

Dacorum Borough Council - Site Allocations – Additional Statement

Submitted on Behalf of Whiteacre Ltd (Respondent ID 743858)

September 2016

Matter 12 – Policy LA6

Section One: Should site LA6 come forward prior to 2021?

In general terms, all of Dacorum's allocated sites need to come forward without a time constraint, in order to address the chronic under-delivery of housing which the council has persistently allowed to occur.

That is not only the case against past projections, but even more acute against recently updated OAN figures.

1. However, turning specifically to site LA6, there are two main points we wish to draw to the Inspector's attention:
 - The site should not come forward at all, because it is required for another vital purpose, and
 - Site LA6 fails to meet the Core Strategy requirements for Bovingdon, and is therefore not the right site to be allocated, (whether before or after 2021).

These points are covered in more detail below.

2. Site LA6 is likely to be required to provide additional car parking capacity associated with the recent prison expansion, which was not anticipated when the Core Strategy was formed. This land is the only undeveloped part of the Ministry of Justice (MoJ) estate, and is highly likely to be needed for prison-related uses.
3. The Mount Prison expansion only came forward in the summer of 2012. This was after the CS had been prepared. It was the subject of a planning application submitted in November 2012 and was granted planning consent in March 2013. Full details are available on the council's website for application reference 4/01994/12/MFA.
4. Concern was raised by a number of objectors that an increase in the prisoner numbers from 768 to 1,018 (i.e. 250 new prisoners) and up to 53 new staff, would require far more new car parking spaces than proposed. Prior to the expansion there were 233 parking spaces on the premises. Only 45 new spaces are proposed. The capacity of the prison is thus increasing by 33% yet the prison car parking is only to rise by 19%.
5. This concern is exacerbated by the fact that the MoJ are expressly expanding the Mount prison in order to bring offenders from London closer to their families, to improve prisoner contact.

6. Many prisoners from London and the Home Counties are currently taken to prisons in Northern England, where capacity exists, but where relatives cannot easily visit them. Creating new prison capacity closer to where the offenders come from is specifically targeted at improving visitor contact, so the rate and frequency of prison visitors is intended to become greater.
7. Given the absence of good public transport facilities nearby, those visitors are inevitably going to arrive by car and will need somewhere to park. That parking should not worsen the current overspill problem into local roads, which gave rise to significant local objections, at the planning application stage. The Travel Plan associated with the prison expansion consent is meant to address that issue, but the allocation of site LA6 would remove from MoJ control the only site which would enable them to deliver the requirements of the Travel Plan, should its monitoring show that further car parking is needed; which we contend is a very likely scenario.
8. The Mount Prison allows visiting in 5 sessions; 1 on Fridays, 2 on Saturdays and 2 on Sundays. It is understood that Sundays are the busiest sessions, however the bus service which connects Bovingdon to Hemel Hempstead station runs on Fridays and Saturdays, but not on Sundays. Thus the highest proportion of prison visitors have no viable public transport option and must come by car. (Incidentally, this is also when nearby local residents are most likely to be at home, as it is not a working day).
9. Supporting documents submitted with the planning application acknowledged that there is an existing problem with on-street parking caused by prison visitors and staff. They stated that 89% of visits to the prison are made by car. The proposals assume this will change, and that people will use other means of transport. But there is very little public transport available in Bovingdon, and none on a Sunday.
10. Particular local concern related to prison visitor parking was acknowledged in the officer report for the planning application to expand the prison. It was recognised that prison visitor parking already spills out onto local roads, even before the expansion. Consequently conditions 6, 7 and 11 of the prison expansion planning consent require parking arrangements to be monitored and potential further car parking to be provided, if found to be required. They require the creation of a Travel Plan which will be monitored after the prison has expanded. To our knowledge, that monitoring has not been undertaken or completed. If it finds that further car parking is required, then the MoJ have no other undeveloped land within their control to provide additional car parking, other than site LA6, which is right next to the prison entrance and its existing car parking.
11. Of all the 4 sites considered at the CS stage as suitable to deliver Bovingdon's housing needs, this site is the least suitable, as we have shown that it may be required to fulfil the needs associated with the prison expansion set out above. It is vital to note that the prison expansion was not known of when the Core Strategy was formulated. This important new factor should have led to a review of the council's preference to use the MoJ land for housing at the CS stage. That error should not be compounded now at the Site Allocations stage. To do so was unsound then, as it failed to reflect the unforeseen planning consent which was granted for the prison expansion, and remains unsound now. To correct that error, a review of the 4 possible sites considered at the CS stage for

Bovingdon's housing allocation should be undertaken, which is likely to find that site LA6 is not the right site to be allocated.

12. LA6 should not therefore come forward for housing (either before or after 2021), and it should be replaced with another of the 4 options considered at the CS stage, in order for this part of the plan to be made sound.

13. Three questions emerge from the above, which are addressed in the following pages.

Question One: Is There a More Suitable Housing site in Bovingdon, Which Can be Shown to Meet the CS requirements for Bovingdon?

1. Notwithstanding the comments above, there are other reasons why site LA6 is not the most appropriate housing site for Bovingdon, as it patently cannot meet the requirements set out for Bovingdon in the Core Strategy.
2. That fundamental failure to comply with the CS renders the allocation of only site LA6 fundamentally unsound.
3. Now that the Draft Masterplan for site LA6 has emerged (as part of the council's Site Allocations evidence) it has become clear that the council misled the Inspector at the CS stage, who accepted Dacorum's reassurances that it could provide the CS identified housing need of 130 new dwellings. The council's own new evidence shows that site LA6 cannot deliver the identified CS needs for Bovingdon since it will only deliver 60 homes (at best, in our assessment – see attached plotted version of the masterplan) and will not deliver any of the other identified CS needs for Bovingdon, being:
 - Nursing Home
 - Open Space
 - Early years education facilities
 - Allotments requested by the Parish Council
4. By way of context, the draft Site Allocations published by the council last year followed a full appraisal of only one the four sites put forward for Bovingdon; being site LA6 at Molyneaux Avenue. All other sites suggested at the recent Call for Sites consultation were also rejected out of hand, even though at least two of those alternatives have been shown to be capable of complying with the full requirements of the Core Strategy, while site LA6 patently fails to comply with the full requirements of the Core Strategy, as set out above.
5. The council's justification for that approach is that the Core Strategy supports the allocation of site LA6 alone. But that fails to take account of the basis on which the Inspector accepted the adoption of the Core Strategy in his report published in July 2013, which was fundamentally flawed.
6. In paragraph 67 of his report, the Inspector accepted the council's reassurance that site LA6 can meet the stated needs of Bovingdon for the plan period. His report states:

Although concerns were expressed by representors regarding the ability of the site to satisfactorily accommodate the housing and open space, the Council is confident that the proposed uses could be comfortably provided and there was no substantive evidence to conclusively demonstrate otherwise.
7. However the master plan for site LA6, published for the first time at the Site Allocations stage, irrefutably demonstrates that this premise was wholly incorrect.

8. The masterplan has now demonstrated that the council's confidence in site LA6 to meet the Core Strategy requirements was totally misplaced, and that the 'representors' were right all along. The council now concede that site LA6 can only deliver 60 houses at best, and none of the other CS needs for Bovingdon.
9. We have produced a version of the LA6 masterplan to an accurate scale (as appended to this document) which shows that it is more likely to deliver around 34 dwellings, and not even the 60 which is claimed by the council. That figure is likely to reduce further, if the masterplan were to accurately reflect a detailed tree survey carried out in compliance with BS5837 because the Root Protection Areas are likely to impinge into areas of the masterplan where residential buildings are shown. Those dwellings would have to be lost or re-positioned, reducing the net site area and the deliverable housing numbers even further.
10. The basis on which the Inspector settled on site LA6 has thus now been shown, by the council's own published masterplan, to be fundamentally flawed.
11. The adherence to just site LA6 has now been proven to be based on an inaccurate reassurance, which was misleading, erroneous and therefore unsound.
12. A proper analysis of the site against the Core Strategy would have highlighted this flaw, but the council did not carry out that appraisal correctly at Core Strategy stage and has failed to rectify its patent error at the Site Allocations stage.
13. It always seemed inappropriate and highly pre-emptive of the council to be allocating sites for development at the Core Strategy stage, since that is the purpose of the Site Allocations stage. It now transpires that work was not thorough or accurate, and therefore not only inappropriate but flawed, for the reasons set out in this evidence.
14. By the council's own appraisal criteria, LA6 is the site least suited to be released, as it is not Core Strategy compliant. If all of the other options were rejected on that basis, then LA6 must also be rejected on the same basis, as it was proven not to comply with the CS, when the Site Allocations masterplan was published last year.
15. There is thus only one inescapable conclusion, that the allocation of only LA6 is not compliant with the adopted Core Strategy. This was pointed out robustly to the council last year, but no response or justification has yet been given by the council, over 15 months later.
16. By contrast, the council rejected out of hand all other alternatives offered at the Call for Sites stage, finding them to be non-compliant with the Core Strategy. The three alternative sites were:
 - Grange Farm
 - Duckhall Farm
 - Green Lane

All four sites lie within the Green Belt, implying that the council accepts that new housing compliant with the scale set out in the CS will require the release of Green Belt land. The three sites above were rejected for being non-compliant with the CS, but site LA6 is now shown to also be non-compliant with the CS when using the same criteria.

17. This is patently untenable, as other sites, (including Grange Farm, which we are promoting) has been shown by its promoters to be capable of complying with the full requirements of the Core Strategy; whereas site LA6 is demonstrably not compliant with the Core Strategy, as it cannot provide what the Core Strategy states is required in Bovingdon for the plan period.
18. In short, the council's pre-determined approach, rush to hastily allocate sites at the CS stage, incorrect reassurance that LA6 was adequate and its failure to properly appraise LA6 and the alternative sites; has led to a perverse and unsustainable conclusion, which the council has still not given a proper reasoned justification for.
19. It is now patently obvious that all options put forward at the Core Strategy stage must be re-examined. They should have been appraised and analysed properly at the Site Allocations stage. This must now take place, in order that the Site Allocations element of the plan making process can be made sound.

Question Two: Has the Council Followed the Correct Process in its Consultations, Leading to the Allocation of only Site LA6?

1. In our submission, the council has failed to carry out the site allocations stage of the plan-making process fairly or properly to date.
2. Instead of putting all 4 sites considered at the CS stage forward for consideration and scrutiny at the SA stage, the council has only provided residents and consultees with one site to comment upon in Bovingdon, being site LA6.
3. The council's website and the public display information at the SA stage only showed information relating to one site. The council was in possession of proposals and representations for other sites, but chose to suppress that information, which was not published or made available either to the public or other consultees.
4. As a consequence there has been no objective scrutiny of alternative sites which we submit would be far better than site LA6, as set out above.
5. The council has not consulted on those alternatives in any open or meaningful way, choosing only to publish information relating to its pre-selected site, despite evidence to show that it is not CS compliant.
6. Details of those other representations are still not visible in the documents library for the Site Allocations Examination or anywhere on the council's website.
7. These shortcomings not only cast doubt on the validity of the Site Allocations process thus far, they highlight the predetermined approach that the council has taken to this stage of the plan making process.
8. In our submission, the Site Allocations process outlined above is therefore neither equitable nor sound. The shortcomings go to the heart of the soundness of this stage of the plan making process. They render it impossible to find this part of the plan making process sound.
9. This can only be remedied by re-consulting the public and consultees in relation to all options for Bovingdon (not just one inadequate site), and properly evaluating each against the requirements of the Core Strategy.
10. That process ought also to involve making the public aware of the connection that site LA6 may have in relation to addressing car parking issues arising from the prison expansion.

Question Three: Could the Council Rely on Windfall Sites in Bovingdon to Deliver the Other Core Strategy Requirements which Will Not Be Deliverable from only Site LA6?

1. We anticipate that the council may attempt to rely on windfall residential development in Bovingdon, to deliver the acknowledged shortfall of at least 70 new homes in the plan period.
2. The council's housing delivery rate has fallen far short of the level required to deliver the level of housing need established at the CS stage. In Bovingdon, only a small trickle of housing is being delivered, against a plan period requirement of 130 dwellings (which is found elsewhere to be insufficient now, owing to later OAN evidence).
3. Table 4.2 of the council's own SHLAA shows that on average only one dwelling per annum has been delivered in Bovingdon from windfall sites in the period 2006 to 2013. Windfall sites will patently therefore not be able to deliver the shortfall of 70 dwellings required in Bovingdon under the CS requirements for the plan period.
4. Furthermore, windfall sites are inevitably small and therefore tend to be unable to provide the required level of affordable housing specified in the CS. Nor can they provide the open space, allotments, residential care home or early years school facilities that a larger site can deliver, and which the CS says are all required in Bovingdon during the plan period.
5. This demonstrates that reliance on windfall sites will not be sufficient, and (if offered by the council) this potential remedy would therefore not be sound.
6. In contrast to the inadequacies of allocated site LA6 and the reliance on windfall sites, our proposals for the development of Grange Farm could easily provide all of the required housing and all of the other CS needs of Bovingdon.
7. This has been demonstrated recently through a comprehensive pre-application submission made to the council for Grange Farm. The main documents relating to that submission, together with the council's response are attached.
8. That evidence highlights that there are no technical or development control issues to the site's development. It shows that it can comfortably provide 130 new dwellings as well as the other CS needs of Bovingdon (i.e. open space, allotments, residential care home or early years school facilities). It also shows the immediate deliverability of the site.
9. It is suggested that the allocation of this site would be compliant with the CS. That change would therefore make the Site Allocations sound.

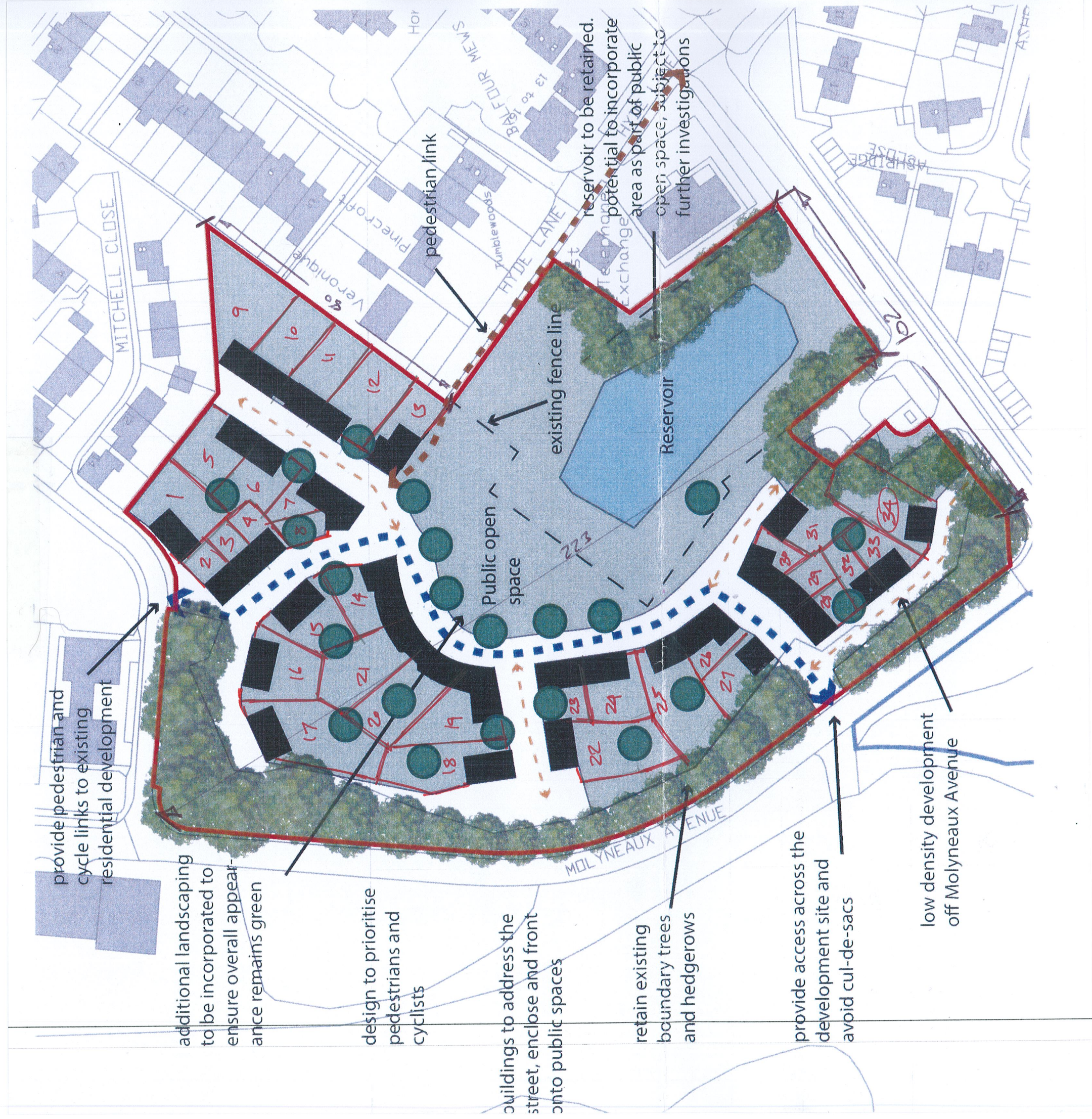
Attachments

- Representations made to Dacorum's Site Allocations call in 2014 and 2015
- Site LA6 Masterplan – To scale and showing plotting of dwellings
- Pre-Application submission for Grange Farm (incl. selected attachments and the council's response)

SITE LA6 – MASTERPLAN

PUBLISHED 2015

SHOWING POTENTIAL SUB-DIVISION AND PLOT NUMBERS



THIS LAYOUT SHOWS 34 DWELLINGS, NOT 60

SCALE 1:1,000 (AT A3 SIZE)

Dacorum Borough Council
Site Allocations Pre-Submission Consultation
November 2014
Submission on Behalf of Whiteacre Limited

CONTEXT

The council has recently undertaken a 'call for sites' exercise. That exercise purported to seek expressions from landowners and developers to assist the council in deciding where development should be located, to meet the stated needs of the council's adopted Core Strategy.

It is usual practice, at this stage of the plan making process, when sites are allocated for development, for the potential sites to be considered equally, appraised on their merits and analysed against the adopted Core Strategy. None of those stages appear to have been undertaken by this council.

The draft Site Allocations now published by the council, follows a full appraisal of only one the sites put forward for Bovingdon, being site LA6 at Molyneaux Avenue. All other sites suggested at the recent Call for Sites consultation have been rejected out of hand, even though at least two of those alternatives have been shown to be capable of complying with the full requirements of the Core Strategy, while site LA6 patently fails to comply with the full requirements of the Core Strategy.

It appears that this council embarked on the site allocations stage of the plan making process with a pre-determined outcome in mind.

The council's abject failure to properly appraise any of the alternative sites put forward at its own Call for Sites consultation, further highlights that pre-determined approach.

This document will comment on the failures in the council's process, its site appraisals and its consultation. It will also highlight important reasons why site LA6 cannot continue to be upheld as the only housing site release for Bovingdon, because of its failure to meet the requirements of the Core Strategy.

PUBLICATION OF EVIDENCE

The council's failure to publish the plans for the appraisal sites at the start of the consultation period highlights the superficial nature of its approach to this stage of the plan making process. It only made those location plans available when we requested them and pointed out that they were missing.

Furthermore the council's failure to publish representations to the call for sites process left participants in the dark. Important evidence which ought to be available at the site allocations consultation stage was visible only to the council. This evidence was only made available when we went to the council offices and asked to see that evidence.

Even then, the council only made those details available more widely when we emailed to suggest that it was fundamentally important to the consultation that material used in reaching the council's proposed strategy can be seen by all parties.

That evidence was belatedly released, too late for most participants to see it or respond to it. In an email as late as 28th Oct (just one week before the 6 week consultation closed) an email from council said that the evidence would be uploaded when complete. It is still not published at the time of writing this representation.

The process of publishing important information has therefore been ad-hoc and reactive. This is inherently unsatisfactory, and even unsound.

It has important implications for fairness, equity and soundness of this stage of the plan making process. It is simply not right that the council is the only party able to see the call for sites representations, which all other participants could not see when participating in the consultation process.

LOCAL EVENT

A local event was held in Bovingdon which our representatives attended. It was inadequate in the following important respects:

- No information was available on alternative sites for housing in Bovingdon.
- No information was provided on how sites had been assessed.
- No acknowledgement was given that LA6 does not meet Core Strategy housing needs for Bovingdon.
- No justification was offered to residents for the council's failure to provide the other requirements which the Core Strategy says Bovingdon would need in the plan period
- No information was offered on how these fundamental shortfalls would be overcome, either through other sites or windfalls.

This superficial approach to public consultation, and failure to reference back to the Core Strategy, further highlights the council's pre-determined approach to the site allocations process.

COMPLIANCE WITH CORE STRATEGY

The adopted Core Strategy sets out the following requirements for Bovingdon (Page 173 of the Core Strategy):

- Provide around 130 new homes between 2006 and 2031.
- Seek to provide a residential care home
- Provide new open space
- Safeguard the unique employment uses, such as Bovingdon Brickworks and HMP The Mount.
- Resolve parking issues along the High Street.

The draft Site Allocations now published by the council follows a full appraisal of only one of the sites put forward for Bovingdon, being site LA6 at Molyneux Avenue.

All other sites suggested at the recent Call for Sites consultation have been rejected out of hand, even though at least two of those alternatives have been shown to be capable of complying with the full requirements of the Core Strategy, while site LA6 patently fails to comply with the full requirements of the Core Strategy, as set out above.

The council's justification for that approach is that the Core Strategy supports the allocation of site LA6. But this fundamentally fails to take account of the basis on which the Inspector accepted the adoption of the Core Strategy in his report published in July 2013.

In paragraph 67 of that report the Inspector accepts the council's reassurance that site LA6 can meet the stated needs of Bovingdon for the plan period. His report states:

Although concerns were expressed by representors regarding the ability of the site to satisfactorily accommodate the housing and open space, the Council is confident that the proposed uses could be comfortably provided and there was no substantive evidence to conclusively demonstrate otherwise.

However the master plan for site LA6 now irrefutably demonstrates that this premise was wholly incorrect.

The masterplan demonstrates that the council's confidence in site LA6 to meet the Core Strategy requirements was totally misplaced, and that the 'representors' were right all along.

The basis on which the Inspector settled on site LA6 has thus now been shown, by the council's own published masterplan, (now made available through the latest stage of the Site Allocations process for the first time), to be fundamentally flawed.

The adherence to just site LA6 has now been proven to be based on an inaccurate reassurance, which was misleading, erroneous and therefore unsound.

A proper analysis of the site against the Core Strategy would have highlighted this flaw, but the council has not carried out that appraisal correctly.

By the council's own appraisal criteria, LA6 is the site least suited to be released, as it is not Core Strategy compliant. If all of the other options are rejected on that basis, then LA6 must also be rejected on the same basis, as it has now been proven not to comply with the CS.

There is thus only one inescapable conclusion, that the allocation of only LA6 is not compliant with the adopted Core Strategy.

By contrast, the council has rejected out of hand all alternatives offered at the Call for Sites stage, finding them to be non-compliant with the Core Strategy. This patently untenable, as Grange Farm has been shown by its promoters to be capable of complying with the full requirements of the Core Strategy; whereas site LA6 is demonstrably not compliant with the Core Strategy, as it cannot provide what the Core Strategy states is required in Bovingdon for the plan period.

In short, the council's pre-determined approach, incorrect reassurance the LA6 was adequate and its failure to properly appraise LA6 and the alternative sites; has led to a perverse and unsustainable conclusion.

We are mystified that the council roundly dismisses such convincing evidence and ploughs on regardless with a site allocation which is now demonstrably not compliant with its own adopted Core Strategy.

The council must grasp this opportunity to allocate a site for Bovingdon which is Core Strategy compliant, and must accept that site LA6 is not capable of compliance on its own.

It is now patently obvious that all options put forward at the Core Strategy stage must be re-examined. They should have been appraised and analysed properly at the Site Allocations stage. It is not too late for the council to recognise this flaw and address it, since the Site Allocations have yet to be submitted for examination.

SHORTCOMINGS IN THE MASTERPLAN FOR SITE LA6

The council has now produced what it suggests is a new masterplan for preferred site LA6. In fact this is merely an updated version of a plan produced by the promoters of that site at the Core Strategy stage. It is deficient in the following aspects:

- It shows only 60 homes, and not the 130 homes required under the adopted Core Strategy.
- It does not show a residential care home site.
- It fails to provide the additional open space which the Core Strategy says is required for Bovingdon.
- It does nothing to address the High Street issues.
- It does not show allotments which also emerged as a requirement in the early stages of the Core Strategy.
- It omits the provision of a site for a new nursery or infant school.

The masterplan is also inadequate to prove that the site can accommodate 60 new dwellings for the following reasons:

- The trees which surround the site have not been accurately surveyed or assessed as required by British Standard BS 5837 2012. Once the required root protection zones are plotted, the net developable site area is likely to reduce, and with it the number of homes provided on this site.
- The layout does not show individual dwellings, car parking provision or gardens. It is thus not of an adequate standard to demonstrate that 60 homes can be provided, along with these essential components.
- There is no accommodation schedule setting out the dwelling mix, sizes or house types. The absence of this basic information demonstrates a failure to show how the site will be developed to meet adopted housing needs.

There is a compelling need to ensure that site allocations comply with the adopted Core Strategy, yet the masterplan for LA6 has comprehensively failed to do so.

It is submitted that the promoters of Grange Farm have shown, in their representations to the Call for Sites, that it is capable of meeting all of the Core Strategy requirements for Bovingdon, and should therefore become the favoured site allocation for Bovingdon, by any objective appraisal.

IMPLICATIONS OF THE PRISON EXPANSION

The council recently granted planning permission for an increase in the size and scale of the Mount Prison by around 50%. Site LA6 should be retained to address the inevitable car parking shortfall related to the prison expansion.

This site will be the only remaining land in the MoJ's control to deal with future expansion or parking needs. Good land use planning should keep it available for such purposes, making it the least favourable of all of the potential Green Belt releases promoted at the Core Strategy stage, because it is uniquely required to address a different use, which none of the other housing option sites could fulfil.

We would respectfully remind the council that its preference to allocate LA6 was made before the prison expansion was even known about, and that the expansion should have led the council to view LA6 in an entirely different light. But the council ploughed on regardless, failing to take this important consideration into account. The council needs to correct that error now.

The prison expansion proposal was accompanied a Green Travel Plan and its planning consent was granted subject to a condition to review its effectiveness. How can that review be properly addressed, if it finds that the travel plan has not worked adequately and that more parking is needed; if the only site available to the MoJ to resolve parking problems will have been lost to housing?

RECORD OF HOUSING DELIVERY IN BOVINGDON FROM WINDFALL SITES

Having put these points to the council, we are aware that it may seek to rely on windfall sites to overcome the inherent shortfall in housing numbers which LA6 has now been shown to result in. (Since LA6 is now seen to deliver less than half of Bovingdon's housing needs).

However we have conducted very thorough research into the number of dwellings built in the last 5 years in Bovingdon, from windfall sites. Our research has looked into the 2008 SHLAA and established accurately the number of homes delivered in the 5 years since that SHLAA was published.

We have also carefully analysed the number of homes delivered in Bovingdon from non-SHLAA windfall sites in same 5 year period.

We conclude that there is no evidence that windfall sites can deliver the shortfall of 70 dwellings which LA6 would result in, when measured against the Core Strategy requirements for Bovingdon.

Furthermore, other non-housing requirements, which are also unmet by LA6, are highly unlikely to be provided by windfall sites, such as open space, a care home, allotments and a new school site.

Windfall sites typically do not deliver affordable housing, as they are usually below the threshold.

Windfall sites therefore cannot be relied upon by the council as a remedy to the shortcomings of LA6.

ADVANTAGES OF THE GRANGE FARM SITE

By contrast with the wholly unsatisfactory picture set out above, Grange Farm has been shown to be capable of providing all of the adopted Core Strategy requirements for Bovingdon in one location, as per our published masterplan, which was submitted to the Call for Sites.

The masterplan submitted by the promoters shows that the site can provide all of the Core Strategy requirements, being:

- 130 new homes
- A residential care home
- New open space

As well as other facilities which earlier stages of the Core Strategy included for Bovingdon, being:

- A new nursery school site
- New allotments

It is therefore demonstrably capable of compliance with the Core Strategy, where LA6 has now been shown not be capable of Core Strategy compliance. It offers the following advantages:

- Grange Farm is located where it would have minimal impact on existing congestion at the other end of the village.
- Its development would enable the re-balancing of traffic away from the congested High Street.
- This is especially so at peak times, if the new nursery school is located on this site.
- No alterations would be required to residential roads to provide an access which complies with adopted design standards.
- The site is already served by a bus route.
- Grange Farm is fully available and deliverable.
- It involves no third party land issues.
- An independent technical report shows there are no technical impediments to its development.
- It has attracted a low level of local objection, when compared with other sites.
- Grange Farm is not required for any other use, such as MoJ expansion etc.
- It comprises low level grazing land only, therefore no involves loss of agricultural production.
- It has no impact on listed buildings.
- There are virtually no trees within the site.
- The site is fully screened and thus minimal visual impact would arise upon the Green Belt.
- Its location integrates well with the Green, the nature reserve opposite and local employment land.
- In the council's own Green Belt review Stage One, Grange Farm's impact score is lower and thus less detrimental to the Green Belt than any other of the 4 Core Strategy Bovingdon options, including site LA6.

In short, an objective analysis of Grange Farm, of the type which the council should have undertaken as part of the site allocations process, shows that Grange Farm can comply with the Core Strategy, and should replace LA6 as the preferred site allocation.

CONCLUSION

The council must acknowledge and properly address the procedural failures outlined above.

It must undertake a proper assessment of all alternative sites for Bovingdon, now that the premise under which LA6 was preferred in the Core Strategy has been shown to be fundamentally flawed.

The council must properly engage with stakeholders to choose the right site, capable of meeting the adopted needs of Bovingdon.

It must abandon the site allocation of just LA6, as it has been shown to be patently flawed

It should accept that another option is Core Strategy compliant.

It should allocate the Core Strategy compliant site at this stage of the plan making process, while the opportunity still exists to create a Core Strategy compliant site allocations choice for Bovingdon.

We submit that Grange Farm is highly likely to emerge as the only option for Bovingdon which is demonstrably Core Strategy compliant.

Dacorum Borough Council

Site Allocations Document Pre-Submission Consultation

Grange Farm, Bovingdon

March 2015

Introduction

This document makes representations to the council's Site Allocations Pre-submission consultation exercise, in respect of land at Grange Farm, Bovingdon.

This site is able to make an important contribution to the housing needs of the settlement. It is uniquely placed in being able to satisfy other stated aims of the Core Strategy for Bovingdon, in relation to affordable housing, open space, housing for the elderly, new allotments and new educational facilities.

This document describes the site, its ownership, availability for development, potential constraints and its ability to fulfil the stated requirements in Bovingdon, as set out in the council's Core Strategy.

Site Description

Grange Farm lies on the Western edge of Bovingdon, adjacent to the Moody Homes estate. It immediately abuts the settlement boundary and is well-related to the existing pattern of development.

The site extends to 9.3 hectares in total. It is presently in use as low level grazing, associated with the main house. It is no longer part of a working farm.

The site can be directly connected to existing housing development by new cycle and footways. It has frontages onto both Chesham Road and Bovingdon Green Lane, either of which is capable of providing a vehicular access into the site.

There is a bus stop on the edge of the site. The town centre and existing primary school are a short and safe walk away (c. 1500 metres). Our locational analysis of the site demonstrates it to be within a sustainable location.

The land is bound by Chesham Road, Bovingdon Green Lane, the houses of the Moody Estate and Grange Farm. It is well screened from distant views by established mature tree belts on all sides. The site is open grassland, with very few trees. It is level and drains freely.

In character, the land can be described as a typical parcel of urban fringe, making little or no contribution to the setting of Bovingdon, the wider countryside or the openness of the Green Belt.

Site Ownership

The entirety of the site is in the ownership of the E J Hillier Will Trust. The development of the site would not require the involvement of any third party land ownership. A copy of the legal freehold title can be made available to the council on request, if required.

The site is not subject to any leases or agricultural tenancies. There are no other legal agreements which might impede its availability for immediate development.

An option has been granted over the site in favour of Whiteacre Ltd, who are a land promotion and house-building company. Whiteacre's directors have a proven track record of over 30 years of house building in the South East. They have also received numerous expressions of interest from national housebuilders who would be willing to ensure rapid and effective delivery of housing from the site.

Availability for Development

The site was actively promoted through the Core Strategy process, with extensive representations submitted in support of the residential development of the land.

The council's own assessment stated that *'as long as there is interest from the landowner there is no physical reason why this site could not be deliverable within the next 5 years'*. The promoters support that conclusion and the landowners are ready to release the site for housing immediately on the grant of planning consent.

Development Constraints

The site has no significant constraint to its development. The promoters have obtained extensive expert input from ecologists, landscape appraisal experts, solicitors and engineers. Their work confirms that there are no physical, technical or legal constraints to the immediate development of Grange Farm for housing and other associated uses.

It is our assessment that, unlike other land on the edge of Bovingdon, there is a clear case contesting that the re-allocation of this site for new housing will not in any way prejudice or undermine the wider context of the Green Belt or the fundamental planning principles which land within the Green Belt should satisfy. This is a parcel of urban fringe land where development would simply round off the envelope to Bovingdon's urban area.

A technical report is appended to this submission, which was first submitted to the council at the Core Strategy stage. It confirms the following aspects:

- Access can be provided from adjacent adopted highways
- Drainage can be achieved without significant abnormal works
- All mains services are available adjacent to the land
- The topography of the site presents no abnormal challenges to its development
- There are no large undevelopable areas relating to trees, vegetation, ponds, watercourses or ecological features
- The underlying geology is suitable for development
- The site is not within a flood risk zone

Furthermore there are no site ownership or legal constraints to the release of the land for development.

The site has a very low existing use value and is thus unconstrained by potential viability challenges. It is therefore able to deliver the full policy-compliant range of planning gains and necessary infrastructure to support its development and make a contribution to the settlement. The development of Grange Farm for housing is therefore not constrained by viability or economic factors.

Grange Farm is thus proven to have no abnormal constraints to its development.

Site Capacity

An indicative site layout plan is appended to this document. It shows that the site has the capacity to provide the following development:

- 130 new homes (incl. the required amount of affordable housing)
- Over 2 hectares of open space, connecting with existing open space areas
- 0.5 hectares of allotments
- A new nursing home or sheltered housing for the elderly
- A site for new educational facilities, such as a nursery school

The attached layout plan therefore demonstrates that Grange Farm can meet all of the stated requirements in the Core Strategy for Bovingdon.

Core Strategy Fulfilment

Grange Farm is able to provide the development and amenities described immediately above, being the full range of facilities and amenities which the Core Strategy states are required in Bovingdon over the plan period.

The council's own published assessment of the site (in June 2012) states that:

'Development of this site would broadly comply with the emerging settlement strategy and would help meet the aim of the vision that new housing development will be used to secure new open space for the village and a high level of affordable housing'.

The council's assessment goes on to state that:

'The main attractions of development at this site are that it has good road access and could accommodate significant open space'.

Grange Farm is large enough to provide these requirements without the need to rely on other option sites in the town. The preferred site (LA6) is not large enough to fulfill all of the stated needs of the Core Strategy.

Housing Delivery in Bovingdon

The Core Strategy sets out a plan-period housing requirement for Bovingdon of 130 new homes, including affordable housing.

The promoters of Grange Farm have gathered accurate evidence showing that only 6 net new homes were granted planning consent in Bovingdon in the 6 years from Jan 2008 to Jan 2014. This supports the council's decision to allocate a substantial site to provide the settlement's housing growth, since windfall sites cannot be relied upon to deliver the required new homes for Bovingdon, going on past performance.

Further recent evidence shows that no new homes have been built on the sites identified in the 2008 SHLAA for Bovingdon, in the intervening 5 years. Thus the council cannot rely on SHLAA sites to deliver new homes in Bovingdon, as they do not appear to come forward to deliver new homes, from past performance.

These two factors have led to a sustained under-supply of new homes in Bovingdon in recent years, both open market and affordable.

The shortfall is likely to be sharply exacerbated by the current works to extend the Mount Prison, which will create over 50 new permanent full time jobs, as well as other part time and temporary positions. The most sustainable means of providing accommodation for those new workers would be to create new housing stock within Bovingdon.

Grange Farm can deliver housing as soon as a planning permission has been granted and is thus very well placed to immediately address the pressing recent lack of housing delivery in the town, and to meet the large and imminent new demand arising from the prison expansion.

Comparison with Other Potential Options

All four housing development options considered at the Core Strategy stage for Bovingdon involve Green Belt land release. Grange Farm is however likely to have a lower impact on the Green Belt than other possible sites in Bovingdon. It is screened by mature trees and well contained with established defensible boundaries. It offers a discrete development site with plenty of space to create landscaping and open space margins to reduce any potential visual impact on the edge of the village.

A recent scoring assessment (using the council's own Green Belt Assessment report, published in recent weeks, ranking different Green Belt areas in terms of their quality) also shows that development of Grange Farm would be less harmful to the Green Belt in qualitative terms than alternative options.

Considering the alternative locations in turn, Grange Farm emerges as a better location than the three other sites considered at the Core Strategy stage:

The Molyneaux Avenue site is far too small to deliver the required amount of housing for the plan period, let alone the open space, allotments, educational facilities and elderly housing required under the Core Strategy. Its developable area is further constrained by mature trees and a large reservoir. It might deliver 30 to 40 new homes, but it cannot meet all of the Core Strategy requirements in the way that Grange Farm can. Furthermore, until the MoJ's green travel plan (associated with the large prison extension) has been proven to work satisfactorily, there remains a strong possibility that this land will be required to provide car parking to serve the expanded prison.

Duck Hall Farm is too small to accommodate the full range of facilities required by the Core Strategy. It is severely constrained by numerous rows of large trees and a network of hedgerows crossing the site. The frontage of the site is constrained by two listed buildings and their curtilage, close to the only point of vehicular access, which would reduce the amount of housing land which this option could make available.

The Green Lane site is in two separate ownerships and has not been actively promoted to the Core Strategy. Its availability must therefore be in doubt. It has very poor vehicular access points, the use of which would have a disproportionately high impact on existing residents. The Green Lane site does not have established screening to open countryside beyond and its development would therefore have a much higher Green Belt impact than the development of Grange Farm.

Further comparison with the other three alternative sites is contained in the technical report appended to this document.

Conclusions

This representation to the Site Allocations process has shown that Grange Farm is:

- Suitable for the development of new housing
- Immediately available for development
- In a single willing ownership
- Well related to adjacent housing and the rest of the settlement
- Being actively promoted by developers with a strong track record of delivery
- Not subject to legal, technical or viability constraints which might delay or limit its development
- Able to deliver the full housing needs identified for Bovingdon in the Core Strategy
- Also able to deliver the other Core Strategy requirements of open space, allotments, housing for the elderly and new educational facilities
- Readily accessed by a range of modes of transport, without impacting on adjacent housing
- More suitable and capable of meeting the Core Strategy requirements than any other of the 4 sites considered at the Core Strategy stage
- Likely to have a demonstrably lower impact on the Green Belt than other alternative sites
- Readily available to meet the pressing shortfall in housing provision in Bovingdon in recent years and the imminent demand for new homes which the ongoing prison extension will generate

This representation has demonstrated that Grange Farm is better suited to deliver the requirements of the Core Strategy than any other option considered at the CS stage, and that the site should be included as a housing allocation in the forthcoming DPD.

Appendices

The following additional information is appended to this document:

- Site location plan
- Suggested development layout
- Technical assessment summary



REQUEST FOR PRE-APPLICATION MEETING

Please complete all sections of the form and use BLOCK LETTERS

1. ADDRESS OF APPLICATION SITE

GRANGE FARM
GREEN LANE
BOVINGDON

2. NAME/ADDRESS OF AGENT

S. D. OLDROYD MRICS
PO BOX 656
FARNHAM, SURREY
GU9 1SR
Post code Tel: 01252 718817

3. NAME/ADDRESS OF APPLICANT

WHITEACRE LTD.
37 HAMMOND END
FARNHAM COMMON
SL2 3LQ
Post code Tel: 01860 403698

4. DESCRIPTION OF PROPOSED DEVELOPMENT

150 NEW DWELLINGS,
NURSING HOME, NURSERY
SCHOOL, ALLOTMENTS
AND OPEN SPACES.

5. ATTACHED INFORMATION

Please tick or complete boxes as necessary

Current use(s)

AGRICULTURAL -
GRASSLAND.

Or

Schedule of current uses attached

1:1250 Site Location Plan

Photographs and sketch drawings
of site and surroundings

Outline of proposal
(plans scale 1:200)

MASTER-PLAN

Sketch drawings showing height
and scale of development

Other (please specify)

REPORTS.
SEE

ATTACHED SCHEDULE.

I (the undersigned confirm that a pre-application meeting is requested and enclose fee for £ 2,000 — as payment for the service. (Please make cheques payable to "Dacorum Borough Council"). I also agree to pay any additional sums arising from the provision of the pre-application advice service as required, as outlined in the Pre-Application Advice Note.

Signed:

Print Name: WHITEACRE LTD.

29th June 2015

Planning Department
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
HP1 1HH

37 Hammond End
Farnham Common
Bucks SL2 3LG

Dear Sirs,

Re: Pre-Application Submission – Grange Farm, Bovington

I write to make a formal pre-application submission, in respect of land at Grange Farm, Bovington.

The land has been the subject of submissions to the Core Strategy and Site Allocations stages of the Local Plan making process, to which your attention is also drawn.

We propose the following uses for the site, in compliance with the adopted Core Strategy requirements for Bovington:

- 130 new homes, including 35% affordable housing
- 60 bed nursing home
- New nursery school
- Allotments
- Over 7 acres of new public open space

Our submission includes a written statement, summarising the proposals, as well as considering the policy and planning issues. A proposed site layout plan is also submitted.

This submission is supported by further reports which are summarised in the attached schedule, and which address important aspects including ecology, landscape impact, arboriculture, archaeology, transportation, utilities and drainage.

I enclose a cheque in the sum of £2,000 in accordance with the council's adopted fee scale, which we understand includes a 45 minute meeting to discuss the council's formal response, which will be available 21 days after acceptance of this submission.

We look forward to receiving the council's acknowledgement of receipt of this submission.

Yours faithfully



pp. Paul D Phipps
Director

cc. E J Hillier Will Trust

PLANNING STATEMENT

GRANGE FARM, BOVINGDON

Pre-application Submission to Dacorum Borough Council

June 2015

on Behalf of Whiteacre Limited

INTRODUCTION AND CONTEXT

This statement is submitted to accompany Whiteacre Limited's request for pre-application advice from Dacorum Borough Council, in respect of land at Grange Farm, Bovingdon.

Whiteacre has submitted representations to the council at the Core Strategy and Site Allocations stages of the on-going plan making process. The Core Strategy sets out a plan period housing requirement for Bovingdon of 130 homes, but the favoured site has now been shown to provide a maximum of only 60 homes and none of the allotments, open space, nursing home or educational facilities which the Core Strategy identifies as required for Bovingdon. It is thus very obvious that a further (or alternative) site must be found in the settlement, to deliver the requirements of the core strategy.

In response to this obvious need, considerable further resources have been devoted by Whiteacre to addressing the technical, planning and design constraints of Grange Farm. Much detailed fresh evidence of the site's suitability and deliverability has emerged from that work, which the council will not have seen before. It is provided to the council for the first time with this pre-application submission, and serves to show that the development of Grange Farm is feasible, deliverable and necessary to ensure that the Core Strategy requirements for Bovingdon are fully delivered.

Grange Farm is uniquely placed in being able to satisfy all of the stated aims of the Core Strategy for Bovingdon in one site; in relation to open market housing, affordable housing, housing for the elderly, open space, new allotments and new educational facilities.

THE SITE

Grange Farm lies on the Western edge of Bovingdon, adjacent to the Moody Homes estate. It immediately abuts the settlement boundary and is well-related to the existing pattern of development.

The site extends to 8.9 hectares in total. It is presently in use as low level grazing, associated with the main house. It is no longer part of a working farm.

The site can be directly connected to existing housing development by new cycle and pedestrian links. It has frontages onto both Chesham Road and Bovingdon Green Lane, either of which is capable of providing a vehicular access into the site.

There is a bus stop on the edge of the site. The town centre and existing primary school are a short and safe walk away (c. 1500 metres). Our locational analysis of the site demonstrates it to be within a sustainable location.

The land is bounded by Chesham Road, Bovingdon Green Lane, the houses of the Moody Estate and Grange Farm. It is well screened from distant views by established mature tree belts on all sides. The site is open grassland, with very few trees. It is broadly level and drains freely.

In character, the land can be described as a typical parcel of urban fringe, making little or no contribution to the setting of Bovingdon, the wider countryside or the openness of the Green Belt. The appraisals and reports now submitted to the council provide expert analysis of the site's visual impact, sustainability and suitability for the proposed development.

THE DEVELOPMENT

An indicative site layout plan is submitted with this document, together with a design statement. It has been informed by the new expert technical and visual analysis undertaken by Whiteacre's highly skilled and experienced professional team. This new layout plan is even more detailed than that which was submitted at the Core Strategy and Site Allocations stages of the local plan process.

It shows that the site has the capacity to provide the following development:

- 130 new homes (incl. 35% affordable housing)
- A new 60 bed spaces nursing home for the elderly
- A site for new educational facilities, such as a nursery school
- Over 7 acres of new public open space, connecting with existing open space areas
- 0.6 acres of new allotments

The attached layout plan therefore demonstrates that Grange Farm can meet all of the stated requirements in the Core Strategy for Bovingdon. None of the other options put to the council before can deliver the Core Strategy requirements, in one site release, as highlighted later in this document.

IMPLEMENTATION ISSUES

Site Ownership

The entirety of the site is in the ownership of the E J Hillier Will Trust. The development of the site would not require the involvement of any third party land ownership. A copy of the legal freehold title can be made available to the council on request, if required.

The site is not subject to any leases or agricultural tenancies. There are no other legal agreements which might impede its availability for immediate development.

An option has been granted over the site in favour of Whiteacre Ltd, who are a land promotion and house-building company. Whiteacre's directors have a proven track record of over 30 years of house building in the South East. They have also received numerous expressions of interest from national housebuilders who would be willing to ensure rapid and effective delivery of housing from the site.

Grange Farm could deliver both affordable and market homes for occupation as soon as 2016, if the council will support this proposal.

Availability for Development

The site has been actively promoted through the Core Strategy and Site Allocations processes, with extensive representations submitted in support of the residential development of the land.

The council's own assessment stated that *'as long as there is interest from the landowner there is no physical reason why this site could not be deliverable within the next 5 years'*. The promoters support that conclusion and the landowners are ready to release the site for housing immediately on the grant of planning consent.

Development Constraints

The site has no significant constraint to its development. The promoters have obtained extensive expert input from ecologists, landscape appraisal experts, archaeologists, engineers and solicitors. Their work confirms that there are no physical, technical or legal constraints to the immediate development of Grange Farm for housing and other associated uses.

It is our professional team's assessment that, unlike other land on the edge of Bovingdon, there is a clear case contesting that the re-allocation of this site for new housing will not in any way prejudice or undermine the wider context of the Green Belt or the fundamental planning principles which land within the Green Belt should satisfy. This is a parcel of urban fringe land where development would simply round off the envelope to Bovingdon's urban area.

A comprehensive suite of supporting reports is appended to this submission (please refer to the schedule attached to this statement for a full list). Full engineering details are also submitted. The main findings of those reports are summarised below:

- Access can be provided from adjacent adopted highways
- The site is sustainably located and can be accessed by a range of transport modes
- The visibility of the proposed development from the Green Belt has been considered at an early stage, and can be mitigated such that its impact is negligible
- The topography of the site presents no abnormal challenges to its development
- There are no large undevelopable areas relating to trees or vegetation.
- There are no ponds or watercourses which could impede development
- The site is not within a flood risk zone. A solution to localised flooding is proposed.
- The underlying geology is suitable for development and sustainable surface water drainage
- Foul drainage can be achieved with minor off-site improvement works
- All mains services are available adjacent to the land
- There are no important wildlife or ecological features which might prevent development of the site
- The layout plan leaves no doubt about the site's capacity and the development's ability to integrate with the landscape and the rest of the settlement.

Furthermore there are no site ownership or legal constraints to the release of the land for development.

The site has a very low agricultural existing use value and is thus unconstrained by potential viability issues. It is therefore able to deliver the full policy-compliant range of planning gains and necessary infrastructure to support its development and make a full contribution to the settlement. The development of Grange Farm for housing is therefore not constrained by viability or economic factors.

Grange Farm is thus proven to have no abnormal constraints to its development of any kind.

PLANNING POLICY ISSUES

- **NPPF**

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied.

The NPPF seeks to boost significantly the supply of housing (paragraph 47) with local planning authorities required to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing. LPA's are also to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional buffer (paragraph 47, second bullet) in situations of consistent under supply.

Under the NPPF housing applications are to be considered in the context of the presumption in favour of sustainable development (paragraph 49). Policy continues by stating that

'relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites'.

If relevant policies are not up to date (i.e. no five year supply), paragraph 14 would apply. This sets out the presumption in favour of sustainable development, which for decision taking in a context where relevant policies in the development plan are out of date, means granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or

Specific policies in the Framework indicated development should be restricted.

There are various policies in the NPPF which are relevant to consideration of those adverse impacts and benefits and we do not set them all out here.

However, having regard to a key material consideration (the NPPF) it is clearly relevant that policies within the development plan relating to the supply of land for housing cannot be considered up-to-date because it is well recognised by Dacorum Borough Council (DBC) that there is not currently a five year supply of available housing as required by the NPPF (paragraph 49).

- **Green Belt**

It is recognised that the protection of the Green Belt is an important national and local objective. However Bovingdon is very tightly constrained by the Green Belt boundary and the council has already accepted that the Core Strategy housing requirements can only be met by using existing GB land. **All 4 of the options considered in Bovingdon by the council at the Core Strategy stage are sites lying within the Green Belt.**

Furthermore, the council's stated preferred option (site LA6) is also in the Green Belt. It is therefore a matter of common ground that a GB land release in Bovingdon is necessary to deliver the requirements of the Core Strategy. Eventually the council's own Green Belt review is again expected to acknowledge that fact.

There is a further compelling special circumstance in Bovingdon, necessitating a Green Belt land release to deliver new housing. The expansion of the prison and its requirement for 50 new staff will shortly add a significant new (and unforeseen at the Core Strategy stage) housing demand in Bovingdon, which cannot be satisfied without a significant site release, which in Bovingdon can only come from the GB, given how tightly drawn it is around the existing built up area.

- **Housing Completions**

In July 2011 Dacorum BC produced a Housing Land Availability schedule with Projected Housing Completions as noted below along with the Actual number of new homes delivered:

	<u>Projected</u>	<u>Actual</u>
2010/2011	425	603
2011/2012	679	447
2012/2013	555	290
2013/2014	<u>701</u>	<u>219</u>
	2360	1559

The actual completions over the 4 year period were 34% less than projected and presented to the EIP. Furthermore the council convinced the Inspector to reduce the annual completion rate from the South East Plan of 540 p.a. to 430 p.a. without any substantive evidence, a matter which will be reviewed in the agreed forthcoming Partial Review of the CS.

Recent performance, in a period when demand is at a peak, has fallen short of plan requirements. Thus, it is vital that the Council support the release of immediately deliverable and well considered residential development proposals, in order not to fall irrecoverably far behind with housing delivery in this plan period.

- **Current Local Plan**

The current local plan significantly pre-dates the NPPF and is thus of little direct relevance from the point of view of development control. It was adopted more than a decade ago and covered the period from 1991 to 2011. Its intended period of operation thus ended 4 years ago. It is clearly no longer up to date, and cannot be used against which to judge new planning proposals.

- **Core Strategy**

The adopted Core Strategy sets out the following requirements for Bovingdon during the new Plan Period (Page 173 of the Core Strategy):

- Provide around 130 new homes between 2006 and 2031.
- Seek to provide a residential care home
- Provide new open space
- Safeguard the unique employment uses, such as Bovingdon Brickworks and HMP The Mount.
- Resolve parking issues along the High Street.

We are nearly ten years into the new plan period, yet housing delivery both in the Borough and in Bovingdon has lagged very far behind the required annual targets. Little progress appears to have been made in delivering the above requirements for Bovingdon so far.

The new local plan has not reached a sufficiently advanced stage to function for development control purposes, and cannot reach that stage until further studies have been commissioned, consulted upon and used to inform more detailed policies.

A policy void has thus emerged, which is severely impeding the bringing forward of development sites and is compounding the council's inability to deliver sufficient housing in the Borough. (See commentary on the preceding page).

Meanwhile the Borough's housing needs are not being met, and only a handful of homes have been built in Bovingdon in the last few years. The Core Strategy has yet to function in delivering the required amount of development in Bovingdon, and it is thus little surprise that those parties who are serious about delivering the Borough's housing needs are now coming forward with detailed proposals, such as that set out in this pre-application document.

In preparing the Core Strategy options document, the council's own published assessment of Grange Farm (in June 2012) states that:

'Development of this site would broadly comply with the emerging settlement strategy and would help meet the aim of the vision that new housing development will be used to secure new open space for the village and a high level of affordable housing'.

The council's assessment goes on to state that:

'The main attractions of development at this site are that it has good road access and could accommodate significant open space'.

That assessment remains equally valid today, and Grange Farm remains the only single site in Bovingdon which is capable of delivering the plan period requirements for Bovingdon, as set out in the adopted Core Strategy.

- **Affordable Housing and Planning Contributions**

The promoters of Grange Farm are not facing viability constraints of any kind which might undermine or delay its ability to deliver the full range of necessary planning gains, both in terms of contributions, on-site planning gains and affordable housing.

It is therefore able to deliver the full policy-compliant range of planning gains and necessary infrastructure to support its development and make a contribution to the settlement. The development of Grange Farm for housing will therefore make an important contribution to these policy objectives.

- **Emerging Site Allocations process**

Whiteacre has already submitted a very comprehensive representation to the council's Call for Sites last year. Many months have passed, but the council has neither published those representations nor commented publically upon them.

The council's attention is respectfully drawn to the submission made in relation to Grange Farm at that stage of the plan-making process, parts of which are repeated below, for ease of reference and to ensure that all relevant factors to the consideration of this request for pre-application advice are set out comprehensively for the council's consideration.

The draft Site Allocations published by the council last year followed a full appraisal of only one the sites put forward for Bovingdon, being site LA6 at Molyneaux Avenue.

All other sites suggested at the recent Call for Sites consultation were rejected out of hand, even though at least two of those alternatives have been shown to be capable of complying with the full requirements of the Core Strategy, while site LA6 patently fails to comply with the full requirements of the Core Strategy, as set out above.

The council's justification for that approach is that the Core Strategy supports the allocation of site LA6. But that fundamentally fails to take account of the basis on which the Inspector accepted the adoption of the Core Strategy in his report published in July 2013.

In paragraph 67 of his report, the Inspector accepted the council's reassurance that site LA6 can meet the stated needs of Bovingdon for the plan period. His report states:

Although concerns were expressed by representors regarding the ability of the site to satisfactorily accommodate the housing and open space, the Council is confident that the proposed uses could be comfortably provided and there was no substantive evidence to conclusively demonstrate otherwise.

However the master plan for site LA6, published for the first time at the Site Allocations stage, irrefutably demonstrates that this premise was wholly incorrect.

That masterplan demonstrated that the council's confidence in site LA6 to meet the Core Strategy requirements was totally misplaced, and that the 'representors' were right all along.

The basis on which the Inspector settled on site LA6 has thus now been shown, by the council's own published masterplan, to be fundamentally flawed.

The adherence to just site LA6 has now been proven to be based on an inaccurate reassurance, which was misleading, erroneous and therefore unsound.

A proper analysis of the site against the Core Strategy would have highlighted this flaw, but the council did not carry out that appraisal correctly at Core Strategy stage and failed to rectify its patent error at the Site Allocations stage.

By the council's own appraisal criteria, LA6 is the site least suited to be released, as it is not Core Strategy compliant. If all of the other options were rejected on that basis, then LA6 must also be rejected on the same basis, as it was proven not to comply with the CS, when the Site Allocations masterplan was published last year.

There is thus only one inescapable conclusion, that the allocation of only LA6 is not compliant with the adopted Core Strategy. This was pointed out robustly to the council last year, but no response or justification has yet been given by the council, over 6 months later.

By contrast, the council rejected out of hand all other alternatives offered at the Call for Sites stage, finding them to be non-compliant with the Core Strategy. This is patently untenable, as Grange Farm has been shown by its promoters to be capable of complying with the full requirements of the Core Strategy; whereas site LA6 is demonstrably not compliant with the Core Strategy, as it cannot provide what the Core Strategy states is required in Bovingdon for the plan period.

In short, the council's pre-determined approach, incorrect reassurance the LA6 was adequate and its failure to properly appraise LA6 and the alternative sites; has led to a perverse and unsustainable conclusion, which the council has still not given a proper reasoned justification for.

It is now patently obvious that all options put forward at the Core Strategy stage must be re-examined. They should have been appraised and analysed properly at the Site Allocations stage. It is not too late for the council to recognise this flaw and address it, since the Site Allocations have yet to be submitted for examination.

Comparison with Other Potential Options

All four housing development options considered at the Core Strategy stage for Bovingdon involve Green Belt land release. Grange Farm is however likely to have a lower impact on the Green Belt than other possible sites in Bovingdon. It is screened by mature trees and well contained with established defensible boundaries. It offers a discrete development site with plenty of space to create landscaping and open space margins to reduce any potential visual impact on the edge of the village. This statement is supported by the assessment carried out by Landscape Design Associates and submitted with this request for pre-application advice.

Considering the alternative locations in turn, Grange Farm emerges as a better location than the three other sites considered at the Core Strategy stage:

The Molyneaux Avenue site (LA6) is far too small to deliver the required amount of housing for the plan period, let alone the open space, allotments, educational facilities and elderly housing required under the Core Strategy. Its developable area is further constrained by mature trees and a large reservoir.

Although a draft masterplan was produced last year, it is very sketchy and contains many shortcomings, which are considered in more detail on the next page of this document. In our opinion, it might deliver 30 to 40 new homes, but it cannot also meet any of the other Core Strategy requirements in the way that Grange Farm can. Furthermore, until the MoJ's green travel plan (associated with the large prison extension) has been proven to work satisfactorily, there remains a strong possibility that this land will be required to provide car parking to serve the expanded prison.

Duck Hall Farm is too small to accommodate the full range of facilities required by the Core Strategy. It is severely constrained by numerous rows of large trees and hedgerows crossing the site. The frontage of the site is constrained by two listed buildings and their curtilage, close to the only point of vehicular access, which would reduce the amount of housing land which this option could make available. The promoter's own masterplan for the site shows that it can only deliver 14 new homes, against a requirement for the plan period of 130.

The Green Lane site is in two separate ownerships. It has very poor vehicular access points, the use of which would have a disproportionately high impact on existing residents. Its location is very close to the already congested High Street, which will inevitably be exacerbated by the development of the Green Lane alternative.

The Green Lane site does not have established screening to open countryside beyond and its development would therefore have a much higher Green Belt impact than the development of Grange Farm. The promoter's submission at the Site Allocations stage caused significant local objection and led to the council's creation of a new web-page which reassured residents that the Green Lane site had already been rejected.

Further comparison with the other three alternative sites was contained in the technical report appended to our Site Allocations submission.

It has been shown that Grange Farm is the only single site which can deliver the Core Strategy requirements without raising enormous local objections, and remains the most logical Green Belt land release, being the only option to ensure that all of the other 3 Green Belt sites need not be called upon for development.

When compared directly against all other site releases for Bovingdon, Grange Farm offers the following advantages:

- Grange Farm is located where it would have minimal impact on existing congestion at the other end of the village.
- Its development would enable the re-balancing of traffic away from the congested High Street.
- This is especially so at peak times, if the new nursery school is located on the Grange Farm site.
- No alterations would be required to residential roads to provide an access which complies with adopted design standards.
- Its impact on existing residents is thus minimal
- The site is already served by a bus route.
- Grange Farm is fully available and deliverable.
- It involves no third party land issues.
- An independent technical report shows there are no technical impediments to its development.
- It has attracted a low level of local objection, when compared with other sites.
- Grange Farm is not required for any other use, such as MoJ expansion etc.
- It comprises low level grazing land only, therefore no involves loss of agricultural production.
- It has no impact on listed buildings.
- Only one cherry tree would be lost, and dozens more planted in the new open space
- The site is fully screened and thus minimal visual impact would arise upon the Green Belt.
- Its location integrates well with the Green, the nature reserve opposite and local employment land.
- In the council's own Green Belt review Stage One, Grange Farm's impact score is lower and thus less detrimental to the Green Belt than any other of the 4 Core Strategy Bovingdon options, including site LA6.

IMPLICATIONS OF THE PRISON EXPANSION

The council recently granted planning permission for an increase in the size and scale of the Mount Prison by around 50%. Site LA6 should be retained to address the inevitable car parking shortfall related to the prison expansion.

This site will be the only remaining land in the MoJ's control to deal with future expansion or parking needs. Good land use planning should keep it available for such purposes, making it the least favourable of all of the potential Green Belt releases promoted at the Core Strategy stage, because it is uniquely required to address a different use, which none of the other housing option sites could fulfil.

We would respectfully remind the council that its preference to allocate LA6 was made before the prison expansion was even known about, and that the expansion should have led the council to view LA6 in an entirely different light. But the council ploughed on regardless, failing to take this important consideration into account. The council needs to correct that error now.

The prison expansion proposal was accompanied a Green Travel Plan and its planning consent was granted subject to a condition to review its effectiveness. How can that review be properly addressed, if it finds that the travel plan has not worked adequately and that more parking is needed; if the only site available to the MoJ to resolve parking problems will have been lost to housing?

This suggests that LA6 should be a reserve housing site, at best, and that it is essential to find a new 'preferred' housing site, to reflect this new factor, which was not known of when the council first settled on LA6 as its preferred housing site.

RECORD OF HOUSING DELIVERY IN BOVINGDON FROM WINDFALL SITES

The promoters of Grange Farm have gathered accurate evidence showing that only 6 net new homes were granted planning consent in Bovington in the 6 years from Jan 2008 to Jan 2014. This supports the council's decision to allocate a substantial site to provide the settlement's housing growth, since windfall sites cannot be relied upon to deliver the required new homes for Bovington, going on past performance.

Further recent evidence shows that no new homes have been built on the sites identified in the 2008 SHLAA for Bovington, in the intervening 5 years. Thus the council cannot rely on SHLAA sites to deliver new homes in Bovington, as they do not appear to come forward to deliver new homes, from past performance.

These two factors have led to a sustained under-supply of new homes in Bovington in recent years, both open market and affordable.

The shortfall is likely to be sharply exacerbated by the current works to extend the Mount Prison, which will create over 50 new permanent full time jobs, as well as other part time and temporary positions. The most sustainable means of providing accommodation for those new workers would be to create new housing stock within Bovington.

Grange Farm can deliver housing as soon as a planning permission has been granted (even as early as 2016) and is thus very well placed to immediately address the pressing recent lack of housing delivery in the town, and to meet the large and imminent new demand arising from the prison expansion.

We conclude that there is no evidence that windfall sites can deliver the shortfall of 70 dwellings which LA6 would result in (assuming it could provide 60 homes), when measured against the Core Strategy requirements for Bovingdon.

Furthermore, other non-housing requirements, which we have shown cannot be provided by site LA6, are highly unlikely to be provided by windfall sites, such as open space, a care home, allotments and a new school site.

Windfall sites typically do not deliver affordable housing, as they are usually below the threshold.

Windfall sites therefore cannot be relied upon by the council as a remedy to the shortcomings of LA6, and it is in this prescient context that the council's pre-application advice in relation to Grange Farm is sought.

CONCLUSION AND REQUEST

In the light of the overwhelmingly supportive evidence set out above, and having regard to the very comprehensive expert assessments submitted with this document (which could be swiftly turned into a comprehensive full planning application), we seek the council's pre-application advice in relation to the development proposals for Grange Farm.

APPENDICES

The attached schedule lists the supporting documents submitted with this pre-application request.

GRANGE FARM, BOVINGDON

PRE-APPLICATION SUBMISSION - DOCUMENTS SCHEDULE

June 2015

<u>TITLE</u>	<u>AUTHOR</u>	<u>DOCUMENT NUMBER</u>
Transportation Assessment (with Appendices A to F)	JNP Associates	S82670 R001
Residential Travel Plan	JNP Associates	S82670 R002
Geotechnical report	JNP Associates	M41283 RE001
Flood risk assessment and Surface Water	JNP Associates	S82670 GRA R001 FRA
Utilities report	JNP Associates	S82670 R003
Landscape assessment	Landscape Design Associates	4382 101_1.0
Ecology assessment report	SLR Ecology	401.04184.00002 v 1
Topographical Survey	M K Surveys	20536
Tree constraints plan	Martin Dobson Associates	TCP Plan
Desk top study	CGMS Archaeology	PR/KB/18776
Site Layout Plan	SPD Architects	150128(01)002
Design appraisal summary	SPD Architects	N/A
Site Location plan	JNP Associates	S82670-F-001
Site Plan	SPD Architects	150128(01)002 Rev A
Cheque for £2,000 to Dacorum BC	Whiteacre	N/A
Covering letter	S D Oldroyd MRICS	N/A
Documents Schedule	S D Oldroyd MRICS	N/A
Pre-Application Planning Statement	S D Oldroyd MRICS	N/A
Pre-Application Form	S D Oldroyd MRICS	N/A
CD Rom or Stick	All authors, as above	N/A

Planning Design and Access Statement

**PROPOSED DEVELOPMENT OF 130 DWELLINGS,
NURSERY SCHOOL, NURSING HOME,
ALLOTMENTS AND PUBLIC OPEN SPACE**

ON LAND AT

**GRANGE FARM
GREEN LANE
BOVINGDON
HERTFORDSHIRE
HP3 0LW**

BY WHITEACRE LTD

Statement produced by SPD Architects

1

June 2015

Developer:



Consultant team:

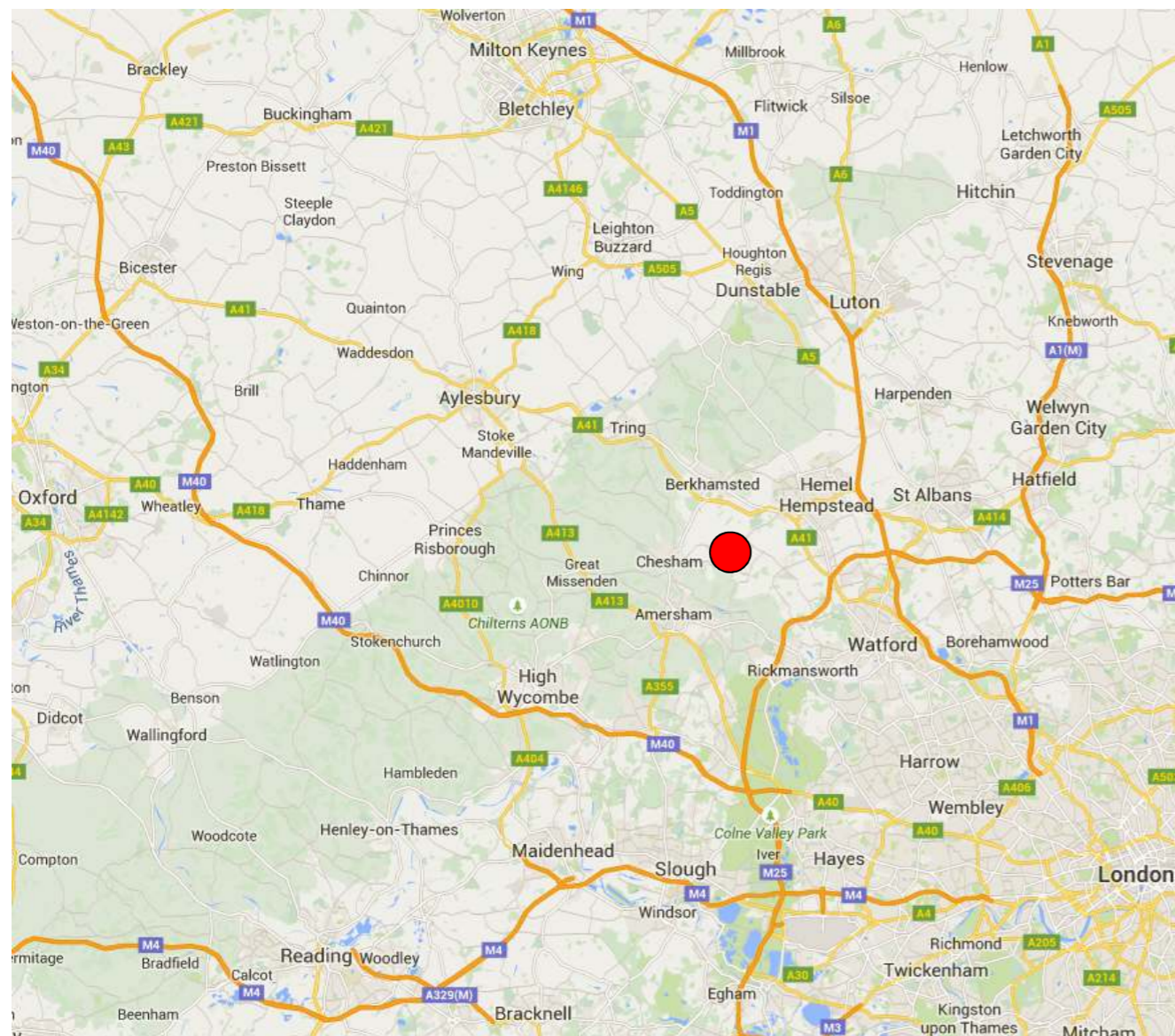
Architects: SPD Architects Ltd
Transportation, Highway, Drainage and Services Engineers: JNP Group
Landscape Architects: LDA Design
Arboriculturalist: Martin Dobson Associates
Ecology: SLR Consulting Ltd
Archaeology: CGMS Consulting

Contents

1	Introduction	Page 3
2	The site and site context	Page 3
3	The Proposed Development	Page 7
4	The relationship of the proposed development to the surrounding dwellings	Page 12
5	The amount of development	Page 12
6	The layout of the proposed development	Page 12
7	The scale of development	Page 12
8	Landscaping	Page 12
9	Appearance	Page 12
10	Highways and Access	Page 12
11	Flood Risk & Biodiversity	Page 13
12	Utilities	Page 14
13	Planning Policy Considerations	Page 14
14	Developer Contributions	Page 14
15	Local Consultations	Page 14
16	Conclusion	Page 14

1 Introduction

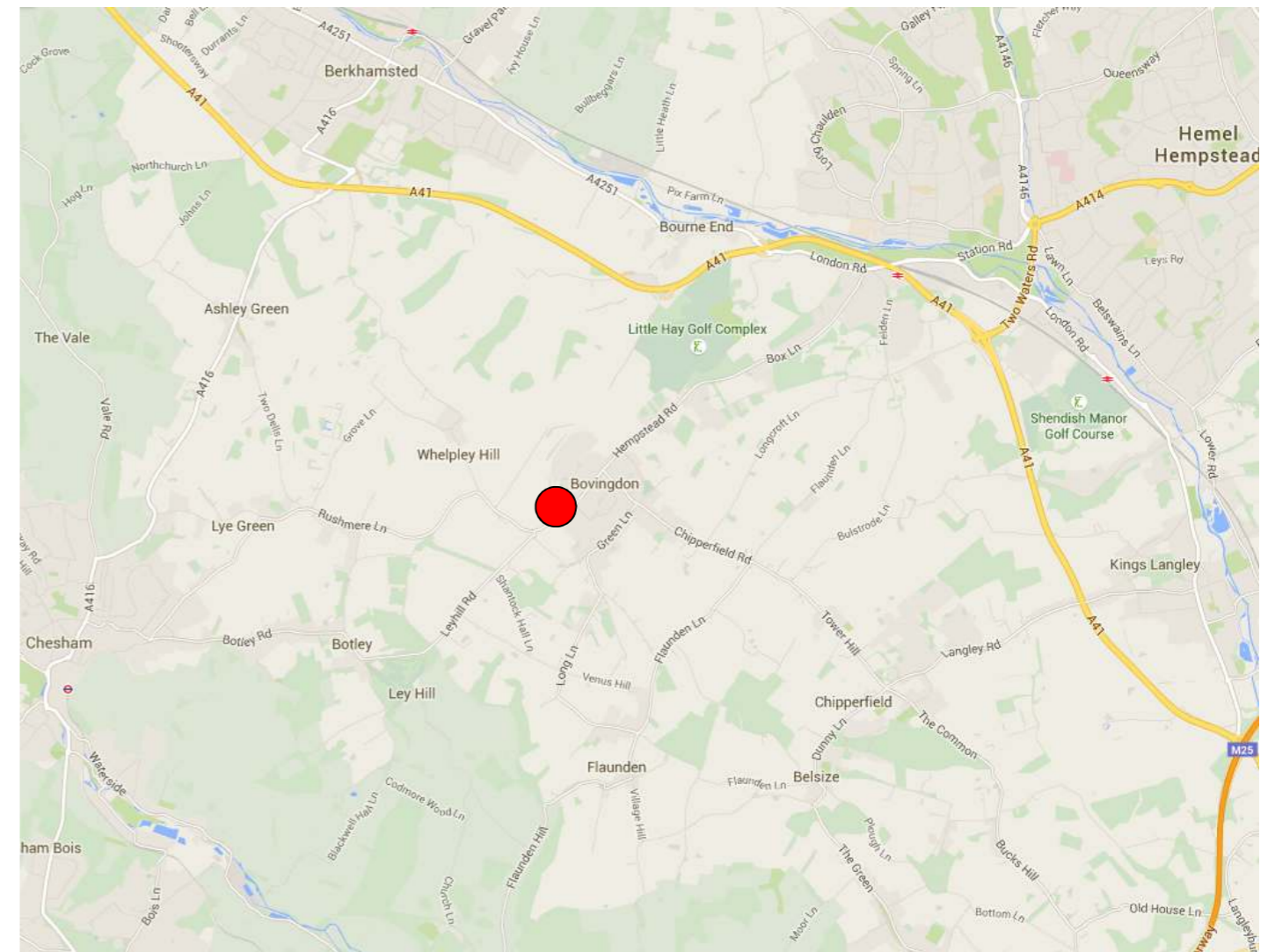
- 1.1 This statement has been prepared in accordance with the requirements of the Town and Country Planning General Development Procedure (Amendments) (England) Order 2004. Whilst design and access issues associated with this development are not complex, this statement follows the topic headings of the order and the CABE model.
- 1.2 In addition, this statement also comments upon the planning merits of the scheme having regard to the aims and objectives of the National Planning Policy Framework and Decorum Borough Council's adopted Local Plan (April 2004) and Core Strategy (September 2013).



Surrounding towns and road network.

2 The site and site context

- 2.1 The application site comprises an area of 8.876 hectares (21.933 acres), and is situated immediately adjacent to the built confines of Bovingdon. It is bounded by Chesham Road (B4505) to the northwest and Green Lane to the south/southeast. Existing residential development abuts the northeast boundary with the original Grange Farm buildings lying to the east. Bovingdon Green lies immediately to the south on the opposite side of Green Lane.

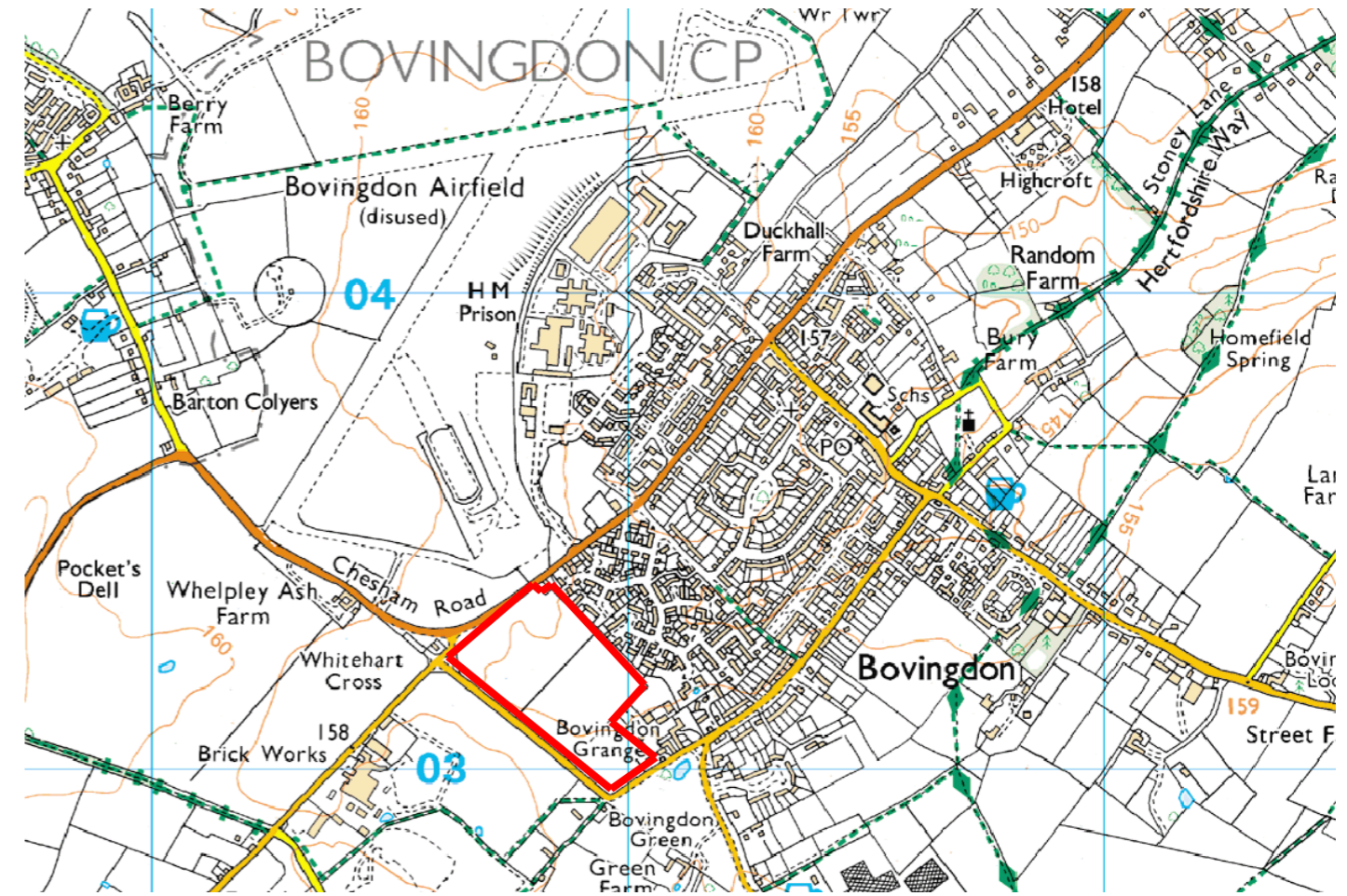


Site in relation to Bovingdon, Hemel Hempstead, Berkhamsted and Chesham

- 2.2 The village of Bovingdon contains a wide range of local facilities including shops, post office, pubs and restaurants, pharmacy, doctor's surgery, dentists and primary school, all of which are within walking distance of the application site. The site is approximately 800m from the High Street.



Site – in relation to the built development of Bovington.



Site in relation to the built up area of Bovington.



Site – aerial view

2.3 In addition the village is equidistant between the larger conurbations of Hemel Hempstead, Berkhamsted and Chesham with all their facilities and transport links. To this end we note that the bus stop in Green Lane which is immediately adjacent to the site (also known locally as Whitehart Cross) is a principal route with direct services to Hemel Hempstead, Watford, Amersham, Slough and Uxbridge (service numbers – 352, 353 & 730).

Destinations by direct local bus from Bovington.

Bold destinations offer access to express coach/train services.

Amersham	Flaunden	Amersham
Bovingdon Green	Hemel Hempstead	Hemel Hempstead
Boxmoor	Hoggpits Bottom	Sarratt
Bulstrode	Warners End, John F Kennedy School	Kings Langley, School
Hemel Hempstead, Bus Station	Chesham, Lye Green	Chorleywood, St Clement
Chesham	Hemel Hempstead,	Danes School
Chesham Bois	Marlowes	Chesham Bois, The Beacon School
Chipperfield	Orchard Leigh	Tower Hill
Croxley Green	Hemel Hempstead, Paradise	Watford
Felden	Chesham, Pond Park Estate	
	Bovingdon, Prison	



The northwest paddock from the access off Green Lane.



The northwest paddock from the access off Green Lane.



The northwest and southeast paddocks from the access off Green Lane.



The southeast paddock from the access off Green Lane.



The southeast paddock from the access off Green Lane.



Looking southeast along Green Lane from the proposed access position.

Transport Services.

Listed below are the different services that serve this stop, with the following separate departures.

- 730 Uxbridge - Hemel Hempstead (Bus Station)
- 353 Slough (Bus Station) - Chalfont Common
- 353 Hemel Hempstead - Slough
- 353 Amersham (Rail Station) - Hemel Hempstead
- 353 Amersham (Rail Station) - Slough (Bus Station)
- 353 Slough (Bus Station) - Amersham (Rail Station)
- 353 Amersham (Rail Station) - Slough (Bus Station)
- 353 Hemel Hempstead - Amersham (Rail Station)
- 352 Sarratt - Hemel Hempstead
- 352 Watford - Hemel Hempstead
- 352 Bovingdon - Hemel Hempstead

Number of buses, Monday to Friday	16
Saturday	12
Sunday	4

- 2.4 The area immediately to the northwest of the application site comprises a mix of detached, semi-detached and terraced residential properties of predominantly 2 storey construction with the larger properties and plots generally being the farthest from the village centre.
- 2.5 To the south and west of the site lie fields and Bovingdon Brickworks, whilst to the north is the disused airfield (now providing Saturday and Bank Holiday markets) and HM Prison The Mount. To the southwest lies Bovingdon Green with its large area of public open space.
- 2.6 The site itself is largely grazing land with a central depression which falls in the order of 3m west to east (see submitted topographical survey).
- 2.7 The site lies within the Green Belt but has been identified by Decorum Borough Council as being one of the options to meet the future housing needs of the area.
- 2.8 Decorum Borough Council have identified 4 sites that could contribute towards housing needs in the plan period (up to 2031) however this proposal at Grange Farm is the only one that that can fully meet the identified objectives as set out in the councils adopted Core Strategy (adopted September 2013):
 - 130 dwellings
 - Residential care home
 - Provide new open space

As part of their vision to achieve these objectives the council have determined to seek as part of the Bovingdon Place Strategy:

- Affordable housing.
- Allotments.
- Open space that would contribute to under provision of outdoor leisure space.
- Contribution towards educational and community facilities.



Looking northwest along Green Lane from the proposed access position.



Looking southwest along Meadow Drive towards Green Lane. Existing field access to the right used to serve proposed nursing home.



Meadow Drive junction with Green Lane looking southeast.



Meadow Drive junction with Green Lane looking northwest.



Existing bus stop position on Green Lane with the proposed site to the right.



Junction of Green Lane with Leyhill Road at Whitehart Cross.



View along Chesham Road towards Whitehart Cross with the site on the left.



View along Chesham Road towards Whitehart Cross with the site on the left and the Leyhill Road and Green Lane junctions ahead.



Access gate into the site off Green Lane near its junction with Leyhill Road.



Footpath network to the south of the site which the proposals will link into with new pedestrian routes and public open space.



Footpath network to the south of the site which the proposals will link into with new pedestrian routes and public open space.



Green Lane at the south of the site where pedestrian crossings points are proposed to provide access through to Bovingdon Green and footpaths 008 and 010.



Bovingdon Green



Existing development at the end of Meadow Drive.



Existing development at the end of Meadow Drive.



Existing property adjacent to the site in Chesham Road.

3.0 Development Proposals

3.1 This proposal advocates a mixed use development of residential dwellings, nursing home, nursery school/community space, allotments and public open space on 8.878 hectares (21.933 acres) of land on the south western edge of the village.

3.2 This proposal has been formulated strictly in accordance with Decorum Borough Council's Core Strategy and their objective set out in the Bovingdon Place Strategy. To this end the proposals seek to deliver:

- 130 residential dwellings
- Mixture of private and affordable dwellings.
- Nursing home with 60 bed space.
- Nursery School (30 child place) – potential for additional community uses.
- Allotments (10No)
- Public Open Space

3.3 The proposed development has been landscape led – see strategy plan below and LDA Design's separate landscape statement which advocate:

- Built form set back from Green Lane and Chesham Road to provide a soft natural edge to the development.
- Woodland planting towards the north and western edges of the development to screen views towards the development from within the Green Belt.
- Pedestrian links from the adjacent built up area through the site to link with the newly created Public Open Space and the existing bus stop in Green Lane.
- Physical links and visual connectivity between the sites newly created public open space with Bovingdon Green and adjacent public footpaths.
- Built form located sympathetically in relation to the sites topography.



-  Existing trees
-  Existing hedgerows
-  Existing Public Rights of Way
-  Proposed Development Area
-  Proposed Vehicular Access off Green Lane
-  Potential Play Area (LEAP or NEAP) / Public Open Space
-  Indicative streets
-  Proposed trees
-  Proposed woodland planting
-  Indicative location of proposed swale
-  Potential location of drainage basin at lowest point of site
-  Proposed allotments
-  Proposed pedestrian link

Proposed landscape strategy (LDA Design).



Proposed site layout plan.



ALLOTMENTS

PUBLIC OPEN SPACE

PEDESTRIAN LINK TO CHESHAM ROAD

PEDESTRIAN LINK TO PEMBRIDGE CLOSE

PLAY AREA AND AMENITY SPACE

Whitehart Cross

BUS STOP

NURSING HOME



NURSERY SCHOOL

PUBLIC OPEN SPACE

10

PEDESTRIAN LINKS TO GREEN LANE AND ROVINGDON GREEN

Proposed site plan

- 3.4 Highway and drainage appraisals have been carried out to inform these design proposals. See separate JNP Group appraisals, the details of which are summarised below:
- Existing highway network is adequate to serve the proposed development.
 - The existing access currently serving Grange Farm has the potential to be used as a secondary access.
 - The main vehicle access to the site is best taken approximately midway along the sites Green Lane boundary position to minimise the effect of any junction visibility splays on existing trees and hedgerows.
 - Links should be provided to the existing bus stop (White Hart Cross) located in Green Lane.
 - There are level changes across the site and the built form should be carefully positioned (generally east – west) to avoid stepped development.
 - There is a central depression running through the site which falls in the order of 3m west to east. This is following the general land topography and is a channel for local surface water runoff.
 - Localised flooding has occurred on a number of occasions in the White Hart Corner area as a result. The surface water strategy provides earth burming to protect the new development at the same time directing surface water flows along a green swale running generally west east at the sites lowest levels along which surface water would be directed into the ground via deep bore holes. This sustainable strategy will not only deal with all on site surface water it will help to alleviate the existing issues at White Hart Cross and help to protect existing adjacent development.
 - The existing local foul water drainage system has sufficient capacity to deal with the proposed development although a pumping station located somewhere along the north eastern boundary will be necessary.
 - There are no insurmountable issues in providing the necessary utility connections.
- 3.5 It is proposed to locate the residential development on 8.878 hectares (10.685 acres) of land (being slightly less than 50% of the application site). A further 0.369 hectares (0.912 acres) of amenity space incorporating play areas is to be provided within the residential areas in addition to the new public open space to be provided.
- 3.6 Of the 130 proposed dwellings 85 are to be for private sale and 45 affordable in accordance with the Council's 35% requirement identified in their Supplementary Planning Guidance.
- 3.7 The proposed properties range in size from 1 bedroom to 5 bedroom houses providing a wide range of properties to meet local needs and tenure.
- 3.8 The majority of properties are of two storey construction although a number of three storey properties have been positioned in the centre of the site generally fronting the green swale which will provide visual and public amenity space in the middle of the site. This area also serves to create a green pedestrian friendly corridor linking the existing development to the north east through the development to the newly created public open spaces.
- 3.9 New development has been positioned away from, and generally flanks onto the north east boundary to avoid any overlooking and to mitigate any effect onto the adjoining properties. A landscape buffer along with allotments and a significant area of public amenity space further reduce any impact.
- 3.10 The proposed dwellings are outward-looking ensuring an attractive appearance to the development whilst affording overlooking of public and amenity spaces.
- 3.11 The nursing home has been located off of the existing Grange Farm access to afford it a degree of separation from the remaining development. It is anticipated 60 bed spaces and associated operational and communal spaces along with 20 car parking spaces will be provided on a site of 0.585 hectares (1.472 acres). The final design would be in accordance with the operator's requirements.
- 3.12 The nursery school has been located at the heart of the development whilst still being close to public transport. Vehicle access has been separated from the general residential areas and arranged to ensure a safe and friendly environment whilst collecting/dropping off, or waiting for session times. The site amounts to 0.123 hectares (0.305 acres) and has been positioned to afford an outlook over the public open space whilst still being at the centre of the community. It is envisaged that this facility will be able to provide additional space by way of a meeting room etc. to fulfil other community needs.
- 3.13 To satisfy the local need 10 allotments (each of 125m²) are proposed and have been discreetly positioned in the northern corner providing a further degree of separation to adjoining residential properties.
- 3.14 2.903 hectare (7.175 acres) of new public open space (being approximately on third of the total site) is proposed which will provide a much needed local resource whilst reducing the visual impact of the proposals and will, via a network of pedestrian paths provide links through and around the development and to the wider area. Links will be provided to the nature reserve to the southwest and the green to the southeast.

4 The relationship of the proposed development to the surrounding dwellings

- 4.1 The proposed development has been designed to reflect the context within which it is set. To this end the proposed development advocates a range of 2 2½ and storey units (with the taller buildings on the low ground towards the centre of the site) and would utilise materials and detailing that reflect the character and vernacular of the local area. It has also been influenced by the topography, alignment and orientation of surrounding properties and seeks to provide sufficient space between the buildings and site boundaries to maintain the privacy and amenity of adjacent residents, and provide appropriate separation between properties within the site itself.
- 4.2 A continuous landscape buffer is provided along the north east edge of the site and the new dwellings have been designed to flank onto this boundary to minimise any impact and avoid overlooking of the existing residential properties.

5 Amount of development

- 5.1 The amount and mix of development advocated in this application has been determined by Decorum Borough Council's adopted Core Strategy (September 2014) and influenced by the size and shape of the site, the desire to protect the privacy and amenity of adjacent residents, and the aims and objectives of the saved policies of the Decorum Borough Council's Local Plan.
- 5.2 A range of dwelling sizes are proposed to meet local needs with an overall nett density on the residential areas of 30.06 dwellings/hectare achieved, to ensure efficient use of land.

6 The layout of the proposed development

- 6.1 Notwithstanding the generous areas of new Public Open Space the layout allows for the preservation and enhancement of boundary vegetation, which will both enhance the characteristics of the site and the amenities of adjacent residents and will soften the appearance of the proposed built form when viewed from the west and south.
- 6.2 In addition to the above, the proposed development, in providing dedicated garden, public and play spaces would reflect the aims and objectives Dacorum Borough Council's Local Plan in terms of outdoor amenity space/play space.

7 The scale of development

- 7.1 The proposed development responds to site constraints and reflects the scale of development that exists within the surrounding area in terms of both building height and footprint. The number of dwellings ensures efficient use of the land and together with the nursing home, nursery school, allotments and Public Open Space, amenity and play areas provides a major benefit to this part of Bovingdon.

8 Landscaping

- 8.1 As indicated above and detailed further in LDA's landscape appraisal, the proposed development has been landscape-led and allows for the retention and substantial enhancement of existing boundary vegetation. In addition the landscape strategy will help define the private and shared spaces as well as soften the margins of the roads, footpaths and paved areas. Thus the proposed development would respect the aims and objectives of Dacorum Borough Council's Local Plan.

9 Appearance

- 9.1 The style of existing development in this part of Bovingdon, whilst taking on the traditional form, displays considerable variety in architectural terms. Thus the characteristics of the area from a purely aesthetic point of view can be described as mixed/undefined in architectural terms.
- 9.2 The proposed development has been designed to accord with the Council's design standards. The proposed vernacular will reflect the historic character of Bovingdon rather than the plethora of more recent building styles and will utilise traditional proportions using red bricks with plain tile and slate roofs and elements of rendering, boarding and tile hanging.

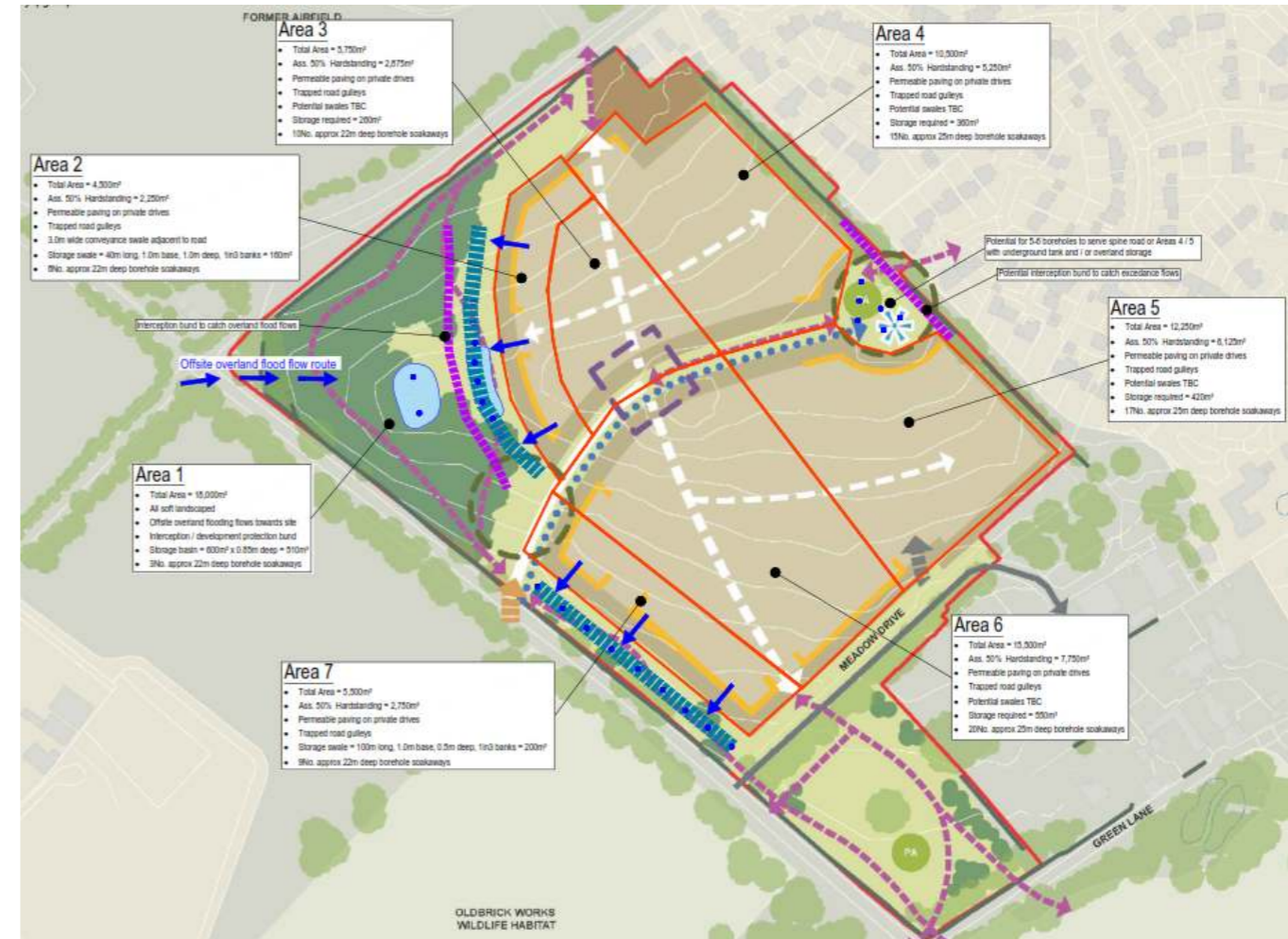
10 Highways and Access

- 10.1 A separate Transport Statement, prepared by JNP Group accompanies these proposals.
- 10.2 The proposed development will be serviced by a 5.5m wide road as required by Hertfordshire County Highway Department. The first section of road within the site will have a 2.0m wide footpath along both sides with the remaining roads being shared vehicle and pedestrian routes. The roads have been designed along 'home zone' principles with vehicle speeds of 15 mph to ensure the scheme is pedestrian friendly.
- 10.3 A highway analysis has been carried out confirming that visibility splays and forward visibility conform with Hertfordshire County Council standards.

- 10.3 A highway analysis has been carried out confirming that visibility splays and forward visibility conform with Hertfordshire County Council standards.
- 10.4 The road network has been designed to facilitate access and turning of standard refuse vehicles. Waste and recycling bins are designed to generally be stored on plot (in the private rear gardens) and brought out on collection days to avoid unnecessary clutter of the streetscape. Terraced properties will be provided with bin enclosures immediately to the front or integral to the dwellings.
- 10.5 Car parking has been provided on site in accordance with Dacorum Borough Council and Hertfordshire County Council standards of min 1.5 spaces per 1 bed property, 1.75 per 2 bed and 2 per 3 bed and 3 per 4/5 bed property. Garages (min internal size of 3m x 6m) will also provide secure storage for cycles and storage of recyclable waste. Houses that do not have garages would be provided with cycle stores located within rear gardens and communal cycle store for flats and cluster homes.
- 10.6 As identified above main bus services operate along Green lane, providing hourly services for the individual routes. Additionally the nearby Hemel Hempstead, Kings Langley, Chesham and Amersham railway stations all provide a good train service to London and beyond.
- 10.7 The local topography is relatively flat within the village and local amenities such as School, the Local Store and Doctors Surgery can all be accessed from the site on foot.
- 10.8 It is considered that the additional 130 dwellings, nursing home and nursery school can be accommodated satisfactorily on the site in highways and transport terms, and that they will not materially affect traffic or road safety conditions in the vicinity of the site.
- 10.9 Pedestrian access to all dwellings will accord with Part M of the Building Regulations, level thresholds will be provided to each individual dwelling, and the houses themselves will be accessible in terms of disabled access.

11 Flood Risk & Biodiversity

- 11.1 The proposed development has been designed to reflect The Environment Agency identified local Flood Risk as indicated below. See JNP Group's separate drainage strategy which resolves any issue for the development and the wider area.
- 11.2 Surface water disposal would be designed in accordance with the National Standards for sustainable drainage systems (DEFRA – Dec 2011).



Drainage Strategy – see JNP Groups separate report.



The Environment Agency flood risk map.

- 11.3 New landscape planting, open spaces and reinforcing of the existing hedgerow/field boundaries with native species will improve biodiversity.
- 11.4 A Level 1 Ecology Survey has been carried which confirms that there are no ecology issues of concern that would impact upon the sites development.
- 11.5 For further information see the following reports that accompany the application.
- Drainage Strategy – JNP Group
 - Landscape Strategy – LDA Design
 - Arboriculture – Martin Dobson Associates
 - Ecology – SLR Consulting
 - Archaeology: CGMS Consulting

12 Utilities

- 12.1 See JNP Group's detailed utilities assessment that accompanies this statement.

13 Planning Policy Considerations

- 13.1 See separate Planning Statement that accompanies this submission.

14 Developer Contributions

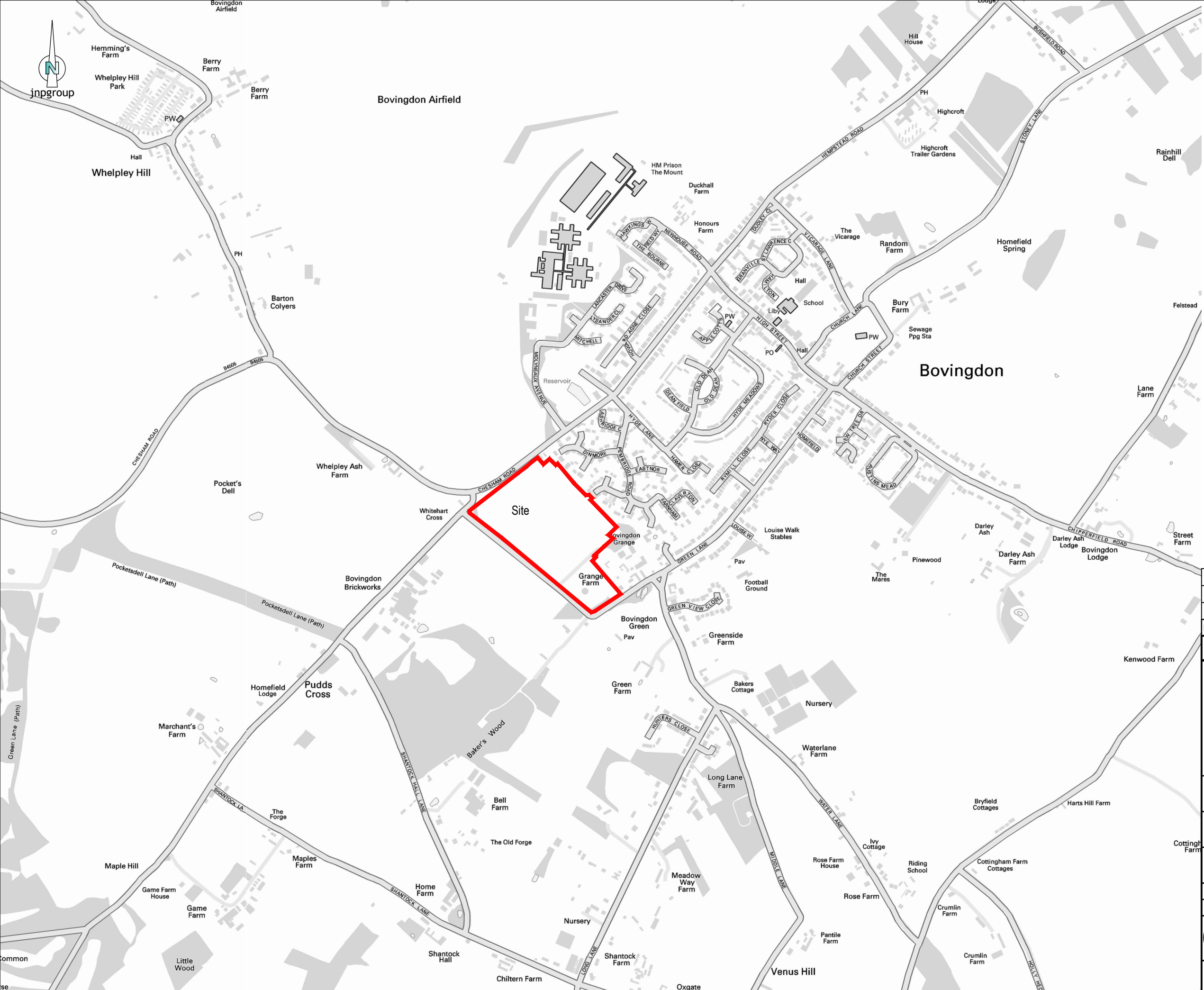
- 14.1 Should the development proceed an appropriate level of developer contribution, in respect of the local and county council's requirements, would be agreed and secured by way of a S106 agreement or CIL if adopted.

15 Local Consultations

- 15.1 In preparing these initial design proposals the developers have had detailed discussions with the land owners. Following the initial Pre-application enquiry to Dacorum Borough Council the applicants intend to hold a public exhibition and invite comments from interested parties which will inform the details as the proposals progress.

16 Conclusion

- 16.1 These proposals advocate a development of 130 dwellings, nursing home, nursery school, allotments and public open space on land that has been identified by Dacorum Borough Council in their Core Strategy as suitable to meet the local areas housing needs. The dwellings provide private and affordable homes ranging from 1 to 5 bedroom properties and have been designed in accordance with applicable local and national planning policy to sit comfortably with their neighbours, the Green Belt and not to impact on the adjacent open countryside. We therefore trust that the council and their officers will look favourably on this proposal.



Copyright reserved. This drawing may only be used for The Client and location specified in the title block. It may not be copied or disclosed to any third party without the prior written consent of jnpgroup.

Rev.	Date	Amendment	By	Chk.

Status Information



 john newton & partners
jnpgroup
 Consulting Engineers
www.jnpgroup.co.uk
 Chesham • Brighouse • Leamington Spa • Sheffield • Teesside
 Tel: 01494 771221 E-mail: southern@jnpgroup.co.uk

Client Whiteacre Ltd

Job Grange Farm
Bovington

Title Site Location Plan

Scale 1:10,000 @ A3 Date Feb 15

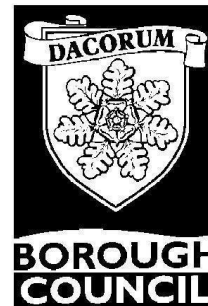
Drawn By JS Eng. Check SW Tech. Check SW

				
Accredited Contractor	Reg: 56479	Supplier No. 000026		

Drawing No. S82670-F-001

Rev.

Date: 22/03/2016
Your Ref:
My Ref: 4/02593/15/PRE
Contact: Ross Herbert
Directline: (01442) 22801442 228724
Fax: (01442) 228161
E-mail: Ross.Herbert@dacorum.gov.uk



The Borough of Dacorum
is twinned with
Neu-Isenburg Germany

Civic Centre

Hemel Hempstead

Herts HP1 1HH

Switchboard (01442) 228000

DX8804 Hemel Hempstead

Website www.dacorum.gov.uk

D/deaf callers, Text Relay:

18001 + 01442 228000

S D Oldroyd
PO Box 656
Farmham
Surrey
GU9 1JR

Dear Sir or Madam

**130 NEW DWELLINGS, NURSING HOME, NURSERY SCHOOL, ALLOTMENTS
AND OPEN SPACES
GRANGE FARM, BOVINGDON GREEN, BOVINGDON, HP3 0LB**

Thank you for seeking pre-application advice through the Council's pre-application service. Please find my informal officer advice set out below, which summarises the advice provided by officers at our two pre-application meetings. Given the speculative nature of the proposals for this Green Belt site, the pre-application response will focus primarily on the principle of development in the Green Belt, but will also provide initial advice in relation to the progress of the Site Allocations DPD and the Single Local Plan. Initial advice will also be given in relation to the various elements of the proposal, following the advice provided at our first pre-application meeting.

Site and Surroundings

The site comprises of land at Grange Farm to the south-west of Bovington. The site is located within the Green Belt, just outside the settlement boundary. The site has a total area of 8.9ha and is currently used for low level grazing, associated with the main farm house.

The site is bordered by Chesham Road to the north, Bovington Green Lane to the west, a modern housing development to the east and Grange Farm to the south. The site has access via Bovington Green Lane. The site is relatively flat and open, and is surrounded by mature tree and hedge belts on all sides.

Proposal

The proposed development comprises of a speculative Green Belt housing scheme which includes the following elements:

- 130 new dwellings (including 35% affordable housing);
- 60 bed nursing/care home;

- Children's nursery;
- Public open space (7 acres);
- Allotments (0.6 acres).

The pre-application proposal has been submitted with an extension suite of supporting documents, and effectively forms an evolution of the site promotion work undertaken by the applicants previous through their Core Strategy and Site Allocations site promotions work. The application is also accompanied by a Site Layout Plan by SPD Architects.

Planning History

No recent history.

The site has been promoted and appraised through the Core Strategy process and the emerging Site Allocations DPD process.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - Rural Area
CS12 - Quality of Site Design
CS17 - New Housing
CS19 - Affordable Housing
CS20 - Rural Sites For Affordable Housing
CS25 - Landscape Character
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 12, 13, 15, 18, 21, 51, 83, 99
Appendices 3, 5.

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Accessibility Zones for the Application of car Parking Standards (July 2002)
Landscape Character Assessment (May 2004)
Affordable Housing (Jan 2013)

Summary of Representations

Strategic Policy

The proposed development would involve the construction of 130 new dwellings, a 60-bed nursing home, and provision of a site for a new nursery school, allotments and inclusion of open space within the site. The site, known as Grange Farm, is located between Chesham Road (a Secondary Distributor Road) and Green Lane on the outskirts of the village of Bovingdon. In terms of constraints attached to the land, the site is entirely situated within the Metropolitan Green Belt.

The scheme represents a locally significant level of development of a scale Bovingdon has not experienced in recent years. It needs to be considered in relation to the settlement hierarchy under Policy CS1 and the general approach to selecting sites within settlements over their outward extension as set out in Policy CS2.

Principle of Development in the Green Belt:

Having regard to the exceptions identified in paragraph 89 of the NPPF and Core Strategy Policy CS5, the proposed development would constitute inappropriate development within the Green Belt as it represents a major residential development, with the inclusion of community facilities, which does not accord with specified exceptions. As stated in paragraph 87, inappropriate development is by definition harmful to the Green Belt and development should not be approved except in very special circumstances. Such circumstances 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 (paragraph 88).

The applicant asserts that it is inevitable that Green Belt land will be required to meet the housing needs within Bovingdon over the plan period and references the fact that, at the Core Strategy preparation and examination stages, all five options considered for Bovingdon were located within the Green Belt. Therefore, he considers that development of a further Green Belt site is necessary to meet the needs of Bovingdon.

We accept that Green Belt land is required in order to meet a reasonable level of housing need and demand arising from the village and this has resulted in the identification of Local Allocation LA6 through the Core Strategy process. This was a planned approach to new development that took into account a number of factors including local infrastructure capacity, land availability/housing supply, its impact on the Green Belt, and the merits of other competing sites around the village. While LA6 has been identified, its release is to be carefully managed (Policy CS2 and CS3).

The Council's reasons for taking Local Allocation LA6 forward over other Green Belt sites promoted within and/or around Bovingdon are set out within the *Assessment of Potential Local Allocations and Strategic Sites (Final Assessment) June 2012*. Having considered Grange Farm, compared to LA6 and three other alternatives, it was concluded that, on balance, land to the east of Molyneux Avenue (LA6) was preferred as a local allocation and therefore carried forward into the adopted Core Strategy and subsequently the Pre-submission Site Allocations DPD. Specifically, it was considered that development of this site (LA6) would not lead to the extension of the urban area boundary and would have a limited impact on the Green Belt (page 90). Comparatively, the appraisal of Grange Farm against the five purposes of the Green Belt found that development of the site would represent sprawl extending the urban area beyond the existing boundaries, and result in significant encroachment

into the countryside.

It is stated by the applicant that the pending expansion of HMP The Mount and requirement for circa 50 new staff is considered to be a special circumstance as it would increase the demand for housing locally which cannot be satisfied with the current proposed site allocation off Molyneux Avenue (LA6). This assertion makes an assumption that all new staff employed by the prison would require and could afford housing within the village. It is reasonable to assume that a proportion of any new employees would commute to the prison from other settlements (such as Hemel Hempstead and Chesham). Furthermore no such evidence has been provided to indicate otherwise.

At this pre-application stage, the applicant has not provided a detailed or sufficient case for 'very special circumstances' and therefore, in applying the abovementioned national and local planning policies, the Council would look to refuse planning permission for the proposed development. Should the applicant wish to proceed with the submission of a planning application and feel that such circumstances exist, these should be clearly set out within the submission.

Housing Supply:

The applicant also highlights the presumption in favour of sustainable development (paragraph 14 of the NPPF) where relevant policies for the supply of housing are not considered to be up-to-date (i.e. in the absence of a 5-year housing land supply) (paragraph 49 of the NPPF). However, as set out within the Councils Annual Monitoring Report 2013/14 and Background Issues Paper: Providing Homes and Community Services (September 2014), which was prepared to support the Site Allocations DPD, the Council has demonstrated that it has a 5.9 year housing land supply for the period 1st April 2015 – 31st March 2020.

It is important to note that even if there was an unmet need, this does not automatically signal that land should be developed in the Green Belt. Paragraph 034 of the PPG states:

'Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt'

The Core Strategy sets out a Place Strategy for Bovingdon. The Place Strategy anticipates that the village would provide for around 130 new homes between 2006-2031. It should be noted that the Core Strategy explains that this figure is indicative only and is not an absolute requirement (paragraph 19.6).

With regard to housing completions between 2006 and 2014 (as set out within the Annual Monitoring Report 2013/14 and yearly Housing Land Position Statements produced over this same period), 20 dwellings have already been completed in Bovingdon. This leaves a shortfall (taking account of 60 new homes to be provided by LA6) of 50 homes required over the next 16 years (i.e. 2015-2031). Based upon 20 (net) completions over the preceding 8 years, it is not unreasonable to expect 50 new dwellings to be delivered over the remaining plan period including those which may come forward through the planning system as windfall sites. The 50 homes

could be achieved on the basis of as little as 3 homes per year which is not an unrealistic prospect. The need for additional homes and land for other community facilities and how these will be accommodated (e.g. the need for future Green Belt releases) will be reconsidered through the new Single Local Plan (which includes the early partial review of the Core Strategy).

Site Allocations:

The purpose of the Site Allocations DPD is to deliver the requirements set out in the Core Strategy, which was adopted in September 2013, and not to pre-empt the content of any future Local Plan. This is supported by several recent High Court judgements (ref: Gallagher Homes Ltd and Lioncourt Homes Ltd vs Solihull MBC, Gladman Development Ltd vs Wokingham Borough Council and Grand Union Investments Ltd vs Dacorum Borough Council). The principle of developing the proposed Local Allocation LA6 is therefore established within the Core Strategy and the subsequent Site Allocations DPD intends to provide greater detail to facilitate development of this and other allocations.

Single Local Plan:

The Council is beginning the process of reviewing the adopted Core Strategy under the new Single Local Plan. This will consider the amount, timing and location of future levels of new development and associated infrastructure to support this. A number of technical documents are being prepared in order to inform decisions on this including:

- Green Belt review (Stage 2)
- SHMA
- Economy study
- SHLAA

It is important that key decisions involving future levels of development and the role of the Green Belt in accommodating this are properly understood. Such studies will provide a context against which to consider and test future issues and options through the plan-making process. It is clear that this scheme will not have taken such technical work into account. The proposal is premature in relation to the outcome of such key work. It would therefore pre-empt proper consideration of these matters and undermine a wider strategic and local approach to settlement planning and the Green Belt. It is crucial that, if a significant level of new development is needed in the village, the Council assesses the suitability of all potential sites within the village in light of its Local Plan evidence base and other local factors.

This process would also allow the Council to test, consult and properly plan for the impact of different levels of development on local infrastructure in the village. For example, it is unclear to what extent this scale of proposal will impact on and mitigate against (primary) schooling, GP provision, and long-term congestion issues within the local centre (see discussion below).

Conclusion:

The proposal constitutes inappropriate development within the Green Belt. Sufficient

evidence has not been demonstrated to warrant an exception to relevant national and development plan policies, and so the proposal cannot be supported at this time.

Should you require any further advice, please do not hesitate to contact the Strategic Planning Team.

Hertfordshire County Council Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

The views of the highway authority have been sought on the development of the site at Grange Farm, Bovingdon to provide 130 new homes (35% affordable), a 60-bed nursing home, a new nursery school, allotments and over 7 acres of public space.

This request for advice is supported by the suite of documents that could be submitted in support of a full application. Because of their sheer volume I have not been able to study all the relevant plans and reports in the same detail as I would were it a full application.

A draft Transport Assessment (TA) report was submitted. This consists of 34 pages of text supported by a comprehensive set of plans and appendices. This draft report appears to cover the necessary areas required by HCC in chapter 3 of section 1 of the highway design guide Roads In Hertfordshire but will be evaluated in detail at full application stage. Reference should be made in the final report to this complying with the HCC guidance in chapter 7 of section 1 of the design guide rather than the DfT guidance which has been withdrawn.

Pre application advice was given by the highway authority in March 2015 on the design of the site access off Green Lane. This has been incorporated in the design as described in section 5.2 'Access'. The ongoing provision of the agreed visibility splays should be considered and a solution described in the final submission documents.

Analysis of the likely trip generation effects of the proposed development is described in section 6 of the TA. The industry-standard TRICS database has been used. The trips associated with the proposed nursery from first glance appear to be on the low side. We will also want full information as to how the nursing home would operate (i.e. 24-hour care or element of 'active elderly').

In traffic terms the most important aspects of the assessment of the likely impact of the proposals is on the junctions in the vicinity. This is described in section 7 which describes the predicted changes at 4 key junctions: - Green Lane/ Leyhill Road priority junction; - Leyhill Road/ Chesham Road priority junction; - Green Lane/ Chipperfield Road priority junction;

and - Chesham Road/ High Street double roundabout. I concur with the conclusions that the likely impacts are not likely to be severe in either safety or congestion terms.

No reference is made, as far as I can see, to the potential adoption of any of the roads or paths in the site by the County Council as highway authority. The highway authority's approach to this is covered in Section 3 Chapter 12 of the County

Councils highway design guide. My initial view is that the site would in effect be a large cul-de-sac to vehicles and would therefore have low 'public utility' in the eyes of the highway authority. Therefore it is not a stretch of road that HCC would consider for adoption and the necessary arrangements should be made to ensure their ongoing maintenance. This matter should be discussed in the final TA and / or other submissions.

I have some comments to make about the language used and references made in the draft TA documents. It is generally accepted in the industry that what we used to refer to as 'accidents' should now be called 'collisions'. This refers in particular to section 4.2. There is some confusion in the report about the description of directions and orientations in relation to the compass. I refer in particular to the description of pedestrian access points section 5.3. Assuming that the proposed site layout shown in drawing 150128(0)002 is orientated north-south I would describe the link to Chesham Road as being at the northern corner of the site (not the 'north east'), the connection to Pembridge Close (not 'Road') as being through the northeastern (not the 'eastern') boundary and so on. Section 8 describes the guidance which will define the form and content of the Travel Plan. This should refer to the County Council's document 'Hertfordshire's Travel Plan Guidance for Business and Residential Development' as set out at <http://www.hertsdirect.org/services/transtreets/highways/highwaysinfo/hiservicesforbus/devmanagment/greentravelplans1/>

A 58-page Residential Travel Plan was submitted. This makes reference to the County Council's document 'Hertfordshire's Travel Plan Guidance for Business and Residential Development' as set out at <http://www.hertsdirect.org/services/transtreets/highways/highwaysinfo/hiservicesforbus/devmanagment/greentravelplans1/>. This submitted Plan appears to cover the necessary areas but will be evaluated in detail at full application stage.

The contents of this letter are an informal officer opinion and should not be taken as a formal response to a planning application. It may not reflect the contents of any formal reply made by the Highway Authority (Hertfordshire County Council) in response to an official consultation from the Local Planning Authority (Dacorum Borough Council) on a planning application for a similar proposal.

Hertfordshire County Council Development Services

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date for the erection of 130 dwellings, nursing home and nursery school we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All dwellings must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting

facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

The Section 106 template documents appended to the Toolkit include the standard planning obligation clauses. However, since this document was published this wording has been amended as set out in the attached document.

Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link:
www.hertsdirect.org/planningobligationstoolkit

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

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

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All dwellings must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

A Section 106 legal agreement would be the County Council's preferred method of securing fire hydrants. However, it is recognised that Dacorum Borough Council is intending to scale back the use of such agreements. If a Section 106 agreement is not otherwise anticipated for this development we would seek the inclusion of a condition to the planning permission. We would propose wording as indicated below:

"Detailed proposals for the fire hydrants serving the development as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and in accordance with the approved details thereafter implemented prior to occupation of any building forming part of the development."

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision. We would also seek to be informed of any decision notice which includes the provision of infrastructure via condition.

I trust the above is of assistance if you require any further information please contact me.

Contaminated Land Officer

I note that this consultation is in respect of a pre-application enquiry.

I can advise that as this site is very close to a historic landfill / tip site, there is potential for landfill gases to be generated and migrate onto site. We will therefore require a full contaminated land survey to be undertaken which takes into account all historic and current potentially contaminative land uses in the vicinity. The assessments should commence with a desktop survey to ensure that all potential sources are identified, and should then progress to an intrusive site investigation to include gas assessment. The report should identify any mitigation which will be undertaken to ensure the ongoing protection of site workers and future site users from any contamination present.

Please let me know if you require anything further at this stage. If a full application is made then we would require the contaminated land condition to be set on this one.

Parks and Open Spaces

The overall design seems to be ok. The play areas I couldn't find any real detail about. What I would need to know and I think Simon Coultas would need to be consulted on as well is, would the developer want DBC to adopt the play areas and open space? There is over 7 acres of public open space within/around the

development which if we adopted would need to be included in our work rota, which would need additional resources.

Considerations

Principle of Development

The site is located within the Metropolitan Green Belt to the south-west of the village of Bovingdon. Having regard to the exceptions identified in paragraph 89 of the NPPF, as supported by Core Strategy Policy CS5, it is considered that the proposed development would constitute inappropriate development within the Green Belt. It represents a major residential development, with the inclusion of community facilities, which does not accord with specified exceptions. As stated in paragraph 87 of the NPPF, inappropriate development is by definition harmful to the Green Belt and development should not be approved except in very special circumstances. Paragraph 88 of the NPPF confirms that such circumstances 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. No case for very special circumstances has been put forward as part of this pre-application proposal.

Green Belt - Policy Position for the Grange Farm Site

The applicant has put forward the case that it is inevitable that Green Belt land will be required to meet the housing needs within Bovingdon over the plan period and references the fact that, at the Core Strategy preparation and examination stages, all five options considered for Bovingdon were located within the Green Belt. Therefore, he considers that development of a further Green Belt site is necessary to meet the needs of Bovingdon. This forms a key part of the justification put forward in support of the pre-application proposals.

In considering this issue, and as confirmed by our Strategic Policy team, officer's accept that Green Belt land is required in order to meet a reasonable level of housing need and demand arising from the village. This has resulted in the identification of Local Allocation LA6 through the Core Strategy process. This was a planned approach to new development that took into account a number of factors including local infrastructure capacity, land availability/housing supply, its impact on the Green Belt, and the merits of other competing sites around the village. While LA6 has been identified, its release is to be carefully managed (Policy CS2 and CS3).

The Council's reasons for taking Local Allocation LA6 forward over other Green Belt sites promoted within and/or around Bovingdon are set out within the *Assessment of Potential Local Allocations and Strategic Sites (Final Assessment) June 2012*. Having considered Grange Farm, compared to LA6 and three other alternatives, it was concluded that, on balance, land to the east of Molyneux Avenue (LA6) was preferred as a local allocation and therefore carried forward into the adopted Core Strategy and subsequently the Pre-submission Site Allocations DPD. Specifically, it was considered that development of this site (LA6) would not lead to the extension of the urban area boundary and would have a limited impact on the Green Belt (page 90). Comparatively, the appraisal of Grange Farm against the five purposes of the Green Belt found that development of the site would represent sprawl extending the urban area beyond the existing boundaries, and result in significant encroachment into the countryside.

It is stated by the applicant that the pending expansion of HMP The Mount and requirement for circa 50 new staff is considered to be a special circumstance as it would increase the demand for housing locally which cannot be satisfied with the current proposed site allocation off Molyneaux Avenue (LA6). This assertion makes an assumption that all new staff employed by the prison would require and could afford housing within the village. It is reasonable to assume that a proportion of any new employees would commute to the prison from other settlements (such as Hemel Hempstead and Chesham). Furthermore no such evidence has been provided to indicate otherwise.

At this pre-application stage, the applicant has not provided a detailed or sufficient case for 'very special circumstances' and therefore, in applying the abovementioned national and local planning policies, the Council would look to refuse planning permission for the proposed development, as it represents inappropriate development in the Green Belt under the NPPF and Core Strategy Policy CS5.

Should the applicant wish to proceed with the submission of a planning application and feel that such circumstances exist, these should be clearly set out within the submission.

Urban Design/Layout

The proposed development has been landscape led. This is clear from the Design and Access Statement below and LDA Design's separate landscape statement which advocate a number of key urban design elements, including:

- Built form set back from Green Lane and Chesham Road to provide a soft natural edge to the development;
- Woodland planting towards the north and western edges of the development to screen views towards the development from within the Green Belt;
- Pedestrian links from the adjacent built up area through the site to link with the newly created Public Open Space and the existing bus stop in Green Lane;
- Physical links and visual connectivity between the sites newly created public open space with Bovingdon Green and adjacent public footpaths.
- Built form located sympathetically in relation to the sites topography.

Yours faithfully

Ross Herbert
Case Officer
Planning and Regeneration