



# **Dacorum Borough Council**

## **Local Planning Framework**

### **DACORUM CORE STRATEGY EXAMINATION IN PUBLIC**

**Statement of Common Ground as agreed between**

**Dacorum Borough Council**

**and**

**Hertfordshire County Council (Hertfordshire Property) (Representor  
Number 627624)**

**Woolf Bond Planning LLP for Taylor Wimpey UK Ltd (Representor  
Number 398218)**

in respect of Strategic Allocation SS1 Land at Durrants Lane /  
Shootersway, Berkhamsted (Egerton Rothesay School)

**and:**

Representations 523-528 inc. from Woolf Bond Planning (see inside)

**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 Hertfordshire County Council (Hertfordshire Property), and Woolf Bond Planning on behalf of Taylor Wimpey UK Ltd 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 Strategic Allocation SS1 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 Strategic Allocation SS1 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) Strategic Allocation SS1

## (A) Joint Statement

### CONTENTS

	<u>PAGE</u>
1. Introduction	3
2. Background to the Strategic Site Allocation	4
3. Constraints and Opportunities	6
4. The Masterplan	11
5. Deliverability	13
6. Conclusions	15
Appendix 1 List of documents	16
Appendix 2 Site Plan of area applied for by Save Your Berkhamsted Residents Association to register land as a village green	17
Appendix 3 Additional development scenario	18

## 1. Introduction

- 1.1. Preparation of this statement follows discussions with Dacorum Borough Council and a consortium comprising of Egerton Rothesay School with Woolf Bond Planning LLP, acting on behalf of Taylor Wimpey UK Ltd. and Hertfordshire County Council.
- 1.2. The statement demonstrates that the Strategic Site SS1 is deliverable in the plan period in accordance with the principles set out in the Core Strategy. The statement:
  - Describes the site and surroundings;
  - Summarises the technical work that has been undertaken in order to demonstrate technical feasibility;
  - Provides and describes a Masterplan, identifying principles that will underpin delivery of the site; and
  - Assesses key planning and environmental issues.
- 1.3. A full suite of technical work has been undertaken in order to demonstrate the deliverability of the allocation and to inform emerging design work aimed at minimising its environmental impact. Detailed assessments in respect of landscape and visual matters, transportation, utilities and flood risk, ecology and desk based archaeological assessments have all been undertaken. A list of this documentation is attached at Appendix 1.
- 1.4. The site is divided up into a number of distinct land parcels (ref. Figure 1.1 in Examination Document SS1) controlled by:
  - Taylor Wimpey UK Ltd (TW)
  - Hertfordshire County Council (CC)
  - Egerton Rothesay School (ERS)
  - Dacorum Borough Council (DBC)
- 1.5. The intention of those with land interests at Durrants Lane / Shootersway is to work in a collaborative manner as a consortium to deliver the proposed allocation. All of the parties support the strategic site allocation and are willing to bring forward the land for development through the Core Strategy.

## **2. Background to the Strategic Site Allocation**

2.1. Proposal H37 of the saved Dacorum Borough Local Plan 1991-2011 (together with Policies C1/L1) (Examination document OT1) included the following proposals for the site:

- 4.4 hectares in the central part of the site, including the existing school buildings and playing fields to be developed for 100 dwellings. Access to be provided from Durrants Lane; and
- 8.3 hectares in the southern part of the site, to be developed for a school with dual use playing fields and new informal leisure space. Access to be provided from Shootersway.

2.2. Since 2002 (when the original proposals were prepared), negotiations between the parties have continued and it is now agreed that the wholesale relocation and rebuilding of the school to the south east of the site is not viable. A refurbishment and extension of the existing buildings is the more practical alternative.

2.3. The Council is reviewing the Local Plan, extending its time horizon of 2011 to 2031. From studies the Council has concluded that there is both a need and a demand for more housing in the district and that there is a significant open space shortage at Berkhamsted. Land in the area can be better used and help to meet identified needs i.e. more housing and more open space.

2.4. The parties that revisions are necessary to the current Local Plan proposals.

2.5. The Council has included Proposal SS1 in the Core Strategy (Examination document SUB1). It provides for the following development in the form of a strategic site. i.e.

- The retention of the Egerton Rothesay School on its existing site with provision of residential development along its eastern side comprising 3.5 hectares adjoining Coppins Close and the existing School Playing Fields to the east of the schoolbuilding. This provides a residential development area of approximately 6 hectares.

- Land to the south of the existing school buildings (extending to 3.9 hectares) can be retained for playing fields, open space and associated parking.
- Additional land provided for use as playing fields and open space (extending to approximately 2 hectares) in the Green Belt west of Durrants Lane and north of Shootersway.

### **3. Constraints & Opportunities**

- 3.1. Substantial technical work has been undertaken to ensure the strategic site is deliverable as proposed in all respects. This work is summarised below.

#### Site Location

- 3.2. The proposed allocation lies on the south west side of Berkhamsted. The site is edged red on Figure 1.2 of Examination Document SS1 and extends in total to 14.2ha. A further area of land controlled by Taylor Wimpey is located to the north west of Durrants Lane and extends to 2ha.
- 3.3. The site lies within the Berkhamsted settlement boundary, with countryside to the west and south that falls within the Green Belt. The site is roughly triangular in shape, with the apex of the triangle lying to the north on Durrants Lane and the base running along Shootersway. To the east, the site borders the residential areas served off Marlin Close, Coppins Close, Chalet Close and Tresco Road. To the south the boundary follows Shootersway and to the west Durrants Lane.

#### Land Use and Topography

- 3.4. The centre of the site comprises the buildings and grounds of Egerton Rothesay School, the southern part two arable fields, and the remainder of the site is woodland. In addition, there is an arable field to the west of Durrants Lane which lies within the Green Belt. As mentioned there is an additional area comprising 2ha of arable land to the west on the opposite side of Durrants Lane, that is available for community playing fields and potentially allotments.
- 3.5. An agricultural land classification survey of the site has been carried out, examining soil profiles to a depth of 120cm. Most of the site is classed as 'other land/non-agricultural'. The south eastern side was classed as subgrade 3b, with a smaller area classed as subgrade 3a. Where practicable the

proposed scheme will involve the reuse of soil resources on site. In summary, the development of land at the site does not significantly conflict with planning policy in agricultural land quality terms.

- 3.6. The central and southern portions of the site occupy a broad plateau of land, at approximately 170m Above Ordnance Datum (AOD). The northern portion of the site slopes steeply towards the River Bulbourne and the Grand Union Canal which flows through the centre of Berkhamsted. To the south, beyond Shootersway, the land gently falls to a second, smaller valley, which runs parallel to the River Bulbourne.
- 3.7. Neighbouring residential development comprises detached and semi-detached dwellings of mixed age and character, arranged in a medium density suburban layout. The density of development is higher to the north with development extending to two-and-a-half storeys in places.

#### Landscape

- 3.8. There are a number of significant trees and areas of woodland on the site, particularly to the periphery and in Cox Dell and The Plantation. However, none of these are covered by Tree Preservation Orders. There are no designations for landscape character or quality covering the site.
- 3.9. The heavily vegetated nature of the site boundaries, the extent of built development to the east of the site and topography of the local area is such that views of the site are limited and for the most part confined to fragmented, near distance views. Examination Document JS16 concludes that it is unlikely that the proposed development would give rise to any materially greater impact.

#### Ecology

- 3.10. Ecological surveys have been undertaken over the past four years and no habitats of significant ecological value have been identified within the site

although the land to the north of the site, the woodland in the southern part, and the vegetation on the boundaries do offer opportunities for local wildlife. Details of the ecological work undertaken are provided in within Examination Documents JS13 - JS15.

3.11. The following surveys have been undertaken:

- Badger survey: Badger setts identified in the woodland to the north (Cox Dell) with evidence of activity foraging across the site. No impacts to these setts identified but new planting and woodland management should include benefits for badgers.
- Bat activity surveys: No roosts identified during the surveys. Low level of bat activity focused to the woodland edges and hedges. Lighting should be designed to minimise impacts on bat flight routes along these features.
- Assessment of trees to support roosting bats: Small number of trees found with potential to support roosting bats. These trees are recommended for retention.
- Reptile survey: No reptiles were found on site.
- Great crested newt surveys: No evidence of great crested newts was found in any of the water bodies within 500m of the site including on site pond in Cox Dell.
- Breeding bird survey: Size and diversity of breeding bird population considered less than expected for habitat present. No rare species or species of conservation importance recorded.

3.12. Apparent from the above is that opportunities exist to provide biodiversity gains via simple enhancement measures as part of the development. However there are no overriding ecological constraints on the site.

### Archaeology

3.13. An archaeological desk-based assessment (Examination Document JS17) of the site has been undertaken, including consultation of archaeological and historical information from documentary and cartographic sources. On the

basis of the information obtained it is apparent that the site is located within an area containing evidence of activity of prehistoric and Roman date.

- 3.14. Hertfordshire's Historic Environment records show one archaeological feature within the site. This is Grim's Ditch, a linear boundary of probable Iron Age date, the course of which crosses the site on an approximate east-west alignment. This feature will be protected and retained as undisturbed land. Prior to submission of a planning application, consultation shall be carried out with the County Archaeologist to establish a predetermination programme of archaeological evaluation.

#### Flood Risk & Drainage

- 3.15. The site lies outside any 1:100 year floodplain as shown on the Environment Agency flood maps and therefore flooding does not form a constraint to the development of the site. Initial reviews of the site characteristics and soil composition suggest that the likely surface water drainage strategy would involve on-site soakaways.
- 3.16. There are existing foul sewers in the residential areas to the east and northeast of the site and the intention would be to connect into one of these sewers. The nearest foul sewer to the site is in Coppins Close where the houses are served by a rising main and pumping station which connects to the foul sewer in Shootersway. The options to serve the site are either to connect to the existing sewers to the north-east that currently serve Tresco Road, Durrants Lane, Chaucer Close and Edlyn Close or to connect to the foul sewer in Shootersway via a raising main. Further detailed analysis is underway in assessing the most appropriate option for servicing the site.

#### Services & Utilities

- 3.17. Initial investigations outline that the existing infrastructure surrounding the site is of sufficient capacity to serve the proposed development without the

requirement for new, large-scale service connections although some level of reinforcement is likely to be required.

- 3.18. Potable water is anticipated to be taken from the mains in Shootersway, gas from the mains branches along Shootersway / Durrants Lane and electricity from the nearest HV supply.

#### Highways & Transportation

- 3.19. The site is located in close proximity to local transport services, facilities and other local services, adjoining existing areas of residential development. Both pedestrian and vehicular access could be safely provided to all areas of the proposed scheme with the primary access to the residential development likely to be taken from Shootersway in the south.
- 3.20. Residential / estate roads would be designed in accordance with the guidance set out in 'Manual for Streets' and Travel Plans would be produced to support the application.
- 3.21. The proposal will have wider implications for the road network. The consortium accepts that the development will need to contribute towards local highway works, particularly at the junction with Shootersway/Kingshill Way.

#### Geo-Environmental

- 3.22. A phase I assessment (Examination Document JS18) has been carried out and has found that the environmental risk from on-site potential sources of contamination have been identified but are considered low/medium risk. The identified potential sources of contamination are related to the historical infilling of an onsite Chalk Pit and the likely preferential pathway between these materials and the Major Aquifer, in addition to the presence of a former landfill site immediately adjacent to the south of the site. The overall risk rating on the site is considered low/medium. A ground investigation and asbestos survey will be carried out in due course.

## 4. The Masterplan

4.1. Based on the technical work undertaken, a Framework Masterplan (Examination Document SS1) has been prepared in order to demonstrate the principles that would apply to future masterplanning. Figure 6.2 of the Masterplan illustrates how the allocation could be brought forward. The main principles contained within the Masterplan are as follows:

- Open Space and Playing Fields - Land to the west of Durrants Lane will be made available for community playing field use, compatible with its Green Belt status. Subject to local demand, a small part of this land can be made available for community allotments.
- Shared Parking - Area of car parking provided to the east of Durrants Lane to serve the community playing fields and informal open space and to act as an over-flow car park for the school.
- School Expansion/Refurbishment - Potential for expansion and refurbishment of the existing school buildings.
- Footpath Connection to Durrants Lane - Provided alongside the school site and through the woodland to Durrants Lane.
- Cox Dell - The woodland to the north of the school is to be retained and a management plan provided to enhance the structure of the woodland and its associated habitats.
- Footpath Link to Tresco Road – Existing footpath to be retained and resurfaced.
- Grim's Ditch - Important historic asset to be retained within an area of open space and new landscaping. No development shall occur within 20 metres of the ditch and dwellings shall be orientated to front on to it.
- Coppins Close/Chalet Close Boundary – Detached housing backing onto eastern boundary to be of a similar scale to neighbouring development. Vegetation along the boundary to be retained and supplemented with new planting and privacy of the existing dwellings respected.
- Housing Development - Housing shall be predominantly two storey with some two-and-a-half storey development to add interest. A clear definition between the public and private realm and a permeable, pedestrian friendly street layout will be provided.

- Shootersway Access - Vehicular access is to be from Shootersway. The access shall be designed to minimise the impact on the tree belt along the site frontage.
  - Shootersway Frontage - Long-term objective for this area is to retain the vegetation along the site frontage but to gradually replace existing non-native trees with indigenous stock.
  - The Plantation - Belt of woodland provides an important feature of the local landscape and is to be retained and managed.
  - Informal Open Space – Area of informal open space to be provided on the perimeter of the school playing fields and a footpath link provided to the proposed car park and to the community playing fields to the west of Durrants Lane.
  - Playing Fields – Relocated playing fields to be established on southwest side of the site and available for use by the wider community.
- 4.2. A new access to the residential development would be provided from Shootersway whilst a further new access for the school, including a car park, is to be provided from Durrants Lane.
- 4.3. It is expected that the average density within the housing development area would be in the order of 30 dwellings per hectare. This will deliver approximately 180 dwellings, including a wide mix of dwelling type, sizes and tenure.

## **5. Deliverability**

- 5.1. The Consortium (together with Dacorum Borough Council) controls the whole of the site and there are no reasons why the land cannot be brought forward for development. Arrangements are being finalised within the Consortium including contributions towards the future improvements to Egerton Rothesay School, all of which will help to maintain its current status as an important service provider locally.
  
- 5.2. It is anticipated that development would start from the Shootersway end of the site and the construction of approximately 180 dwellings would take in the order of 3 years. It is agreed that development of the 180 homes proposed is likely to commence in 2014 with completion anticipated by 2017. Phasing will enable the existing school playing fields to the north to be retained for at least the first year of the development programme. This will enable the new open space and playing fields on the land south of Egerton Rothesay School and west of Durrants Lane to be available by the time it is necessary to develop the existing school playing fields.

### Village Green Application

- 5.3. The parties are aware that as of August 2012, the Commons Registration Authority have received an application from the Save Your Berkhamsted Residents Association for part of the site on its north eastern side to register the land as a village green under powers contained within the Commons Act 2006 (application Ref. VGR 045). This site comprises the existing school playing field and access way. The Residents Association claim the existing school playing field to have been in actual use by local inhabitants for lawful sports and pastimes for such a period that it justifies the grant of village green status. A plan of the relevant part of the site subject of this application is provided as Appendix 2. It is not the aim of this statement to assess the legitimacy of this claim. It will be separately challenged. However, it is accepted that there is a potential delay while this application is being considered. This procedure could take up to two years to be determined via

the usual inquiry procedure in such cases. The parties agree that the planning and layout of the site can and will be planned so that the application will not delay the delivery of Proposal SS1.

- 5.4. The following two scenarios assess the deliverability of the site with the perceived constraint in mind.

Scenario 1 – Village green application is unsuccessful

- 5.5. Under these circumstances the scheme could come forward as provided within the Framework Masterplan.

Scenario 2 – Village green application is successful

- 5.6. Under these circumstances, the scheme could come forward as set out on in Appendix 3. This plan shows the area as village green to be provided as open space and an additional residential development area on the southern side of the site presently proposed for open space use. The density would remain at around 30 dwellings per hectare and would simply move one area of open space elsewhere on the site.

Scenario 3 – Village green application is successful but relocated to the land south of the school

- 5.7. Under these circumstances, the scheme would come forward as per the Framework Masterplan (Scenario 1 above)
- 5.9. Which ever scenario is eventually taken forward, the Council and the Consortium will need to discuss in detail the design, mix and layout of any scheme.

## **6. Conclusions**

- 6.1. The strategic site at Land at Durrants Lane / Shootersway is in a suitable location to accommodate residential growth and will provide local community facilities to complement those in the surrounding area. There are no technical, ownership or environmental constraints that would preclude development on the site. The site can deliver the 180 homes and associated infrastructure within the timescale envisaged by the Core Strategy, whether the preferred master plan layout is followed or an alternative is used.

## **APPENDIX 1: LIST OF DOCUMENTS**

SS1 Framework Masterplan Document (CSa Environmental Planning & Woolf Bond Planning)

JS13 Protected Species Report (CSa Environmental Planning)

JS14 Great Crested Newt Survey Report (CSa Environmental Planning)

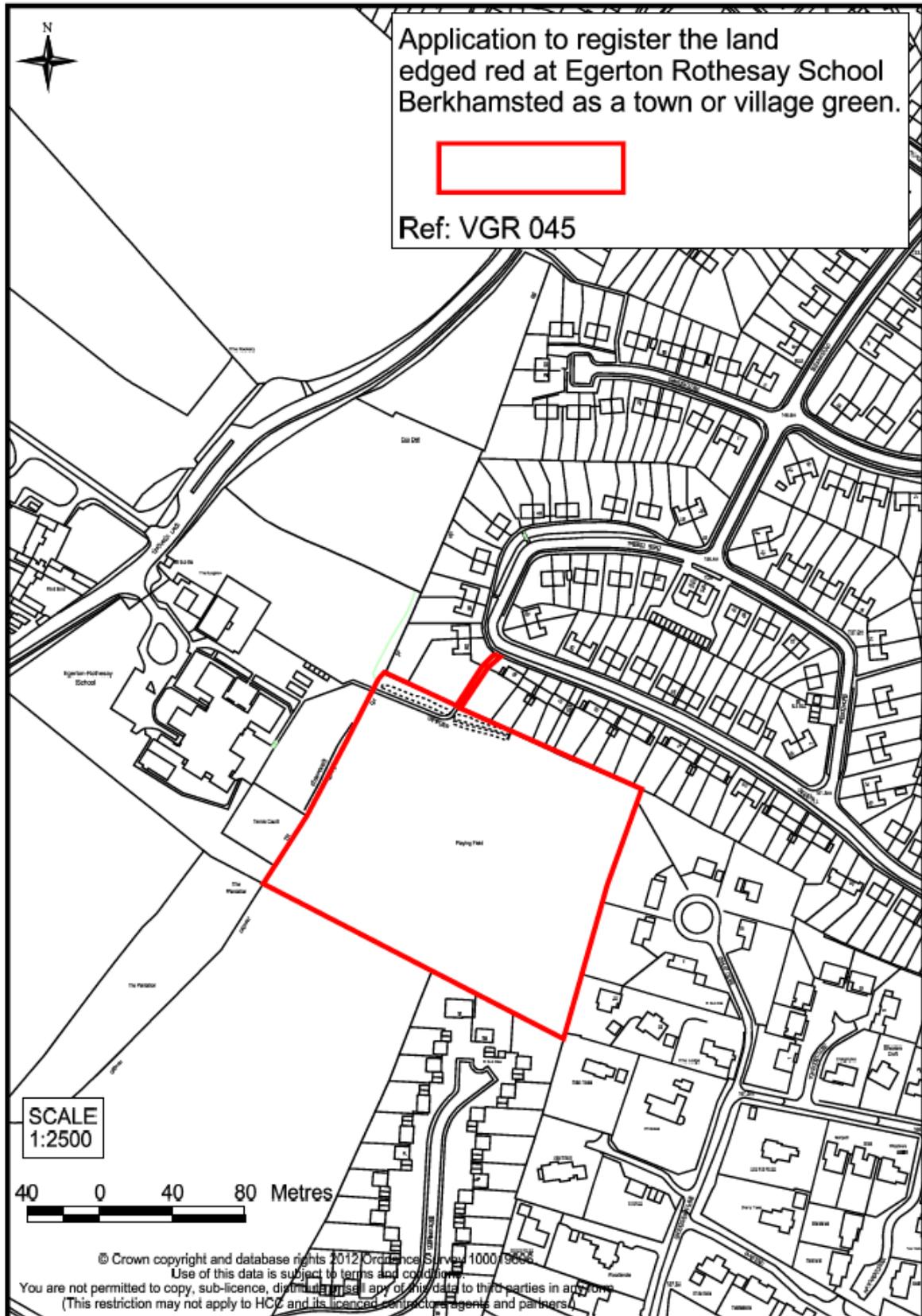
JS15 Ecological Appraisal (CSa Environmental Planning)

JS16 Landscape Assessment (CSa Environmental Planning)

JS17 Archaeological Desk Based Assessment (Archaeological Services & Consultancy Ltd.)

JS18 Phase I Geo-Environmental Site Assessment (REC Geoenvironmental)

**Appendix 2 Site Plan of area applied for by Save Your Berkhamsted Residents Association to register land as a village green**



# Appendix 3 Additional Development Scenarios



<p>Ben A. Davis, High Street, Aylesbury, Hertfordshire, SG7 5NT t 01827 760077 e <a href="mailto:sales@csaenvironmental.co.uk">sales@csaenvironmental.co.uk</a></p> 	<p>Project: Land at Durrants Lane, Berkhamsted</p>	<p>Date: September 2012</p>	<p>Drawing Number: CSA/1074139</p>
	<p>Title: Concept Plan - Option C Village Green remains in place</p>	<p>Scale: Not to scale @ A3</p>	<p>Revision:</p>
<p>Client: Taylor Wimpey UK Ltd - Herts County Council and Egerton Rothessay School</p>	<p>Drawn: SeM</p>	<p>Checked: SG</p>	

## **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) under MC84 and MC85 and editorial change E49. These recommend a variety of minor changes to the principles and delivery under Proposal SS1.
2. Woolf Bond Planning have confirmed they do not wish to pursue the objections under Representations 523 (Policy CS1), 524 (Policy CS17), 525 (Policy CS3), and 528 (Policy CS35). These should therefore be considered to be withdrawn.

## Outstanding Matters

Objections under Representations 527 from Woolf Bond Planning remain outstanding:

- Taylor Wimpey is of the view that the proposal should refer to a development of 'around' 180 dwellings. This would enable a flexible approach to be applied in preparing the subsequent detailed scheme design. Further, Taylor Wimpey considers that the "principles" should refer to a scheme for a mix of storey heights, including up to two and a half storeys where such heights are demonstrated to enhance the overall scheme design and provide for enclosure of public and private space as appropriate.
- Taylor Wimpey believe that a limited amount of 2½ storey housing should be permitted in the best interests of the scheme, and not be restricted to 2 storey only.

## **AGREEMENT**

**Signed by:**

**on behalf of Dacorum Borough Council**

Dated 24<sup>th</sup> September 2012

**on behalf of Hertfordshire County Council  
(Hertfordshire Property)**

Dated 24<sup>th</sup> September 2012

**Woolf Bond Planning LLP for Taylor Wimpey  
UK Ltd**

Dated 24<sup>th</sup> September 2012