

**4/02300/13/FUL - DEMOLITION OF HOUSE AND CONSTRUCTION OF FIVE HOUSES  
(FOUR SEMI-DETACHED AND ONE DETACHED).  
2 THE HOLLIES, LONG CHAULDEN, HEMEL HEMPSTEAD, HP1 2NU.  
APPLICANT: MR G MACDONALD.**

---

[Case Officer - Nigel Gibbs]

## **Summary**

The application is recommended for approval.

The principle of residential development is acceptable in the urban area of Hemel Hempstead. The site represents an historic remnant from the pre New Town period. For this reason and its relative prominence and wooded character the site is a distinctive/ unique feature of the locality.

The demolition of the existing dwellinghouse will facilitate the opportunity to redevelop the site to provide 5 new dwellings fronting Long Chaulden in a mature green setting . This is through the retention of important preserved trees and the frontage hedge.

The visually cohesive and distinctive group of modern' dwellings will reinforce and consolidate the locality's existing 'New Town' contemporary character. It will represent a logical evolution of the Warners End Neighbourhood's modern housing design featuring a range of styles. This is whilst maintaining the wooded setting of the retained part of the pre New Town farm cottages, which are not such a valuable heritage asset to merit listing.

The dwellings will feature frontages compatible with the ' building line' of adjoining housing. The rear gardens are below the 'standard' sizes reflecting the balance between supporting new housing and achieving /maintaining the site's wooded setting. In this sustainable location reduced car parking is considered acceptable. If maximum parking standards are applied it would not be feasible to develop the site. In terms of residential amenity there would be a satisfactory relationship with the adjoining dwellings. There are no detailed objections.

The latest scheme (November 2014/ April - June 2015 ) is a consequence of a range of changes to the original proposal. The original scheme involved 6 units of a traditional design, a problematical layout and uncertainties regarding the retention of existing trees.

## **Site Description**

Nos 1 and 2 are a pair of two storey gable roof semi detached late Victorian former farm cottages located on the southern side of Long Chaulden opposite its junction with Youngfield Road. The cottages associated farmstead outbuildings were demolished to enable the Long Chaulden / Warners End New Town housing development around these dwellings. Nos 1 and 2 are not worthy of local listing.

Nos 1 and 2 are set back from the site's elongated 'green' sloping Long Chaulden frontage served by an ' off centre' single vehicular access. The site is prominent and distinctive within the street scene due to the building's 'historic presence and design' and elevated position. This is through the collective effect of the subtle but significant evidence of an older building in an area of modern predominantly 'New Town building

vernacular', the site's wooded character, wide frontage, access and level changes.

No. 2 has been unoccupied for about 16 years and according to the submitted structural condition report is now in extremely poor condition resulting from the absence of regular maintenance with associated significant subsidence. The dwelling features some upvc gutters and downpipes and timber sash windows. The curtilage of no.2 is overgrown featuring a collapsed car port. There are fundamental structural issues militating against the feasibility of no.2's rebuilding due to problematical localised ground conditions.

No. 1 is occupied, featuring a modern flat roofed two storey extension and upvc windows and gutters served by the same access as no.2.

The LPA recently approved a Tree Preservation Order (TPO) at the site. These are 2 Norway Maples along the front boundary with Long Chaulden and a Hornbeam at the rear of the site close to no.s 1 and 2 and the boundary with a Council owned footpath separating the site from no.398.

No. 398 is a shallow pitched roof bungalow located to the immediate north east of the site. It is one of row of 9 distinctive identical dwellings incorporating flat roofed porches and chimneys. These form an integral part of earlier Warners End New Town development established by 1966. This included the use of land of nos 1 and 2's former farmstead.

No. 386, a two storey gable roof extended end of terraced dwellinghouse, is to the immediate south west. It forms part of an elongated stepped row of similar dwellings fronting Long Chaulden which adjoin the older Varney Close to the rear. No. 386's extension adjoins the common boundary with no. 2 featuring flank wall windows. No. 11 Varney Close's rear garden also abuts the site.

There is about a 2m difference of ground levels between the higher no. 398 and lower no.386. Long Chaulden slopes steeply away to the south west.

## **Proposal**

### Revised Scheme

This is for five mono pitch dwellings along the site frontage. These form a group of 4 four semi detached units and a single dwellinghouse.

They will be positioned behind the existing retained hedge and 2 retained preserved frontage trees, served by the modified / realigned site access. The dwelling's set back position follows a similar alignment to the respective adjoining bungalows and houses.

A detached two storey dwelling will adjoin no. 398 separated from the main group by the retained access. The adjoining group's three central town house style units will be three storey. A lower two storey dwelling will adjoin no.386. The submitted frontage street scene drawing shows the proposed dwellings 'ridge line relationship' with the adjoining bungalow (no. 398) and house ( no.386) . Frontage parking will be screened by boundary hedging.

The dwellings are all provided with 'below standard' rear gardens. The proposed

arrangement/ layout /position of the dwellings follows the 'grain' of the existing adjoining 'New Town' dwellings fronting Long Chaulden. The site layout takes reference from 'historic building line' and the position takes into account the position of the surrounding dwellings. .

The Revised Scheme's site's parking layout has been modified since public consultation with a further revision to provide 9 spaces.

Following the demolition of no.2 there will be a need to repair and weather proof the party wall with no.1. This will be through the Party Wall Act.

### Original Scheme and Seeking an Acceptable Scheme: /Article 31

This involved 6 semi detached two / and a half storey town houses featuring a more traditional pitched roof design served with 13 parking spaces.

It would have been recommended for refusal due to the adverse impact upon the street scene and key trees , for layout reasons and due to a poorer relationship with adjoining dwellinghouses. Also at the time the Conservation & Design Team was of the view that no. 2 should be retained as a heritage asset. Also there were no necessary structural, ecological, arboricultural or heritage reports.

Subsequently through extensive and protracted dialogue it has been established that no.2's structural condition is very poor and there is a case to support the building's demolition. The bat survey/ species survey is acceptable , the design has been radically changed , a TPO confirmed and the parking reduced.

It is clarified that at all stages the Trees & Woodlands Team and LPA placed significant importance upon retaining key trees , with a resultant need for the TPO 'late in the process'. This was to ensure the trees are safeguarded now and in the future as a key part of the local street scene. There were very real concerns at that time of proposing the TPO that the trees were at risk at the end of a long but positive negotiation process. With the TPO confirmed there is now the certainty in ensuring their retention.

The process has been set against the owners of no. 1 fundamental questioning of the site's ownership which resulted in the Revised Scheme being put on hold'.

The proposal will require the repair and weather proof the party wall with no.1. This will be through the Party wall Act.

### **Referral to Committee**

The application is referred to the Development Control Committee due to the request of the local Borough Councillor for Chaulden and Warners End, on the basis that one of the residents has objected to the proposed development under Density criteria.

### **Recent Site Planning History**

There was an initial earlier pre application advice.

### **Policies**

#### National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance

Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS9 - Management of Roads  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS17 - New Housing  
CS19 - Affordable Housing  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Water and Soil Quality  
CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (saved policies)

Policies 10, 13, 15, 18, 51, 54, 58, 61, 62, 63, 99, 100, 102,103 111,113,118, and 119

Appendices 3 (Layout and Design of Residential Areas), 5 (Parking Provision) and 8 (Exterior Lighting)

Supplementary Planning Guidance / Documents

Area Based Policies - Development in Residential Areas: HCA 3: Warners End  
Accessibility Zones for the Application of Car Parking Standards  
Water Conservation & Sustainable Drainage (June 2005)  
Energy Efficiency & Conservation (June 2006)  
Affordable Housing  
Refuse

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

**Summary of Representations**

Strategic Planning

Normal policies apply. This appears to be a replacement dwelling in a residential area – so usual polices apply.

## Conservation & Design

Revised Scheme. Pre Submission Drawings showing Three Storey Development Mono Pitched Roofs: Comment upon the streetscene and relationship with existing buildings. The 3 storey would be out of keeping with the neighbouring houses. No objection to the monopitch roof design however the ground floor windows would benefit from being larger in order to give a hierarchy to the fenestration.

Whilst the re-siting of two car parking spaces to the rear gives a slightly less cluttered streetscene this does not change my concern regarding storey heights and rising land.

Initial Scheme. This property forms part of a semi-detached cottage which originally formed pair of workers cottages associated with a historic farmstead. It is a remnant of earlier origins of the Hemel Hempstead landscape and it now sits surrounded by new town development. The cottage is largely original in appearance and retains its original brickwork, windows and doors. The chimneys of the cottages are particularly striking when viewed from the road due to the rising nature of the site and the descending topography of the road into a shallow valley.

The cottage is considered an undesignated heritage asset and the building has a charm due to its quality of materials, brick detailing, original windows and doors and garden setting. It is a rare surviving example of unspoilt local vernacular.

Whilst the applicant has evidenced structural movement in the walls of the cottage there is no structural survey report to support this claim and it may be possible that these issues could be resolved by limited rebuilding and underpinning. If the substantial loss of the building could be justified through a structural survey CD cannot see any reason why the building could not be rebuilt on a like for like basis from reclaimed materials of the existing building.

The current proposal divorces the remaining cottage leaving it isolated and without any historical association. The loss of an attractive semi-detached cottage cannot be justified by the poorly designed development proposal which gives no consideration to the historic character of the existing building and merely seeks to overdevelop the site with boxy 'anywhere' designed units. The six dwellings are unduly narrow fronted and are two and a half storey which is out of keeping with houses in the locality. The height of the buildings is an issue with the relationship of the neighbouring bungalow and also the changes in level with the height of the land rising against the drop off the road. The dormers would be very prominent and are uncharacteristic of the local area. There is no roovescape interest due to the lack of chimneys.

The car parking to the front of the buildings does little to reflect the established pattern of front gardens to existing houses in the area. This car parking would be seen due to the changes in topography and the limited retention of existing landscaping. Rear garden sizes are also unduly small. CD also consider that the car parking to the frontage of the remaining cottage is unacceptable since this would destroy the established garden setting of the cottage.

Overall CD cannot find one redeeming feature of this proposal which pays any respect to the historical origins of the site and the cottage which it seeks to replace.

## Building Control

Response to the submitted structural survey. Looking at the report & its recommendations it would appear to be a question of economic viability. It is possible to rescue most buildings but clearly comes a point where it may make more sense to start again. The building falls into this bracket.

### Trees & Woodlands

Pre Application. There are of 3 trees on the site at 2 The Hollies that are worthy of retention. These are 2 Norway maples along the front boundary with Long Chaulden and 1 Hornbeam in the middle of the site close to the boundary with a Council owned footpath.

While the trees are of good amenity value and are certainly worthy of retention, they are marginal in terms of qualifying for protection under TPO legislation. TW are concerned that if objections or appeals are made against such a TPO, the LPA may not have a good defence.

However, the different options proposed by the developer, all indicate retention of the 2 trees along the front boundary but it is not clear if they intend to retain T3 the Hornbeam. It is recommended that all 3 trees plotted on the attached plan are retained and protected before and during construction (if consent is given) in accordance with the recommendations of BS 5837:2005. TW can provide more details on protective fencing and other tree protection measures if the proposed development is granted planning permission.

Original Scheme. The proposed development will cause significant damage to the three mature trees referred to by the pre-application advice. These are 2 Norway maples and one Hornbeam. The Root Protection Area of the Norway maples is 5 m and the Hornbeam, 6 m. The proposed parking areas will encroach significantly on the RPA of the trees and the trees may not survive the impact. TW recommend that the parking bays are positioned outside the RPA of these trees and the RPAs are protected by protective fencing during construction in accordance with the British Standard 5837:2005, Trees in Relation to Construction Recommendations.

Revised Scheme. Satisfied with the removal of parking bays in front. The parking bays numbered 7,8, 9 and 10 are acceptable provided they do not encroach on the Root Protection Area (RPA) of the Hornbeam tree that has a RPA with a radius of 6 m. No building activities should take place within 6 m of the base of this tree. In addition, the Root Protection Area of all TPO trees must be protected during construction with appropriate protective fencing in accordance with the recommendations of the British Standard 5837:2012.

With the TPO confirmed there are no objections to the scheme.

### Strategic Housing

Original Scheme. The construction of the six dwellings is below the threshold for on-site affordable housing provision.

Revised Scheme. A financial contribution will be sought in lieu of affordable housing on this site. The methodology detailed in the Affordable Housing SPD should be used to calculate the financial contribution.

### Scientific Officer

Due to the sensitive nature of the proposed land use, consideration should be made to the potential for contamination to affect the development. Therefore it is recommended that the standard contamination condition be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website ([www.dacorum.gov.uk/default.aspx?page=2247](http://www.dacorum.gov.uk/default.aspx?page=2247)). The developer will need to complete and submit to the Council the 'Sensitive End Use Land Contamination Questionnaire', which can be downloaded from the website.

### Refuse Controller

Revised Scheme. Acceptable.

### Hertfordshire County Council: Highways: Revised Scheme

Original Scheme. The modified existing access is too narrow to allow two cars to pass and therefore serve the site safely and efficiently. However, if the access that is correctly shown as being a radii kerbed junction leading to a shared surface road were widened to 4.1m from the bellmouth into the site, this would be acceptable. Widening would also increase the manoeuvring space behind parking space 5, which would be welcomed too. Although the Highway Authority accepts that the access road will not be offered for adoption, the modified access is on highway land and will be subject to a Section 278. It follows that the modified access will need to be built to adoptable standards.

Revised Scheme ( pre reduction of car parking). Recommendation: Does not wish to restrict the grant of permission subject to the following conditions:

1) Best practical means shall be taken at all times to ensure that all vehicles leaving the site during demolition and construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.

*Reason: To minimise the impact of construction vehicles whilst the development takes place*

2) All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

*Reason: In the interest of highway safety and free and safe flow of traffic.*

3 Before development commences, additional layout plans, drawn to an appropriate scale, must be submitted and approved in writing by the Local Planning Authority, which clearly demonstrate how refuse is to be collected from the site.

*Reason: The above condition is required to ensure that refuse collection does not have a significant adverse effect on the safety and efficiency of the highway and to ensure that compliance with standards in 'Roads in Hertfordshire – highway design guide' is achievable at all times.*

4 Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

*Reason: In the interests of highway safety.*

Highway Comment .The scheme follows on from the pre application to demolish the existing dwelling and construct four new semi-detached and one detached dwelling as replacements. Access for both pedestrian and vehicular movements will remain unchanged in as much as to where it takes its connection from the highway, Long Chaulden although the applicant is proposing to widen and improve the access, hence the informative above about working on the highway and the requirement of a S278 agreement. Off street parking is recorded on the application form as being 11 spaces and the internal road is not being offered for adoption. The applicant will have to demonstrate how the refuse will be collected from the dwellings and that the site is accessible to service vehicles. Tracks runs on a suitably scaled drawing should be sufficient.

This latest application is for one less house than the last application/submission which is welcomed. As such the applicant may now be able to serve the site with just a simple vehicle crossover but advise on how to proceed should be taken from the implementation team as part of the informative advice stated above.

Highway Benefits. It is the policy of the County and Borough Councils to seek planning obligations to mitigate the effects of development. HCC's requirements in respect of highways and transport are set out in section 11 of the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)'. This can be read and downloaded from <http://www.hertsdirect.org/yourcouncil/hcc/resandperf/hertsprop/planningobs/>

Subject to a financial contribution in line with current County policies for sustainable transport and the above suggested planning conditions, the County Council would not wish to object to this application.

The highway contribution would be used to provide measures or services near the site to encourage walking, cycling or the use of public transport. The Highway Authority will seek a standard charge contribution of £750 per two-bedroom dwelling and £1125 per three-bedroom. All contributions are to be index linked from the date of the agreement or Local Planning Authority committee resolution (which ever the earliest) to the date of payment. Planning permission should therefore only be granted subject to an undertaking to secure a financial contribution of £4125 towards measures or services near the site to encourage walking, cycling or the use of public transport.

Conclusion. The HA in principle has no objection to the construction of these houses. On balance, this proposal is unlikely to have a significant impact on the safety and operation of the adjacent highway, it does not consider it could substantiate a highway objection to this proposal. The HA has no objection subject to the above conditions to the grant of permission.

Informative. The HA require any works to be undertaken on the public highway to be by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. This may mean that the developer will have to enter into a legal Section 278 agreement to carry out the improvement works as shown on the submitted plan no HP1/136/01F

Revised Scheme. The access position looks like it is in the same position as previously agreed. However, refuse collection and internal servicing is not shown on the plan. Track runs for refuse collection which is on par with a removal lorry showing accessibility within the site would be useful.



The level of off street parking . Has this been agreed with the LPA

On the whole it seems acceptable subject to the above.

### Hertfordshire Fire & Rescue Service

Unfortunately the plans were not sufficient to enable this Fire Authority to adequately assess the provision for access for the fire service.

HFRS note that the width of the access road will meet the 4.1m requirement. There is a need to confirm the position of the nearest fire hydrant and the other items listed below:

This Authority would expect to view drawings with the following provisions for access and water supply:

#### Access and Facilities.

- Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB), section B5, sub-section 16.
- Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes.
- Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

#### **Water Supplies**

- Water supplies should be provided in accordance with BS 9999.
- This authority would consider the following hydrant provision adequate:
  - Not more than 60m from an entry to any building on the site.
  - Not more than 120m apart for residential developments or 90m apart for commercial developments.
  - Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
  - Not less than 6m from the building or risk so that they remain usable during a fire.
  - Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
  - Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, sub section 15.8.

6. In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.

### Hertfordshire Ecology

The submitted report outlines the findings of an Inspection and Activity Survey of the property. No evidence of bats was discovered within the building itself, collapsed outbuilding or trees, and no emergence of bats was observed, although some foraging of bats in the garden area was recorded.

The survey followed best practice and on this basis HE consider it is reasonable to conclude that bats have not and do not currently use the building for a roost. Consequently the LPA can proceed with determination of the application without having to take bats further in to account.

However the recommendations on Page 10 regarding unexpected discovery of bat presence and also breeding birds represent sensible precautions, and as such should be attached as an informative to any approval. See below:

The following measures will be implemented to reduce the impact of disturbance to bats as a result of the proposed work:

- Preliminary demolition work will be undertaken with care, particularly when removing the roof tiles of the cottage as this is the most likely area where bats could be discovered. If any bats or evidence of them is discovered, work will stop and Natural England contacted for advice, and if necessary, a licence will be obtained before work proceeds.
- Any mature trees which need to be felled or have tree surgery carried out on them will be carefully checked beforehand, and any features such as holes or hollows, examined for evidence of roosting bats, if necessary using an endoscope. A European Protected Species (EPS) license would be required to allow tree surgery to be undertaken if a roost was present and the proposed activity is likely to result in an offence, such as significant alterations to or loss of bat roosts.
- Any external lighting in the new development will be kept to a minimum to minimise any impact on foraging bats.
- All people working on the site will be made aware of the potential presence of bats, the protection afforded them and the methods of working required to avoid harm to bats.
- Nesting Birds .As nesting birds are protected by law under The Wildlife and Countryside Act 1981, a check for any currently nesting birds will need to be carried out prior to any demolition work or tree or shrub removal being undertaken. If nesting birds are identified, works in the area of the nest will be

delayed until the birds have left the nest. The nesting period for birds is usually from March to the end of August.

HE note the location remains 'well treed' and as such provides a local ecological resource along this part of Long Chaulden. HE would hope that a significant proportion of the remaining trees - which now occur mainly along the boundary of the site - can be retained in the context of the redevelopment of the site.

#### Hertfordshire Constabulary: Crime Prevention Officer

#### Revised Scheme : Pre Modification of the Parking Layout.

Secured by Design physical security. As regards designing against crime, CO would look for the development to be built to the physical security of Secured by Design part 2- the police approved minimum security standard. This would involve all exterior doors to have been tested to BS PAS 24:2012 and ground level exterior windows to BS Pas 24:2012. All glazing in the exterior doors, and ground floor windows to include laminated glass as one of the panes of glass if double or triple glazed. Building to the physical security of Secured by Design, which is the police approved minimum security standard, has been shown consistently to reduce the potential for burglary by 50% to 75%.

End gable walls of plots 4 & 5. These two dwellings have end gable walls overlooking the vehicle entrance to the rear parking. As these plots are shown as having staircases, inside these end gable walls, could a 1<sup>st</sup> floor landing / stair window be inserted, so as to aid natural surveillance over this entrance?

Rear garden access alleyway for plots 1, 2 & 3. This rear garden access alleyway (which is a recessed area), is shown as open. Research studying the distribution of burglary in terraced housing with open rear access footpaths, has shown that up to 85% of entries occurred at the back of the house. CO requests that the entrance to this rear garden access alleyway is gated with a full height gate and suitable lock that can be operated from either side of the gate by the residents.

Rear Parking court area: CO normally discourage rear car parking courtyards for the following reasons:

- They introduce access to the vulnerable rear elevations of dwellings where the majority of burglary is perpetrated
- In private developments such areas are often left unlit and therefore increase the fear of crime
- Particularly where un-gated the courtyards provide areas of concealment which can encourage anti-social behaviour.
- If the rear parking areas is kept:
  - Will this area be lit off a landlords meter, so users feel safe when going to or from their cars during darkness? Bollard lighting should not be used as they do not project sufficient light at the right height, to aid occupiers of the dwellings with facial recognition and reduce the fear of crime. Bollards lights can become an informal climbing aid if placed next to fences and can assist offenders.

The end rear garden boundary of plots 4, 5 & 6 could be 1.5m c/b fence with an additional 0.3m trellis top, to aid natural surveillance into the rear parking areas. That way occupiers in rear ground floor rooms might stand some chance of seeing if anyone is in the rear parking court area

CO hope the above is of use to you in your deliberations and will help the development achieve that aims of the National Planning Policy Framework (NPPF).

- a. 17 – re high quality design
    - 58 – re function for the lifetime of the development as well as designing against crime and fear of crime.
    - 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- & Dacorum Core Strategy policies:
- CS12 – re safe access, layout and security
  - CS13 – re pedestrian friendly, shared spaces in appropriate places

### Thames Water

Waste. Sewerage Infrastructure capacity. No objection.

Surface Water Drainage. It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. *Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

Water Supply. This is under the jurisdiction of the Affinity Water Company.

### Affinity Water Company:Water quality/ quantity

The site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be carried out in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information there should be reference to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

## Response to Neighbour Notification/ Publicity

### ( Original and Revised Schemes)

Note: Neighbours have not been notified upon the reduced parking layout following the confirmation of the Tree Preservation Order

Objections from:

#### 386 Long Chaulden

Object to the proposed development on the grounds of:

a)The potential of cars being parked on the existing double width pavement on Long Chaulden, which would obscure n. 386's view when leaving the property by car, on what is already a dangerous manoeuvre, given the bend of the road and the speed of some of the traffic using this road.

b)The loss of light to the side of the property, given the close proximity of the proposed next door dwelling.

#### 382 Long Chaulden

The density of this development appears to be too great for the land available. Six houses on this site will surely be too overcrowded. In turn will increase noise and traffic onto Long Chaulden. Parking is already a problem and overspill from the houses will make things worse. The exit from the site onto Long Chaulden looks particularly tight for cars etc and dangerous for passing pedestrians

#### 11 Varney Close

Loss of Light .Much of the light into the garden comes from that side since there are higher buildings at the back and a screen of trees. This plan would block out that light making the garden and the back of the house much darker. The proposed height of the buildings will exacerbate this.

Overlooking. These houses are exceptionally tall with dormer attic windows. The upper windows of some of the units would look directly down into my garden giving me no privacy at all. This is particularly true of units 5 and 6.

Traffic .The exit into Long Chaulden is narrow and cars coming round will not be easily visible for those turning left out of Varney Road. It is already quite difficult to get out onto Long Chaulden at certain times of day. Note that there are 2 parking place per unit and a visitor space. Since many families have more than two cars this is likely to cause increased parking on the verge outside the old people's bungalows further diminishing the visibility from the Varney Road turnings. The manoeuvrings of cars into the parking spaces close to my property would also produced unpleasant petrol/diesel emissions.

Noise and disturbance .This proposal is very high density and the noise and coming and going will add greatly to the amount of disturbance, not least in the evening and at night time. Apart from the inevitable noise, particularly since these seem intended as family houses, and the extra activity, the headlights of cars at night, will shine directly into my house as they enter the area and manoeuvre into the parking spaces.

Layout/Density

This is a very dense development. The height of the proposed buildings is noticeably more than that of the neighbouring buildings which back onto Varney Close. They will thus be additionally intrusive in the townscape, apart from the effect on my own property.

Design. The design is unattractive and although it is noted that some planting is proposed it would insufficient to screen the buildings and prevent them from being intrusive.

Building' s Condition. The derelict state of the house is due to neglect and failure to maintain it over many years. If it had not been neglected it would still be a viable house without rebuilding.

Ecology. The row of shrubs and hedge trees at the side of the property and along no. 11's back garden provides cover for small mammals and birds. These creatures need stretches of continuous cover and the proposal would destroy this.

### 1 Hollies Farm Cottages

The owner is very ill the comments are from the owner's daughter who has discussed the matter with her.

The development is a far too dense design for what is a small site. The land earmarked for car parking spaces 2,3,4,5, and 6 is in fact an area of front garden that the daughter's parents have tended over 50 years.

The area of land in front of the dwelling cottage is no.1 park their car and this would not be possible if this plan was approved.

The access from the site to Long Chaulden Road is across a paved area used by many children en-route to the local schools. If this proposal is approved the additional traffic would rise by twelve times the existing amount.

Whilst they are showing two car parking spaces for each dwelling no.1's existing arrangement is being reduced to one and in many households there are three plus cars per family. Where do they propose to park these additional vehicles should this development go ahead?

The need for more housing is acknowledged and that the land will be developed however it is strongly urged that the LPA consider :

The number of houses allowed to be built onto this very small site and the impact it will have on no. 1's privacy to both the rear and front of her property.

The visual intrusion of both the houses and car parking.

Consider whether there is enough space for parking/turning.

Highway safety impact of vehicles entering and leaving the area.

The noise and disturbance from the proposed car parking in front of the property and the proposed side alley bordering our boundary and the houses gardens.

Revised Scheme. Nothing has really been achieved in reducing the previous concerns. These are reiterated . There is also reference to vehicle turning and that the land earmarked for some of the parking bays in front of 1 the Hollies is currently under dispute regarding Land Registry. This area of land has been tended by no.1's family and the writer for many years.

#### 46 Kingsland Road

The writer's parents have just moved to Varney Road. There is reference to the site's historic quality:

'...and I was delighted to see the Victorian ( sic)roof tops and chimneys nestled just off Long Chaulden from their bedroom window. I had no idea these beautiful (if run down buildings) were there. It was lovely to finally find some character relating to the original use of this land before the new town estates were built. We knew there was a big house and farm situated on the land historically before it was sold but had no idea anything other than the lodge house and house wall remained as a legacy. It would be devastating to lose this last historical landmark and leave no 'nod' to the landscapes' history. With the plans for LA3 already moving surely there are enough 'new homes' on the cards for 2 character properties to be saved'.

### **Considerations**

#### Policy and Principle

The NPPF clarifies that housing applications should be considered in the context of the presumption of sustainable development. Core Strategy Policy CS4 directs residential development to the Borough's towns and large villages and therefore Hemel Hempstead. In the town's residential areas appropriate residential development is encouraged. Policy CS17 supports the provision of an average of 430 net dwellings each year. Policy CS18 expects the provision of a mix of housing. Policy CS19 addresses the provision of affordable housing.

The loss of an apparently uninhabitable dwelling is compensated by the net increase of four new units. This is based upon the understanding that no. 2 is subject to fundamental physical deterioration involving associated subsidence/ damage and is beyond economic repair for renovation.

In summary, the principle of residential development is acceptable.

Important Note: With regard to the detailed material considerations referred below the assessment is based upon the Revised Scheme.

### Layout/ Character and Appearance / Visual Implications/ Impact upon the Street Scene

#### General

This is in the context of the Core Strategy's approach to the Quality of the Built Environment as expressed through Core Strategy's Policies CS10 (Quality of Settlement Design), CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) and the saved DBLP Policy 21 (Density of Development) the Residential Character Appraisal for Warners End and DBLP Appendix 3.

There is an expectation to raise the standard of architecture, using innovative design and materials that are sympathetic to local character, whilst meeting the needs of different people and households.

#### The Context: Warners End : HCA 3

This confirms that it is an 'Area of Minimal Change' :

*Greenfield development:* No opportunities.

*Redevelopment:* Acceptable in terms of the Development Principles for the redevelopment of non-residential sites; redevelopment of existing dwellings is discouraged. The redevelopment of garage blocks will only be acceptable if alternative provision is made for displaced vehicle parking and where proposals accord with the development principles.

*Plot amalgamation:* Discouraged.

*Infilling:* Opportunities limited, but should be assessed according to the Development Principles.

*Conversion of dwellings into smaller units:* Generally discouraged, but proposals may be permitted where they do not harm the character and appearance of the site and surrounding area. In particular, larger detached dwellings from the 1950s and 1960s may be appropriate.

#### HCA's Development Principles:

#### Housing

*Design:* Variety in design acceptable; no specific style need be followed.

*Type:* The full range of dwelling types are acceptable overall, but regard must be paid to the dwelling type adjoining and nearby the development site. Proposals at variance with the character of adjoining and nearby development will not normally be permitted.

*Height:* Not to exceed two storeys, except in parts of the area where heights exceed three storeys or more and there being no adverse impact on the appearance or character of the area.



*Size:* Small to medium sized dwellings are encouraged. Buildings with large bulk and mass will be resisted.

*Layout:* Spacing in the medium range (2 m - 5 m) is expected; orientation of buildings should follow the pattern set by those adjoining or nearby to the site. The building line should be followed or where appropriate, should be provided.

*Density:* Should be maintained in the medium density range (30 to 35 dwellings/ha (net)).

### Amenity

*Amenity land:* To be retained. Permission will not normally be given for development on areas of amenity land or for their inclusion within residential curtilages unless it can be demonstrated that the loss of that land will not unduly harm the character and appearance of the area. The use of parts of areas of amenity land for car parking may be acceptable if the resulting visual impact does not adversely affect the character and appearance of the area and established landscaping. New development proposals will be expected to retain areas of amenity land, and are strongly encouraged to add to its provision throughout the area.

*Front gardens and forecourts:* The conversion of front garden areas to vehicle hardstandings is discouraged. In cases of new development, front garden areas common in size and layout to nearby and adjacent dwellings should be provided.

*Landscaping and planting:* The provision of further public and private landscaping is encouraged, particularly along the main distributor roads.

Development schemes for new dwellings will be expected to provide public and private landscaping to enhance the site.

*Views and vistas:* Development proposals will be expected to preserve public views across the Bulbourne Valley, Warners End Valley, Shrubhill Common and Northridge Park.

*Landmarks and focal points:* Stoneycroft local centre to be retained as a focal point for the area.

### Traffic

*On-street parking:* Limit effect by adequate provision of off-street spaces in new development proposals.

*Off-street parking:* Provision of parking in communal areas is acceptable in addition to on-site parking as part of new development schemes. Limited additional parking on the edge of certain amenity greens may be acceptable where the character and appearance of the area is not harmed.

### DBLP Appendix 3: Layout and Design of Residential Areas

This addresses how proposals should be guided by existing topographical features of a site and the immediate surroundings. There needs to be respect for the character of the surrounding area and in particular there must be adequate space for the development without creating a cramped appearance. It explains the approach towards privacy, gardens and amenity space and the spacing of dwellings.

With regard to spacing there should be space around buildings to avoid a cramped layout and to maintain residential character, to ensure privacy/ maintenance. A minimum of 23m should be provided between the main rear wall of a dwelling and main wall (front or rear) of another to maintain privacy. The distance may be increased based upon character, levels and 'other factors. Also spacing should be provided at a distance consistent with the surrounding areas, as recommended by the SPG: Development in Residential Areas.

### Assessment

HCA 3 makes's no specific reference to the application site's historic significance/ role. The whole study forensically examined the Borough's town's residential character.

Despite no.2's poor physical condition the site's remnant status does represent an historic legacy from the pre New Town redevelopment of the area. As confirmed this area was transformed by the mid 1960's mix of contemporary housing.

It is most unfortunate that no.2 has physically deteriorated to the extent that the agent's separate submitted structural survey and heritage assessments stress the apparent overriding difficulties of retaining /rebuilding the dwelling and which consequently dilute its relative historic importance. This has been in response to the Council's Conservation/ Design team's high regard of the building's importance. It has been a dilemma in the application's consideration. However based upon all the information now available and balancing all the specialist technical input there is not an apparent case to justify the building's retention/ replica replacement in situ , with the building not meriting listing status.

In this context the proposal provides an excellent opportunity to redevelop the site within its wooded setting, despite the reference in the approach under HCA 3 to the resistance of the redevelopment of existing housing. This is through transforming its under used garden fronting Long Chaulden.

It is also a very rare development opportunity in this locality where new housing sites are extremely limited. The site offers scope for contemporary architecture/ some experimentation in one of the New Town neighbourhoods to reflect another phase in the evolution of the post New Town environment which is currently experiencing wide scale regeneration, by consolidating and embracing contemporary design.

The Original Scheme was regarded as too assertive and very staid with no guarantees of ensuring the retention of key trees which are important with the local street scene, in association with retained frontage hedging.

The Revised Scheme's contemporary angular design will be assertive ( but not overly so) , innovative and slightly different but in a positive refreshing way , representing the New Town's ethos of modernity. In this location with full regard to the range of contemporary designs within the Warners End area, on a small scale in a relatively prominent position the proposal will reassert the architectural/ housing principles of the New Town era where there is a mix of building heights and types in the locality.

In this context the proposal should respect the character and appearance of Warners End and local site conditions along this part of Long Chaulden. This is with due regard

to maintaining spacing with nos 398 and 286 respectively and respecting the existing building lines and ridge levels, establishing a visually cohesive group identity. The proposed flat roof porches/ bay windows are significant complementary elements which echo a key design feature of the adjoining distinct row of bungalows, representing an important element of visual cohesion and continuity between 'old' and 'new'. The scheme also takes advantage of the role of the most important trees, in contrast to the earlier schemes. The balance between buildings, spaces and soft landscaping is reinforced by the complementary retention of the frontage hedge line, as the site establishes a visual transition between the adjoining low profile bungalows and two storey houses.

It is acknowledged that there are some inevitable shortcomings in the layout due to the site's and immediately surrounding area' physical conditions. The importance of the alignment of the dwellings in the street scene has been a fundamental design/ layout factor in association with retaining the two preserved frontage trees. The land available for development has also been restricted due to the position of all the adjoining existing dwellings/ need to safeguard their amenity and importance of retaining the preserved Hornbeam at the rear of the site.

As a consequence in this sustainable location there has been a preparedness to apply some flexibility upon the level of car parking enabling and support for ' below standard' but useable rear gardens with the recommended withdrawal of 'permitted development' rights. With this flexibility/ pragmatism the scheme can be integrated into the existing local environment , is not overly cramped , is compact and 'workable', with due regard to the restricting the impact upon the adjoining / nearby dwellings, as referred to below.

#### Impact upon Residential Amenity

This is with reference to the physical impact (whether overbearing/oppressive/ visually intrusive), privacy, the receipt of light, noise/ disturbance and headlamp glare and due regard to the neighbour objections and the impact upon:

- No.1 The Hollies,
- No.396 and 386 Long Chaulden,
- 11 Varney Close, and
- Other dwellings within the locality.

The development will individually and collectively result in a noticeable change to the current living conditions. The most significant perceived effect will be upon no.1 The Hollies due to noise and activity. The retention of the Hornbeam tree and restriction of one new parking space (no.9) opposite no. 1 does reduce the impact, also benefiting no. 11 Varney Close. On balance, it is not considered that there is case to substantiate refusal based upon the effect upon no.1.

Note: The Party Wall issues are outside the remit of the application's consideration.

Highway Safety (Vehicle/ Pedestrian), Traffic Generation, General Access, Fire Access, Access for Persons with Disabilities / Inclusive Access / Access for Persons with Persons with Mobility Difficulties and Parking/ Sustainable Location ( Zone 4)

There are no apparent overriding objections regarding the use of the modified existing access, sight lines, car turning, access for persons with disabilities, the layout and refuse collection.

Members will be updated at the meeting regarding all the fire service requirements and refuse storage which are fundamental to the scheme. Fire tenders can access all parts of the site ( including no. 1The Hollies) however clarification is being sought regarding fire tender turning and the provision of fire hydrants.

There is an opportunity to provide a lower level of curtilage parking in this a sustainable location which is close to Stoneycroft Local Centre , schools and open spaces nearby in an area served well by local buses. Under saved DBLP Appendix 5 for Parking requires the provision of 13.5 spaces if maximum standards are applied with a resultant shortfall of 4.5 spaces. Saved Dacourm Borough Local Plan Policy 58 (Private Parking Provision) addresses 'Residential Development' under page 186:

'Parking needs, calculated by reference to the parking guidelines in Appendix 5 of the Plan, will normally be met on site. Car free residential development may be considered in high accessibility locations. Parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g.special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport)'.

#### Ecological Implications/ Biodiversity

There are objections regarding the implications for bats/ other fauna. Additional planting / bat- bird boxes are recommended in the interests of biodiversity benefit.

#### Drainage

This is addressed by a recommended condition.

#### Contamination/ Ground Conditions

- Contamination

Standard contamination conditions are recommended in accordance with the recommendations of the Council's Scientific Officer.

- Land Stability

There are apparently inbuilt structural and associated land stability issues regarding the rebuilding of no.2, as identified by the agent's submitted structural report. These localised conditions are a direct consequence of rainwater infiltration at no.2.The proposed dwellings are proposed in a different part of the site and the agent has not identified any land natural or artificial land stability issues regarding the land associated with the proposed buildings footprints.

With due regard to the NPPFs expectation's regarding land stability this is addressed by an informative.

#### Crime Prevention/Security

There are no apparent overriding inbuilt problems . Parking space no.9 is somewhat isolated but has surveillance from no. 1 and can benefit from additional lighting. The agent has also been requested to consider the provision of flank wall windows for the dwellings adjoining the access road to improve natural surveillance to parking spaces 4 and 5.

#### Approach to Sustainable Construction/ Policy CS29: Sustainable Construction

A condition is recommended.

#### Exterior Lighting/ Light Pollution

A condition is recommended. This is to safeguard the residential amenity of adjoining dwellinghouses/ the new units and for crime prevention/ security, highway safety and ecological reasons.

#### Planning Obligation/Affordable Housing

Under the Council's Affordable Housing SPG a financial contribution in lieu of affordable housing is applicable on sites which fall below the site thresholds of 0.3ha or 10 dwellings in Hemel Hempstead and 0.16ha or 5 dwellings elsewhere in the Borough. The contribution should be equivalent to providing subsidised/free land for affordable housing.

#### CIL

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 3 within which a charge of £100 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

The net floorspace increase resulting from the demolished building is 495.3 sqm. Therefore, the CIL contribution will be 495.3 x 100: £49, 530

#### Environmental Impact Assessment

An Environmental Impact Assessment is not required for this development.

#### Article 31

There has been the need for various significant changes / additional information involving extensive and protracted dialogue.

#### **Conclusions**

The proposal is not straightforward. The site features a longstanding area of

undeveloped land with pre New Town historic associations.

However, with no. 2's heritage value is now limited the proposal represents a rare opportunity to provide new housing in Warners End.

In acknowledging that there is not a rigid adherence to maximum parking standards and rear garden sizes in its revised form with the retention of existing key trees and frontage hedging the site's redevelopment represents a refreshing approach to design consolidating existing contemporary Warners End Neighbourhood townscape.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding any of the details specified by the application form and drawings, no development shall take place until details of the materials ( including the permeable paving for the parking areas , access road and patios ) to be used for the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development is compatible with the appearance of the locality to accord with the requirements of Policies CS10 ,CS12 and CS29 of the Dacorum Core Strategy.

- 3 The ridge levels of all the dwellinghouses hereby permitted shall be constructed fully in accordance with the ridge levels shown by Drawing No. 3907-PL 4.04 Revision E .**

Reason: To ensure that the development is compatible with the appearance of the locality to accord with the requirements of Policies CS10 and CS12 of the Dacorum Core Strategy.

- 4 Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until**

Condition (d) has been complied with in relation to that contamination.

**(a) Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - (i) human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

**(b) Submission of Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**(c) Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than

that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**(d) Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS 32 of the Dacorum Core Strategy .

- 5 **No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years shall have been submitted to and approved in writing by the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority for its approval in writing.**

**This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,



neighbours and other offsite receptors in accordance with Policies CS31 and CS 32 of the Dacorum Core Strategy

- 6 **The development hereby permitted shall be served by a surface water and foul water drainage system fully in accordance with a scheme approved in writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system, no soakways shall be constructed on contaminated land and the system shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development to accord with the requirements of Policies CS29, CS31 and CS32 of the Dacorum Core Strategy.

- 7 **Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

Reason: In the interests of highway safety to accord with the requirements of Policies CS9 and CS12 of the Dacorum Core Strategy.

- 8 **Notwithstanding the details shown by Drawing No. 3907-PL 4.04 Revision E this planning permission excludes the provision of Parking Space 10 which shall be subject to additional planting and boundary treatment in accordance with Conditions 11 and 13 of this planning permission.**

Reason: To safeguard the residential amenity of no. 11 Varney Close and 1 The Hollies to accord with the requirements of Policies CS10 and CS12 of the Dacorum Core Strategy and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.

- 9 **Parking Spaces 1 to 9 inclusively to serve the dwellinghouses hereby permitted shall be provided fully in accordance with Drawing No. 3907-PL-2.01 Revision J before the first occupation of any of the dwellinghouses hereby permitted and thereafter Parking Spaces 1 to 9 inclusively shall be retained at all times and shall be only used for the parking of vehicles.**

Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining highway in accordance with Policy CS12 of the Dacorum Core Strategy and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.

- 10 **Before the first occupation of any of the dwellinghouses hereby permitted the access road and turning areas shall be provided fully in accordance with the details shown by the approved plans. The access road and turning head shall be designed with a capacity/ loading and design to accommodate use by a fire tender at all times. Thereafter the approved access road and turning areas shall be retained at all times and only used for the approved purposes.**

Reason: To ensure that there is a safe access including for fire/emergency access, adequate and satisfactory provision of off-street vehicle parking facilities and in the interests of highway safety in accordance with Policies CS9 and CS12 of the Dacorum Core Strategy and saved Policy 54 of the Dacorum Borough Local Plan 1991-2011.

- 11 **Before the first occupation of any of the dwellinghouses hereby permitted full details of soft landscaping shall have been submitted to and approved in writing by the local planning authority. These details shall include a management plan for the maintenance of the communal landscaped areas ( including the frontage hedge ,preserved trees , the planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities. he approved landscape works shall be carried during the first planting season following the first occupation of any of the dwellings hereby permitted.**

Reason: To safeguard the local environment, and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policies CS 12, CS26 and CS29 of the Dacorum Core Strategy.

- 12 **If within a period of 5 years from the date of the planting of any tree, shrub or section of hedge, that tree, shrub or section of hedge or any section of hedge planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.**

Reason: To safeguard the local environment in accordance with the requirements of Policies CS12, CS26 and CS29 of the Dacorum Core Strategy.

- 13 **No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of all the boundary fences/ walls The boundary walls/fences shall be provided fully in accordance with**

**the approved details before the dwellinghouse hereby permitted is first occupied and thereafter shall be retained at all times.**

Reason: To ensure that the development is compatible with the appearance of the locality

and in the interests of the residential amenity of the existing and dwellinghouses subject to this planning permission to accord with the requirements of Policies CS10 and CS12 of the Dacorum Core Strategy.

- 14 **This planning permission does not include any development within the Protected Root Zones of the preserved trees at the site and no development hereby permitted shall be commenced until an updated arboricultural method statement is submitted to the local planning authority. This statement shall show precisely how the development shall be constructed in relation to the retained boundary hedges and preserved trees including reference to the identified tree roots, ground conditions, foundations, method of construction (hand and or machine excavation), how the trees will be safeguarded/ protected during construction, any changes to levels and details of all new utility services such as drainage, gas, electricity and telecommunications. The development shall be carried out fully in accordance with the approved details. The areas under the canopies of the preserved trees shown by Drawing No. 3097-PL 2.01 Revision J shall be permanently maintained as undeveloped in accordance with the approved communal management plan.**

Reason: To ensure that there is a long term compatible relationship between the development and the adjoining tree in terms of maintaining their health and safety to accord with the requirements of Policies CS10 and CS12 of the Dacorum Core Strategy.

- 15 **Bat and bird boxes shall be installed at the site in accordance with a programme submitted to and approved by the local planning authority and once installed the approved boxes shall be retained at all times.**

Reason: In the interests of biodiversity to accord with the requirements of Policies CS26 and CS29 of Dacorum Core Strategy.

- 16 **Before the commencement of the development hereby permitted a Sustainable Design and Construction Statement shall be submitted to the local planning authority. The development shall be constructed and maintained in accordance with approved scheme.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 of the Dacorum Core Strategy.

- 17 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

## **Schedule 2 Part 1 Classes A, B, C D and E.**

Reason: To enable the local planning authority to retain control over the development in the interests of ensuring that the limited gardens serving the dwellinghouses hereby permitted are maintained and retained for their designed purposes , in the interests of safeguarding the residential amenity of the dwellinghouses hereby permitted and adjoining dwellings , to ensure that there is an acceptable balance between buildings and retained space and in the interests of the appearance of the development in accordance with Policies CS10, CS11 and CS12 of Dacorum Core Strategy.

- 18 **Before the first use of any of the dwellings hereby permitted an exterior lighting scheme shall be submitted to the local planning authority. The approved exterior lighting scheme shall be installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 19 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

**3097-PL 2.01 Rev L,  
3097-PL2.01, Rev H ,  
3097-PL 4.03 Rev B,  
3097-PL 4.01 Rev B  
3097-PL 4.02 Rev B  
3097-PL 4.04Rev E**

Reason: For the avoidance of doubt and in the interests of proper planning.

NOTE 1:

### **Article 31 Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage following the withdrawal of the previous application . This led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### INFORMATIVES

Bats : Demolition Works

Notwithstanding the content of the e mail dated 3 December 2014 the local

planning authority regarding bats :

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;

Recklessly disturb bats;

Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

**(iii)Contacts:**

English Nature 01206 796666

UK Bat Helpline 0845 1300 228 ([www.bats.org.uk](http://www.bats.org.uk))

Herts & Middlesex Bat Group 01992 581442

Removal of Asbestos

Advice should sought from the Council's Environmental Health Unit and the Health & Safety Executive.

Construction

Best practical means should be taken at all times to ensure that all vehicles leaving the site during the construction of the development are in a condition such as to not emit dust or deposit mud, slurry or other debris on the highway to minimise the impact of construction vehicles whilst the development takes place.

All areas for storage and delivery of materials associated with the construction of this development should be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway; in the interest of highway safety and free and safe flow of traffic.

The highway authority requires that all new vehicle crossovers are constructed by approved contractors. All works must be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact [www.hertsdirect.org](http://www.hertsdirect.org) or telephone 0300 1234 047 for further instruction.

### Works to the Party Wall

It is expected that this is addressed through the Party Wall Act.

### Water Supply

This is within the area covered by the Affinity Water Company. It is recommended that the developer contacts Affinity Water.

### Land Stability

Before the commencement of development it is recommended that the developer checks the site's land stability.