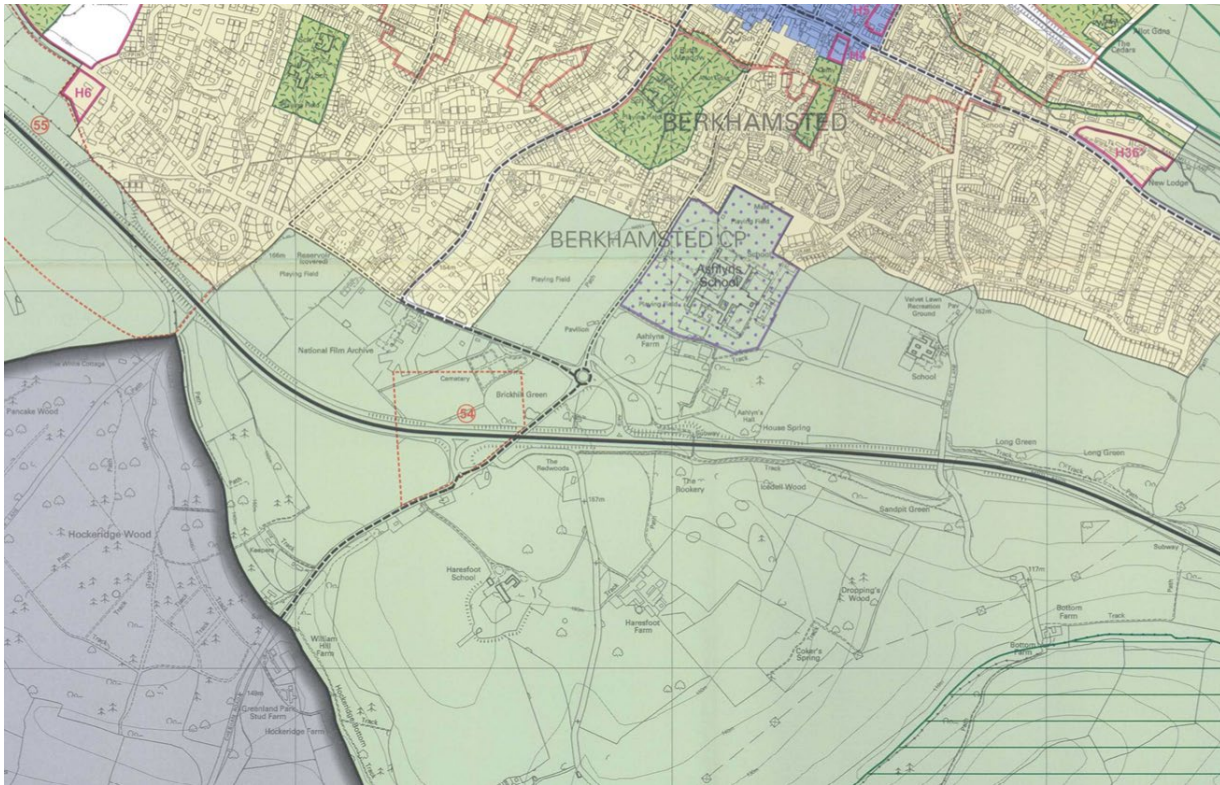


Figure 4: Extract of Local Plan Proposal Map



Attribute / Constraint	Applicability
Green Belt	The Site is located within the Metropolitan Green Belt Area.
Conservation Area	The site is not located within a designated conservation area.
Beechwood Area of Conservation	The site is located within the Ashridge Commons Wood Buffer Area but outside the Area of Conservation.
Area of Outstanding Natural Beauty	The site is not located within an Area of Outstanding Natural Beauty.
Flood Zone	<p>The site is of low flood risk, it is located within Flood Zone One for risk of flooding from rivers or the sea.</p> <p>The site has an area of low risk (Flood Zone One) for surface water.</p> <p>The site is located within Flood Zone One and low risk of flooding from reservoirs.</p>
Tree Preservation Order	There are no Tree Preservation Orders on site.
Priority Species	There are no priority species identified upon the site.
Priority Habitats	There are no priority habitats identified upon the site.
Listed Buildings	There are no listed buildings identified upon the site.
Site of Special Scientific Interest	The site is not designated as a site of special scientific interest.
Historic Parks and Gardens	There are no statutory listed parks and gardens on the site. The site is located in the setting of a Locally Important Historic Parks and Gardens.
Environmental Designation such as SANG/ AQMA/ SPA	There are no designations upon the site however, the land surrounding the site is currently under application to become designated Suitable Alternate Natural Green Space (SANG).
RAMSAR Site	The site is not an allocated RAMSAR site.
National Character Area	The site is not located within a national character area.
Public Rights of Way	The site includes FP 041 and FP042
Neighbourhood Plan	The site is located in the approved Berkhamsted Neighbourhood Plan Area. However, the Neighbourhood Plan is in its infancy.

Table 2: Site Attributes



Local Services

The site is located on the edge of the south of Berkhamsted, roughly 2km from Berkhamsted town centre – an approximately 30-minute walk, 9-minute cycle or 5-minute drive from the site. The town centre is a typical well patronised area, centred on High Street, featuring a wide range of shops, banks, food outlets, public houses and services for everyday needs, alongside a cinema, Post Office, pharmacy, gym and a number of churches. Additionally, there is a business and industrial park on Northbridge Road.

There is a Tesco Express supermarket on High Street, a 29-minute walk or 9-minute cycle from the site, alongside a larger Waitrose supermarket on St John's Well Lane, slightly further away, at a 35-minute walk or 10-minute cycle. Manor Street Surgery is a 33-minute walk or 9-minute cycle away.

Along Chesham Road towards Berkhamsted town centre, Butts Meadow Recreation Ground is 1.8km (25-minute walk or 7-minute cycle) away from the site.

There is a secondary school within a 15 to 20-minute walk or 6-minute cycle from the site (Ashlyns School circa 1.4km). This school is accessible either by the road network or partly via the rights of way network. In summer it is likely that many pupils would travel to and from school mainly via the rights of way network and the SANG (discussed elsewhere), whereas in winter a walk (or cycle) along the road network is most likely.

Berkhamsted Day Nursery is 0.48km (a 6 to 7-minute walk or 4-minute cycle) from the site.

For rail travel, the walk to Berkhamsted station is an approximately 2.5km (35-minute walk, or 10-minute cycle) from the site. Additionally, there are two bus stops roughly 800m (11-minute walk) away on the A416. As will be seen later, it is proposed that north and southbound bus stops will be moved closer to the junction with White Hill, and the creation of a new section of footway will marginally reduce the distance to the bus stops and indeed distances to the above-mentioned facilities.

A further discussion of the accessibility, sustainability measures and proposed on site facilities is set out later in this statement.



Planning Precedent

Pix Farm Lane, Hemel Hempstead, HP1 2RY

A former demo contractor's yard was approved for residential development by Dacorum Borough Council (4/02061/18/MFA) with a volume increase of 275%. It was considered less than substantial harm to the openness of the Green Belt, whilst providing an element of affordable homes and therefore considered appropriate development in the Green Belt.

Benefit was given to:

- 41% affordable homes proposed over the 35% policy requirement
- Reduction of vehicle movements
- Site Improvements
- Ecological improvements
- Site Remediation
- Carbon Reduction
- More appropriate form of development and creation of sky gaps

The Council concluded that while less than substantial harm to the openness of the Green Belt has been identified, very special circumstances (additional benefits) are considered to exist, which help to justify the increase in built development and the impact to the openness of the Green Belt.

There are numerous benefits arising from the scheme, including an improvement in visual amenity, landscaping, high quality market housing, affordable housing, ecological enhancements, site remediation and reductions in HGV/LGV movements. These benefits are felt to outweigh the issues with surrounding accessibility.

Overall, the proposed scheme is considered to be acceptable in terms of both national and local planning policy





Figure 5: Pix Farm Aerial – prior to development



Figure 6: Pix Farm Approved Site Plan



Grange Farm, Bovingdon

Dacorum Borough Council granted hybrid approval for the construction of 57 dwellings (Use Class C3), (including affordable housing), 59 no. units of Extra Care accommodation on land on the edge of Bovingdon at Land At Grange Farm, Grange Farm, Green Lane, Bovingdon, Hertfordshire. The proposal was allowed on a greenfield site, within the Green Belt on the edge of Bovingdon.

Officers highlighted the very special circumstances associated with this development. Substantial weight should be given to the provision of market housing, the provision of extra care housing, the provision of affordable housing. Moderate to substantial weight should be given to the provision of community facilities (allotments, orchard, new open space, bowls club, scouts/youth facility) and the drainage / flooding improvements resulting from the development. Limited weight should be given to off-site ecological enhancements, contributions towards the Village Hall and village centre enhancements and the economic benefits of the proposals.



Figure 7: Grange Farm Aerial





Figure 8: Grange Farm CGI

They added:

"In the circumstances of this case very special circumstances are considered present. Given the acute five-year land supply situation in the Borough, the development will help meet a pressing need for housing delivery and affordable housing and specialist older person accommodation which will help meet the needs of the borough in a deliverable timescale along with a range of other community benefits. Whilst there would be harm to the green belt from encroachment and openness, this part of the green belt contributes more modestly to other purposes of including land within the green belt. Whilst some other harm has been identified such as the scale and siting of the extra care building, in total, the benefits clearly outweigh the harm. Furthermore, the use of appropriate conditions and a s106 agreement would secure public benefits and the quality and quantity of development achieved on the site overall."

The application was approved by the Planning Committee in April 2024.

Bobsleigh Inn, Hempstead Road, Bovingdon

Dacorum Borough Council granted outline consent (4/02680/18/MFA) was granted for the redevelopment of a hotel into 50 residential dwellings. The proposal resulted in a 119% volume increase.

The Council stated:

Whilst it is acknowledged there is an increase in pure volumetric terms, it is considered that the proposed scheme would not have significant harm on openness of the Green Belt overall when compared to the



existing hotel and associated buildings and when taking account the change of use itself, the proposed landscaping and opening up of the site's frontage and the site's overall visibility.

Indeed, the maximum heights are reduced, the siting and layout creates a more open and visible landscaped development on the site, which will be more consistent with the type and form of development in this location (i.e. residential dwellings set amongst and behind mature vegetation and trees). The breaking up of the continuous frontage will also allow views through the site and again be consistent with the majority of built form along Hempstead Road between Bovingdon and Hemel Hempstead.

The officer states no substantial harm, especially with the provision of 35% affordable homes, reuse of a declining site, and the lack of a five year supply is included in the balance to justify the approval.



Figure 9: Bobsleigh Aerial Photograph





Figure 10: Bobsleigh Approved Site Plan

South Medburn Farm, Elstree

Planning Permission was granted by Hertsmere Borough Council in 2023 for the demolition of existing buildings and redevelopment of the site to provide residential units, conversion of barn into residential units, together with associated landscaping, amenity space, parking and access from Watling Street.

The scheme was considered to comply with Paragraph 149g of the NPPF; it was considered that the scheme constitutes redevelopment of previously developed land that would not result in substantial harm to Green Belt openness and would contribute to an identified affordable housing need within the area of the local planning authority. The scheme was therefore considered to satisfy this exception and is deemed appropriate development within the Green Belt.

The Council stated:

"It is the Planning Officer's opinion that the proposal would not be an "inappropriate development" on this Green Belt site because it falls within exception 149(g) and therefore there is no need to proceed to what would otherwise have been the second consideration which would be whether there are any very special circumstances."





Figure 11: South Medburn Aerial



Figure 12: South Medburn Approved Site Plan



Bucks Avenue Equestrian Centre, Watford

Planning Permission was granted for the redevelopment of site to provide 27 dwellings. The planning officer considered the development to be acceptable as it would represent the redevelopment of a previously developed site that would not have a greater impact on the openness of the Green Belt or the purposes of keeping land within it and would, therefore, not be an inappropriate development requiring very special circumstances to justify it. The provision of open space within the development of benefit to the wider community.

The affordable housing provision proposed was considered acceptable. The development is of a high standard of design, creating a sense of place and providing an adequate degree of residential amenity to future occupants without causing harm to the residential amenities of neighbouring residents. Adequate arrangements were made for the retention, protection, and replacement of trees on site, to mitigate possible impacts on protected species, to provide sustainable drainage and to improve biodiversity. The proposal was considered an appropriate development in the Green Belt.



Figure 13: Bucks Meadow Before Aerial





Figure 14: Bucks Meadow Aerial once completed

Patchetts Equestrian Centre

Planning Permission was granted by Hertsmere Borough Council in 2016 for the demolition of an equestrian facility, removal of hardstanding, buildings and structures and the redevelopment of the site to provide 46 new dwellings (with 20 affordable units), parking, gardens and village green.

The Council concluded:

The development is considered to be acceptable as it is a good reuse of previously developed land within the Green Belt and will not be of harm to the openness of the Green Belt. The mix of housing and affordable housing provision proposed is considered to be acceptable. The development is considered to be of a high standard of design, reflecting key characteristics of the Conservation Area whilst enhancing the setting of the Listed Buildings and securing their future in the process.





Figure 15: Patchetts Before Development Aerial



Figure 16: Patchetts Completed Development Aerial

Lymm, Warrington

An Appeal Decision allowed 64 dwellings at Lymm (Ref. APP/Mo655/W/18/3200416). The Inspectors Report states:



'The 2018 Framework clearly signalises the great weight that the government places on the need to provide affordable homes and the re-use of PDL. It states that a development that re-uses PDL in the Green Belt and makes a contribution to affordable housing should not be considered to be inappropriate development unless the harm to the openness of the Green Belt would be substantial. To my mind, that is a high bar.'

The Lymm scheme included 38% affordable housing (24 in total) and the Inspector defined this as a significant contribution to affordable housing in the borough, and allowed the appeal with a reconfiguration of the site volume around the site.



Figure 17: Lymm – Existing Site





Figure 18: Lymm – Consented development

Pre-Application

The applicant has worked collaboratively with the Council since its purchase of the site. This is most evident in its dedication and commitment to the pre-application process, having worked with the Council for 22 months to develop, shape, and refine this submission. The following flow diagram provides an overview of the pre-application and planning performance agreement process. A further flowchart is provided on page 34 which considers the most recent stages of the application development.





A pre-application for residential development was submitted to the Council in July 2023. This sought 100 dwellings. The principle of the development was considered to be acceptable subject to the appropriate justification, supporting evidence, and some evolution of the design.



Figure 19: Pre-application 1 layout

Following the July meeting, additional information and revised site plan was submitted to the Council in September 2023. The following amendments were made to the scheme:

- **Revised Northern frontage:** Creating a strong continuous frontage, resembling the existing frontage. The front section of the scheme was updated to a regular pattern/fabric, echoing the existing on-site structure. The built form transitions into a more irregular and rural pattern, blending into the countryside.
- **Play areas:** Introducing both informal and formal play areas, with formal areas adjacent to the SuDS feature and informal areas within the green corridor. The buildings in the southeast corner have been re-orientated to front onto the LEAP and provide natural surveillance overlooking.
- **Amenity area:** Introduced an amenity area for the apartments in the west and the northeast corner.
- **Middle Zone:** The middle zone was reconfigured to improve its design compatibility with the new layout.
- **Hub unit:** The 'Hub Unit' was positioned at the heart of the site, offering views of the green spine and the SuDS area.
- **Street Scene:** Incorporated elements such as brick walls and piers in some areas - a characteristic feature of farmstead-style developments. This will assist in creating a



defendable/continuous boundary, providing a sense of enclosure, assisting in transitioning between different character areas, and helping to reduce vehicle speed where appropriate.



Figure 20: Pre-application 2 layout





Figure 21: Pre-application 3 layout

Following discussion with the Council and Natural England the Site Layout was updated to reflect further comments. This included a reduced development area creating a greater buffer between the adjacent SANG land and the proposed residential development. This has led to a reduction in the quantum of development, with the total number of dwellings reducing from 100 to 91.





Figure 20: Pre-application 4 layout

Following further discussions with the Council, the plans were revised in January 2024, the amendments reduced the proposed number of dwellings from 91 to 86. The revised drawings included reference to landscape which had evolved further at this stage, and responded to feedback from Dacorum Borough Council, on matters such as amenity space, rights of way and car parking design. This design formed the paradigm for the application submission.

Application 24/00330/MFA

Following the successful pre-application discussions a planning application was submitted in February 2024. The application sought demolition of existing buildings and redevelopment of the site to provide 86 residential units (market and 40% affordable), construction of a community hub building, together with associated landscaping, open space, parking, and highway improvement. The application was recommended for approval by planning officers who stated:

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

On the basis that the site is already largely developed and the applicant is proposing a comprehensive package of off-site highway improvements that would substantially improve the



locational sustainability of the site and offer a genuine choice of transport methods for future residents, the site is, on balance, considered to be a suitable location for housing.

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

The northern quadrant of the site constitutes previously developed land. Significant parts of the southern quadrant, by contrast, are undeveloped. Development in the northern quadrant would not cause substantial harm to the Green Belt and thus is not inappropriate. Very special circumstances are required to justify development of the southern quadrant.

In the circumstances of this case very special circumstances are considered present and the development will help meet a pressing need for housing delivery and affordable housing in a deliverable timescale along with a range of other benefits.

Whilst there would be harm to the Green Belt from encroachment and loss of openness of the Green Belt, this part of the Green Belt contributes modestly to other purposes of including land within the Green Belt.

Other harm - in the form of the loss of employment generating uses - has been identified. Overall, however, the benefits of the scheme are considered to clearly outweigh the harm to the Green Belt."

The application was considered at the planning committee on 30th May 2024. A motion to approve the application was voted down 4 votes to 6, and a motion to refuse the application was successful with 6 members voting to refuse the application, 3 against and 2 abstained. The application was refused due to some elements of the proposal being just outside the area officers believed was the brownfield envelope of the site and insufficient sustainability measures had been promoted to justify development in this location.

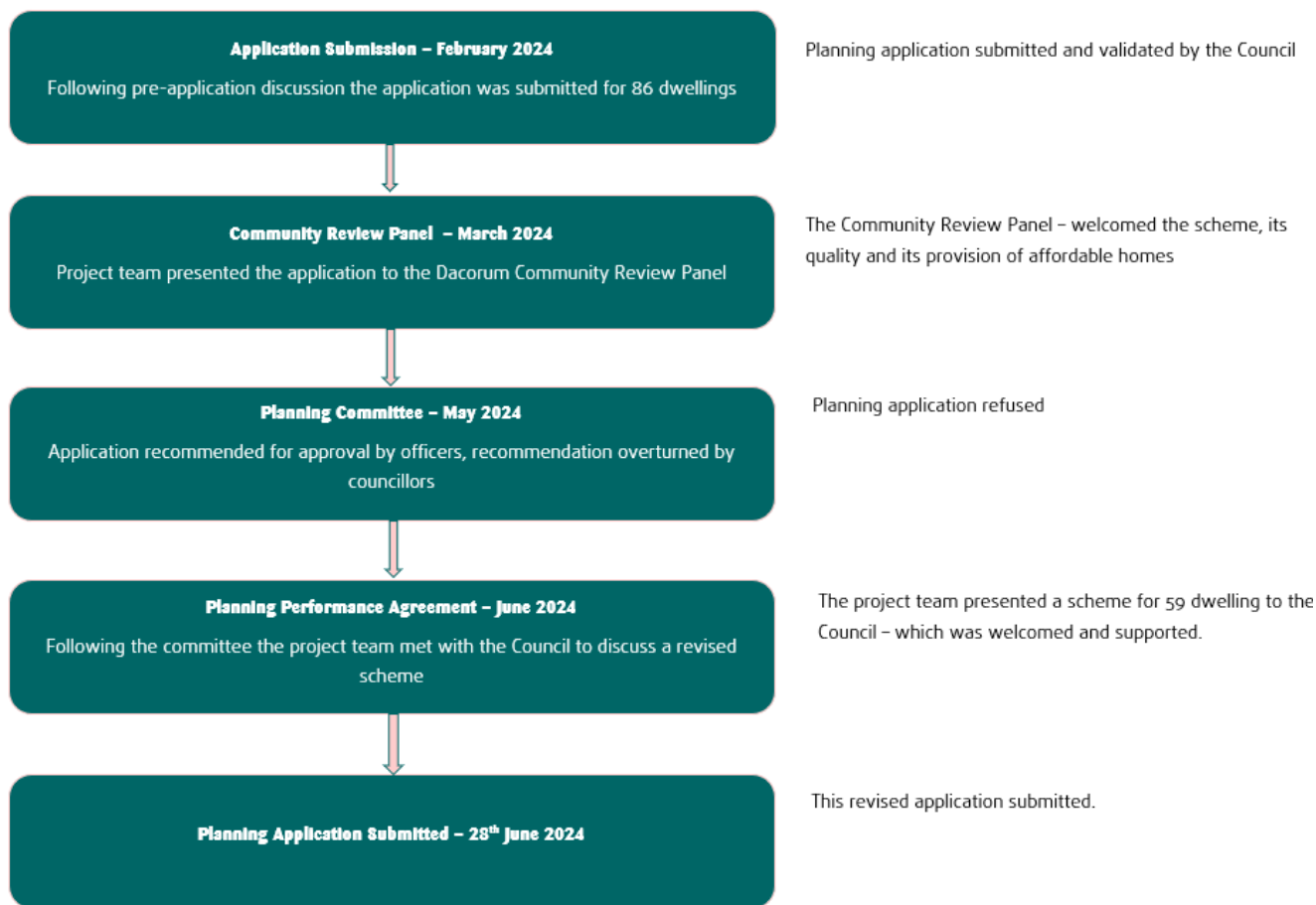
These matters have been addressed in this revised submission.





Figure 20: 24/00330/MFA Site Layout





Further Discussions with DBC

Following the planning committee, the applicant and project team revised the scheme and engaged in further discussions (10th June 2024) with the Council. The applicant proposed a reduced scheme of 59 dwellings on the site, focusing the development all on the lawful previously developed land, with no encroachment on undeveloped land. Officers welcomed the revisions, and agreed the proposal fully accorded with paragraph 154(g) of the NPPF. Officers invited the projection team to consider the design of the southern units.



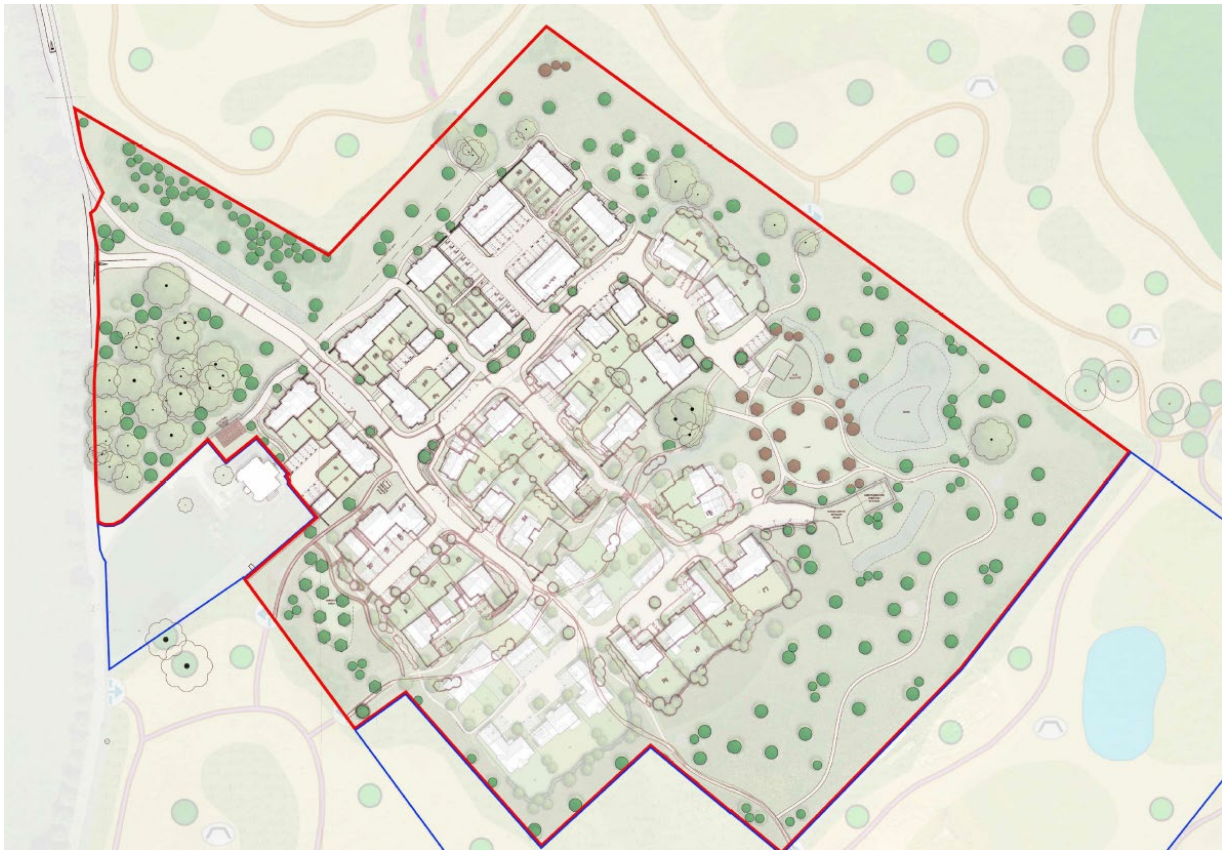


Figure 21: Revised Scheme Sketch

A further meeting was held with the Development Management Manager on 17th June 2024. This meeting considered a slightly revised layout. It was confirmed that this revised layout had carefully responded to the Council's feedback. The Council supported the revised scheme being progressed to application stage.





Figure 22: Revised Scheme Layout

Public Consultation

Community involvement is at the forefront of national planning policy and is noted in the NPPF. The revised NPPF highlights that early engagement has “significant potential to improve the efficiency and effectiveness of the planning application system for all parties”. It also indicates that good quality pre-application discussion “enables better coordination between public and private resources and improved outcomes for the community”.

Dacorum Borough Council’s Statement of Community Involvement was adopted in September 2019, and outlines the council’s expectations on how the local community should be involved during the pre-application process. It outlines how the Council will involve the community and other national and local stakeholders in the planning process whilst also providing guidance for developers.

The SCI emphasises the council’s desire to see all sections of the community shape new development proposals within the city and indicates that effective pre-application engagement and consultation is central to achieving this.

The SCI sets out that the authority’s key principles for engagement are as follows:



“Before submitting a planning application, we encourage prospective applicants to seek advice at the pre-application stage. This allows for the identification of issues and constraints at an early stage in the design process; it enables concerns to be raised early; and can improve the quality of the scheme.”

“Where proposals are large scale and likely to have an impact on an area, the Council would encourage the applicant to engage directly with the local community. This would usually be through the use of public meetings, meetings with local residents groups, amenity groups or parish/town councils, exhibitions and press releases.”

“At an early stage, developers should discuss with service providers the implications of development on, and contribution towards, provision of infrastructure. Consultation with statutory consultees may take place as part of the pre-application service. However, some of the consultees may charge for advice and this will need to be paid for separately by the applicant.”

In response to national and local guidance as well as Haresfoot Limited’s desire to create the work collaboratively, activity included:

- Extensive Pre-Application Process with Dacorum and key planning officers. (Discussed in the pre-application section)
- Meetings and ongoing engagement with political and community representatives.
- Newsletter sent to local addresses.
- Dedicated website with an online feedback form.
- Consultation event held in a local venue.
- Meeting with Berkhamsted Town Council.
- Dedicated email address, freephone telephone number and freepost address.

A community newsletter was posted via Royal Mail to 1,685 addresses in the immediate area in December 2023. The area covered 1.5km radius from the site.

The newsletter provided information on the proposals including the site location, proposed benefits, illustrative plans, and images of the current site.

The newsletter also invited residents to the community consultation event and encouraged them to visit the dedicated project website for further information.

Freephone, email, and Freepost details were included for people to contact the team. The consultation event granted the local community with the opportunity to discuss issues such regarding green space, infrastructure, biodiversity and more.

A dedicated project website, www.haresfootfarm-consultation.co.uk, was launched to act as an online hub of information for the proposed development. At the time of writing, the website has been visited more than 572 times with over 218 unique viewers.



The website was launched to coincide with distribution of the community newsletter. It contained further information beyond what could be implemented within the newsletter including additional information on the proposals, vision for the development, a feedback form, a frequently asked questions page, and a timeline.

A community engagement event was held on Thursday, 14th December 2023, between 4pm-8pm in The Court House, St Peter's Church, Church Lane, Berkhamsted, HP4 2AX.

The engagement event gave residents the opportunity to find out more about the proposals and answer any questions. It also allowed for the community to have their say on the proposals regarding various issues, concerns, and improvements.

Key headline figures can be found below:

- 38 attendees came to the event across the four hours.
- A total of five feedback forms were filled out during the event, with a few residents taking the feedback form away to complete and post back to us using the Freepost address.
- Most attendees seemed pleased with the significant offsite highway improvements that would be delivered as part of the proposals, should the scheme be approved.
- Some residents also enquired about the SANG application and how this would relate to the site. In addition, some asked whether the scheme was related to the 850 homes being delivered by Taylor Wimpey.

A majority of attendees were supportive of the proposals, however, some residents wanted to understand the impacts that the proposed development would have on the surrounding area and existing residents. Full details of the consultation are provided in the support Statement of Community Involvement.

Members of the project team attended Berkhamsted Town Council's Planning Committee meeting on 15th January 2024, to deliver a brief presentation on their proposals for the site at Haresfoot Farm., and provide an overview. The key themes that were discussed during the meeting included:

- Location of the development – it was noted that the site was in the Green Belt on a previously delivered Brownfield site. It was stated by Haresfoot Limited that the site is not that close to amenities in the town and there are plans to improve footpaths, cycleways and the footway on Chesham Road.
- It was stated that a target of 35% increase in green space and improvements to existing biodiversity, including new landscaping and tree planting.
- In answer to questions from residents and councillors, Haresfoot Limited stated that they aim to be as close to net-zero carbon as possible, with no gas on site and with the provision of air source heat pumps and electric vehicle (EV) charging points.
- It was noted that 75% of the existing businesses have vacated the site, which is considered to be unviable for continued business use or for industrial storage.



- It was stated that Haresfoot Farm are exploring transport schemes to and from the site, given the sites location from main amenities.
- It was also noted that if existing drainage is requirements, this will be upgraded as part of the application.

Following the decision of application 24/00330/MFA, the project team reached out to the Town Council to meet with them and engage on potential amendments to the scheme. However, the Town Council declined this invitation. An invitation has also been made to meet neighbours, but we have yet to have a response.

Community Review Panel

On Tuesday 5th, March the project team presented the proposal to members of the Dacorum Community Review Panel in order to obtain a cross-section of views from persons living in various parts of the Borough.

The panel was positive about the planning application, noting that it would improve the existing condition of the site and that there is much to admire in the design approach and layout.

Some feedback was provided on the site's location and connectivity. The panel questioned vehicle movements, the effect of this development, and improvements needed to White Hill and beyond the red line. It asked: what it would be like to live in this development without a car, is that possible, how do you get a pint of milk, and would it be possible for a shop to be provided on-site? The project team discussed the potential for the onsite pantry to serve residents

How the proposal exceeds affordable housing policy was commended, and social rental properties should be the focus. The importance of maintenance of the landscape was stressed

Overall, the panel welcomed and praised the scheme.

Overall

The application has been developed following significant consultation with Dacorum Borough Council, Berkhamsted Town Council and local residents. The consultation consultants have used a range of medium to reach a wide range of local stakeholders. The previous application at the site received more letters of support than objections – which shows there is strong support in the local community.



3 Proposed Development

The application seeks full planning consent for the redevelopment of this previously developed site.

The description of the planning application is as follows:

Demolition of existing buildings and redevelopment of the site to provide 59 residential units (market and affordable), erection of a community hub building, together with associated landscaping, open space, parking, and highway improvements.

The development would consist of the following:

- Demolition of the substantial built form
- Removal of the extensive hardstanding
- The creation of 59 New dwellings.
- The construction of new homes with a mix of detached, semi detached , terrace form and apartment.
- 40% affordable housing contribution (24 units).
- Each house will have private amenity space with apartments having allocated shared amenity space.
- The provision of a new sustainable connective routes by means of footpath and cycle paths throughout the site, these pathways connect to a wider network of pathways outside the site.
- Substantial Reduction of Volume, Hardstanding, Footprint, and significant increase in Green Space.
- A Communal Hub facility
- Honesty Pantry
- A hire building for electric bicycles
- Electric Car Club
- Bus Stop integrated into the HertsLynx bus service
- Associated parking for each dwelling, and visitor spaces – a total of 177 Car Parking spaces
- Cycle Storage
- Bin Storage
- Associated highways improvements
- Air Source Heat Pumps

The access to the proposal would utilise the existing access from White Hill. It is proposed that the access would be enhanced and improved to improve vehicular and pedestrian access.



Property	Number
1 Bed Apartment	0
2 Bed Apartment	0
3 Bed House	13
4 Bed House	14
5 Bed House	8
Total	35

Table 3: Market Housing Mix

Property	Number
1 Bed Apartment	5
2 Bed Apartment	5
2 Bed House	10
3 Bed House	4
Total	24

Table 4: Affordable Housing Mix



Figure 21: Site Layout

The density of the proposal equates to 8.08 dwellings per hectare. This takes into account that 69% of the site is proposed as public open space.



The architects have assessed the design principles of the historic farmstead to understand the characteristics of the layout, buildings sizes and distinctive features in order to incorporate them into the proposed development. This includes architectural elements such as barn-inspired structures, open spaces, and natural materials.

The proposal seeks to create a vibrant community spaces that encourage social interaction and make this place special. It recognise the importance of maintaining a sense of place and pride, and we aim to establish a development that feels like a natural evolution.



Figure 22: Character Zones

The site layout and houses have been carefully designed to create a safe environment, incorporating natural surveillance overlooking movement networks and public spaces and a well-lit public realm. Blank frontages facing the public realm have been avoided to enhance safety. The scheme promotes an active environment, incorporating strategically placed seating. The pedestrian and cycling network within the site is carefully designed to ensure adequate permeability and introduce new route options. The site layout has been carefully designed around four character zones – farmstead edge, courtyards, mews and green spine to carefully respond to the local character and style.

The proposal is to build more than just a collection of buildings but to create a vibrant and sustainable community that fosters a strong connection to its roots and enhances the site in its setting. The development will not be gated, but the SANG boundary will have restricted pedestrian gates to deter SANG users from parking within the private development.

The Planning and Urban Design officer complimented the layout and parking arrangements designed in a courtyard format to minimise the visual impact in the street scene. It's worth noting that all parking



courts have some degree of natural overlooking from surrounding houses, and the proposal meets the Secured by Design standards.



Figure 23: Example Elevation



Figure 24: Example Elevation



Figure 24: Example Elevation





Figure 25: CGI



Figure 26: CGI

The proposal also includes a community hub building, which provides a space for resident community event, birthday parties and meetings for example. It will also include opportunities for homeworking. The building is designed to integrate into the green corridor proposed, with its natural-like materials and green roof, sensitive to the Green Belt.





Figure 27: Community Hub

The proposal includes a neutral colour palette, and traditional detailing. These elements work to produce a classic rustic aesthetic, contributing to the creation of a streamlined rural built environment.

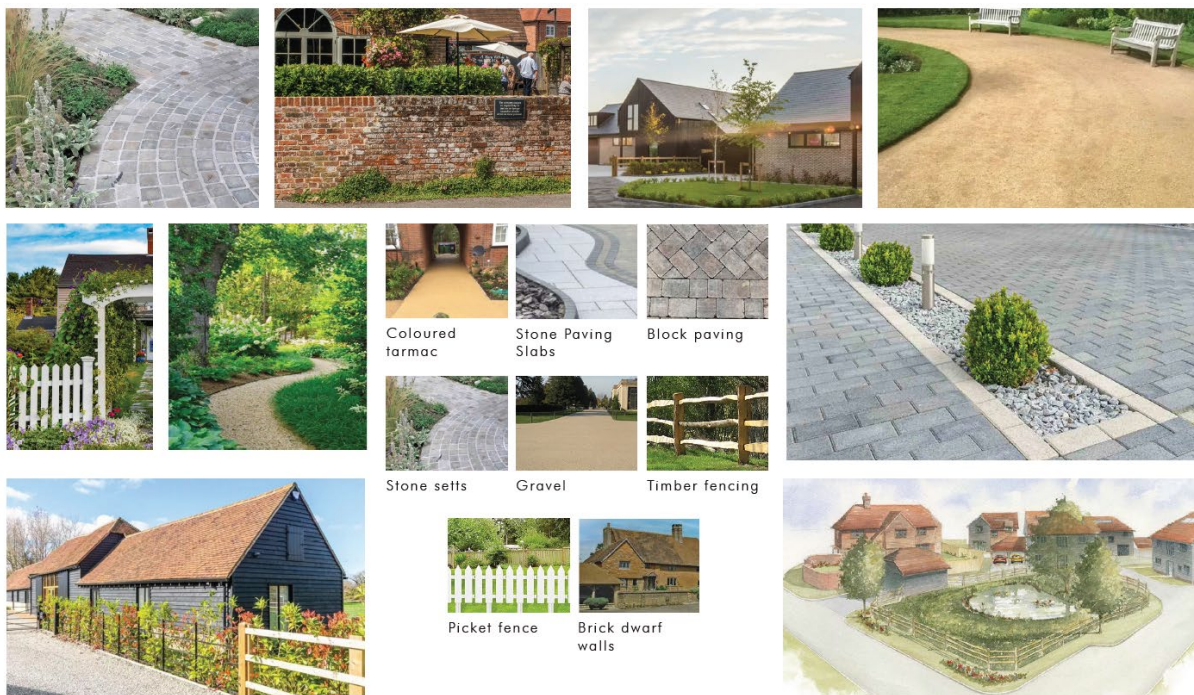


Figure 28: Materials



The proposal results in a significant reduction of built form on the site and this is quantified as follows:

Development Attribute

Attribute	Existing	Proposed	Difference	Change
Footprint (m ²)	8,150	6,241	-1,909	-23.42%
Hardstanding (m ²)	17,131	10,025	-7,109	-41.48%
Volume (m ³)	47,851	42,095	-5,756	-37.80%
Green Space (m ²)	40,385	56,818	16,433	+40.69%

Table 5: Green Belt Attributes

Attribute	Existing +Approved Extensions to buildings 5 &6	Proposed	Difference	Change
Footprint (m ²)	9,111	6,241	-2,870	-31.5%
Hardstanding (m ²)	16,572	10,025	-6,547	-39.51%
Volume (m ³)	54,048	42,095	-11,953	-44.75%
Green Space (m ²)	39,985	56,818	16,833	+42%

Table 6: Green Belt Attributes (including extant consents)



Estate Management and Management of Community Hub Building

It is not intended that any of the development will be adopted by the Council, it will be privately maintained by a management company.

From the outset, when the development is commenced, Haresfoot Limited (the applicant) will set up a limited management company for the entirety of the development.

As each resident acquires a property on the development, they will become a Shareholder in the management company with voting rights provided on an equal basis. This includes the market and affordable dwellings.

The residents will appoint an external Professional Management Company to manage and maintain the development as well as directors (who will be residents) of the management company.

Decisions will be made in conjunction with residents. This is to ensure the longevity of the development and communal areas being kept to a high-quality standard.

This is a common approach on residential development sites, and it provides residents control of how the development is run and maintained, it also creates a community spirit by being able to look after the location in which they live.

Each resident will pay an annual service charge, calculated based on the annual service charge budget, which will cover the maintenance of the development and include a contingency sinking fund, which will build up in the event of any unforeseen repairs being required.

Following the completion of the development, the management of the estate will be handed over to the Management Company, which will be accountable to the residents. The resident's Management Company will remain in perpetuity.

The Management Company will appoint a range of contractors (funded from the Annual Service Charge Budget) to maintain the estate. This will include but not be limited to the following items:

- General maintenance of landscaped grounds,
- Maintenance of Landscaped Areas of Communal Public Open Space and Play Areas.
- Cleaning and maintenance of roads, communal hard standing, shared drives, parking courtyards and pathways
- Maintenance of private communal drainage systems, including SuDS basins and infrastructure.
- Cleaning of communal internal areas for apartment blocks – for example window cleaning, washing, and cleaning of communal staircases etc.
- Utilities – external and internal lighting provisions, communal water both for the properties and externally for the grounds.



- Community Hub – The general upkeep, utilities, cleaning and maintenance of the community facility for continued use for the residents. There will also be a pantry for residents to be able to get essentials should they need for example bread, milk eggs which will be stocked and managed by the Management Company.
- Insurances – block buildings insurance
- Reserves – set as a sinking fund for any works or maintenance that occurs and needs to be carried out.

As referenced above, the community hub will be managed and maintained by the Management Company. This will include its maintenance. The resident's company will also have responsibility of the booking arrangements and strategies for the hub. The hub can be configured for various events from meetings and classes to being booked for family parties and gatherings for, example. The hub is also designed to include some hot desks that can be booked via the management company, such as websites and mobile apps.

In line with discussions with planning officers, we have assessed the sustainability of the Community Hub within this reduced scheme to ensure that this remains a viable proposition despite the reduction in units being delivered on the scheme. We engaged with several experienced managing agents, including Gateway PLC (gatewayplc.co.uk), who have extensive experience managing large housing estates and working with a range of housebuilders.

The management of the development would be maintained by way of an Estate Charge payable by all of the residents. A draft budget was prepared to ensure that all aspects of the estate were considered. The comprehensive list of items included in the management regime is as follows:



Regular Maintenance

- Grounds Maintenance – Soft Landscaping
- Hardstanding (footpaths, roadways)

Community Hub

- Weekly Cleaning
- Bookings Management
- Pantry Restock
- Water Supply
- Council Tax Business Rates
- Electricity Supply
- Window Cleaning
- Fire Safety Equipment Maintenance

General Provisions

- Repairs & Renewals
- ROSPA

Utilities

- Lighting Bollards
- Statutory Risk Assessments
- H&S Inspection and Assessment
- Property Inspections

Professional Fees

- Management Fees
- Company Administration
- Accountancy
- Bank Charges
- Dormant Accounts
- Filing Fee
- Postage

Insurance

- Directors and Officers Insurance
- Public Liability Insurance
- Buildings Insurance

Reserves

- Reserve Fund- General
- Reserve Fund – Community Hub



In terms of cost, the Community Hub accounts for approximately 32% of the total budget, including the building insurance. The total costs will be apportioned in accordance with the type, size and tenure of the properties which is in line with other developments that we have recently completed and ensures the costs are fair and equitable between the residents.

The expected service charge costs with the Community Hub included is extremely comparable with a number of other high-quality developments delivered recently by both Haresfoot Limited and other comparable developers including those where similar Community Hubs have been successfully and sustainably operated for a number of years. These proposed costs align with market expectations for a high-quality development of this nature, and we have no concerns regarding the saleability or sustainability of the development.

Securing this via the Management regime as outlined above will ensure that the Community Hub is a viable and sustainable proposition with the costs of this sustainable and affordable for a mixed tenure development of this scale.



4 Planning Policy Context

The planning policy context relating to the application site is formed through:

- National Planning Policy
- Local Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan material for this proposal comprises:

- Dacorum Local Plan 1991-2011 (Adopted in 2004)
- Core Strategy 2006-2031 (Adopted in 2013)
- Dacorum Site allocations and Development plan (Adopted in 2017)

Emerging Local Planning Policy

- New Dacorum Local Plan (2020-2040)
- South West Herts Joint Strategic Plan

Other supplementary planning documents and guidance include the following:

Supplementary Planning Documents

- Dacorum Strategic Design Code SPD
- Parking Standards SPD
- Affordable Housing SPD
- Energy Efficiency and Conservation SPD

Supplementary Planning Guidance

- Environmental Guidelines
- Landscape Character Assessment
- Sustainable Development Advice Note

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing, and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.



At the heart of the Framework is a "presumption in favour of sustainable development". Therefore, where there are no relevant development plan policies or the policies which are most important for determining the application are out of-date, planning permission should be granted unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

Dacorum Borough Local Plan (1991-2011)

POLICY 18 – The Size of New Houses

The development of a range of dwellings in size and type will be encouraged. Regard will be paid to:

- (a) the need to provide accommodation for new, small households;
- (b) the floor area of individual buildings - in particular any relevant floor space standards or guidelines;
- (c) the density and character of development that is suitable in the area (ref. Policy 21); and
- (d) the client group for whom the dwellings are intended. Units for small households needing 1 or 2 bedrooms will be sought:
 - (i) through appropriate conversions of buildings (Policy 19); and
 - (ii) by requiring the provision of some 1 and 2 bedroom units:
 - on large housing sites (i.e. sites over 2 hectares in area and/or capable of accommodating at least 50 dwellings) and those sites specifically identified in the Schedule of Housing Proposal Sites; and
 - on smaller housing sites in large villages and selected small villages, where there is clear evidence of a need for such units, as identified by a recent housing needs assessment or village appraisal.

At least 10% of all dwellings on housing sites accommodating 25 or more dwellings shall be designed as life-time homes (i.e. they shall be readily accessible and usable by a disabled or elderly person or capable of adaptation for such use at minimal cost).

Developers may also be required to make provision for some live-work units in appropriate locations.

POLICY 21 – Density of Residential Development

Careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available.

Densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net.

Higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centres.



Proposals which have a density of below 30 dwellings per hectare net should be avoided.

For sites at the edge of an urban area, special attention will be paid to the effect of development density on open countryside and views. In such locations proposals will be expected to retain existing trees and hedges and incorporate appropriate landscaping in order to achieve a soft edge to the countryside.

Housing proposals will not be permitted if the density of the scheme would adversely affect the amenity and/or existing character of the surrounding area or would fail to satisfy the design criteria in Policy 11.

Further advice on the design of new development in residential areas of Berkhamsted, Hemel Hempstead and Tring and how it should relate to existing character is given in supplementary planning guidance (entitled Development in Residential Areas).

The net capacity of sites listed in the Schedule of Housing Proposal Sites is expected to be met. Proposals which fail to meet any specified minimum densities will be refused permission.

Policy 51 – Development and Transport Impacts

Overall capacity in the main road network will be regarded as an important constraint on development proposals which would have a significant transport impact.

Development must be compatible in locational and general highway planning, design and capacity terms with the current and future operation of the defined road hierarchy (Policy 52) and road improvement strategy (Policy 53).

The acceptability of all development proposals will always be assessed specifically in highway and traffic terms and should have no significant impact upon:

- (a) the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development;
- (b) the provision of routes and facilities for pedestrians, cyclists and passenger transport users, including links to existing networks;
- (c) the design and effectiveness of existing and proposed traffic management measures, including traffic calming features;
- (d) the design and capacity of parking areas and the implications for on-street parking;
- (e) the environmental and safety implications of the traffic generated by the development.

In villages and countryside areas special regard will be paid to the effect of traffic on the safety and environmental character of country lanes.

The environmental impact of any transport improvements necessary to accommodate new development will be taken into account. The cumulative effect of incremental development will also be considered.



Consideration may be given to proposals by developers for transport measures which are capable of rectifying or compensating for deficiencies without unacceptable environmental impact. Such measures could include support for passenger transport or non motorised private transport modes, measures to manage employee/customer/visitor access to a site (e.g. through commuter transport plans), or, where compatible with the principles of Policy 49, off-site improvements to the road network.

Commitment to these transport measures should be made on the basis of the developer entering into planning obligations to cover the costs of any measures necessary to contribute to the solution of the transport problems identified (Policy 13).

Local access improvements are a pre-requisite to some of the development proposals put forward in this plan. Where these have already been identified, details are given in the appropriate sections of the plan.

It is expected that major development proposals will be accompanied by a transport assessment capable of demonstrating compliance with the above principles. The air pollution and air quality implications of transport demands arising from the development should be specifically considered and this may necessitate a wider environmental impact study.

For developments which generate a substantial demand for movement, a framework for a 'Green Travel Plan' should be presented and be capable of incorporation into a planning obligation. Such a plan will examine the transport generation needs of all users of a development, and will seek to minimise the impact of transport demand.

POLICY 54 – Highway Design

New development proposals will be expected to meet current national and local standards for highway design, access and servicing arrangements and circulation space. In particular local road hierarchy requirements must be respected (see Policy 52). Highway design requirements will normally be those employed by the highway authority at the time the development is proposed. Further guidance is given in Appendices 3 and 4 of the Plan.

Design will be subject to safety audits where appropriate.

The standards applied will normally be those necessary if the highway is to be statutorily adopted.

At the discretion of the planning authority, normal standards may be relaxed in order to meet wider environmental, transport, safety, design and conservation objectives. In particular, low speed design will be required in appropriate residential area layouts.

POLICY 55 – Traffic Management

Use of traffic management measures, including those designed to improve road safety, effect environmental improvements, divert intrusive traffic (particularly lorries), facilitate and control parking,



and in appropriate cases improve traffic flows, will be considered jointly by the planning and highway authorities as problems and opportunities arise. Schemes will be promoted where an appropriate balance between road safety, environmental benefits, and traffic flow can be achieved.

The design of all schemes, in particular the types of features proposed, will take account of the needs of users of all modes of transport and will minimise the visual impact of street signs and other works as far as possible, compatible with safety requirements. Traffic calming measures will normally be designed to ensure a smooth flow of vehicles at slow speeds and to avoid frequent stopping.

In particular whole area schemes deploying a variety of measures (known as Environmental Traffic Zone Schemes) will be promoted in urban and rural areas as a device to support traffic restraint.

Currently proposed major schemes are listed in the Schedule of Transport Proposal Sites and Schemes.

POLICY 57 – Provision and Management of Parking

On street and off street parking space will be provided and managed in accordance with the following principles:

- (a) parking provision and management will be used as a tool to encourage reduced car ownership and usage. This approach will be applied for general environmental reasons, and also to limit traffic problems (e.g. congestion and safety) and environmental impact (e.g. pollution, physical damage and amenity) in particular locations;
- (b) the objectives of parking provision and management proposals should accord with Policy 49;
- (c) the minimum level of car parking provision will be sought in developments by adopting maximum demand-based standards of provision. Provision will be reduced below this level in locations accessible by other travel modes or which can be made more accessible through planned improvements or as part of the development. Parking management will be applied on the basis of environmental and transport policy, rather than income generation objectives. Commuted payments may, in some circumstances, be accepted in lieu of the provision of parking.
- (d) provision of short stay visitor or shopper parking (normally up to 4 hours duration) will be managed to reduce dependence on the car, whilst supporting the continued vitality and viability of town and local centres. Where appropriate, charging will be introduced;
- (e) in order to provide a local incentive to shift transport modes to walking, cycling or public transport, long stay commuter parking will be discouraged by limiting total provision and managing demand for space by physical or pricing measures. These principles will be applied to all long stay car parks experiencing high levels of commuter demand;
- (f) in appropriate locations, park and ride schemes can promote more sustainable travel patterns and improve the accessibility and attractiveness of town centres. Suitable sites have been identified in the Hemel Hempstead Transportation Plan. These include a new facility at Breakspear Way and the enhancement of the existing facility at Gadebridge Park (see Part II of the Schedule of Transport Proposal Sites and Schemes).
- (g) in areas experiencing severe on-street parking pressures, consideration will be given to the establishment of residents parking schemes.



(h) consideration will be given to the introduction of Pay and Display charging to manage demand for on-street spaces within other parts of the Borough i.e. town centre locations.

(i) the Council's priorities for off-street car parking are as follows:-

- (1) orange/blue badge holders;
- (2) short stay/shopper parking (up to 4 hours);
- (3) long stay parking for local workers; and
- (4) commuter parking

(j) the Council's Parking Management Strategy will be kept under review to ensure that the measures continue to reflect the needs of individual areas and the content of the Local Transport Plan.

POLICY 58 – Private Parking Provision

Decisions on provision and management of private parking will be made in accordance with the principles set out in Policy 57. The following requirements apply to new development and to the expansion and change of use of existing development.

New development with a significant parking requirement will only be permitted where parking provision is minimised, measures are taken by the applicant to address the problems (of traffic generation, congestion and on-street parking pressure) likely to arise from the parking demands generated by the development and where appropriate improvements to alternative travel modes are supported either directly as part of the development or through accessibility charges.

The level of parking provision to be provided in new development will be assessed using the demand based parking guidelines and approach to parking set out in Appendix 5 of the Plan.

...

Residential Development

Parking needs, calculated by reference to the parking guidelines in Appendix 5 of the Plan, will normally be met on site.

Car free residential development may be considered in high accessibility locations. Parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g. special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport).

POLICY 62 – Cyclists

Improvements to the highway and other public areas to facilitate cyclist safety and convenience will be given high priority. Particular encouragement will be given to the creation of the following links:-

- Links to schools and colleges, particularly as part of 'Safer Routes to Schools' initiatives
- Links to other major journey generators, such as places of employment, shopping areas, transport interchanges, leisure and community facilities and health institutions.



Significant currently proposed schemes are listed in the Schedule of Transport Proposal Sites and Schemes.

Cycle route network and improvement strategies for the Borough's main settlements will be prepared in conjunction with the Highway Authority. These strategies will be an important consideration in development control.

Appropriate provision for cyclists, or shared cycle and pedestrian facilities, (including secure parking/storage and changing/shower facilities for employees) will be a requirement of all major development proposals.

Adequate provision of cycle parking should be made, particularly at educational establishments, retail centres, public transport interchanges, leisure facilities and other major journey generators. Workplace cycle parking will be encouraged.

POLICY 76 – Leisure Space in New Residential Developments

Permission will not be granted for residential developments of over 25 dwellings or 1 hectare in area unless public leisure space is provided.

The space provided should:

- (a) meet a standard of at least 1.2 hectares (3 acres) per 1,000 population, or 5% of the development area, whichever is greater;
- (b) be usable, well located and purposefully designed, incorporating landscaping, play equipment and other features as necessary. In assessing the appropriate amount, type and location of facilities, account will be taken of the existing leisure space in the vicinity and the NPFA standards for children's play space.

New leisure spaces should either be offered for adoption by the local authority with an appropriate commuted sum to cover maintenance, or be the subject of covenanted, long term, community management arrangements.

Major developments may also be required to contribute to other recreational needs of the development such as off-site provision of sports pitches or the enhancement of existing parks or playing fields.

See Appendix 6 of the Plan

POLICY 79 – Footpath Network

The public footpath network will be protected, improved and promoted through joint action with the highway authority, the Countryside Management Service (see Policy 96), other organisations and private landowners. Improvement of the footpath network could involve diversion and/or closure of limited stretches of path which are no longer needed: however in either case, the change should not inconvenience walkers or adversely affect residential amenities. Appropriate efforts will be made to reduce the amount of road walking necessary to link adjoining paths, and improve access to the



countryside for the mobility impaired.

Particular attention will be given to the creation and signing of circular walks including links with the Grand Union Canal towpath, town to country routes, permissive links, interpretative facilities, and to accessibility by passenger transport. The potential for improvement of links to the Ridgeway long distance path will be explored.

Diversion of public footpaths as a result of development proposals will only be supported if the environmental character of the paths is maintained, walkers are not significantly inconvenienced and/or significant planning advantages accrue.

POLICY 111 – Height of Buildings

The development of buildings over two storeys in height will not be permitted in the countryside or in small villages unless there are exceptional reasons related to the particular use of the site and the visual impact is limited.

Within the towns and large villages, buildings up to three storeys will be permitted provided they harmonise with the character of the surrounding area. Higher buildings will be permitted in Hemel Hempstead Town Centre and may be permitted elsewhere, provided there is no harm to:

- (a) the character of the area and the site's surroundings;
- (b) the character of open land;
- (c) views of open land, countryside and skylines; and
- (d) the appearance and setting of conservation areas and listed buildings.

Such higher buildings will be expected to make a positive contribution to the townscape of their area.

In all cases special regard will be paid to the effect of site levels on the resultant appearance and visual impact of the proposal.

Policy 113 – Exterior Lighting

Proposals for new exterior lighting will be permitted provided it can be demonstrated to the satisfaction of the local planning authority that there is no significant (or material) adverse impact upon important features of the urban and rural areas including:

- (a) the amenity of residential areas; and
- (b) the visual character and the natural and historic environment.

Assessment will be based upon the suitability of exterior lighting in a defined location and the type of lighting, and will include consideration of highway safety, crime prevention and access for people with disabilities. All lighting schemes must:

- (a) avoid dazzle and disturbance of drivers;
- (b) minimise glare and light spillage; and
- (c) create uniformity to avoid shadowed areas



In the Chilterns Area of Outstanding Natural Beauty, rural areas and other parts of the countryside (including the urban fringe) provision of new exterior lighting will be minimised.

Further advice on Exterior Lighting and its environmental impact is contained within Appendix 8 of the Plan.

Dacorum Borough Core Strategy 2006-2031

POLICY NP1 – Supporting Development

The Council will take a positive approach to the consideration of development proposals, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants to find solutions for development proposals that help to improve the economic, social and environmental conditions in Dacorum. Proposals which accord with the development plan will be brought forward and approved unless material considerations indicate otherwise. If the development plan contains no policy relevant to the consideration of a planning application or policies are out of date, the Council will grant permission unless

- policies in the National Planning Policy Framework* , or
- other material circumstances indicate otherwise

POLICY CS5 – Green Belt

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.

There will be no general review of the Green Belt boundary through the Site Allocations DPD, although local allocations (under Policies CS2 and CS3) will be permitted.

Within the Green Belt, small-scale development will be permitted: i.e.

- (a) building for the uses defined as appropriate in national policy;
- (b) the replacement of existing buildings for the same use;
- (c) limited extensions to existing buildings;
- (d) the appropriate reuse of permanent, substantial buildings; and
- (e) the redevelopment of previously developed sites*, including major developed sites which will be defined on the Proposals Map

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.

Further guidance will be provided.



Development within selected small villages in the Green Belt will be permitted in accordance with Policy CS6.

POLICY CS7 – Rural Area

Within the Rural Area, the following uses are acceptable:

- (a) agriculture;
- (b) forestry;
- (c) mineral extraction;
- (d) countryside recreation uses;
- (e) social, community and leisure uses;
- (f) essential utility services; and
- (g) uses associated with a farm diversification project, which can be demonstrated to be necessary for the continuing viability of the farm business and consistent with the principles of sustainable development.

Small-scale development will be permitted: i.e.

- (i) for the above uses;
- (ii) the replacement of existing buildings for the same use;
- (iii) limited extensions to existing buildings;
- (iv) the appropriate reuse of permanent, substantial buildings; and
- (v) the redevelopment of previously developed sites*

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.

Further guidance will be provided.

Small-scale development for housing, employment and other purposes will be permitted at Aldbury, Long Marston and Wilstone, provided that it complies with Policy CS1: Distribution of Development and Policy CS2 Selection of Development Sites.

POLICY CS8: Sustainable Transport

All new development will contribute to a well-connected and accessible transport system whose principles are to:

- (a) give priority to the needs of other road and passenger transport users over the private car in the following order:
 - pedestrians



- cyclists
 - passenger transport (buses, trains and taxis)
 - powered two wheeled vehicles
 - other motor vehicles;
- (b) ensure good access for people with disabilities;
- (c) ensure passenger transport is integrated with movement on roads, footways and cycleways;
- (d) create safer and continuous footpath and cycle networks, particularly in the towns;
- (e) maintain and extend the rural rights of way network;
- (f) improve road safety and air quality;
- (g) strengthen links to and between key facilities (bus and railway stations, hospitals, main employers and town centres); and
- (h) provide sufficient, safe and convenient parking based on car parking standards* : the application of those standards will take account of the accessibility of the location, promoting economic development and regeneration, supporting shopping areas, safeguarding residential amenity and ensuring highway safety.

Development proposals will also contribute to the implementation of the strategies and priorities set out in the Local Transport Plan and local Urban Transport Plans.

POLICY CS12 – Quality of Site Design

On each site development should:

- a) provide a safe and satisfactory means of access for all users;
- b) provide sufficient parking and sufficient space for servicing;
- c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties;
- d) retain important trees or replace them with suitable species if their loss is justified;
- e) plant trees and shrubs to help assimilate development and softly screen settlement edges;
- f) integrate with the streetscape character; and
- g) respect adjoining properties in terms of:
 - I.layout;
 - II.security;
 - III.site coverage;
 - IV.scale;
 - V.height;
 - VI.bulk;
 - VII.materials; and
 - VIII.landscaping and amenity space.

POLICY CS17 – New Housing



An average of 430 net additional dwellings will be provided each year (between 2006 and 2031).

The new housing will be phased over the plan period and a five year supply of housing maintained.

Existing housing land and dwellings will normally be retained.

POLICY CS18 – Mix of Housing

New housing development will provide a choice of homes. This will comprise:

- (a) a range of housing types, sizes and tenure;
- (b) housing for those with special needs; and
- (c) affordable housing in accordance with Policy CS19.

Decisions on the appropriate type of mix of homes within development proposals will be guided by strategic housing market assessments and housing needs surveys, and informed by other housing market intelligence and site-specific considerations.

POLICY CS19: Affordable Housing

Affordable homes will be provided:

- on sites of a minimum size 0.3ha or 10 dwellings (and larger) in Hemel Hempstead; and
- elsewhere, on sites of a minimum size of 0.16ha or 5 dwellings (and larger).

A financial contribution will be sought in lieu of affordable housing on sites which fall below these thresholds.

35% of the new dwellings should be affordable homes. Higher levels may be sought on sites which are specified by the Council in a development plan document, provided development would be viable and need is evident. On rural housing sites 100% of all new homes will normally be affordable (Policy CS20).

A minimum of 75% of the affordable housing units provided should be for rent.

Judgements about the level, mix and tenure of affordable homes will have regard to:

- (a) the Council's Housing Strategy, identified housing need and other relevant evidence (see Policy CS18);
- (b) the potential to enlarge the site;
- (c) the overall viability of the scheme and any abnormal costs; and
- (d) arrangements to ensure that the benefit of all affordable housing units passes from the initial occupiers of the property to successive occupiers

Further, detailed guidance is provided in the Affordable Housing Supplementary Planning Document.



POLICY CS20 – Rural Sites for Affordable Homes

Small-scale schemes for local affordable homes will be promoted in and adjoining selected small villages in the countryside (see Policies CS6 and CS7), and exceptionally elsewhere with the support of the local Parish Council.

Development will only be permitted if:

- (a) it meets an identified local need for affordable housing;
- (b) the housing is for people who have a strong local connection with the village or parish through work, residence, or family; and
- (c) the scheme is of a scale and design that respects the character, setting and form of the village and surrounding countryside.

Any site on the edge of a village must represent a logical extension to it.

POLICY CS25 – Landscape Character

All development will help conserve and enhance Dacorum's natural and historic landscape.

Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition and take full account of the Dacorum Landscape Character Assessment, Historic Landscape Characterisation and advice contained within the Hertfordshire Historic Environment Record.

POLICY CS28 – Carbon Emission Reductions

Carbon emission reductions will be sought in the generation and use of energy, building design and construction, and the use of transport as far as possible. Targets and opportunities for generating renewable electricity and heat will be set out in further guidance. Policy CS29 addresses design and construction and Policy CS8 transport. A Sustainability Offset Fund will be used to help reduce carbon emissions and/or enable carbon fixing (see Policy CS30).

POLICY CS29 - Sustainable Design and Construction

New development will comply with the highest standards of sustainable design and construction possible. The following principles should normally be satisfied:

- (a) Use building materials and timber from verified sustainable sources;
- (b) Minimise water consumption during construction;
- (c) Recycle and reduce construction waste which may otherwise go to landfill.
- (d) Provide an adequate means of water supply, surface water and foul drainage;



- (e) Plan to limit residential indoor water consumption to 105 litres per person per day until national statutory guidance supersedes this advice;
- (f) Plan to minimise carbon dioxide emissions;
- (g) Maximise the energy efficiency performance of the building fabric, in accordance with the energy hierarchy set out in Figure 16;
- (h) Incorporate at least one new tree per dwelling/per 100sqm (for non-residential developments) on-site;
- (i) Minimise impacts on biodiversity and incorporate positive measures to support wildlife;
- (j) Minimise impermeable surfaces around the curtilage of buildings and in new street design; (k) Incorporate permeable and lighter coloured surfaces within urban areas; and
- (l) Provide on-site recycling facilities for waste. Buildings will be designed to have a long life and adaptable internal layout. Applicants will therefore need to explain how:
 - (i) they have considered the whole life cycle of the building and how the materials could be recycled at the end of the building's life; and
 - (ii) their design has been 'future proofed' to enable retrofitting to meet tighter energy efficiency standards and connection to decentralised community heating systems.

For specified types of development applicants should provide a Sustainability Statement.

Where new development cannot meet on-site energy or tree planting requirements, the applicant will be expected to contribute towards sustainability offsetting if at all possible (see Policy CS30).

If a scheme would be unviable or there is not a technically feasible approach, the principles in this policy may be relaxed.

POLICY CS30 – Sustainability Offsetting

The contribution of development towards sustainability offsetting measures will be determined in accordance with prevailing regulation and planning policy. Offsetting may include off-site work and planting, and contributions to a Sustainability Offset Fund.

Details on the Council's approach to sustainability offsetting, including the operation of the Sustainability Offset Fund, will be set out in further guidance.

POLICY CS35 – Infrastructure and Developer Contributions

All development will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development. This may be provided in-kind or through financial contributions.



Supporting infrastructure should be provided in advance of, or alongside the development, unless there is existing capacity. Appropriate phasing for the delivery of infrastructure will be decided on a case-by-case basis.

Financial contributions will be used in accordance with needs set out in the Infrastructure Delivery Plan

Development will not be permitted to breach critical infrastructure capacity limits

Site Allocations and Development Management Plan 2006-2031

POLICY SADM₃– Residential Development

"The redevelopment of sites for residential use will be permitted in existing urban areas, subject to the requirements of relevant development plan policies. In particular, development within residential areas must be of a scale and design which respects its immediate surroundings including the local pattern of development, not result in a tandem development layout and as far as possible improve the quality of the area."

"All development should be consistent with Hertsmere's Planning and Design Guide SPD (and any successor document)."

Emerging Dacorum Local Plan 2024-2040

Within the draft Local Plan for Dacorum 2024-2040, the revised strategy for growth consultation document outlines the growth strategy proposed for Berkhamsted.

The strategy out for consultation suggests that the strategy for Berkhamsted revolved the retention of a larger housing development site that is allocated to deliver 850 homes and to subsequently limit the amount of smaller sites that come forward. The strategy suggests small and medium sites that come forward may deliver 414 homes from 2024-2040.

The changes to the growth strategy for Berkhamsted are stated below;

"3.11 In Berkhamsted we are planning to deliver 1,264 new homes from 2024 to 2040, a 43% decrease from our proposal in 2020.

3.12 We believe that this strategy will deliver the following key benefits for Berkhamsted:

- *Around 400 affordable homes, including i. 100 First Homes for affordable home ownership; and ii. 240 Genuinely Affordable / Social Homes to Rent.*
- *Wheelchair accessible homes and provision for older people.*
- *A new local centre, with retail and community facilities.*



- A new primary school.
- New green infrastructure, including play areas and multi-use games areas.
- New outdoor sports pitches.
- Improvements to the transport network, including to the station."

We suggest whilst it is considered, the emerging local plan for Dacorum should be given very little weight against decision making due to the very early stages of the plan and its subjectivity to change at this point in time.

Emerging Neighbourhood plan

The site location is within the Parish of Berkhamsted. No neighbourhood plan is published for Berkhamsted as yet, however, on the 3rd of November 2023 the Berkhamsted Neighbourhood Plan area was approved of which our site is located within.

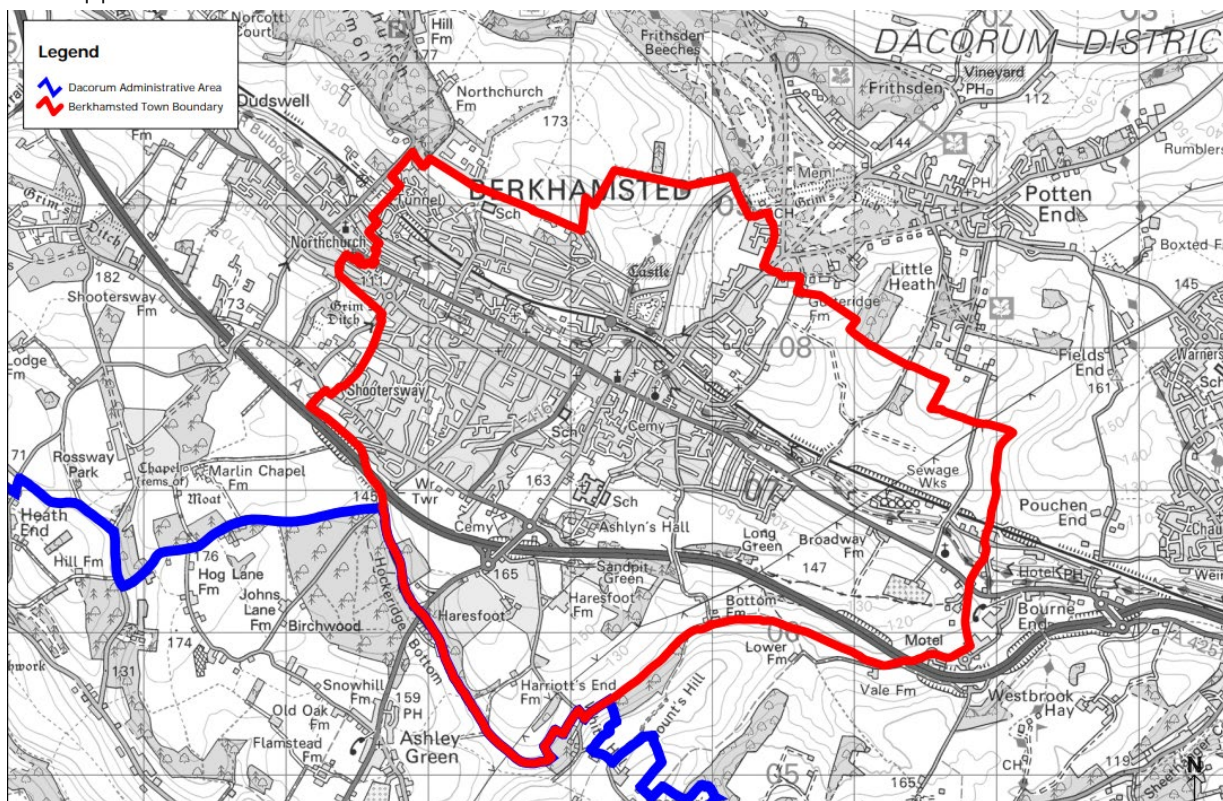


Figure 29: The approved neighbourhood plan area for Berkhamsted

Emerging South West Herts Joint Strategic Plan

The South West Herts Joint Strategic Plan is currently in the consultation period for the "realising our potential" vision statement. The vision statement is comprised of 6 "pillars" and these outline the ambitions set to be delivered through the plan.

No draft versions of the plan have been issued yet due to the early stages of the plan production.

We would suggest little to no weight is given to the emerging South West Herts Joint Strategic Plan due to the lack of definitive information and scope for timescales.



Supplementary Planning Documents

Dacorum Strategic Design Guide – Part 1: Design Process

Part 1 (Design Process) of the Dacorum Strategic Design Guide sets out the need for design across Dacorum to reflect significant and transformative future changes and account for the likes of climate change, economic fluctuations, demographic shifts and advances in technology. The design process has a specific emphasis towards tackling climate change and states how the Borough has declared a climate emergency and works to ensure the delivery of zero carbon and sustainable development.

The focus on climate change through this design process is suggested to enable the meeting of needs for future generations. The supplementary planning document recognises the strategic approach and accounts for the design guidance delivered on a national level.

Dacorum Strategic Design Guide – Part 2: Design Principles

The Dacorum Strategic Design Guide Part 2 sets out Principles of design and design expectations to further inform Dacorum's design process.

"The principles are ambitious and set a high standard for new development, so that it contributes to sustainable growth and continues Dacorum's tradition of distinctive, attractive and successful places."

The guidance is applicable to all development sizes. Larger developments are expected to meet the design principles through the creation of new places, spaces and street. Smaller scale development is expected to demonstrate contribution towards the creation of high-quality urban design.

Parking Standards Supplementary Planning Document

The Parking Standards SPD sets out appropriate parking provision for cars and cycles. The SPD accounts for the impact parking can have on the locality and aims to manage congestion, influence patterns of development and affect the way people access key services.

The Parking Standards SPD continues to set out the standards for residential parking. The document suggests that the starting principle is that all parking demand for residential development should be accommodated on site. It should be noted that the document emphasises that garages will only be counted as a parking space if evidence is provided that the garage is of sufficient size to accommodate parking provision and storage space.

Affordable Housing Supplementary Planning Document

Dacorum Borough is an authority that comprises part of the Hertfordshire Housing Consortium. The Council encourages best working practice to maximise the delivery of affordable housing.

The SPD refers to Policy CS19 of the Core strategy and reiterates a 35% requirement for affordable housing as an on site provision. Tenure mix is outlined as a split of 75% affordable rent and 25% shared ownership.



This is followed by the discussion of affordable housing design quality, distribution and sustainability.

Energy Efficiency and Conservation Supplementary Planning Document

This supplementary planning document aims to compliment and amplify Policy 122 of the Local Plan.

The document draws attention to the energy used across construction and calls for the mitigation and reduction of energy use across all stages of development. For large developments the SPD specifically states the following;

“Large scale developments should apply the principles outlined above to maximise the energy efficiencies to be gained from sustainable design and construction. They should also incorporate community heating and Combined Heat and Power systems where it is feasible to do so. Energy consumption statements should be prepared for development proposals above a threshold of 1,000 square metres or 50 dwellings in order to ensure that the technical, environmental, and economic feasibility of these systems is considered and is taken into account before construction starts.

40% of energy costs in large commercial developments can be accounted for by lighting. Energy use for lighting in all buildings can be minimised by ensuring good access to natural light. This will be affected by orientation, built form and the internal layout of the building.”

Environment Guidelines Supplementary Planning Guidance

This Supplementary Planning Guidance aims to assist in the delivery of high environmental standards across the borough.

The guidance places focus on “the preservation of the environment and resources, such as landscape, nature conservation and the water environment.

The guidance also suggests that “The guidelines also contain the Council’s enforcement code of practice and detailed guidance on incorporating safety and security into all development proposals to create safe environments”.

The Environmental Guideline SPG discussed further matters such as landscaping on development sites, flood defences and the water environment and safety and security.

Sustainable Development Advice Note

The sustainable development advice note draws attention to the essentiality of sustainable development towards tackling climate change and the challenges of natural resource depletion, habitat loss and wider environmental and social issues.

The advice note provides further information towards achieving sustainable development and intends to “assist developers in ensuring that new development such as an extension, a conversion, and new homes



and commercial buildings maximise energy efficiencies, minimise the use of natural resources and waste, and reduce carbon emissions to avoid compromising the needs of the future.”

Site Promotion

The application proposal constitutes a windfall development which is an important part of the projected housing land supply in the current and emerging Local Plans. The emerging Local Plan includes the provision of 2167 homes from windfall developments – which equates to 135 a year. The current Core Strategy seeks at least 57 windfall dwellings a year, however a greater level of windfall is required to address the Council’s significant shortfall of housing. The application site was promoted to the emerging Local Plan during the most recent consultation – having not been available in the early stages of plan preparation.



5 Analysis

An assessment of the proposed development has been undertaken against the relevant planning policy framework for the site, and other material considerations in accordance with Section 38 (6) of the 2004 Planning and Compulsory Purchase Act. The Assessment considers the following matters:

An assessment of the application has been undertaken against the relevant planning policy framework for the site: NPPF (2023),

- Principle of Development
- Housing Need
- Landscape Visual Assessment
- Design
- Highways and Transport
- Flood Risk and Sustainable Drainage
- Ecology
- Heritage and Conservation
- Archaeology
- Air Quality
- Noise Impact
- Lighting Strategy
- Trees
- Open Space
- Sustainability
- Utilities
- Benefits and Very Special Circumstances
- Draft Heads of Term

Principle of Development

The NPPF sets out a presumption in favour of sustainable development and paragraph 7 identifies that there are three dimensions to sustainable development, comprising (i) economic, (ii) social and (iii) environmental:

An economic role – contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation and by identifying and coordinating development requirements, including the provision



of infrastructure. -

A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high-quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change, including moving to a low carbon economy.

The NPPF also sets out at para 124(c) that substantial weight should be given to the value of using suitable brownfield sites such as this thereby making for an effective use of land.

The site is located within the Green Belt, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC).

Paragraph 143 of the NPPF states that the Green Belt serves five purposes:

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

The assessment of the site in relation to the five purposes, is set out as follows in relation to the application site:

- a) to check the unrestricted sprawl of large built-up areas;

Response: The site is previously developed with substantial buildings and hardstanding, the proposal results in a reduction of built form and therefore does not contribute to this purpose. The proposed built form is all located on lawful previously developed land.

- b) to prevent neighbouring towns merging into one another;

Response: The site does not connect or border two existing towns and is separated from other settlement areas by areas of Green Belt, including land that has not been previously developed. There would be no merging of settlements of as a result of the proposal.

- c) to assist in safeguarding the countryside from encroachment;



Response: The site is previously developed with substantial massing, the proposal results in a reduction of volume, hardstanding and footprint along with an increase of green space.

d) to preserve the setting and special character of historic towns; and

Response: The proposal seeks the redevelopment of a previously developed site, and its redevelopment reduces the pressure on development in Berkhamsted.

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Response: This purpose is based on the assumption that Green Belt land is not available for development, thus encouraging use of urban land. However, in this case, the site is previously developed, so the inclusion of the land does not serve this purpose, but instead there is opportunity to reuse/redevelop the site.

It is evident following review that the site, as previously developed land, does not contribute to or provide a function in respect of the purposes for including land within the Green Belt.

The application proposal does not conflict with the five purposes of the Green Belt.

The Dacorum Borough Core Strategy (Policy CS5: Green Belt) states that small-scale development in the Green Belt will be permitted: i.e. the redevelopment of previously developed sites 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.

The Core Strategy also highlights that 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.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC) (NPPF para 152).

Paragraph 153 of the NPPF states that VSCs will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

There is a presumption against inappropriate development within the Green Belt but Paragraph 154(g) allows for limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. It states specifically:

"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

" f) limited affordable housing for local community needs under policies set out in the development plan



(including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or*
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority*

Previously Developed Land is defined within Annex 2 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. Given the site's commercial uses and extant consents it is agreed that the Site is previously developed and is fully compliant within the provision of Paragraph 154 (g) of the NPPF.

When considering applications for development in the Green Belt, local planning authorities are meant to ensure that substantial weight is given when considering potential harm to the Green Belt. The NPPF states that one of the essential characteristics of Green Belts is their openness, and one of the key issues is the impact of any development on the openness of the Green Belt. The issue which the courts have grappled with frequently is the relevance of the visual impact of development on an assessment of openness. The Court of Appeal judgement in *Turner v SSCLG* [2016] EWCA Civ. 466 provides a useful application of the guidance on assessing the impact on "openness".

The concept of "openness of the Green Belt" is not narrowly limited to the volumetric approach suggested by Mr Rudd. The word "openness" is open-textured, and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.

The question of visual impact is implicitly part of the concept of "openness of the Green Belt" as a matter of the natural meaning of the language used in para. 89 of the NPPF. I consider that this interpretation is also reinforced by the general guidance in paras—79-81 of the NPPF, which introduce section 9 on the protection of Green Belt Land. There is an important visual dimension to checking "the unrestricted sprawl of large built-up areas" and the merging of neighbouring towns, as indeed the name "Green Belt" itself implies. Greenness is a visual quality: part of the idea of the Green Belt is that the eye and the spirit should be relieved from the prospect of unrelenting urban sprawl.

The Judge stated that the appellant, in this case, relied upon the judgment of *Green J in R (Timmins) v Gedling Borough Council* [2014] EWHC 654 (Admin) at [67]-[78], in which the judge addressed the question of the relationship between the openness of the Green Belt and visual impact, referring to the judgment of *Sullivan J in R (Heath and Hampstead Society) v Camden LBC* [2007] EWHC 977 (Admin), which related to previous policy in relation to the Green Belt as set out in Planning Policy Guidance 2



("PPG 2"), and drew from it the propositions that "there is a clear conceptual distinction between openness and visual impact" and "it is therefore wrong in principle to arrive at a specific conclusion as to openness by reference to visual impact": para. [78] (Green J's emphasis). In the view of Sales L, Green J went too far and erred in stating the propositions set out above and that the section of his judgment should not be followed (para 18).

In summing up (para 27), the Judge found that: 27. It was rational and legitimate for him to assess on the facts of this case that there is a difference between a permanent physical structure in the form of the proposed bungalow and a shifting body of lorries, which would come and go; and even following the narrow volumetric approach urged by the appellant the Inspector was entitled to make the assessment that the two types of use and their impact on the Green Belt could not in the context of this site be "directly compared as proposed by the appellant."

The implications of the Court of Appeal decision are that the traditional approach to the impact upon the openness of the Green Belt relating only to the quantum of development has been found to be erroneous. Openness has a visual element ("...the eye and the spirit.."). It follows that if reduce visual impact by landscaping or screening the impact on openness is reduced.

As such, the approach set out in the NPPF is that the proposal may cause some harm to the openness of the Green Belt but that harm must not be substantial. Accordingly, an increase in the built footprint and/or volume could be considered as causing potentially limited harm but not to the extent that it would lead to substantial harm¹.

Also, of particular relevance is the updated advice set out in the NPPG which states as follows: *"Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to: • openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume; • the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and • the degree of activity likely to be generated, such as traffic generation."* Paragraph: 001 Reference ID: 64-001-20190722 Revision date: 22 07 2019

The application results in a reduction of footprint, hardstanding and volume, which is a significant benefit to the Green Belt. The application also includes a substantial increase of green space, which is again a substantial benefit to the Green Belt, by reducing the amount of built form and activity within the Green Belt.



Attribute	Existing	Proposed	Difference	Change
Footprint (m ²)	8,150	6,241	-1,909	-23.42%
Hardstanding (m ²)	17,131	10,025	-7,109	-41.48%
Volume (m ³)	47,851	29,850	-17,991	-37.80%
Green Space (m ²)	40,385	56,818	16,433	+40.69%

Table 7: Green Belt Attributes

The site also has extant consent for extensions to buildings 5 and 6. Whilst not yet constructed, they are a material consideration in the determination of the scheme and a material fallback in consideration of the scheme. When factoured in the proposed scheme would be of an even greater benefit to the Green Belt, with a 45% reduction in volume.

Since application 24/00330/MFA, the scale of the proposal has been reduced, with the number of dwellings reduced by 31% (or 17 dwellings). The proposed dwellings are now located within the agreed previously developed area, this was agreed with planning officers in a meeting on 10th June.

Attribute	Existing +Approved Extensions to buildings 5 &6	Proposed	Difference	Change
Footprint (m ²)	9,111	6,241	-2,870	-31.5%
Hardstanding (m ²)	16,572	10,025	-6,547	-39.51%
Volume (m ³)	54,048	29,860	-24,188	-44.75%
Green Space (m ²)	39,985	56,818	16,833	+42%

Table 6: Green Belt Attributes (including extant consents)

As such, it is clear the reduction in footprint and hardstanding, together with a sympathetic design and enhancements to the site's landscaping, the proposal fully complies with the approach to development



in the Green Belt, in that it will also bring about a visual improvement to the site's appearance and that of the Green Belt.



Figure 30: Existing Volume Plan

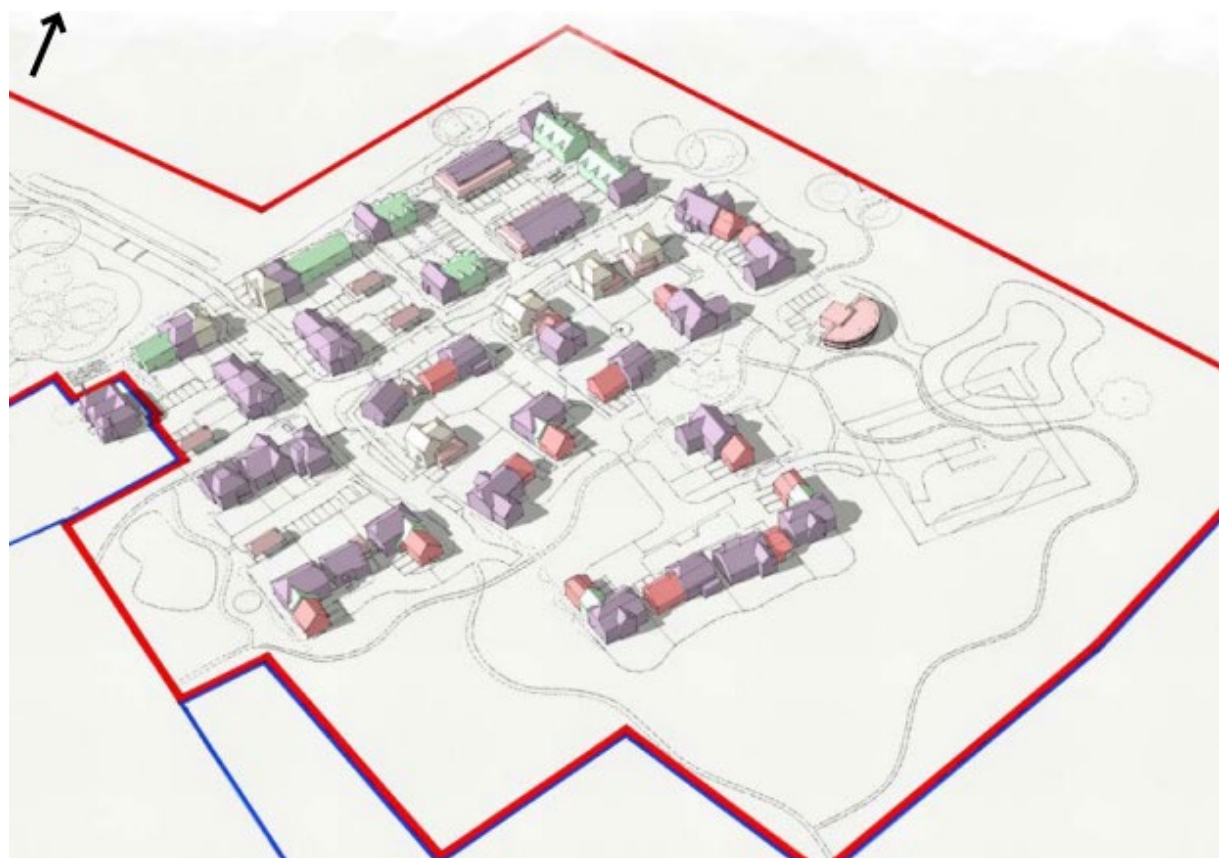


Figure 31: Proposed Volume Plan

As demonstrated the amount of volume is proposed to be reduced by 38% when compared to the



existing buildings and 45% when compared to the existing and the approved extensions. The proposed layout reduces the perception of the built form, breaking it up and adding greater permeability, which is a significant benefit to the Green Belt. The heights of the buildings currently on the site range from 8 metres to 9.8 metres, which, when considered with their footprints, is a significant feature in the landscape. The proposed dwellings range from 7.2 metres to 9.7 metres. This reduction of heights will be a benefit to the appearance of the site, and reduce the perceived built form on the site. As demonstrated in the supporting landscape visual impact assessment, the redevelopment significantly improves the perception of the site, breaking up the large, bulky built form and creating sky gaps and transparency through the site.

The amount of green space is proposed to increase by 41%, which will be a significant benefit and allow more of the site to integrate with the environment.



Figure 32: Amenity Space

The principle of redevelopment of a previously developed site is well established within Dacorum. For example, the referenced approval of Pix Farm (4/02061/18/MFA) for residential resulted in an increase in the built footprint by some 206%, floor area by 520% and a corresponding increase of 275% in the built volume. However, the Council concluded:

In this case, it is felt that the proposal can be considered less than substantially harmful to the openness of the Green Belt and can therefore be considered appropriate development in the Green Belt. On this basis, there is no need to demonstrate very special circumstances.

As agreed with Officers this proposal is all located within the previously developed built form and is as a result appropriate development in the Green Belt in accordance with paragraph 154(g) of the NPPF. In addition, the proposal provides 40% affordable housing (above the policy requirement of 35%) in an area



of acute affordable housing need; part (ii) of paragraph 154(g) of the Framework is engaged, which allows for up to substantial harm in the Green Belt. As demonstrated in this statement and the supporting studies there is no harm to the Green Belt from the proposal. Officers considered in application 24/00330/MFA that the principle of development was acceptable. This revised scheme overcomes the Planning Committee's previous reason for refusal by locating the development wholly on previously developed land, and increasing on site sustainability measure.

Whilst we believe that they are not required as the principle of the development is acceptable, if the Council do require a case of Very Special Circumstances, we have advanced a case on a without prejudice basis later in this statement.

The NPPF and Dacorum Core Strategy seek the redevelopment of "brownfield sites". This is the exact type of site encouraged for residential development, as has been demonstrated.

Overall, the principle of the development is fully acceptable and accords with the NPPF and Dacorum Development Plan.

Housing Need

Market Housing

Government has a key objective of significantly boosting the supply of homes and places importance on ensuring that a sufficient amount and variety of land can come forward for housing where it is required and can be developed without delay. Sites should be available to meet the needs of all sectors of the community, including first homes and affordable housing, paragraph 60 of the framework states:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community."

A recent assessment of the Council's housing supply position in relation to the Rectory Farm Appeal (23/3333545) has determined that it has 1.69 years of supply, which is considered to be acute.

Within the land at Bulbourne Road and Station Road Tring appeal, the Inspector stated:

The chronic and acute housing needs of the area are a key component of the benefits of the scheme capable of making up a major component of the Appellants' VSC case. There is a severe shortage of new homes in the Borough; a failure to meet the housing delivery targets; a chronic shortfall in 5 year housing land supply; severe affordability problems; a virtual collapse in the delivery of affordable housing;



The housing crisis is indisputable and the undersupply of housing is like a problem. Untreated it will not get better on its own. It worsens over time and infects, undermines and harms the whole plan-led system and the communities that the plan-led system is designed to provide for.

In recent years significant weight has been placed on the delivery of homes. In his decision on North Lodge Farm in November 2022, Inspector Jones sets out the real life implications of an undersupply of housing:

"It is worth pausing here to remember that behind these figures are real households that have experienced real housing need for a number of years, need which seems unlikely to be fully addressed for several more years. Consequently, regardless of the 5YHLS position, the contribution that Appeal A would make to helping to address the evident need for market housing is significant."

Inspector Dillon, in the Billericay decision of December 2022 said:

"In short comment the evidence before me conveys at this particular moment in time the continuation of what is already an acute deficiency and extremely bleak outlook for local housing provision for a further protracted period. The capability of the appeal proposal to contribute significantly to addressing the identified extremely serious housing land supply and delivery deficits weighs considerably in favour of this appeal."

The recent Huntington, York decision by the Secretary of State provides a further very recent determination, on a recovered appeal, for housing development within the Green Belt where very special circumstances were demonstrated. These included the benefit of responding to the inability of the local planning authority to provide for the housing needs of its area.

The provision of new homes across a range of tenures will represent a profound and positive benefit for the households they will accommodate, who could otherwise be left in housing that does not meet their needs and instead has a significant adverse effect on their quality of life, health and wellbeing. The delivery of this windfall scheme, on a well established brownfield site, will make a substantial contribution to the Council's housing land supply.

Affordable Homes

Policy CS19 of the Dacorum Local Plan, requires 35% affordable homes from development scheme over ten dwellings. The application proposal proposes 40% affordable housing, which is above the policy requirement. There is an acute need for affordable homes in Dacorum.

The Office for National Statistics publishes information on house price affordability, and the latest figures for Dacorum show that the cost of accommodation in the Borough is high. Median house prices in the Borough are nearly 14 times the median gross annual workplace- based earnings as of 2021 data.

The Average house prices across Dacorum are set out below using 2023 data from the Office for National Statistics:



Accommodation Type	Average Price in Dacorum	% price increase from 2018
Detached House	£1 Million	19% price increase from 2018
Semi – Detached House	£550, 000	19% price increase from 2018
Terrace House	£412,000	17% price increase from 2018
Flat	£282,000	6% price increase from 2018

Table 9: Average House Prices and percentage increases across Dacorum Borough (Source: The Office for National Statistics 2023).

It is apparent that Dacorum Borough residents within the lower income groups are very unlikely to be able to afford to buy their own homes. As a result, the residents of Dacorum require a full range of affordable homes to meet their needs.

On average, over the Core Strategy period between 2006/07 and 2021/22, Dacorum has added 139 gross affordable dwellings per annum, equivalent to 28% of the net number of housing completions. This is less than the Council's adopted Policy CS19 expectation of 35% affordable housing provision and does not meet the monitoring target of 35% provision (set out at page 96 of the Core Strategy). The affordable housing completions figure is a gross figure and does not take account of any losses from the affordable housing stock through the Right to Buy.

When the net figures are considered, the Council has delivered an average of 92 net affordable housing additions per annum over the Core Strategy period between 2006/07 and 2021/22. The impact of Right to Buy losses in the Borough is clear; these losses are depleting the affordable housing stock to a significant degree.

The LHNA 2020 presents the most up-to-date assessment of affordable housing need, with a need of 611 affordable dwellings per annum between 2020/21 and 2035/36.

When the net affordable housing additions is considered against this need figure for the two years 2020/21 and 2021/22, the Council has achieved 372 net additional affordable dwellings. This is a numerical shortfall of -850 dwellings and the Council has met only 30% of the identified need.

Within the land at Bulbourne Road and Station Road Tring appeal, the Inspector stated:

"There is an acute need for affordable housing in Dacorum Borough which is not being met. This is exacerbated by the 'Right to Buy', which is resulting in an average of one dwelling lost per three new completions²⁴³. Dacorum is a borough that has experienced serious and persistent shortfalls in the provision of affordable housing across the entire CS period from 2006 to the present. The future deliverable supply of affordable housing is only a fraction of what is needed to meet needs."

The delivery of affordable housing is a clear and obvious benefit, which is seen as being a very substantial benefit, as illustrated by the Dylon International appeal decision.

Furthermore, 'substantial weight' can also be attached to the provision of policy compliant levels of



affordable housing, where there is 'substantial affordable housing need as in Chichester or 'significant' weight to policy compliant levels as in York [para 38 and 64].

The weight to be given to provision of affordable housing and the importance of meeting the housing needs of real households in urgent needs is also addressed in the Wheatley campus Oxford decision.

In this application the provision of affordable housing goes significantly beyond being simply policy compliant. The provision of 40% affordable homes as part of an enhanced provision with a mixed tenure and size (to be agreed with the Council) will be transformative to the lives of their occupants. It is a public benefit that case law demonstrates should be given very substantial weight and is the only way to deliver substantial levels of Affordable Housing in Berkhamsted.

The proposal therefore offers 40% affordable homes, above the 35% required affordable housing contribution and this provides a significant contribution to the affordable housing stock of Dacorum Borough. The provision of this level of affordable homes also fully engages the second strand of paragraph 154 of the NPPF which allows up to substantial harm in the Green Belt where there is the re-use of previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority, as is the case in this application and within Dacorum. As demonstrated within the application the proposal does not result in substantial harm. The application makes a significant contribution to the substantial shortfall of affordable homes in Dacorum.

Self Build

The scheme provides for 5% of the market home plots for self-build and custom housebuilding. The significance of this delivery in the context of Dacorum is considered important especially in the context of the Council's self-build register.

The adopted development plan does not contain any policies that would result in the provision of self building custom build housing.

The Council's evidence base includes a Custom and Self-Build Demand Assessment Framework. This identifies a gross need for 1,291 serviced plots across the 17 years it models, and a net need for 781 serviced plots across the same period when taking account of notional supply of 30 plots per annum – which broadly accords with my analysis of the Council's current supply.

Other secondary data sources show:

- Current demand for 1,256 serviced plots (Buildstore data);
- Estimated demand for 2,467 serviced plots (using ONS and Ipsos MORI national polling data as a proxy); and
- Demand for between 1,278 and 1,836 serviced plots (using AMA market research data and the Standard Method as a proxy).

Several appeal decisions including Colney Heath and Droitwich Spa, Worcestershire decision highlight the



importance attached to provision for self-build housing in the NPPF and nPPG and notes that self-build housing should not be treated simply as a component of general market housing. Similarly, Inspector McGlone, in his Steventon decision, confirms that self-build and custom-build housing provide substantial social benefits. Those benefits will merit substantial weight being given to them even if the level of provision proposed even if it is no more than required by policy. as confirmed by Inspector Fagan in the Coalpit Heath, South Gloucestershire decision This is consistent with the conclusion of Inspector Middleton in the Winsford, Cheshire decision of 2019 that the provision of self-build housing is a social benefit that should attract substantial weight. In this case, the provision of self-build housing in this case is an additional benefit to which very significant weight should be given.

The Government have recognised the importance of accelerating the delivery of market, affordable, specialist accommodation and Self Build housing to address the national housing crisis, the redevelopment of this previously developed site will make a significant contribution to local and national housing needs.

Landscape and Visual Impact

The proposal has been assessed by expert Landscape Consultants, Leyton Place. The identity that the scheme proposals have been developed to minimise the occurrence of adverse landscape and visual effects by incorporating the following features:

- Removal of incongruent and unsightly development and bunding.
- Building heights not to exceed the heights established by the existing development.
- Locating the development in a brownfield location, avoiding the loss of greenfield/rural landscapes.
- Containing the development within the existing field pattern, retaining, and supplementing the vegetative features.
- Provision of a scheme of house which reflects the appearance and form of locally prevailing architectural residential properties and farmsteads.
- Provision of interconnected open spaces, incorporating new trees and woodland.
- A general increase in tree cover and, specifically, the reintroduction of parkland trees to enhance the historic relevance of the landscape in the long-term.
- Facilitate connections with the off-site SANGs and provide circular routes and supplement the alternatives for those walking in the local area.

Leyton Place state that the proposal will have the following landscape and visual consequences:

Landscape

The development will result in the presence of development within this landscape being of a smaller massing and form of local settled components and enable new green elements (grassland and trees) to penetrate and break up the apparent massing and appearance of the development, whilst providing



internal and off-site links and connections to be delivered for the continuity of the landscape character.

The retained trees will be set within an appropriate landscape context, placing them at the heart of the proposals, where the current context erodes the setting and presence of trees in landscape.

Substantial new tree planting (approximately 300 new trees) will increase tree cover, using woodland planting and some individual parkland trees, reflecting the local character and key features recognised in the published character assessment.

Recognising the landscape recommendations set out in the published material, the following have been considered and are delivered in the scheme proposals.

- Support a strategy to limit built development within the area or the impact of development that may affect the area from outside. Encourage the retention of the existing pattern of hedges and to create new features to further enhance landscape and ecological links between woodlands, using old field boundaries where possible.
- Promote the survey, retention and restoration of the historic parklands, including Ashlyns and Haresfoot, through a range of initiatives, including tree planting including parkland exotics (where over mature), encouragement to reverse arable to pasture and use of traditional metal estate fencing.
- Conserve and enhance the distinctive character of settlements and individual buildings by promoting high standards of new buildings or alterations to existing properties, all with the consistent use of locally traditional materials designed to reflect the traditional character of the area.
- Ensure that built development and storage areas both in the area or adjacent to it are integrated through the use of native tree and shrub species and the creation of hedging and/or planting to the perimeter.
- Encourage the creation and maintenance of ponds. Provide facilities to facilitate quiet recreational activities while not adversely affecting the character and quality of the local landscape.

The proposals will deliver positive outcomes in respect of the landscape guidelines and aspirations for the Ashlyns and Wiggington Plateau landscape and accord with the aspirations as set out in the Council's landscape character assessment.

The introduction of residential development into the site will not introduce new or incongruent features that are not already components within the local landscape.

The removal of large mass buildings in this prominent location and the provision of development which incorporates a higher degree of vegetation will improve the character and appearance of this part of Haresfoot by delivering a sympathetic scheme of development.



Overall, the consequence of the proposal will be beneficial in respect of the character and appearance of the landscape in the vicinity of the site. This is significant in the determination of the planning application. Wider positive effects to the landscape character diminish with distance and are not significant to the determination of the planning application.

Visual effects

The limited visual envelope of the proposed development means that the locations from which the proposals will be visible is highly localised, and typically the new dwellings will be experienced from those vantage points where the existing development is already visible (regardless of the form of such development).

In terms of the people likely to experience visual change

- People walking on footpath 41/42
- People using Bridleway 36 south east of The Larches
- People travelling on White Hill (primarily in vehicles)
- Future users of the SANGS, should consent be granted.

For all these people the scheme does not introduce development into an undeveloped visual composition. It will replace large scale, unmitigated sheds with smaller built components set within a landscape setting which will filter views, and over-time reduce the visibility of the development from the local roads and footpaths.

The arrangement of buildings and creation of green corridors will create visual permeability and openness which is currently absent due to the form and arrangement of the existing large scale and mass structures.

The provision of new planting as part of the Landscape Strategy will soften the skyline views (VPI and VPJ) and improve the appearance of the hilltop.

The quality of the visual composition by virtue of the form and architectural treatment of the buildings and the presence of managed and well-designed green spaces will improve. The loss of detracting elements will be positive in respect of the visual experience.

The improved visual quality, character and openness are significant in the determination of the planning application.

Overall, the integrity of the landscape character is not compromised by the proposals. The scale and nature of the proposals ensure that visual impacts are reduced.

The Landscape Visual Appraisal concludes that the proposals respond positively to their location and have



been fully cognisant of and informed by an understanding and appreciation of the landscape and visual environment.

The landscape assessment maintains the approach taken in application 24/00330/MFA. This approach was supported by the Council, and we hope this is maintained in this revised and reduced scheme.

Design

Quality of Design / Impact on Visual Amenity Policy CS11 and CS12 of the Dacorum Core Strategy seeks to ensure that development preserves attractive streetscapes, protects or enhances significant views within character areas, and integrates with the streetscape character. Policy CS25, meanwhile, states that proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition.

The vision for the redevelopment of the site is to create an exceptionally attractive place that embraces and incorporates the characteristics of a farmstead. Not only a redevelopment but also becomes a true reflection of its context and local character. There is a precedent for similar farmstead style redevelopments within Dacorum and across Hertfordshire.



Figure 33: CGI

The proposed development will provide high-quality homes surrounded by generous and well-designed green spaces serving the new community. These homes are carefully designed to deliver:

- Modern living spaces that adhere to nationally described space standards
- Visually attractive architecture, seamlessly blending with the surroundings



- The utilisation of high-quality building materials
- Appropriate private amenity.

The architectural style of the proposed buildings aims to harmonise with the farmstead character of the proposed development. This is achieved by incorporating barn-inspired structures, a neutral colour palette, and traditional detailing. These elements work in concert to produce a classic rustic aesthetic, contributing to the creation of a streamlined rural built environment.



Figure 34: CGI

The community hub building is designed to integrate into the green corridor proposed, with its natural-like materials and green roof.



Figure 35: Community Hub

The design of the proposed scheme revolves around creating a place seamlessly integrated with the landscape and nature. This approach aims to provide an attractive environment that aligns with the character of a rural farmstead.

The layout features a network of green corridors and spaces integrated into the scheme and connected to the adjacent SANG. The site includes a green spine through the middle of the site, running in an east-west direction, that will provide an accessible green space with informal natural play opportunities. This space forms, with accessible footpath routes, seating and opportunities for informal recreation.



Figure 36: Landscape Framework

The site also provides formal play provision, which will include accessible LAP/LEAP, providing play opportunities for a variety of ages and abilities. Play equipment will reflect the wider parkland character with opportunities to provide links to SuDS through education and interpretation.

The proposed SuDS will provide a natural approach to surface water drainage, with swales and attenuation basins providing ecological benefits and areas of interest for people. SuDS will provide a variation in bank gradients, allowing for the establishment of species-rich marginal planting tolerant of wet and dry conditions. Swales will extend into green corridors to allow greater permeability and access.

Footpaths will intersect swales with areas of boardwalks, viewing platforms and opportunities for informal play, providing access to nature and opportunities for education.



Detailed information is provided in the Landscape Framework submitted with the application, which identifies the key landscape elements for the scheme and illustrates how the proposals will integrate within the surrounding context, enhance biodiversity and create a welcoming and verdant setting for the new residents. The proposed landscape paradigm was supported by the Council in application 24/0330/MFA.

Highways and Transport

The application is supported by a Transport Assessment produced by consultants EAS.

Significant Improvements to active travel infrastructure are proposed as part of the development, in keeping with the underlying themes of Hertfordshire's 2018 Local Transport Plan 4:

- A lit footway all the way along White Hill continuing to Chesham Road with a section that deviates from the road alignment to create a more direct route;
- Traffic calming on White Hill allowing for all existing uses as well as continued access to The Redwoods and the proposed entrance to the SANG land.
- New and relocated bus stops on Chesham Road so that they are closer to the site;
- A widened footway along Chesham Road and over the A41 over bridge.
- A signalised pedestrian crossing point across Chesham Road.
- Better pedestrian facilities at the Chesham Road/Kingshill Way/A41 slip roundabout. Provision of e-bikes for site residents.
- Provision of electric car club
- Provision of a community hub for residents with an honesty pantry.
- Speed limit reduction to 40mph along White Hill and A416 travelling north-east.

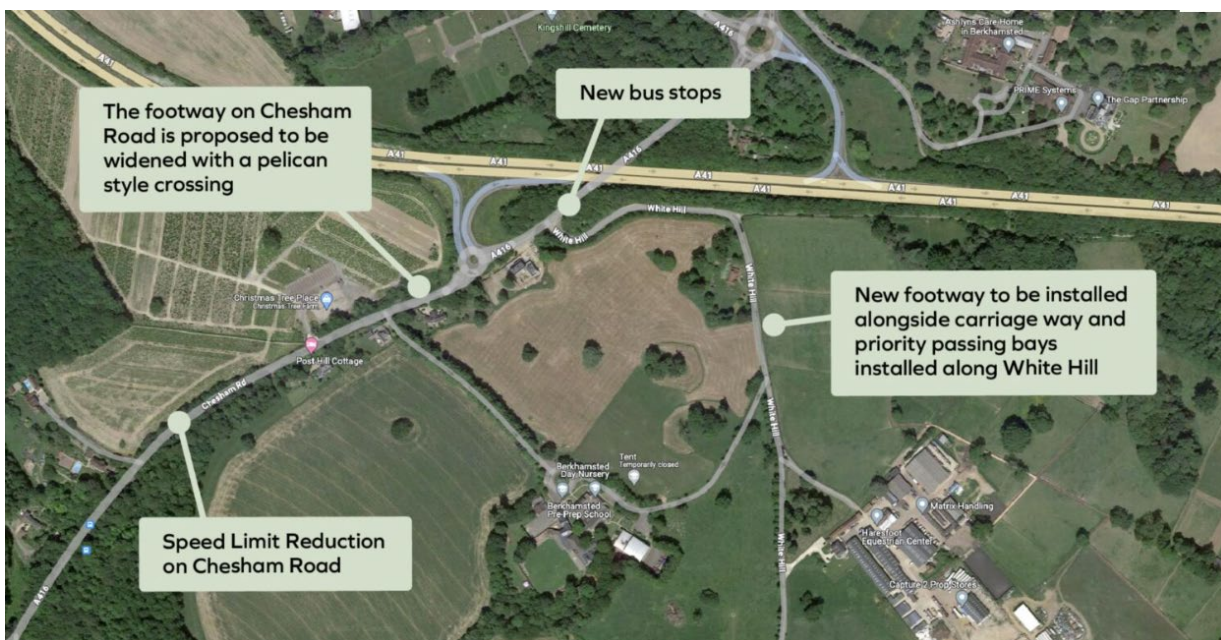


Figure 37: Highways Improvements



The proposed speed limit reduction has been met with support from the HCC Speed Management Group.

The footway improvements described will allow for a safe and convenient pedestrian network all the way to Ashlyns Secondary School, a likely key destination from the site, which will then link northwards to Berkhamsted Town Centre and Rail Station

Sufficient visibility splays can be achieved at the site access point with White Hill and swept path analysis has been performed which shows refuse vehicles are able to access and egress the site in a forward gear.

The proposed 147 car parking spaces, plus 30 visitor parking, is in line with the Dacorum adopted Parking Standards SPD policy. EV spaces will meet the policy standard of 50%.

It is understood that in principle, HCC notes that the scheme does not fully comply with their LTP4 Policy 2. However, in this spatial context, lying on the urban fringes of Berkhamsted and Hemel Hempstead, it is difficult to consider the site as so remote as not being as sustainable to meet paragraphs 110 and 111 of the NPPF. HCC raised no objections to application 24/00330/MFA. This latest application has increased the sustainability measures, and reduced the number of residential dwelling, which in turn reduces the number of vehicle movements, which is a benefit, and should be welcomed again by HCC highways.

A number of sustainable transport initiatives - for example, e-bike provision for residents, car club, alongside the associated cycle- and pedestrian-friendly infrastructure on and off site - contained within these proposals enables residents to make sustainable and environmentally friendly modal choices.

Any changes to the rural character of White Hill will be conducted as sympathetically as possible with regards to the current context, with the view to fulfil the aims of HCC LTP4 Policy 5 (g).

The proposed development of the Haresfoot Farm site is predicted to generate 25 vehicular trips during the AM peak hour and 25 during the PM peak hour, with a total of 217 over the working day. This is a reduction of 274 movements when considered against existing movements.

	08.00-09.00			17.00-18.00			07.00-19.00		
	In	Out	Total	In	Out	Total	In	Out	Total
Existing B8 Use									
	24	19	45	21	31	50	234	242	476
Existing Equestrian Use									
	1	1	2	1	2	3	7	8	15
Proposed 59 Dwellings									
	6	18	25	17	8	25	108	109	217
Change									
	-19	-2	-21	-5	-25	-30	-133	-141	-274

Table 10: Change in Vehicle Movements



There are a number of existing trips and further extant trips and these have not been off-set as part of the modelling associated with this application and hence a robust assessment has been completed.

In terms of nearby junction capacity, three junctions were modelled in order to ascertain the effect of the development and with mind to the strategically significant A41. All junctions were found to be operating well within capacity in both the AM and PM peak periods for the 2023 Base model and continue to do so in the future scenarios.

This residential development has been considered with mind to local and national policy and will include positive transport benefits for the future site residents which will also benefit existing people living in Berkhamsted.

The transport statement also provides an assessment of vehicle movements and demonstrates that the vehicles will predominantly turn right of the site towards Berkhamsted, the A41 and Chesham Road.

The NPPF states at Paragraph 114:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The reduction of vehicle movements from the site between 7am and 7pm per day will be 274, this is a significant benefit to the local highway network. The sustainable transport installations will improve the opportunities and choices for people to use alternatives modes of travel to the private car and hence this proposal does meet the policy test of the NPPF. The application also includes a travel plan to reduce vehicle movements further.

Ecology

CSA Environmental has produced an Ecological Impact Assessment (EclA) of the proposed development. To inform this assessment, a desktop study followed by a suite of targeted species and habitat surveys were undertaken.

No nature conservation designations are present on-site and therefore no direct impacts to any such assets are possible as a result of the development. Local Wildlife Site (LWS) woodlands are present locally, with the nearest beyond the eastern boundary, with no indirect effects on these LWS predicted.

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



around the Site.

The development proposals focus upon existing habitats of negligible ecological interest to the centre of the Site comprising developed land, buildings and structures with associated hard standing and bare ground areas. Surrounding land, comprising neutral grassland, a woodland copse and parkland trees will be largely retained for landscaping and open space.

A number of bat roosts of low conservation status have been identified within buildings at the Site. Mitigation will be secured for the demolition of building through derogation licensing administered by Natural England. Badgers are known to make use of the Site, although no setts are present on-site.

The proposed scheme provided opportunities to deliver net benefits for wildlife in the form of additional habitats, with the opportunity to provide additional biodiversity enhancement measures alongside the new housing. A Biodiversity Impact Assessment Calculation has determined that the proposed development could secured a **net gain of 8.66 Biodiversity Habitat units (21.47% net increase) and 1.58 Biodiversity Hedgerow Units (313.32 % net increase)**. This significantly exceeds the 10% increase as set out in the Environmental Act.

Based on the successful implementation of the proposed avoidance, mitigation and enhancement set out in the PEA, the development is not anticipated to result in any significant residual negative effects on important ecological features. The assessment and BNG only assesses the lawful buildings and hard surfaces. Furthermore, it has been demonstrated that the scheme can secure a net gain in biodiversity through on-site habitat management and restoration. The scheme is anticipated to accord with all relevant nature conservation legislation, as well as with the provisions of local policy, and exceed the Environmental Act.

The biodiversity net gain within this application is significantly greater than that proposed in application 24/00330/MFA. There were no objections to 24/00330/MFA from Hertfordshire Ecology or the Council, who attributed significant weight to this benefit.

Flood Risk and Drainage

The application is supported by a Flood Risk and Sustainable Drainage strategy by consultants EAS.

The site is shown to be at a low risk of a fluvial (river) flood event being located within the Flood Zone 1 on the Flood Map for Planning. Flood Zone 1 is defined as having a less than a 0.1% (1 in 1,000) annual probability of river flooding.

The SuDS proposal is to utilise permeable paving throughout the site to provide attenuation, with additional attenuation and conveyance provided by swales, prior to a final attenuation basin/wetland



located in the southeast of the site. This will be supplemented by water butts to provide rainwater harvesting for each dwellings gardening needs.

TRC attended site on the 5th December 2023 to undertake soakaway testing. During the works, seven trial pits were machine excavated to between 1m below ground level (bgl) and 3m bgl. None of the seven trial pits were able to complete testing to BRE 365 standards due to low permeability. As such, infiltration at ground level was considered unviable.

TRC attended Site on the 3rd January 2024 to drill two cable percussive boreholes, CPSA1 and CPSA2. PA Welburn Ltd then attended site on 10th January 2024 to carry out falling head permeability testing at the two locations. The tests found high levels of permeability at both borehole locations. The proposed drainage design was therefore based on the use of deep bore soakaways using the worst recorded infiltration rate of 1.33×10^{-4} m/s.

The drainage design software Causeway Flow has been utilised to design the permeable paving sections, swales, basin and pipe network.

There are 23 proposed areas of permeable paving. Where the site levels allow surface water runoff from the roof areas has been directed to the permeable paving sub-base via diffuser units. Each area of permeable paving has been designed with 600mm sub-base to maximise the available attenuation storage and the flow rate controlled by a 20mm orifice plate with a suitable filter (unless indicated otherwise on the SuDS sketch).

One swale is proposed along the site entrance road to capture and attenuate runoff from said road. This swale is to be 0.75m deep, providing 60m³ of storage. This runoff is then to be discharged via four deep bore soakaways. The deep bore soakaways have been modelled to a depth of 25m and an infiltration depth of 10.1m with a factor of safety of 5 used. This system is to be independent from the rest of the drainage network.

Three further swales are proposed to provide attenuation and conveyance for the rest of the site runoff. These swales have depths of 0.75-1m and will ensure that all runoff from the site passes through at least two water quality stages. These three swales then discharge into the proposed wetland area. Where possible, these swales are to be restricted via hydro brakes with a suitable filter.

A wetland area is proposed to collect the runoff from the site prior to discharge to the deep bore soakaways. The total depth of pond is 1.520m. 620mm of this basin depth will be sufficient to manage all storms up to and including a 1 in 100 + 40%CC storm event. The storage portion of the wetland has a top area of 2018m² and a base area of 1590m². This will provide 1082m³ of attenuation storage. A 300mm freeboard is proposed, along with a permanent water depth of 600mm. Below this permanent water level, the wetland is to consist of pools, with slopes and depths detailed in the SuDS layout.

The stored runoff is then to be infiltrated to ground via deep bore soakaways. Each borehole has been



modelled as infiltrating at 1.33×10^{-4} m/s. To ensure that the basin is meeting half drain times and attenuation requirements 16 deep bore soakaways will be required. The boreholes have been modelled to a total depth of 25m and an infiltration depth of 16.2m with a factor of safety of 1.5 used.

The attenuation features within the site meet the requirements to half drain within 24hrs following a 100yr plus 40% climate change storm event. As such no additional long-term storage is required.

The maintenance of the SuDS/drainage infrastructure will remain the responsibility an appointed management/maintenance company; other than individual pipework, water butts and other features within private curtilage, which will be the responsibility of the house owner.

The pumping station and rising main will be offered for adoption and the responsibility of Thames Water.

The proposed development has been demonstrated to be acceptable on flood risk and drainage grounds. This application represents a reduction in dwellings from 86 to 59, reducing the proposed hardstanding area. Hertfordshire County Council in their role as the Lead Local Flood Authority (LLFA) had no objection to the larger scheme from a flood risk or drainage perspective. In addition, several conditions were recommended.

The principles for the drainage have remained the same, i.e. utilising permeable paving, swales and a wetland flowing into borehole soakaways.





Figure 38: Drainage Features

The drainage strategy was assessed by the LLFA in application 24/00330/MFA who raised no objections. The principle of this drainage strategy are maintained in this application. The proposed development has been demonstrated to be acceptable on flood risk and drainage grounds.

Heritage and Conservation

The application is supported by a Heritage Assessment by consultants Cogent. This states that the proposed development has been carefully considered to beneficially redevelop the existing buildings, and materially improve the setting of the two adjoining LIHPGs. The development would qualitatively enhance the application site's appearance and its landscape integration with the adjoining parkland.

The farm buildings along the north of the application site are generally in a dilapidated state, and some are partially collapsed and structurally beyond repair. The remaining buildings do not lend themselves to a viable conversion that would satisfy building regulations and modern living standards. However, the buildings and their importance in the local context has been recognised, with the proposed development reflecting the existing farmstead frontage, with the new buildings at plots 1-3 and 56-59 specifically



designed to echo the historic farmstead characteristics of the frontage. The design of this part of the development would successfully and positively embed the new buildings in the local character, reflecting the historic use and character of this part of the site.

Because no harm has been identified, there are no policy conflicts with Core Strategy Policy CS27. Neither does the proposal entail the 'harm or loss' mentioned in paragraph 203 of the National Planning Policy Framework. The proposed development does not trigger the statutory duties in s.66 of the Planning Listed Buildings and Conservation Areas Act, 1990.

The material heritage benefit that would flow from the proposed development needs to be brought forward in the planning balance and be accorded the requisite weight. Conservation was considered in application 24/00330/MFA, and no objections were raised by officers.

Archaeology

Abrahms Consultants have assessed the site in order to consider its below ground archaeological potential. In accordance with relevant government planning policy and guidance, this desk-based assessment has been undertaken to clarify the archaeological potential of the proposed development area (PDA) and to consider possible impacts on surrounding heritage assets.

In terms of relevant designated heritage assets, no nationally designated listed buildings, scheduled monuments, world heritage sites, historic battlefield or historic wreck sites lies within the PDA. The PDA does not lie within a conservation area. It does lie partly within two locally registered gardens (DHT1658 Ashlyns Park and DHT1678 Haresfoot Park). The location and extent of these locally registered gardens is shown on Figure 8. Built heritage issues are not a subject of this report, as that is covered in a separate report, a heritage statement¹⁴.

The PDA does not lie within a specific 'Area of Archaeological Significance'. This being a classification which some LPA's use to draw attention to land within a certain polygon/area. An AAS does lie within the study area and its location is shown on Figure 6 (DAC54). However, regardless of that, the land is considered to be in an area with archaeological potential for remains of late Post-Medieval-modern date. Some of these are extant above the ground (Plates 5-15). This is due to the PDA being situated within a former farmyard and to still contain buildings associated with that farm and farmyard. The HER records that farm as MHT16091 (Figure 4). Parts of two historic parks lie within the PDA and these are shown on Figure 8 where they are labelled as DHT1658 Ashlyns Park and DHT1678 Haresfoot Park.

This assessment considers the PDA to have a low to high archaeological potential for archaeological remains. This varies by period. These remains are considered likely to have a low to medium importance; again depending upon period.

This assessment also comments on what importance archaeological remains on the site may have in



regional, period or topic specific terms. Our ability to comment is based upon what is known at this stage measured against the research priorities.

The land is centred at NGR SP 99012 06178 and it is a broadly square shape in plan. It is located to the south of the A41 road as it passes south of Berkhamsted. The PDA is a former farmyard which has been converted to use as an industrial estate/stables. It is surrounded on all sides by pastureland. Appendix 4 shows a recent aerial photograph and this provides the reader with a good understanding of the current layout and land use.

On the basis of documentary sources (Tithe Apportionment and other historic maps) we can state with some confidence that Haresfoot Farm, previously Fridaystreet Farm had Post-Medieval origins, and was earlier than the Victorian period that is stated in the HER record MHT16091. For an assessment such as this document, such points are of note. The buildings we now see within the PDA are 19th C (Victorian) in date, yet it is highly likely that earlier buildings previously stood on the site. Parts of them may be incorporated into some of the standing buildings. These would be considered to be archaeological remains. They may exist below the ground and partly above the ground.

The existing configuration of buildings on the land is shown in Appendix 4 and the proposed development is shown in Appendix 5. The proposals are for a residential development. Such developments involve the demolition and removal of existing structures and the breaking and removal of existing hardstanding. This would be followed by the breaking of ground for the creation of the new access roads and driveways, the excavation of slit trenches for foundations and for new utility connections. Such groundworks have the potential to impact upon non-designated (archaeological) heritage assets lying at a relatively shallow depth. This development would also see landscaping improvements. Impacts here would be much lighter comprising of the creation of a path/s and planting of shrubs/trees.

Past development impacts are anticipated to have comprised levelling / demolition of buildings. The historic maps (Appendices 6 and 7) reveal that building standing in the 19th C are not all standing now. There are several of these 19th C buildings still standing and these form the northwestern entrance to what is now the industrial estate. Plates 1-15 show parts of these buildings.

The standing buildings of 19th C date are of archaeological interest and these may require historic building recording by condition. Despite the removal of other 19th C buildings, in the 20th C, It is likely that parts of the below ground foundations, and any associated, infilled cellars have been left behind as this is often the case. These remains may require archaeological recording by Condition.

On the basis of available evidence, it is considered that the proposed development accords with current legislation, the planning policies contained within the NPPF and local policies which relate to archaeology. As already stated, the Local Planning Authority (LPA) will decide whether a condition (related to archaeology) would be appropriate.

Hertfordshire Historic Environment team reviewed the archaeology report as part of 24/00330/MFA and



raised no objections and suggested conditions which we are happy to agree to.

Noise Impact

Cass Allen has assessed the noise affecting a proposed development.

The assessment was carried out in accordance with relevant local and national planning guidance. A noise survey was carried out at the site. Noise levels at the site are dictated by road traffic noise emissions from the A41.

Noise affecting the development has been assessed in accordance with ProPG guidance. The design of the development is considered to be in line with the relevant noise-related standards and guidance.

Preliminary compliance with noise criteria in Building Regulations Part O has also been assessed. Some bedrooms will need to be designed so that windows do not need to be fully opened in order to mitigate the rooms overheating. This can be assessed further in due course.

The approach was assessed by the Council's Environmental Health Officer in application 24/00330/MFA, who raised no objections.

In summary, the site is suitable for the development in terms of noise levels and that planning permission may be granted.

Air Quality

Cass Allen has assessed the potential air quality impact of a proposed residential development. The appraisal was carried out in accordance with relevant local and national planning policy and guidance.

Emissions of construction phase dust and particulate matter (PM₁₀) were assessed in accordance with Institute of Air Quality Management (IAQM) guidance. A Medium Risk of dust soiling and a Low Risk of PM₁₀ health effects have been identified, respectively, in the absence of mitigation. Suitable best practice mitigation measures have been recommended and no significant residual air quality impacts are expected.

Based on this appraisal of air quality conditions in the area, the development will not expose future users to pollutant concentrations exceeding, or close to, the relevant AQOs. Furthermore, construction and operational phase generated vehicle movements are not expected exceed the relevant EPUK & IAQM LUPDC guidance screening thresholds, and therefore, an overall 'not significant' effect is



anticipated, with no requirement for additional mitigation measures.

The approach was assessed by the Council's Environmental Health Officer in application 24/00330/MFA, who raised no objections.

In summary, the site is suitable for the development in terms of air quality and that there are no air quality constraints with respect to planning consent.

Lighting Strategy

The application is supported by a Lighting Strategy Designs for Lighting Ltd.

The Lighting Strategy proposes good practice and outlines a suitable approach for the proposed lighting, aiming to set out a minimally obtrusive approach to the lighting whilst ensuring it is necessary and considers the sensitivity of nearby human, environmental and ecological receptors.

Lighting associated with the Proposed Development will comply with relevant British Standards and Institution of Lighting Professionals (ILP) guidance to ensure obtrusive light is minimised in accordance with best practice.

As the Application Site will not be able to function safely from the light spill coming from the internal developments within the site, a heritage luminaire type has been selected for illumination of the roads and paths; this is to ensure a more traditional style in keeping with the wider urban and rural landscape of the area. This, in conjunction with the foliage and shrubbery surrounding the development, shielding the wider landscape, will result in less visual impact from the lighting of the Application Site during the nighttime setting and the visual impact of the lighting applied during the daytime.

Through careful design and mitigation, the Proposed Lighting Strategy is designed to be compliant with the relevant British Standards, Industry Standard Guidance, and Local Policies. Due to the Applications Site's proximity to the SANG, the strategy proposes an approach that will result in lighting being applied in a fashion compliant with the current ongoing SANG application.

The lighting approach is consistent with that presented in application 24/00330/MFA. This was reviewed and developed with the Council's lighting expert who raised no concerns to the approach.

Ground Investigation

TRC Companies Limited (TRC) was commissioned to undertake a Tier 1 (formerly known as phase 1) Desk Based Geoenvironmental And Geotechnical Site Assessment for the site



Based on this assessment, it is considered that the former land uses could potentially impact the underlying soil and groundwater conditions. Specifically, stockpiled waste materials, above-ground fuel storage tanks and fuel tankers are all located on the Site, which could give rise to contaminants.

Following the ground investigation, an intrusive Geoenvironmental and Geotechnical Site Assessment Report should be prepared in order to update the conceptual site model and to determine the environmental characterisation of the Site. The Tier 2 report will include a geotechnical evaluation and provide geotechnical design recommendations for the proposed development.

The approach was assessed by the Council's Environmental Health Officer in application 24/00330/MFA, who raised no objections. It fully accords with local and national policies.

Trees

The application is supported by an Arboricultural Impact Assessment produced by consultants DCCLA.

As part of the assessment of trees on the site those within 4 no. groups (G1, G4, G7 and G8) are recommended for removal irrespective of this Planning Application. These are trees with limited life expectancy, or which are predominately dead. Where possible, within the safe use of the site, they should be retained and allowed to decline naturally for the wildlife benefits this will offer as a standing dead wood wildlife resource. Alternatively, they could be felled and stacked as logs within the site to provide a wildlife resource. Other trees within the site should be monitored regularly as part of a tree risk assessment. This would include trees within G6 where fungal fruiting bodies are present within the crowns. This monitoring would guide the future management and/or retention of these trees.

As part of the implementation of the development Of the trees within this report, 4 no. individual trees (T1-T4), 3 no. group of trees (G2-G3 and G5) and the remnants of 2 no. groups (G4 and G8) will need to be removed or are proposed to be removed, as part of the implementation of the development. It may be possible to retain T3 depending on the level of infrastructure around the tree. This will only become apparent once the site has been cleared. A final decision on the retention or removal of this tree will be made at that stage. It is noted that the removal of Ash (*Fraxinus excelsior*) within the site has been required by the LPA as part of achieving Planning Permission. This is due to concerns arising from Ash Dieback.

The majority of these trees are low-quality or unremarkable 'C' Category trees as set out in BS 5837:2012. These are mainly relatively small trees located internally within the site and are not readily visible to the general public due to the existing built form and vegetation within the site and local area. Their removal will not have a substantial impact on the visual amenity of the area or its enjoyment by the general public.

The removal of a 'B' Category tree (Cedar T1) has a potential impact and has been considered and



mitigated for as part of the site development. The tree is located in close proximity to the existing development and is growing over the roofs of the adjacent buildings. It is noted that due to its form and shape this is a lower 'B' Category tree. The site development will take place within the established built footprints in this area and will therefore include buildings beneath the canopy of this tree. This species is would not respond well to pruning to alleviate the potential problem. The development would subsequently result in a poor relationship between T1 and the proposed buildings and would not create harmonious living conditions for the future residents. It is therefore proposed to remove this tree and plant a specimen tree within the site to mitigate for its removal.

Additionally, significant replacement planting (approximately 200 trees) is proposed as part of the overall development to mitigate for the removal of all the trees and provide an improved and viable tree cover within the area. The proposed planting will include both native and non-native trees and will introduce species which offer long term viability and are beneficial to wildlife. Overall, the removal of these trees for the site development is not so significant that it would lead to the refusal of Planning Permission.

There will be incursions within, or adjacent to the RPAs and canopy spreads of trees as part of the development of the site. These include for site access, demolition of existing buildings and the construction of a dwelling. Additionally, construction activity, removal and installation of hardstanding and the installation of fencing will take place within the RPAs and canopy spreads of trees. Overall, the incursions within the RPAs have been assessed within the Arboricultural Impact Assessment to either have a minimal and insignificant impact on retained trees or can be reduced to an insignificant level through the use of relevant construction techniques. These are set out within the Arboricultural Method Statement. These will ensure that the development will be completed without having any undue impact on retained trees.

Retained trees will be protected during the site development. This report sets out how retained trees are an important part of the development of the site and how protection and retention of trees will be achieved. The effect on retained trees from the proposals will be minimal given the proposed site layout and conditions and providing that the Arboricultural Method Statement is implemented.

The arboricultural approach is consistent with that presented in application 24/00330/MFA, this was reviewed by the Council's Tree Officer who raised no concerns to the approach.

The development is therefore acceptable in arboricultural terms and should receive planning consent.

Open Space

Policy 76 of the Local Plan states that permission will not be granted for residential developments of over 25 dwellings or 1 hectare in area unless public leisure space is provided. The space provided should:

- (a) meet a standard of at least 1.2 hectares (3 acres) per 1,000 population, or 5% of the development area, whichever is greater;



(b) be usable, well located and purposefully designed, incorporating landscaping, play equipment and other features as necessary. In assessing the appropriate amount, type and location of facilities, account will be taken of the existing leisure space in the vicinity and the NPFA standards for children's play space.

This requirement equates to 12 sq m per person.



Figure 39: Open Space

The proposal provides 50,058 sq.m for open space and green infrastructure. The proposal of 59 dwellings leads to an approximate population of 142 people, and this equates to 352 sq.m per resident or 69% of the site. This significantly exceeds the requirements, and demonstrates that this is a high quality landscape led proposal. The proposed landscaping scheme demonstrates the application includes a range of different forms of open space – including play areas, amenity areas, semi natural green spaces, amenity spaces, green corridors, blue infrastructure and biodiversity areas. The proposed open spaces are integrated throughout the development to ensure that all the homes have easy access to open space. The proposal also integrates with the significant Suitable Alternative Natural Greenspaces (SANG) proposed next to the site which is subject to a separate planning application which was recommended for approval at planning committee in April 2024.





Figure 40: Landscape Plan

The Dacorum Open Space Study provides an overview of the current provision in Berkhamsted and how well the needs of the existing population are being met against the Fields in Trusts Recommended Benchmark standards. It demonstrates that Berkhamsted has a surplus in Amenity Greenspace and a deficit in Parks and Gardens, Natural and Semi-natural Greenspace and Children's Play Area.

Sustainability

The application is supported by a Sustainability Statement from Turleys. This demonstrates how the proposed development responds positively to national and local sustainable policy requirements.

The proposed development at Haresfoot Farm has been designed to respond positively to national and local plan policy incorporating measures to deliver social and economic benefits, while also protecting and enhancing the environment where possible. This includes the consideration of measures to mitigate and adapt to the effects of climate change.

The Sustainability Statement, which accompanies the application, sets out key sustainable design measures incorporated at this stage and to be considered during the detailed design of homes.

Social and Economic Benefits – The development aims to provide a range of social and economic benefits to both new and existing residents through:

- Provision of 59 new dwellings, providing employment opportunities for local people during their construction.
- Provision of a community hub building for residents and areas of green open space.
- A development in a sustainable location, being located 2km from Berkhamsted town centre where there are a wide range of shops, banks, food outlets, pubs and services for everyday



needs, as well as a cinema, Post Office, pharmacy, gym and a number of churches.

- Homes designed to create healthy living environments which are flexible for the future

The proposal will be a 62% improvement over Part L of the Building Regulations.

Environmental Protection and Enhancement – Through a range of design measures the development aims to protect and enhance the local environment, including:

- Homes designed to make use of sustainable materials to reduce environmental impacts of construction.
- Provision of measures to protect on-site ecology and enhancement measures, including new habitat creation will provide opportunities for species confirmed to be present on-site at baseline, such as bats and nesting birds. A Net Gain Calculation has been prepared which predicts an overall biodiversity net gain at the site of 8.66 units for habitat units (on-site net habitat unit change of 21.47% net gain) and 313.32% net gain (1.58 units) for hedgerow units
- Two trees planted per dwelling in line with Emerging Policy DM22.
- Provision of measures through construction and operation of the site to reduce pollution, minimise waste and encourage recycling.

Mitigating and Adapting to Climate Change – In recognition of the climate emergency, the development will incorporate a range of measures to reduce carbon emissions, mitigating the effects of climate change, and adaptation measures to ensure the long-term resilience of the development to the effects of climate change. Measures include:

- Buildings designed to reduce carbon emissions in accordance with the updated Building Regulations and interim FHS using energy hierarchy, using a fabric first approach to design to reduce energy demand, helping mitigate the effects of climate change.
- An all-electric energy strategy with the use of renewables to align with a net zero future in support of emerging policy DM23.
- Haresfoot Limited are committed to the creation of development which include measures which provide economic and social benefits, protect and enhance the environment, as well as mitigating and adapting to the long-term effects of climate change.
- Specification of water efficient fittings to reduce water consumption to 105 litres per person per day, adhering with Policy CS29 of the Local Plan.
- Reduced emissions associated with private car travel through development in a sustainable location, with access to public transport, as well as proposed measures including new pedestrian access, cycle parking provision and provision of EV charging facilities.
- Provision of a surface water drainage strategy utilising SuDS such as permeable paving and an infiltration basin, ensuring that the development will not flood for all storm events up to 100 years plus a 40% allowance for climate change.
- Homes designed to consider increasing annual temperatures set out in the UKCP18 climate projections to minimise the risk of overheating.



The proposed strategy is consistent with that presented in 24/00330/MFA, which was welcomed by the Council.

Utilities

Hydrock Consultants has produced a utilities statement in support of the planning application. This investigates whether the existing nearby utility infrastructure could support the development. It gives an overview of existing utility services, provision for new connections and establishes any requirements for diversionary or disconnection works. There are no identified infrastructure issues that would restrict the development of the site. The existing developed site already has several key connections and infrastructure. The proposal will also result in the upgrade of this infrastructure. The approach was welcomed by the Council and Infrastructure Providers in application 24/00330/MFA, which should be maintained in this latest application.

Fire Strategy

The development has been designed to ensure it meets and exceeds the Building Regulation requirements. All the dwellings have safe means of escape, internal fire spread prevention techniques, external fire spread prevention, and access and facilities for fire services.

EIA Screening

to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Council is invited to issue a screening opinion confirming that the development of the Site in the manner proposed does not meet the threshold for an EIA.

Residential development of the site does not fall under Schedule 1 of the EIA Regulations and hence there is no mandatory requirement for undertaking an EIA. Accordingly, the need or otherwise for an EIA to accompany an application for development of the site for housing is to be considered under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

As an urban development project (development type 10(b)) (Schedule 2 refers), the scheme is listed in the first column in Schedule 2.

Indicative screening thresholds are set out at Paragraph: 058 Reference ID: 4-058-20150326 of the Planning Practice Guidance.

Column 3 from the indicative screening table states, in relation to urban development projects, as follows:
“Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the



new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.

Sites which have not previously been intensively developed:

- (i) area of the scheme is more than 5ha; or
- (ii) it would provide a total of more than 10,000sqm of new commercial floorspace; or
- (iii) the development would have significant urbanising effects in a previously non urbanised area (e.g. a new development of more than 1,000 dwellings)”

Guidance set out at paragraph 018 ID:4-018-20170728 of the National Planning Practice Guidance (“NPPG”) states that “Only a very small proportion of Schedule 2 development will require an EIA assessment.”

On the basis of the foregoing, and although the site, at 5.08, only marginally exceeds the 5ha threshold indicated in the above excerpt, the overall quantum of the proposed development is substantially below the 1,000 dwelling threshold specified in the text, we are of the view that the development does not constitute EIA development.

In addition, and having regard to the assessment criteria set out in the NPPG, the scale of development proposed is not major development and is of no more than local importance.

Moreover, the development proposed is not unusually complex and/or potentially hazardous and the site’s location is not environmentally vulnerable or sensitive. In addition, and having regard to “known projects”, there are no greater cumulative/in-combination effects that would otherwise require an EIA.

As is the case with an application for a scheme of this size, the Application is accompanied by a raft of supporting technical documents which have been summarised above. These include, but are not limited to, an ecological assessment, flood risk assessment (“FRA”) and drainage strategy, transport assessment, tree survey, archaeological DBA, , landscape impact assessment and information relating to ground conditions.

Having particular regard to the characteristics of the proposal and the site location, the proposal is not likely to lead to significant environmental impacts.

In the circumstances, the proposal, including in relation to potential cumulative effects, would not constitute EIA development, such that an Environmental Statement is not required. No EIA was required for the previous larger scheme on the site. The application is advanced on this basis.



Scheme Benefits

We contend that the proposal is an appropriate development and accords with Paragraph 154(g) of the NPPF. As a previously developed site, it is our belief there is no harm to the Green Belt. All the proposed built form is located within the brownfield envelope, and the Council have confirmed the proposal is appropriate development.

However, there are significant benefits from the proposal that officers have considered previously constitutes a case of Very Special Circumstances.

‘Very Special Circumstances’ are not defined in either the NPPF, PPG or in the Council’s Development Plan. There is no comprehensive list of Very Special Circumstances; and as per the *Brentwood BC v Secretary of State for the Environment* (1996) 72 P&CR 61 case, the Courts have not sought to restrict what they might include.

The benefits that contribute to Green Belt balance that evidences VSCs are often a combination of factors peculiar to the individual cases, either in type or degree. A further relevant case is the *Wychavon DC v SoS & Butler* (2008) case, when the Court of Appeal considered whether an Inspector had taken the correct approach to Very Special Circumstances. In that case, the Inspector had concluded that while none of the individual factors amounted to Very Special Circumstances, when added together they were sufficient to meet the test (then set out at paragraph 3.2 of PPG2).

The High Court ruled that the Inspector’s reasoning had been erroneous and that he had not applied the Very Special Circumstances test properly, so quashed the decision. In the High Court’s view, the aggregation of three commonplace factors could not amount to Very Special Circumstances.

However, in allowing the appeal, the Court of Appeal ruled that although the Inspector’s conclusion that Very Special Circumstances existed to justify development in the Green Belt was generous, it was nonetheless lawful. The High Court had been wrong to treat the words ‘very special’ in paragraph 3.2 as simply the converse of ‘commonplace’.

Paragraph 21 of the Court of Appeal judgment stated that ‘Rarity may of course contribute to the ‘special’ quality of a particular factor, but it is not essential, as a matter of ordinary language or policy. The word ‘special’ in the guidance connotes not a quantitative test, but a qualitative judgment as to the weight to be given to the particular factor for planning purposes’.

The Brentwood case confirmed that ‘Very Special Circumstances’ are cumulative and unrestricted as to what they may include. The Wychavon case provided that a Very Special Circumstance does not necessarily need to represent a rare circumstance.

The approach to VSCs was recently addressed in an appeal decision granting planning permission for the



development of 167 dwellings on a Green Belt site in neighbouring North Hertfordshire (PINS Ref: APP/X1925/W/21/3273701) (28 Sept 2021), with paragraph 103 stating as follows: "...the Courts have made clear that a particular mathematical exercise is not required. Rather, a single exercise of judgement is necessary to assess whether there are very special circumstances which justify the grant of permission notwithstanding the particular importance of the Green Belt and the seriousness of any harm to it."

This is exactly the approach adopted in the assessment of the merits of the Application.

A range of more commonplace benefits could cumulatively generate the necessary justification to enable Very Special Circumstances to be demonstrated and, thus, the NPPF paragraph 144 test to be passed.

In summary, it is for the decision maker to come to a planning judgment to consider the extent to which 'Very Special Circumstances' exist sufficient to enable an application to be approved.

Very Special Circumstance	Weight
Contribution of shortfall in supply of housing.	Very Substantial positive weight – in the context of a supply of only 1.69 years
Contribution to the supply of affordable housing.	Very Substantial positive weight to the provision of 24 affordable dwellings (40%) – in excess of the 35% policy requirement. The affordable provision is also provided as the tenure mix requested by the Council's housing officer. This includes genuinely affordable rent units, which the Council has identified a significant need for.
Provision of genuinely affordable socially rent units – Dacorum Rent	Very Substantial Weight - 50% of the total affordable units provided as much needed Dacorum rented units. This exceeds the policy requirement. The Council's housing officer has identified in discussions there is an acute need for such units.
Contribution to the supply of Self Build Plots	Moderate weight – in the context of a need of at least 781 plots
Redevelopment of a Previously Developed Site	Positive weight – redevelopment of a brownfield site, as encouraged by the framework. The proposal includes a reduction of volume, hardstanding and footprint along with an increase in green space
Substantial Landscaping and New Open Space	Significant positive weight, the proposal provides an open space provision 19 times the council's policy requirement. This helps reduce the identified shortfall in Berkhamsted
Significant Tree Planting	Positive Moderate weight: the proposal includes 280 new trees, which is 63% greater than the Council requirement.



Highway Improvements	Significant weight positive weight – the proposal improvements to local highways and infrastructure, including new crossings and improved bus stops
Reduction of vehicle movements	Positive Moderate weight – The proposal will result in a reduction in the number of vehicle movements from the site by 262 a day between 7am and 7pm; this is a significant benefit to local highways.
New Footpaths and linkages	Positive Moderate Weight: The proposal includes several new improved footpaths which help local connectivity and improve routes, such as the footpath under the A41. This will help non car based travel as encouraged in HCC LTP4.
Biodiversity Net Gain	Positive Moderate to Substantial weight: the proposal has a net gain of 8.66 units for habitat units (on-site net habitat unit change of 21.47% net gain) and 313.32% net gain (1.58 units); this exceeds the minimum 10% in Environment Act
Improved Drainage	Positive weight: the proposal reduces the amount of hardstanding by 41% and increases the green space by 41%, this along with the use of natural feature such as swales, attenuation area and wetland, ensure that water from the site is carefully and naturally managed to improve drainage and reduces flood risk. As currently water washes off the extensive hardstanding on to local fields, and pools in low points.
Removal of contamination	Significant weight positive, the planning application provides the opportunity to remediate the ground of the site
Provision of a community hub	Positive Weight, the new community hub will provide a space for community integration
High Sustainability Credentials	Positive Moderate weight, the proposed dwellings will significantly exceed Part L of the building regulations by 62%. Buildings designed to reduce carbon emissions in accordance with the updated Building Regulations and interim FHS using energy hierarchy, using a fabric first approach to design to reduce energy demand, helping mitigate the effects of climate change. An all-electric energy strategy with the use of renewables to align with a net zero



	future in support of emerging policy DM23. Specification of water efficient fittings to reduce water consumption to 105 litres per person per day, adhering with Policy CS29 of the Local Plan. Homes designed to consider increasing annual temperatures set out in the UKCP18 climate projections to minimise the risk of overheating.
SANG Delivery	Positive Moderate weight, the proposal will help contribute to the delivery of the adjacent SANG. The proposal is well integrated to the SANG – and as identified, officers development at the heart of SANGs is how it should be delivered so it's integrated. The proposal will also improve the setting and context of the current SANG application
Economic Benefits	Moderate benefits, significant economic benefits from the construction, and from the resident community as set out in the economic benefits report. Over 100 construction industry jobs created, support 198 local jobs, over 57 additional economic active residents and an annual GVA generation of over £11 million

Table 11: Case of Very Special Circumstances

As set out within this statement, the proposal is an appropriate development, and it is clear that there are no harms resulting from the proposal. The collective benefits of the development are substantive and extensive. As demonstrated, any possible adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework and the Development Plan, taken as a whole. Accordingly, the Scheme has a wealth of benefits which, in their totality, constitute a case of Very Special Circumstances, and the scheme should be approved in accordance with the Framework.



Draft Heads of Terms and Conditions

During the planning application, we will seek to discuss and agree on Heads of Terms to support an S106; the table below includes the initial elements for consideration. We have also included some initial elements for planning conditions.

Matter	Contribution / Requirement
Affordable Housing	A minimum of 40% affordable housing Tenure to be split to be agreed with the Council
Education	<ul style="list-style-type: none"> • contribution towards Secondary Education. • contribution towards Special Educational Needs and Disabilities (SEND) • contribution to Youth Services <p>£340 in respect of Monitoring Fees</p>
Strategic Access Management and Monitoring Strategy (SAMMS) contributions	contribution as part of the Chiltern Beechwood Special Area of Conservation mitigation.
Suitable Alternative Natural Greenspace (SANG)	Mechanism to secure SANG provision for 59 units at Haresfoot Farm SANG.
Biodiversity Net Gain (BNG)	Net gain to be secured in perpetuity.
Site Management Company	Establishment of a Management Company with responsibility for ongoing maintenance of open-space, play space and community hub building.
Submission of updated Travel Plan and payment of HCC Travel Plan Monitoring Fee	£6,000
HertsLynx Bus	Hertslynx Bus Service is to be extended to include a Bus Stop, as shown on the updated Site Layout. A Welcome pack that includes £100 of vouchers is to be provided to each household upon first occupation of the site.

Table 12: Suggested Heads of Terms



Conditions

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:

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

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

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

INFORMATIVE:

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



4. No development (other than demolition) shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a detailed construction method statement have been submitted to and approved in writing by the local planning authority. The drainage scheme shall be constructed in accordance with the approved particulars and based on SuDS Drainage Report (REF: 4158/2023 Rev B dated 07 February 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority. The development shall include:

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



ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

5. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge including one additional step of treatment for discharge to a sensitive location (source protection zone 3).

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

5. No development (other than demolition) shall commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of how groundwater and discharge to the deep bore soakaways will be protected, who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving waterbody. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.

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

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

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

7. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in



accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

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

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

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

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

9. (a) No development (other than demolition necessary for the discharge of this condition) approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:



- i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - ii. The results from the application of an appropriate risk assessment methodology.
- (b)** No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
- (c)** This site shall not be occupied, or brought into use, until:
- i. All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - ii. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

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

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

11. on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as referred to in the Transport Assessment and indicated on drawing number



SK27 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

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

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

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

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

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

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



Policy 51 of the Dacorum Local Plan (2004).

14. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:
- a. Construction vehicle number and type;
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste);
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and any temporary access to the public highway;

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within Part 1, Schedule 2, Classes A and D of the Order shall be undertaken in relation to all dwellings hereby approved until the local planning authority is satisfied that contamination will not pose a risk to human health, as evidenced by the submission and subsequent approval in writing of a Remediation Statement by the local planning authority

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

Informative:

The Council will not unreasonably refuse to discharge the condition where it can be proven



that the site conditions and method of remediation are such that they will not be prejudiced or circumvented by the exercise of permitted development involving groundworks.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) the garage(s) hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwelling(s) and they shall not be converted or adapted to form living accommodation.

Reason: In order to ensure a satisfactory level of off-street parking and to protect highway safety and the amenity of other users of the public highway, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Paragraphs 110 and 112 of the National Planning Policy Framework (2023) and the Dacorum Borough Parking Standards Supplementary Parking Document (2020).

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

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

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

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



the works set out within the Archaeological Written Scheme of Investigation.

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

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

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

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

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

21. Details of the onsite play space (which shall, at a minimum, include 1 x Locally Equipped Area of Play and 2 x Local Area of Play) provision shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details shall include:

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

The play space and equipment/features shall be laid out and installed prior to the first



occupation of the development hereby approved permanently maintained thereafter.

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

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

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

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

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

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

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

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

- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure;
- soft landscape works including a planting scheme with the number,



- size, species and position of trees, plants and shrubs;
- minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.).

The development shall not be occupied until the hard landscaping works have been fully provided.

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

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

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

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

The SWMP shall, as a minimum, describe how materials will be managed efficiently and disposed of during the construction of the works, explaining how the re-use and recycling of materials will be maximised. It shall provide details on how measures have been taken to reduce the amount of waste produced on site and shall contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type.

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

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



27. Development shall be carried out in strict accordance with the Arboricultural Method Statement and Tree Protection Plan (TPP/HFWBH/010 A) received on 22nd April 2024 throughout the entirety of the demolition and construction phases.

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

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

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

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

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

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

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

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

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



- No development above slab level shall take place until full details of the following have been submitted to and approved in writing by the local planning authority: purpose-built bat boxes and their location; and
- nesting boxes, of which will be integrated Swift Bricks and their location

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

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

31. Notwithstanding the details shown on the approved plans, no development above slab level shall take place until a plan showing the following has been submitted to and approved in writing by the local planning authority:

- The disabled parking spaces serving Plots with dimensions that accord with Traffic Advisory Leaflet 5/95; and
- A minimum of two visitor spaces with dimensions that accord with Traffic Advisory Leaflet 5/95 in relation to disabled parking spaces.

The development shall be carried out in accordance with the approved details prior to first occupation of the dwellings hereby permitted and permanently retained thereafter.

Reason: To ensure that sufficient parking is provided for persons with disabilities, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and the Dacorum Parking Standards SPD (2020).



6 Conclusion

This planning application is submitted by Warner Planning on behalf of Haresfoot Limited. The application seeks permission for the demolition of existing buildings and redevelopment of the site to provide 59 residential units (market and affordable), erection of a community hub building, together with associated landscaping, open space, parking, and highway improvements at Haresfoot Farm, Chesham Road, Berkhamsted, HP4 2SU.

The proposal has been developed via substantial successful pre-application discussions with the Council, Town Council and local residents. The Council welcomed the redevelopment of this previously developed site and looked forward to additional technical evidence and the full case of special circumstances. The design of the scheme has evolved and been developed in cooperation with planning and design officers, who have welcomed the high design and landscaping of the proposal. The applicants and the project team have also worked in cooperation with Hertfordshire Highways to develop a scheme of highways and transport measures to support the planning application.

The redevelopment of this previously developed site, is appropriate development in the Green Belt, in compliance with 154 (g) ii of the Framework. There is no harm to the Green Belt as a result of the proposal, as the site is well screened, active and well developed. Whilst not required, there is an extensive case of benefits which constitute a case of very special circumstances set out within this statement, which are substantive and extensive.

The proposal has been significantly revised since application 24/00330/MFA, with the reduction of 31% of the houses from 86 to 59 dwellings. This is a significant reduction with all the proposed development located within the brownfield envelope on the site. In addition, additional sustainable measures have been added to the proposal, including a car club scheme.

The proposed scheme will make a significant contribution to meeting the identified need for market and affordable housing within a site that well located. There is a well established shortfall for market housing, affordable housing and self build plots. The proposal would assist with meeting local targets for the delivery of housing and would have positive effects in terms of amenity and local character, and highway improvements. The new landscaping scheme would be an advance from a baseline situation of basic landscaping, and the new landscape scheme would provide social and health benefits, as well as ecological and environmental improvements.

The proposals is therefore be compliant with the key relevant Local Plan policies set out within this Statement. This policy compliance would be in addition to ensuring the design meets the requirements of the broader policies on design within the Local Plan.



It is considered that there are compelling grounds to support the proposed development, including:

- Provide much-needed homes at a time when the Council cannot demonstrate a five-year housing land supply, which is currently stated to be 2.36 years.
- Reuse of a previously developed site.
- 40% of the development to be affordable homes exceeding the policy requirement
- Provision of self-build plots, there is a significant need for such plots
- High-quality design
- Additional residential units to further add to the mix of housing types in the area
- Range of affordable home tenure provided, to match the Council requirements, including highly sought-after social rent dwellings – which there is a significant need for.
- Removal of a non-conforming use in Green Belt.
- Significant reduction of vehicle movements from the site
- Reduction of volume on the site by 38%
- Reduction of hardstanding on the site by 41%
- Reduction of footprint on site by 23%
- Increase of green space on site by 41%
- 69% of the site to be provided as public open space
- New landscaping
- Significant biodiversity net gain, significantly exceeding the Environment Act
- Provision of a community hub for residents
- Approximately 300 new trees
- Substantial Highways, footpath and bus stop improvements
- Provision of an on site pantry for residents
- Provision of electric bikes
- On site electric car club
- On site bus stop integrated into the HertsLynx on-demand service
- Improved drainage, and natural drainage
- Removal of contaminated land
- Provision and integration with SANG. Development is at the heart of the SANG to facilitate its success.
- Residents will deliver economic benefits by supporting local businesses.
- Economic benefits during the construction phase and post-construction.
- Future residents will support the local economy by paying taxes and visiting local facilities and businesses.



The scheme is fully respectful to the local character and well related to the surrounding development. It is considered that this proposal would not give rise to any adverse impacts and, therefore, should be looked upon favourably in the planning balance and by the Local Planning Authority.

The proposed dwelling is carefully designed to ensure that there is no undue impact on the existing and future residential amenities.

This application has overcome the previous reason for refusal and we look forward to it being progressed positively.

The applicant is committed to working with the Council and is happy to meet the Council to discuss the application and consider any amendments where appropriate.

In view of the above information contained within this report, and the extensive supporting plans and statements, we respectfully invite the Council to approve this application.

