



Dacorum Borough Council

Local Planning Framework

DACORUM CORE STRATEGY EXAMINATION IN PUBLIC

Statement of Common Ground as agreed between

Dacorum Borough Council

and

**Lone Star Land Ltd for Mr & Mrs Brightman (Representor Number
627371)**

Bidwells for Mr & Mrs Ball (Representor Number 625439)

in respect of Local Allocation LA4 Land at and to the rear of Hanburys,
Shootersway, Berkhamsted

and:

Representations 969, 1107 and 1108 from Lone Star Land Ltd and
Representations 788, 791 and 809-811 inc and 813. from Bidwells

September 2012

Purpose of this statement

The purpose of this statement is to inform the Inspector and other parties about the areas of agreement between Dacorum Borough Council (DBC) and land owning interests expressed by Lone Star Land Ltd and Bidwells in relation to matters relating to the Pre-Submission Core Strategy.

Background

The Council and parties representing the key landowners have met several times to discuss how Local Allocation LA4 can be delivered. Joint discussion and agreement has covered technical work and future consultation concerning the Core Strategy and planning process. The evidence base has been extended where appropriate.

The first statement which follows relates specifically to Local Allocation LA4 and has been agreed by all the parties.

The second statement refers to representations on other matters and the Council's proposed changes in the Report of Representations (Examination Document SUB5).

Agreed Matters: (1) Local Allocation LA3

(A) Joint Statement

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1.0 INTRODUCTION

- 1.1 This joint statement has been prepared to supplement the formal representations that have been previously submitted by Lone Star Land Ltd (LSL) on the Pre Submission Core Strategy (Examination Document SUB1). It provides a short report to aid the Inspector and members of the public in understanding how the proposed allocation (Local Allocation site, reference LA4, for 60 dwellings) at the Hanburys and The Old Orchard is an appropriate, sustainable and deliverable proposal.
- 1.2 The report is prepared on behalf of Dacorum Borough Council and the landowners; Mr & Mrs Brightman, owners of Hanburys and Mr & Mrs Ball, owners of The Old Orchard. Their respective land ownership plans are contained within Appendix A. The land owners have an active commitment to bringing forward both parcels of land as part of a comprehensive development scheme and agree to the general description and viability of the proposal for the site and development principles set out in the Pre-Submission Core Strategy. The owners agree to provide the land when required and to collaborate with the Council, other landowners and key utilities to develop the proposal and achieve delivery and to provide extra information where needed either in the form of technical information or the provision of evidence at the Examination in Public.
- 1.3 The site is 1.9 Ha and lies on the south side of Shootersway immediately adjacent to the British Film Institute (BFI) site. It is a level site, comprising the extensive garden associated with Hanburys and the land and buildings of The Old Orchard. There are no fundamental 'show stoppers' that can prevent the land from coming forward for development.



2.0 ACCESS AND ACCESSIBILITY

- 2.1 Glanville Consultants have been appointed by Lone Star Land Ltd to produce a Transport Strategy for the proposed development. Their report, as submitted as the Highway Statement to Appendix B in the Planning Statement to Lone Star Land Ltd., 'Representations to the Pre-Submission Core Strategy', made an initial assessment of the main transport considerations related to the project. This included: outlining a suitable vehicular access point; evaluating the impact on the surrounding road network; and investigating sustainable travel options to the site.
- 2.2 The site is well positioned within easy walking distance from a number of key destinations including bus stops, Berkhamsted town centre, a Waitrose superstore, 6 schools and Berkhamsted train station which enjoys excellent connectivity.
- 2.3 The nearby junction of Shootersway/A416 has existing layout and congestion problems and was assessed in the Kingshill Way/Kings Road/Shootersway Junction Stage 1 Feasibility Report (Hertfordshire Highways, 2010). A summary of this is provided within the transport study by Glanville Consultants. The report concludes that introducing signal controls at this junction with provisions for pedestrian crossing would provide the most appropriate solution to the existing vehicular and pedestrian issues.
- 2.4 Additional traffic from the two sites allocated in the draft Core Strategy (the other site being Proposal SS1 Land at Durrants Lane / Shootersway), of which the Hanburys development only makes up 25%, were modelled and found to have a minor effect on the expected queues at the proposed signal junction. Therefore, the Hertfordshire Highways Junction Feasibility Report concludes that no further work is required to mitigate the development impact than that proposed to resolve the current capacity issues with the junction.
- 2.5 An appropriate vehicular and pedestrian access route into the site has also been proposed which is considered to be suitable for its intended use and location within the road network. To connect the on-site pedestrian facilities with the surrounding footways it is proposed to introduce either an uncontrolled crossing across Shootersway, or to connect to the proposed signal controlled junction at Shootersway/A416 via a new footway on the westbound side of Shootersway. Access arrangements will need to be discussed in more detail with Hertfordshire Highways as the scheme is progressed.
- 2.6 Initial investigations illustrate that there will be no problems in accessing the site and there are no impediments to affect delivery.

3.0 UTILITIES AND SERVICES

3.1 The latest position on the infrastructure required to support the existing and planned levels of development within the Borough is set out in the Dacorum Infrastructure Delivery Plan Update (June 2012) (Examination Document ID5). The technical work to date indicates that there are no absolute constraints to the delivery of the amount of development proposed for Berkhamsted in the Pre Submission Core Strategy.

3.2 The land is free from gas and waste water mains, and electricity and telecommunications (Virgin) cabling. An electrical sub-station abuts the western edge of the site. An easement runs across the rear of the site, however this is considered to be a constraint that can be designed around or moved if required.

3.3 Waste Water

Foul water sewers run to the north of the site. Thames Water has confirmed that Berkhamsted Waste Water Treatment Works has recently been upgraded. It has sufficient capacity to cope with future levels of growth in the town.

3.4 Potable Water

No specific requirements for potable water infrastructure have been identified as a consequence of planned development across the Borough. It is likely that only local network reinforcements will be required.

3.5 Gas

There is a low pressure main to the north of the site. National Grid has confirmed that the strategic impact of planned development can be absorbed by the gas network. However, local reinforcements to the network are likely to be required to serve new development. National Grid is in the process of upgrading the medium pressure system in Berkhamsted to its maximum capacity, although this is likely to take a number of years to complete.

3.6 Electricity

UKPN has confirmed that the planned housing growth in the town will place an additional load on the electricity network. This can be met by local level upgrades of the primary substation.

3.7 In summary there are not considered to be any significant impediments to the provision of appropriate services to serve the site. Any on-site infrastructure requirements will need to be met by the development.

4.0 ECOLOGY & ARBORICULTURE

4.1 EcoConsult and Ruskins have been appointed to review the ecological and arboricultural aspects of the site's potential for development.

4.2 Ecological

The land is not subject to any local or statutory wildlife or nature conservation designations. The site may support low numbers of reptiles and bats. Where appropriate mitigation measures can be put in place should the site come forward for development. The existing informal heavy landscaping provides opportunities for nature conservation and green links to the adjoining wider countryside.

4.3 Arboricultural

No Tree Preservation Orders exist on the site. It is proposed to retain the mature screening around the site which provides a defensible boundary to the Green Belt.

4.4 There are no ecological or arboricultural impediments to affect delivery.

5.0 ARCHAEOLOGY

5.1 Whilst there are no heritage assets on the site, the Adopted Dacorum Borough Local Plan 1991-2011 Proposals Map (Examination Document OT1) identifies that the site is within approximately 100m of an area of archaeological significance known as Number 54 'Chesham Road, Berkhamsted A41.' As such the County Archaeologist has recommended it would be necessary for an archaeological assessment to take place prior to any planning application being submitted.

5.2 There are no archeological impediments to affect delivery.

6.0 FLOODING

6.1 The site does not lie within the flood plain, nor does it have a history of any flooding.

6.2 There are no flooding impediments to affect delivery.

7.0 LANDSCAPE

- 7.1 The site is very well contained by extensive existing boundary screening. The careful layout, design and density of housing and new landscaping will ensure that a soft edge is created with the adjoining countryside to provide a new permanent defensible boundary to the Green Belt and to safeguard the important open buffer between the southern edge of the site and the A41 bypass. Retention of the boundary landscaping will also help to maintain the semi-rural setting of the Shootersway frontage.
- 7.2 Development on the site will result in a modest encroachment of development up the valley side. However given its existing residential use, its contained nature between the BFI site and electricity sub station and extensive boundary landscaping, the site has very little wider amenity value and is well screened from the A41 and surrounding areas. As such, development on the site would not have an adverse impact on the landscape setting and would not be visible in views from the valley floor.
- 7.3 There are no landscape impediments to affect delivery.

8.0 DELIVERABILITY AND TIMING

- 8.1 There are no fundamental constraints to prevent the site coming forward should it be allocated for housing. The site is available for development now and there are no known constraints to it coming forward. It is anticipated that the site would be delivered in a single phase.
- 8.2 The small scale release of Green Belt would be appropriate to meet the development needs of the town. The careful design of development on the site along with and the retention of existing boundary landscaping will ensure a soft edge with the adjoining countryside and secure a long term defensible Green Belt boundary.

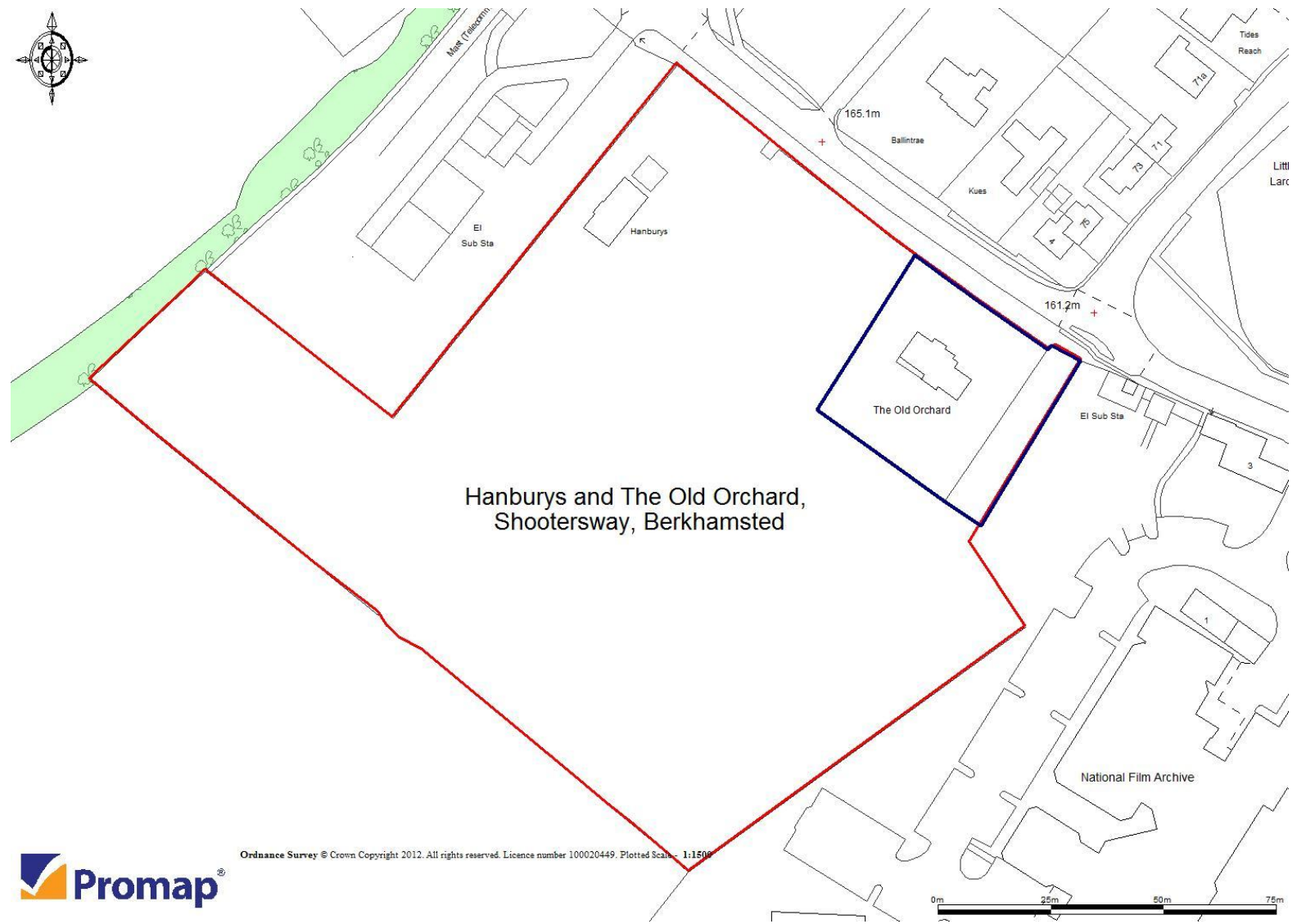
9.0 CONCEPT PLAN

- 9.1 The conceptual plan has been developed whilst taking all of the site's technical, physical and contextual characteristics into account. Retention of the existing vegetation has been the key driver in the preparation of the plan through taking advantage of the strong landscaping belt that the site enjoys with Shootersway whilst also retaining the site's natural landscaping buffer around the boundaries that abut the open countryside. This ensures that the site retains the benefit of a strong defensible boundary to the Green Belt.
- 9.2 The junction has been located in the position of the original access to minimise disturbance to three large oak trees along the Shootersway frontage and their associated root protection zones. The access is also approximately 85m from the Shootersway/A416 junction and 34m from Oxfield Close, a small cul-de-sac serving 15 properties.
- 9.3 The concept layout suggest two groups of houses, one to the east and one to the west, designed around the retained trees and proposed landscaping that will provide the opportunity for visual links through to the adjoining countryside. Within each cluster of housing key opportunities will present themselves for strong focal point buildings.
- 9.4 The enclosing boundary planting will allow the creation of a secluded residential enclave that would be designed in harmony with the Berkhamsted vernacular whilst having a character all of its own.
- 9.5 As the proposal is progressed, there will be a need to discuss in detail the design, mix and layout of any scheme.

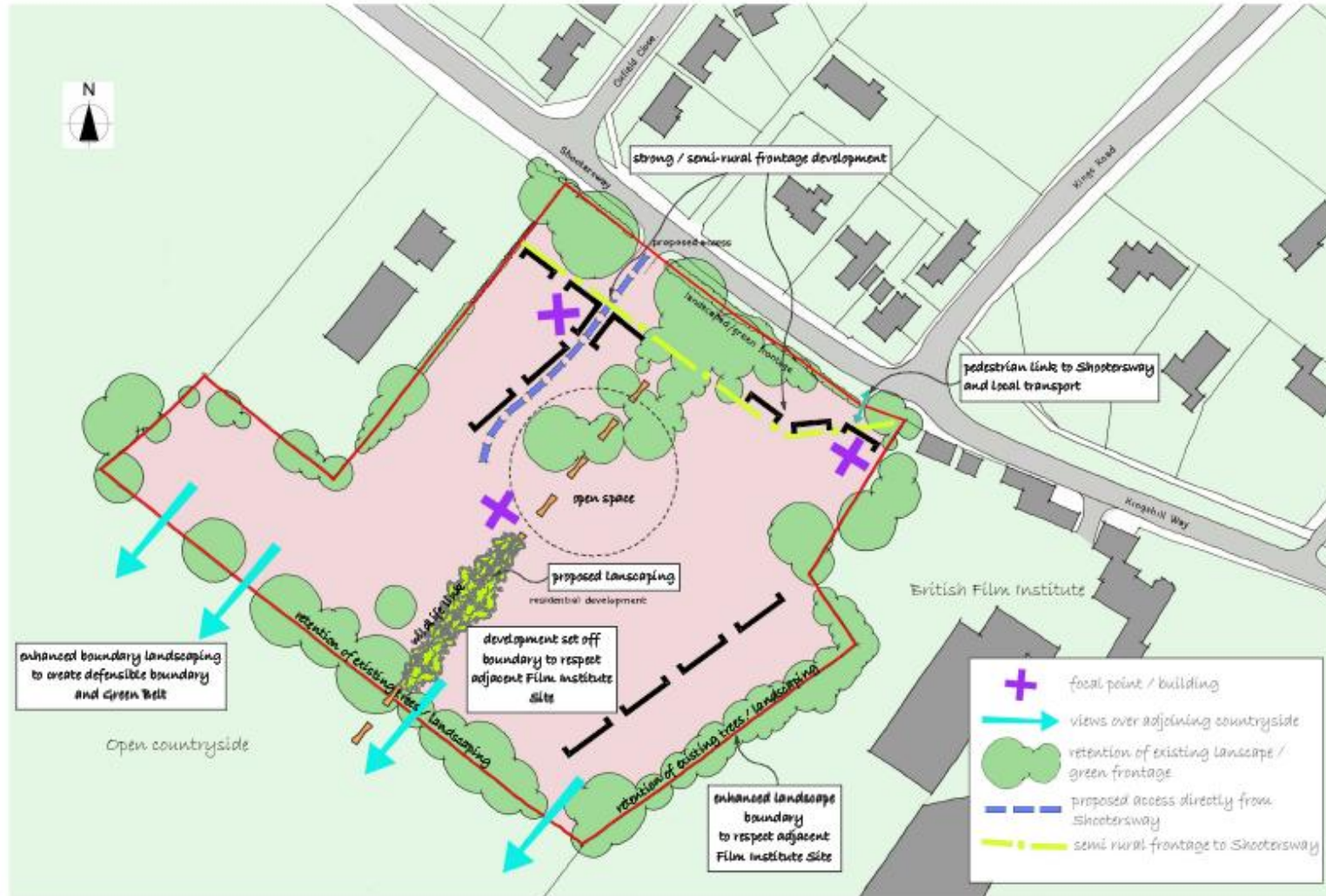
10.0 CONCLUSION AND DELIVERABILITY

- 10.1 The land at Hanburys was identified as site LA4 for the provision of approximately 60 new homes with a mix of two storey housing including around 40% affordable homes. It was identified that a contribution should be made towards educational and community facilities; the layout; design, density and landscaping should create a soft edge with the adjoining countryside and secure a long term Green Belt boundary; and development should respect the setting of the adjoining British Film Institute site.
- 10.2 This is a modest and compact site that can help deliver affordable housing for the town. It relates well to the existing built development within the BFI site. The land is well contained by extensive and defensible boundary screening that will help create a strong Green Belt boundary. It will not lead to it setting a precedent for releasing land to the south of Berkhamsted between the built-up part of the town and the A41 bypass.
- 10.3 Development on LA4 can support the expansion of the adjacent BFI site which is an important local employer through the provision of housing with the need to travel being reduced by employees who occupy the proposed housing. In accordance with the principles for the site contained in the Berkhamsted Place Strategy in the Pre-Submission Core Strategy, development on the site can be provided to respect the setting of the adjoining BFI site.

APPENDIX A LAND OWNERSHIP PLAN



APPENDIX B CONCEPTUAL PLAN



CONCEPT PLAN, LAND AT HANBURY'S AND THE OLD ORCHARD, SHOOTERSWAY, BERKHAMSTED

Agreed Matters: (2) Other Matters

1. The parties have no objection to the minor changes put forward by the Council in its Report of Representations Annex B Table 3 (Examination Document SUB5). These suggest minor changes under MC86 to the development principles to LA4.

Outstanding Matters

The following objections from Lone Star Land Ltd remain outstanding:

- Representations 969 (Proposal LA4)
- Representations 1107 (Policy CS3)
- Representations 1108 (Policy CS2)

The following objections from Bidwells remain outstanding:

- Representations 788 (Table 9)
- Representations 791 (Proposal LA3)
- Representations 809 (Proposal SS1)
- Representations 810 (Policy CS19)
- Representations 811 (Policy CS17)
- Representations 813 (Proposal LA4)

AGREEMENT

Signed by:

on behalf of Dacorum Borough Council

Dated 24th September 2012

on behalf of Lone Star Land Ltd for Mr & Mrs Brightman

Dated 24th September 2012

on behalf of Bidwells for Mr & Mrs Bell

Dated 24th September 2012