

Planning Application 4/00958/18/MFA LA5, Land off Icknield Way, Tring

1. Introduction

The above application was considered at an extra-ordinary council meeting held on Thursday 17th May 2018. Over 100 members of the public were present and representatives from Cala Homes and their agent were also present.

The chronology of the local allocation, LA5, through the Core Strategy, Site Allocations Document and LA5 Master Plan to the planning application was presented. A summary of the size and type of the residential units with the number of car parking spaces and definitions of the types of affordable housing was available. Also available was a copy of the development principles from the LA5 Master Plan.

The following gives a summary of the extra-ordinary council meeting and the Town Council's recommendation in light of public comment on the application as presented. Subsequently, the Town Council has been informed that the Developer will be producing amended plans triggering a further round of consultation.

2. Comment from Members of the Public

During the public participation session the following issues were raised by members of the public:

- Affordable Housing:
 - How was the composition and type of affordable houses determined?
 - Could that mix be changed? A request for more shared ownership for young professionals was made
 - It was felt that the affordable housing could have been dispersed more throughout the site
- Housing Location & Density
 - Comment was made that the houses proposed were too large and there should be greater emphasis on properties for down-sizing, releasing larger houses for families within the town
 - There was objection to the relatively higher density of housing on the eastern side of the housing development
- Traffic & Transport
 - Concern was expressed:
 - that the lack of a through route from the north of the site to the south would just move a rat-run from the site to Miswell Lane
 - about the traffic that the development would generate within the town
 - Sustainable transport
 - Lack of car parking at Tring Station
 - No cycleway to Tring School or the Station
 - Bus services were considered inadequate except from the High Street. A service into the town should be provided
 - A question of ownership on Donkey Lane to allow the proposed cycleway
- Cemetery Extension
 - The cemetery car parking could be used by residents because of insufficient parking provision
 - There was insufficient delineation between the cemetery car park and the flats

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- Why was the extension separate from the existing site? Comment was made that given the development no longer included the gypsy and traveller site, the need for a separate extension of the cemetery had been lessened
- Infrastructure Provision
 - There was no spare capacity in the Town's primary schools and there were no plans for the secondary school to expand
 - Would the CIL funds and possible Section 106 agreements be used for the benefit of Tring and how would they be used? The lack of infrastructure provision at the Castlemead development in Pitstone was a cause of the scepticism surrounding "promises" to provide infrastructure
- The Impact on Okeley Lane
 - A lack of detail on the proposed fencing between the new development and Okeley Lane
 - The proximity of the proposed houses and flats to existing properties
 - The inclusion of 2½ storey houses and flats dominating and overlooking Okeley Lane
 - A request was made that building commence on the eastern side to provide screening from the balance of the construction

3. Observations on Public Comment

It was explained that the split between the categories of affordable housing was made on direction from Dacorum Borough Council (DBC) as the most appropriate. The understanding is that this could be changed if there was evidence to the contrary. The Town Council would like to know the basis of the assessment behind the proposed mix.

The Town Council acknowledged the points made by the Cala representative that the Home Development Principle in the LA5 Master Plan that states 'Provide a mix of house types, including family homes and larger, more spacious properties' and reducing the housing density east to west gave the 'softer edge to the countryside' as required. The Town Council would be interested to see if, whilst retaining the principle of the east –west reduction, the gradient could be lessened and still achieve the 'softer edge'.

Infrastructure provision such as a cycleway could come through the Community Infrastructure Levy and possibly bespoke contributions through legally binding Section 106 agreements

The Town Council's understanding was the separate cemetery extension was specified by the DBC Cemeteries Manager to provide a better setting for the natural burial ground and was better suited than land adjacent to the existing cemetery. The proposed location of the natural burial ground softened the impact on the A.O.N.B. Could there be confirmation that this view was still held?

Details of the plans for the cemetery extension were lacking. Would the extension be used exclusively as a natural burial ground? Concern was raised that members of a family with relatives buried in the existing cemetery would not be able to be buried on the same site.

Officers from Hertfordshire's School Planning Section gave a presentation to members of the Town Council on how they monitor and assess the provision of school place during

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consideration of the Site Allocations Pre-Submission Consultation 2014. Their estimate showed the capacity within the primary schools to meet the forecast growth in pupil numbers. With regard to secondary places, it was their consideration that there was expansion potential at the school, should it be required, to meet local need, but that a detached playing field may be required.

In the adopted Site Allocations Document the position was stated as:

“The forecast needs for school places in Tring can be met through expanding Tring Secondary School (including the provision of detached playing fields) and by expanding Dundale and Grove Road primary schools”.

Para. 7.7 Social and Community facilities in Section 7 Meeting Community Needs

DBC identified the 2.7 hectare site L/4 Dunsley Farm, London Road, Tring to provide the playing fields.

Members of the public stated that there was no room to expand the capacity of the Town’s primary schools and that there were no plans to increase capacity at Tring [Secondary] School. The Town Council would like confirmation that this is erroneous. The Town believes that outline plans to meet possible growth have been prepared – a new secondary school (in Tring or between Tring and Berkhamsted); 1½ class entry at primary school with the fall-back position of a new primary school. It is accepted that there may have to be some redefinition of catchment areas. There is concern that with the growth of school academies, outside the direct control of the County Council, compromises the ability of the County Council to provide places in the best way.

Cala stated that they were happy to meet and discuss the boundary treatment with residents. The height of the buildings shown in document ‘Plans and Drawings 3 Coloured Street Elevation HH’ contradicts the statement made that 2½ storey houses were normal houses with dormers in the roof. There was unwillingness amongst members of the public to accept the 21m separation from wall to wall.

3. The Council’s Recommendation

Having heard the comments from the members of the public the Town Council resolved to **recommend refusal** of the application. In reaching this decision the following points were made:

- The provision of the necessary infrastructure had always been a concern of the Council. It should be part of the planning process
- The location of the cemetery extension should be reconsidered because of the removal of the gypsy and traveller site
- Detail on the management of the cemetery car park should be provided and the area more strongly delineated
- Improving sustainable transport alternatives to cars such as a better bus service and cycleways should be provided through CIL funding or Section 106 agreements
- The type of housing proposed behind Okeley Lane should be reconsidered to reduce the impact e.g. remove the 2½ storey houses

The Town Council worked hard liaising with Dacorum Borough Council to try to get full involvement with the development of the LA5 planning documents. The Town Council:

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- Accepted the need to provide more housing
- Supported the 40% of affordable housing proposed
- Welcomed the extension of the industrial area
- And the inclusion of a natural burial ground as part of the cemetery expansion.

But the Town Council's support was always subject to two significant conditions – conditions that appeared to have agreement of Dacorum Borough Council during the dialogue:

1. That the development would be sympathetic to its prime location as a gateway to Tring
2. That the development would be accompanied by the necessary infrastructure.

The recommendation to refuse the application is based on a belief that the proposed planning application fails to satisfy the second condition.

In so doing, insufficient evidence has given to the local community to prove the proposed development is sustainable (The National Planning Policy Framework: Para 17. Core planning principles - principles 11 & 12; Para 35. Promoting sustainable transport; Para 72. Promoting healthy communities; and Para 162. Plan-making Infrastructure apply – see below).

The Developer's agent has indicated that in light of the meeting amendments will be made. Consequently there will be a further round of consultation. This gives an opportunity (i) to provide information on the provision of infrastructure (ii) consider the application of CIL and Section 106 agreements.

In this section the Town Council has asked for clarification on various matters. The Town Council asks that DBC makes available the information it has e.g. from consultation with Hertfordshire County Council Education Department supporting the provision of the necessary infrastructure to accompany the development.

4. National Planning Policy Framework Extracts:

Para 17. Core planning principles - principles 11 & 12

- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Para 35. Promoting sustainable transport

Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;

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- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

Para 72. Promoting healthy communities

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

Para 162. Plan-making Infrastructure

Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands;

Michael Curry
Clerk to the Council
25th May 2018