



# Dacorum Borough Council

## Local Planning Framework

# DACORUM CORE STRATEGY EXAMINATION IN PUBLIC

Statement of Common Ground as agreed between

Dacorum Borough Council

And

Ministry of Justice

**(Representor number 611688) in respect of representation 339**

18 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 Ministry of Justice in relation to matters relating to the Pre-Submission Core Strategy.

The Statement of Common Ground has been written as concisely as possible and to avoid duplication of information already available to the Inspector

## **Background**

The Council and parties representing the landowner have met several times to discuss how Local Allocation LA6 can be delivered. Joint discussion and agreement has covered technical work and future consultation concerning the site and the appropriate planning process.

Local Allocation LA6 is supported by the landowner – the Ministry of Justice.

## **Dacorum Borough Council's Response**

The Council and the Ministry of Justice have prepared the following joint statement to demonstrate that Local Allocation LA6 at Chesham Road, Bovingdon, is a viable and deliverable location for future development, as set out in the Pre-Submission Core Strategy.

## **Agreed Matters**

All matters pertaining to the site and its delivery are agreed by the parties, as set out in the following joint statement.

## **Outstanding Matters**

There are no areas of disagreement.



## Dacorum Core Strategy

### Joint Statement:

Local Allocation LA6 at Chesham Road, Bovingdon

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# 1. INTRODUCTION

## 1.1. Background

This Joint Statement has been prepared by the Ministry of Justice (MoJ) and Dacorum Borough Council. It provides a summary to assist the Inspector in the understanding how the proposed Land Allocation LA6 at Chesham Road, Bovingdon is an appropriate and deliverable proposal. It has been agreed by both parties.

The intention of the MoJ (as landowners) is to continue to work in a collaborative manner with the Council. This work will continue through the Site Allocations DPD process during which a detailed masterplan will be prepared.

## 1.2 Site Description

Local Allocation LA6 is situated to the south of The Mount Prison and is separated from the prison itself by Molyneux Avenue and Lancaster Drive. This area is referred to as “the site” within this statement (see figure 1).



**Figure 1: Context Plan of site in context of Bovingdon – Site area circled in red**

## 1.3 Site Location

The site, which lies to the north of Chesham Road (delineated by the red line in Figure 2) extends to approximately 2.6 hectares (ha) in size including the surface water drainage pond (0.6ha of land). The site is located towards the western fringe of the village of Bovingdon, surrounded by existing housing, The Mount prison and part of the former RAF/ USAAF airfield. The site is within reasonable walking distance of both the village centre (including its shops, services, pubs and restaurants, library, GP surgeries, nursery and primary school) to the east and the football and tennis clubs to the south.

## 1.4 Land Control

The land falls within the ownership of the MoJ, but it has never formed part of the prison itself and is not required for any future expansion and is surplus to MoJ's requirements. Figure 2 illustrates the full extent of MoJ land ownership, and the land available to accommodate LA6. There is the option of including or excluding the surface drainage pond from the site. The precise site boundary will be defined through the Site Allocations DPD.





## **2 PROPOSAL LA6**

### **2.1 Assessment of Alternative Sites**

A number of sites in Bovingdon have been considered as part of the “Assessment of Potential Local Allocation and Strategic Sites” (Examination Document BP7) first published in October 2010, assessed the merits of different small scale development options on the edge of the village”. The following Green Belt locations have been assessed:

1. Land at Duckhall Farm
2. Land Rear of Green Lane
3. Grange Farm
4. Land North of Chesham Road (east and west of Molyneaux Avenue)
5. Bovingdon Airfield

The assessment incorporated independent advice on a number of matters, including sustainability and highways, as well as the policy advice of the then extant PPG2: Green Belts. The eastern section of Option 4 was considered, on balance, to be the preferable development location. Development of the part of the land to the east of Molyneaux Avenue would not lead to the extension of the urban area boundary and would have a limited impact on the Green Belt.

### **2.2 Approach to Designation**

The selected site will initially be progressed through the Core Strategy as part of the Bovingdon Place Strategy. Local Objectives state that the selected site will provide –

- A mix of two-storey housing including around 40% affordable homes
- A contribution must be made towards educational and community facilities.
- The layout, design, density and landscaping must relate well to existing housing, create a soft edge with the adjoining countryside and secure a strong long term Green Belt boundary. The impact on the local road network will be mitigated through the promotion of sustainable travel options.

Further detailed requirements will follow through the Site Allocations DPD, where a masterplan will be prepared.

Representations at the Pre-Submission stage against the proposal have been limited. Aside from those parties promoting alternative sites or objecting to the loss of Green Belt in principle, issues raised by consultees can be addressed through careful planning of development and associated infrastructure.

## **3 CONSTRAINTS AND OPPORTUNITIES**

### **Landscape**

#### **3.1 Landscape Character**

The landscape character of the wider area (as set out in Dacorum's Landscape Character Assessment of May 2004) is mainly characterised by farmland with areas of semi-natural woodland. This is a characteristic of the site itself, with an open green area contained with mature hedgerow and tree cover. The site comprises of unused grass/scrub land and a significant number of trees are found towards almost all boundaries of the site. Beyond the defined boundary, is the Metropolitan Green Belt.

#### **3.2 Visual Assessment**

There is a high degree of visual containment provided by the topography and existing vegetation. Such is the extent of existing boundary planting that new development at the site, of a moderate density, would not have any material visual impact on the housing areas to the south (Ashridge Close and Dinmore) and east (Hyde Lane), the prison to the north or the former airfield to the west. The only visually sensitive boundary is likely to be to the northeast, where existing houses off Mitchell Close back onto the site. Here carefully planned boundary treatments and a considered urban design treatment would help to mitigate visual impact.

Overall, the site is very well contained and its shape and positioning relative to existing housing and the prison provides an opportunity to round off development of this part of the village and create a clearly defined built edge. Molyneaux Avenue, immediately to the west, offers a clear barrier to future development and guards against urban sprawl. With extensive existing boundary planting, Molyneaux Avenue and the former airfield beyond, new development at the site would have little impact on the openness of the Green Belt or the purposes of including land within it.

In summary, given the landscape and visual context of the site, it is considered that the site has the capacity to accommodate an appropriate amount of change in the context of the wider GB designation and local landscape context

#### **3.3 Ecology**

A Phase 1 Habitat Survey was carried out by Herts & Middlesex Wildlife Consultancy on 4th April 2011 (See Appendix 1 Examination Document JS13). The survey covered the developable area of the site and the surface water drainage pond.

There are no statutorily designated nature conservation sites, such as SSSIs (Sites of Special Scientific Interest) or Local Nature Reserves (LNR) within or adjacent to the application site.

The main habitat and vegetation types identified were: grassland, shrub and scrub; broadleaved plantation, and open water of the balancing pond. The south, west, and south eastern boundaries of the site are bordered by strips of young broadleaved planting. The balancing pond is steep sided and surrounded by a perimeter fence.

The grassland has been subject to much disturbance in the past and there are only remnants of the original pasture on the site. This is a rough and species-poor mix which was considered in the Survey to be of low to moderate ecological value. The trees within the site a mostly immature and lack features that could potentially support roosting bats. No evidence of badgers, bats, Great Crested Newts or other Protected Species have been recorded within the site. Fresh surveys would be



undertaken at the appropriate time in the development process and any required measures arising from the survey process would be taken at that time.

Hertfordshire Biological Records Centre has provided the following comments in respect of the site and the Habitat Survey:

- The precise nature of ecological enhancements will need further consideration as it will depend on the precise nature of the proposed development, available space and management.
- The creation of wildflower grasslands and or a community orchard may warrant further consideration.
- Retention of some of the existing Green Infrastructure is supported.

### **3.4 Heritage**

There are no designated heritage assets at or in close proximity to the site. The nearest Listed Building is the Grade II Listed White Hart Cottage, a timber framed building with red brick, dating from the early 18th Century. However, this building is situated 400 metres to the southwest of the site, separated by part of the former airfield and extensive boundary planting. The Bovingdon Conservation Area covers the southern end of the High Street, the Church and its grounds, part of Bury Farm and part of Vicarage Lane. The Conservation Area is over 600 metres to the east of the site, separated by a number of residential streets.

Advice from the county Archaeologist is that the proposed housing allocation site is situated between the village of Bovingdon and Bovingdon airfield. Bovingdon airfield is significant in terms of WWII history. Bovingdon was established in 1941-2, with three runways. It was built for Bomber Command but in 1942 was allocated to the USAAF, and B17 bombers began to arrive. The airfield was the closest Eighth Army Air Force base to London and the various command centres, and was a major staging post for aircraft returning to the US (including the Memphis Belle). At the end of the war it was the departure point for thousands of US servicemen returning home. In April 1946 Bovingdon was handed back to the RAF. It was used as a maintenance base by the Ministry of Civil Aviation for a time, until the USAF returned in 1952. The USAF left in 1962; three war films were subsequently made on the site. The airfield closed in 1972. Evidence from the wider area suggests there is also potential for prehistoric and Roman sites.

County Archaeologist's Recommendation:

- We consider there to be some risk that archaeological remains that are worthy of preservation *in situ*, may be present.
- It is therefore recommended that an archaeological site impact assessment should be produced before any development proposal is submitted.
- The objective of such an assessment is to determine the extent to which any previous usage of the site has affected its archaeological potential. Such assessments normally comprise desk-based studies, augmented by geotechnical information as appropriate.
- Further archaeological field evaluation may be required before determination of any application (and preferably before submission of an application); if it is considered that the site still retains significant potential for archaeological remains worthy of preservation *in situ*."

The issues will be considered further, in consultation with the County Archaeologist, as part of the master planning process.

## **4.0 ACCESS AND MOVEMENT**

### **4.1 Context**

The site is located on the western side of Bovingdon on Chesham Road. It is therefore important to consider the relationship between the site and the rest of the village. This is especially so when it is acknowledged that transport is a key issue for the village.

### **4.2 Vehicular Access**

Chesham Road is one of the primary vehicular routes through Bovingdon, the adjoining High Street providing the central area of the village. There are currently two existing access points to the site along Chesham Road and the site is also bounded to the west by Molyneaux Avenue, which is in the ownership of the MoJ.

Whilst the ownership of Molyneaux Avenue by the MoJ is purely an historic situation, there would be no objection in the future if all or part of the road was adopted by the Highway Authority or if further residential dwellings were serviced from Molyneaux Avenue. Molyneaux Avenue links to Lancaster Drive and already serves a number of private dwellings.

However, current County Council requirements state that on a secondary distributor road a separation distance between junctions should be 66m. This would not be achievable on Chesham Road and therefore the proposed layout places the main site access from Molyneaux Avenue. However, subject to detailed discussions with the County Highway Authority it may be possible in the future for a small number of dwellings to be accessed direct from Chesham Road.

### **4.3 Bus Routes**

Existing bus routes run through Bovingdon and some also serve Chesham Road, with some stopping adjacent to the site:

- There is a bus stop on Chesham Road (B4505) adjacent to the Telephone Exchange building. From this stop bus 851 runs from Bovingdon to Chorleywood (St Clement Danes School). This bus service operates during school times only.
- Arriva Passenger Services operate a bus (52) from both Hemel Hempstead and Amersham/Chesham. The service runs Monday to Sunday (but with no evening service). The bus stop is situated adjacent to the main car park of HMP The Mount.
- There is a bus stop on High Street at the junction of Hempstead Road, approximately 600 metres from the site where the 352 (Watford) 353 (Slough), 850 (Hemel Hempstead) and 851 (Chorleywood) stop.

### **4.4 Pedestrian and Cycle Access**

Pedestrian access to the site is currently available from Chesham Road and Molyneaux Avenue - the latter also serving as the primary access for HMP The Mount, for properties on Lancaster Drive, Mitchell Close and Lysander Close.

Pedestrian and cycle access from the site through to the village centre is via Chesham Road as Molyneux Road to the west leading to Lancaster Drive at the north, and Hyde Lane to the east both provide no through route.

It is therefore considered that although the site is readily accessible to the wider road network, there is an opportunity for further pedestrian and cycle routes to be implemented to, from and through the site. These routes can be integrated into the development of the site during the detailed masterplanning and urban design stages.

## **5.0 OTHER SITE CONSIDERATIONS**

### **5.1 Flood Risk**

According to the Environment Agency's flood risk constraints maps, the site falls within Flood Zone 1 – i.e. where there is a less than one in one thousand year chance of flooding from fluvial sources. As such, there is no restriction to the development of this land for housing from a flood risk perspective.

### **5.2 Water Supply and Balancing Pond**

There is a balancing pond present on the site which is associated with HMP The Mount. Access to the balancing pond is restricted and possible separately from the rest of the site. Its continued use in association with HMP The Mount will be required after the site is developed, but its use or access would not be prejudiced by the development of the remaining site for housing.

The presence of the balancing pond on the site does not affect water supply, nor does it affect site drainage.

### **5.3 Open Space**

The site is located within the Green Belt, and the development of this site would therefore lead to a loss of open space. The site mostly consists of grassland, scrubland and broadleaved plantation, showing signs of significant disturbance from the dumping of builders waste with few remnants of original pasture remaining. There is also frequent scrub invasion of the grassland.

### **5.4 NATS**

NATS (National Air Traffic Services) operate and maintain an air traffic control network for airports around the country and a radar beacon is situated at Bovingdon Airfield immediately to the north and west of the site. The RSS Bovingdon fixed reflector table performs a valuable role in supporting the operation of Heathrow Airport.

Tall buildings in the vicinity of the fixed reflector table could create reflections and inhibit its use. Buildings which are significantly larger than existing buildings in the area may therefore prove problematic. As the buildings in the context of this site are at HMP The Mount and are typically 2 storeys in height, it is not considered that there is any significant restriction to 2 storey residential development taking place at this location.

## **6.0 SERVICES AND UTILITIES**

### **6.1 Utilities Survey**

All utilities are available in the vicinity of the site and can be extended to serve the development. A summary of the detailed position is as follows:

A utilities survey has been carried out by Groundwise to establish whether there are any utilities which act as a constraint to the development of the site. Since the site lies on the edge of the built up area, a number of services run along the adjoining roads, which can then be 'tapped into' at the appropriate time.

The presence of utilities on the site does not represent an insurmountable constraint but they need to be carefully considered and any easements incorporated into development proposals. The illustrative masterplan in support of this proposal takes into account these issues and has been designed to locate the foul and surface water pipeline along the internal road, thus ensuring buildings do not cover the easement. The development has also been set back from the Molyneaux Avenue frontage, therefore avoiding the gas pipeline and retaining the existing landscape screen.

### **6.2 Water Supply**

There is a combined private foul and surface water pipe that crosses the site which is shown on the Thames Water research results. This is owned and maintained by the Ministry of Justice. It is necessary to plan for the easement of this pipe when designing the development (This is illustrated on Figure 3 of this document). The infrastructure capacity is considered sufficient so extra provision should not be required.

### **6.3 Gas Pipeline**

There is a short section of gas pipeline which runs along the frontage of the site, 2 metres from the site boundary, parallel to Molyneaux Avenue. The utility searches that have been carried out do not reveal any other potential obstacles in relation to the location of equipment that could affect development of this site.

### **6.4 Drainage**

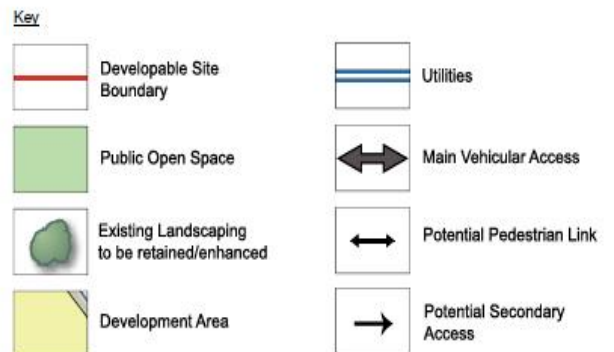
It is expected that sustainable urban drainage schemes (SUDS) will be incorporated within the development and that no offsite drainage will be required. The precise nature of these drainage measures will be discussed further between the Council, landowner and other relevant bodies at the masterplanning stage.

## 7.0 MASTERPLAN FRAMEWORK

Taking into account the known constraints of this site identified within this report, the masterplan (Figure 3) demonstrates that it is viable to develop this site for residential uses.



**Figure 3:** Masterplan Framework diagram



## **7.1 Masterplan Framework – Principles**

The main principles illustrated in the masterplan framework are as follows:

### **Urban Grain**

- Site layout integrates with the character and street pattern of neighbouring sites and wider village.
- The western boundary of the site extends the village settlement boundary westwards to follow Molyneaux Avenue. The site defines the western built development boundary of Bovingdon.

### **Movement**

- Chesham Road and Molyneaux Road define the boundary of the site to the south and west and serve as principal vehicular routes.

### **Land Use Distribution**

- Residential development of appropriate density fronting an area of public open space.
- Accommodate easements supporting utilities infrastructure which pass through the site.
- Retain and integrate operational status of balancing pond to HMP the Mount. Consider options for integration of balancing pond.

### **Public Space**

- Retain existing soft landscaping and ensure public open space is integrated with existing green infrastructure assets.
- Reinforce pedestrian movement into and through the site.
- Provide an appropriate open space offset and positive frontage onto the hedgerows.

### **Landscape**

- Ensure site development responds to existing natural site assets including existing tree cover hedgerows and the balancing pond.
- Retain and manage existing tree belts and provide the basis for a strong Green Infrastructure network within the site.
- Create a defensible boundary to the Green Belt, by enhancing existing hedgerows along Molyneaux Avenue.
- Provide additional native tree planting along the site's boundaries along the Chesham Road and Molyneaux Avenue, so as to enhance the character of the local roads.
- Provide a range of habitats throughout the open space areas and appropriate wildlife buffers adjacent to existing retained landscape features.
- Maintain and enhance existing wildlife corridors within the site and create new habitats.

## **7.2 Site Capacity**

As seen in Figure 3, the site has been considered in two parts, firstly the main developable area which is shown within the red line which comprises 2 ha of land and secondly the area surrounding the drainage pond which comprises 0.6ha. The masterplan framework diagram has taken into account the identified constraints and the open space requirements and demonstrates that 60 units can be accommodated on the site with a mix of two, three and four bedroom dwellings. Open space is provided in a central location on the site in accordance with the current Local Plan



Policy 76 which requires approximately 1700 square metres of space for the proposed 60 units.

### **7.3 Landscaping**

Existing trees and hedgerows will be retained where possible, and footpaths and cycle ways will integrate the site with the established centre of Bovingdon.

## **8. PHASING AND DELIVERY**

### **8.1 Phasing and Delivery**

The site is expected to be delivered in a single phase.

### **8.2 Impact on Operation of the Prison**

The land subject to this assessment is situated to the south of the prison and is separated from the prison itself by Molyneaux Avenue and Lancaster Drive. The land has never formed part of the prison itself, is not required for any future expansion and is surplus to MoJ's requirements.

## 9. CONCLUSIONS

9.1 The housing allocation LA6 at Chesham Road, Bovingdon, will be a suitable extension to the existing village. There are no impediments to development either in terms of ownership control, infrastructure or environmental consequences. The Masterplan Framework illustrated in this statement will form the basis for detailed master planning.

### SUPPORTING TECHNICAL DOCUMENTS

(available at [www.dacorum.gov.uk/corestrategyexamination](http://www.dacorum.gov.uk/corestrategyexamination))

- The Mount, Bovingdon Ecological Survey, April 2011, prepared by Herts & Middlesex Wildlife (Examination Document JS13)

**AGREEMENT**

Signed by:

on behalf of Dacorum Borough Council

**Miss Marguerite Cahill**

**Dated:** 18<sup>th</sup> September 2012

on behalf of Ministry of Justice

**Mr Matthew Kay**

**Dated:** 18<sup>th</sup> September 2012