

4/02191/12/OUT - REDEVELOPMENT 31 DOMESTIC GARAGES TO PROVIDE FOUR RESIDENTIAL UNITS WITH PRIVATE PARKING AND FURTHER UNALLOCATED PARKING..

GARAGES SITE AT, NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2.

APPLICANT: DACORUM BOROUGH COUNCIL.

[Case Officer - Richard Butler]

[Grid Ref - TL 07861 07317]

Summary

The application is recommended for approval.

The application seeks outline planning permission to demolish 31 domestic garages and replace with 2 three-bed dwellings and 27 parking spaces; the level of cars likely to be displaced by this development (over and above the parking that shall be re-provided within the development) is considered to be small scale and not lead to detrimental impacts to highway safety within the surrounding area.

The quantum and likely scale of the proposed residential development is considered to be appropriate.

Site Description

The application site is located behind residential units on the north eastern side of New Park Drive and 1-8 Greenway. The site comprises 31 garages in four blocks and excludes a single garage in private ownership at the end of a garage row in close proximity to the south eastern boundary of the site. The site is accessed via a service road off New Park Drive which also provides access to garages to properties in Greenway and to two new units in the rear gardens of Nos.50 and 52 New Park Drive. The site is covered in hard standing with the exception of a grassed area surrounding a single tree in the western portion of the site with mature landscaping between the site and the Maylands industrial area.

Proposal

Outline planning permission (with all matters reserved) is sought for the redevelopment of the site, including the demolition of the garages (save the privately owned garage) and the development with residential use. The proposal shall also include the re-provision of a number of parking spaces to accommodate parking lost through the removal of the garages.

The application was submitted in December 2012; the original proposal sought the development of a terrace of three 3-bed dwellings with a detached building at the eastern extent of the site providing a 2-bed flat over three garages. A total of 17 parking spaces were provided across the site, 8 allocated to the proposed residential units and 9 unallocated to provide a replacement to the demolished garages.

Through the course of the application further information has been requested with regard to the occupancy rate of the garages; this concluded that of the 31 garages 29 are leased from the council with only 2 void garages.

The proposal has been amended as follows:

A semi-detached pair of two 3-bed dwellings. The remainder of the site is to be laid out for parking. A total of 27 parking spaces are provided across the site, 5 allocated to the proposed residential units and 22 unallocated to provide a replacement to the demolished garages.

Of these parking spaces 11 are located in a block which runs adjacent to the north flank of the proposed residential units; the applicant has suggested that the use of these spaces should be monitored and if proved to me not needed, there is potential for the semi-detached block to be extended to a terrace of three units.

Referral to Committee

The application is referred to the Development Control Committee as the application site is in the ownership of Dacorum Borough Council.

Policies

National Policy Guidance

National Planning Policy Framework

Dacorum Core Strategy (Adopted September 2013)

Policies CS1, CS2, CS4, CS8, CS12, CS13, CS17, CS18, CS19, CS26 CS28, CS29, CS31, CS33 and CS35.

Dacorum Borough Local Plan 1991-2011 Saved Policies

Policies ,10,13,18, 51, 54, 58, 61, 63, 99 and 111
Appendices 1, 3 and 5

Supplementary Planning Guidance

Accessibility Zones for the Application of Parking Standards
Area Based Policies for Residential Character Area HCA22 - Adeyfield South

Representations

Spatial Planning

Housing development is acceptable in principle in terms of Local Plan Policy 9 (land use division in towns and large villages), as the site is located in a residential area. The development is also acceptable in principle in relation to Core Strategy Policy CS4 (the towns and large villages), which will replace Local Plan Policy 9 once the Core Strategy is adopted.

The application should be assessed against Local Plan Policy 11 (quality of development) and the various Core Strategy policies (see Core Strategy Appendix 1) that will replace it following adoption of the Core Strategy.

The Council's Supplementary Planning Guidance on Development in Residential Areas should also be taken into account. The site is in character area HCA22 (Adeyfield South). The policy statement for HCA22 includes the following guidance on redevelopment under the sub-heading 'scope for residential development':

"Strongly 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."

Paragraph 2.3 in the Design and Access Statement accompanying the application states that the garages are not fully occupied. However, no information is provided on how many garages are used and whether the occupied garages are used for parking cars or for other purposes, such as storage.

Paragraph 4.4.1 in the Design and Access Statement states that 8 parking spaces are proposed for the new housing and 9 additional unallocated spaces for visitors and existing residents in the surrounding area. The 8 spaces proposed for the new housing meets the standards in Local Plan Appendix 5, given the site's location in Zone 4 (as shown in the Supplementary Planning Guidance on Accessibility Zones). The 9 proposed unallocated spaces are welcome, but it is not clear whether this is sufficient provision for displaced parking.

It appears that the proposals accord broadly with the Development Principles for HCA22.

The application is acceptable in respect of Local Plan Policies 17 (control over housing land supply) and 18 (the size of new dwellings) and Core Strategy Policies CS17 (new housing) and CS18 (mix of housing).

We are pleased that a mature tree within the site is to be retained.

The proposals are acceptable, as long as you are satisfied that the 9 proposed unallocated spaces represent sufficient provision for displaced vehicle parking.

Note - The comments above do not take account of the amendments to the scheme.

Hertfordshire Highways

Does not wish to restrict the grant of permission subject to the following conditions:

The proposal is for outline planning permission. This latest application is proposing to demolish the 31 Dacorum Borough Council leased garages and redevelopment with dwellings comprising of 2 x 3 bedroom dwellings at the former garage area, to the rear of New park Drive, Hemel Hempstead. It would appear that the uptake in garage rental is low with many of the garages in a poor overall condition. The original vehicular access off New Park Drive is to be reused the service road is currently not adopted by the highway authority and there are no plans to widen or modify this access at present. It follows that the access road must be accessible in terms of both refuse collection and fire and rescue needs. This latest application is proposing to increase the availability of off street parking allocation but no figure is attached.

Internal Highway layout and parking

It follows that the existing service road will remain the only vehicular access route to the site. There are two other pedestrian routes. As such, this main access will become a shared surface road of some description but again there are no clear details of how this will be achieved. The highway authority notes that the applicant is proposing to create a minimum of 29 parking spaces and 24 of these will be for visitors and existing residents. The highway authority welcomes this, as there is an existing heavy demand for on street parking, particularly at night in this vicinity and safe and secure additional off street parking would help to some degree with this problem.

The highway authority notes that a section of this parking area as shown in the D&A statement will be monitored for its use and if not used then future development may be considered. There are no details of how this will be done which must be agreed with the LPA

Highway Benefits - The applicant should be made aware of the following: Subject to a financial contribution in line with current County policies for sustainable transport and the following 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 £1125 per three bedrooms. All contributions are to be index linked from the date of the agreement or Local Planning Authority committee resolution (whichever is the earliest) to the date of payment.

Highway Conditions - Highway Conditions based on the submitted details are likely to include the following:-

The development shall not be occupied until the access, car parking and turning areas have been constructed, surfaced and permanently marked out.

The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.

That the parking spaces shall be used for the parking of non-commercial vehicles only and shall be retained thereafter for that purpose and made available to the occupiers of that property unless the Local Planning Authority, in consultation with the Highway Authority, otherwise agrees in writing.

The proposed car parking spaces must have sufficient manoeuvring space to ensure all vehicles can enter and exit the site, where possible in a forward gear.

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

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility

of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water 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 Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company.

Comments from Neighbours

Correspondence was received from four neighbouring properties.

No. 31 the Flags commented on the proposed boundary treatment to the rear boundaries of abutting dwellings at The Flags, specifically that for security to these neighbouring dwellings would be obtained with the incorporation of a brick wall currently provided by the existing garage row to the northern boundary.

Similarly, No. 32 the Flags inquired whether the boundary wall currently provided by the brick garages would be replaced with a similar treatment to ensure security to the rear gardens.

The remaining two responses from No. 33 the Flags and No. 8 Greenway object to the proposal on the following grounds:

- Loss of privacy to dwellings and gardens;
- Loss of light to neighbouring gardens;
- Increased light and noise pollution;
- Maintenance of new boundary fencing and landscaping;
- Loss of garages which are currently in use and other car parking spaces;
- Insufficient parking provision;
- Open car parking spaces resulting in damage to vehicles and prone to vandalism;
- Inadequate street lighting;
- Insufficient access as a result of double parking; and
- Insufficient access for fire and ambulance services to proposed dwellings.

With respect to the above comments it is noted that the current application is an assessment of the principle of residential development on the application site. If outline planning permission is granted, design detail would be considered in a separate future application for approval of reserved matters, where the issues raised above would be addressed. A future application for approval of details with respect to layout, scale and appearance will be subject to a statutory consultation period including to all adjoining properties.

Concerns with respect to property devaluation, neighbour relations, purchasing of garages, and rise in car insurance are not material planning considerations and would generally be covered under separate legislation.

The item of correspondence received from No. 33 the Flags states that a potential review of car parking within The Flags would be reviewed as a result of the loss of the garages. The relevant consideration with respect to car parking relates to the impact of the proposal on the surrounding highway network. The review of other car parking areas is not a matter for consideration under the current application which relates to the application site only.

Further comments following amendments:

The amended plans for the building of 2 houses on this site. I still feel that the parking will be an issue. The lack of street lights in this area, will there be any put up for this new development. Is there access for dustcart to access this area to collect bins, as the road is always double parked. Is it necessary to knock down all of the garages as I rent 3 which are used and if the number garages 8 to 14 which are set back are kept then secure parking will be kept for those who rent them at the moment. That way we would be able to retain secure parking as well as having enough allocated parking for new residents. The privacy and light will still be an issue. Is there any way to purchase land at foot of garden behind the current garage which is to be retained so that we can have secure parking to replace the 3 garages which we will be losing.

Considerations

Pre-Application

The Council undertook a public consultation exercise prior to the submission of the current application. An exhibition was held over two days on 16th July 2012 (1pm - 8pm) and 20th July 2012 (9am-5pm) at which members of the Tibbalds Planning and Urban Design team, planning officers and members of the Dacorum Borough Council's Asset and Property Management team were available to discuss the issues raised by redeveloping garage courts with local residents. The events were attended by 96 people in total.

The attendees raised a number of positive and negative comments in respect to the schemes presented for New Park Drive. The principle concerns raised were:

- that the proposed loss of parking, adequacy of parking arrangements and increased demand from new residents would lead to conditions detrimental to highways safety,
- that the width of the access road was insufficient for emergency vehicles,
- the proposals would increase traffic and congestion in the area,
- that they would lose the use of the existing garage,
- there would be overlooking and overshadowing to neighbouring properties,
- that there will be additional noise and disturbance to existing residents,
- that the units would be occupied by anti-social residents or those engaged in crime,
- that there was a lack of detail in the proposed plans and
- that the proposals would reduce property values

Residents also suggested that:

- the site was subject to anti-social behaviour and its redevelopment could be positive,
- that they were not adverse to residential development but the proposals were too dense,
- the retention of the tree and landscaped area was a positive, and
- that a back to back layout of residential units would be preferable to new houses adjoining the existing site boundaries.

The main issue of relevance to the consideration of this application relates to the appropriateness of the site for residential development.

Policy and Principle

The National Planning Policy Framework encourages the effective use of land including reusing land, and further states that *housing applications should be considered in the context of the presumption in favour of sustainable development*. The above-mentioned policies contained in the Core Strategy and saved policies of the Local Plan are consistent with these objectives, and therefore full weight should be given to these provisions.

The application site proposed for residential development would meet the above objective of the NPPF, and would also be consistent with Policy CS4 of the Core Strategy; noting that the application site is located within an established residential area of Hemel Hempstead. Further, there would be a strong presumption in Policy CS17 in favour of promoting residential use of the land to address a need for additional housing within the Borough.

The occupancy rate of the existing garages is 29 of 31, equating to 94% of the garages.

With respect to sustainability, it is noted that the proposed development should be designed to accord with the requirements of Building Regulations and the Code for Sustainable Homes. It would be reasonable to expect this development to meet Code Level 4 of the Code for Sustainable Homes given the context of the Core Strategy and likely improvements in relation to the Building Regulations. Such matters would be conditioned to ensure that the proposals would meet the requirements of Policies CS28, CS29 and CS31 of the Core Strategy and saved Policy 1 and Appendix 1 of the Local Plan.

For reasons outlined above, the principle of residential development on the application site would be acceptable.

The Council, and any successor in title, would be expected to comply with Policy 13 of the Local Plan, Policy CS35 of the Pre-submission Core Strategy, and the Planning Obligations Supplementary Planning Document and as such it is necessary for the Council to enter into a planning obligation for the development of this site. This agreement will secure contributions towards new allotment provision, outdoor pitches; child play space, natural green space and library provision to off-set the impact of development upon these services.

Impact on site layout and design

Although the design and layout of the proposed residential scheme is not set out for consideration at this stage, the proposed layout plan and supporting documentation contain sufficient detail to guide the formulation of a high quality residential scheme in accordance with Policies CS12 and CS13 of the Core Strategy and saved Appendix 3 of the Local Plan. A maximum height of two storeys as notated on the proposed site layout plan would be appropriate in this location, and reflective of existing residential built form.

Proposed dwelling density of 11 dwellings per hectare (four dwellings on a site of 0.18ha); would be less than the figures for medium density as set out in HCA 22 - Adeyfield South. It is noted however that the site conditions including its shape together with the requirement for provision of additional car parking facilities to replace existing garages would warrant a reduced dwelling density in this instance.

The proposed site layout and the orientation of dwellings would generally be consistent with the terraced dwelling stock in the immediate area, following the established linear pattern whilst enabling sufficient surveillance of open access and parking areas in accordance with the NPPF and HCA 22 - Adeyfield South of the Local Plan, and Policy CS12 of the Core Strategy. There would be no loss of significant trees, noting the existing tree proximate to the site's south-western boundary would be retained and a proposed landscaping scheme has been indicated.

Impact on neighbouring properties

The application site has 19 directly abutting properties (excluding the single garage). Given the indicative siting of the dwellings, their distance from shared boundaries, the proposed building height and orientation, it is considered that the proposal would not significantly detract from the amenities of neighbouring properties in accordance with Policies CS12 and CS13 of the Core Strategy and saved Appendix 3 of the Local Plan.

The area indicated for the proposed dwellings would be sited a minimum of 23m from the rear walls of dwellings to the north and south at The Flags and Greenway respectively. At this distance as set out under Appendix 3 there would not be an unreasonable level of overlooking to these dwellings. It is also noted that the main orientation of the dwellings would be to the north-east and south-west, and not in the direction of dwellings fronting The Flags or to Greenway.

The height of the buildings and their slightly lowered position relative to dwellings immediately north at The Flags would ensure that there would not be an unacceptable loss of light to these properties.

It is again noted that if outline planning permission is granted, concerns with respect to the impact of the amenity of neighbouring properties would be considered on submission of further details.

Existing access routes to nine adjoining dwellings (Nos. 1, 2, 3, 4, 5, 6 and 8 Greenway and Nos. 1 and 2 New Park Mews) and the single garage would be maintained.

As such, the proposal would be in accordance with the NPPF and Policy CS12 of the Core Strategy.

Impact on access and car parking

The suitability of the application site for residential development is dependent on the provision of appropriate arrangements for the management of parking within the area. The proposed site layout ensures that the development would be self-contained and would not lead to the dispersal of vehicles onto the surrounding highway network to the detriment of highway safety in accordance with saved policies 51, 54 and 58 of the Local Plan, and Policies CS8 and CS12 of the Core Strategy.

Specific to the proposed development, whilst the layout and scale of the residential units are yet to be determined, the illustrative layout of the site is based on each of the dwellings comprising three bedrooms. With reference to the saved Appendix 5 of the Local Plan the two 3-bed dwellings would require a parking allocation of 2.25 spaces per dwelling, equating to 4.5 spaces. The proposed layout indicates a total of 27 spaces across the development. 5 of these shall be allocated to the proposed dwellings, with a further 22 provided as unallocated parking to re-provide parking lost by the demolition of the 31 garages.

The parking provided for the residential units is appropriate and in accordance with appendix 5 of the Local Plan.

As noted in the design and access statement, 29 of the 31 garages are leased, leaving only 2 void. With the development providing 22 unallocated spaces for surrounding residential units, there is a shortfall of 7 parking spaces. The supporting information submitted with the application demonstrates the possibility for parking to be provided within a number of surrounding garage courts which shall remain within the control of Dacorum Borough Council. There are three parking courts within a radius of 250m, which have a combined total of 49 vacant garages. This gives reassurance that should residents wish to find alternative garage rental facilities, there is availability within a reasonable distance of the site.

Whilst the initial indication of the limited vacant garages within this parking court would suggest that the existing parking court is well used for parking cars; it has been noted in details submitted with the application that of the garages which are leased a fair number are not used for the regular parking of a vehicle with reasons being that the garages are not built to the dimensions of a modern car, making the use for storage of cars very difficult and often alternative uses for garages prevail, such as storage of household items. Therefore the displacement of cars from leased garages is not likely to be 100%. On this basis, the provision of unallocated parking spaces for this development is considered appropriate.

As previously mentioned, vehicle access to existing private parking areas to nine adjoining properties and the single garage would be maintained, and on-street parking facilities along the road off New Park Drive would remain unchanged as a result of the proposed development scheme. Existing pedestrian routes to and through the site would also be retained to accord with saved Policy 61 of the Local Plan.

The proposed access arrangements are considered to be safe in accordance with Policies 11, 51, 54 and 58 and Appendix 5 of the Local Plan.

The design and access statement makes reference to the monitoring of the 11 spaces adjacent to the proposed dwellings in order to establish demand for their use, and in the case that the level of parking is above the necessary level, then an additional unit could be added to form a terrace of three dwellings. Rather than specify exactly how this shall be monitored at this time, the application has been assessed with regard to the plans submitted. Should at a later date there be an approach to seek this additional dwelling a new planning permission shall be required. Therefore any evidence to suggest the level of reduced parking would be appropriate can be submitted at this time.

Sustainability

It is noted that the proposed development should be designed to accord with the requirements of Building Regulations and the Code for Sustainable Homes. It would be reasonable to expect this development to meet Code Level 4 of the Code for Sustainable Homes given the emerging context of the Core Strategy and likely improvements in relation to the Building Regulations. Such matters would be conditioned to ensure that the proposal would meet the requirements of Policies CS28, CS29 and CS31 of the Core Strategy and saved Policies 1 and Appendix 1 of the Local Plan.

Planning Obligations

The Council, and any successor in title, would be expected to comply with Policy 13 of the Local Plan, Policy CS35 of the Pre-submission Core Strategy, and the Planning Obligations Supplementary Planning Document and as such it is necessary for the Council to enter into a planning obligation for the development of this site. This agreement will secure contributions towards new allotment provision, outdoor pitches; child play space, natural green space and library provision to off-set the impact of development upon these services.

Planning obligations shall be sought in accordance with the adopted SPD of 2011. It is noted the highways authority have requested specific payments towards sustainable transport contributions above.

Applications for less than 5 residential units generate the requirement of Planning Obligations in accordance with the Dacorum Borough Council Planning Obligations SPD. Sustainable Transport Contributions are an item within the Herts Toolkit.

The proposed development of two 3-bed residential units shall only be subject to the DBC SPD. Hertfordshire Highways have not advanced any specific reason why Sustainable Transport Contributions should be sought on this application and have not given evidence of any specific project against which the monies would be allocated. Therefore it is not appropriate for such contributions to be sought in this situation.

The impact on the development with regard to the loss of garage parking has been addressed in the section above.

With regard to the DBC SPD the contributions sought are as follows:

Term	Amount
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Allotments	£126
Outdoor Pitches	£918
Cycles	£136
Primary Schools	£4,938
Child Play Space	£3,200
Natural Green Space	£50
Travel Smart	£50
Libraries	£396
Monitoring	£588.84
Total	£10,402.84

Conclusions

The principle of residential development on the site is acceptable. It can be demonstrated that the scale of residential development proposed is appropriate and that new dwellings could be constructed without detriment to the character and appearance of the area and the amenities of neighbouring properties. The redevelopment of the underused garage site would not lead to the displacement of vehicles to the detriment of highway safety. The proposal will create additional on-street parking in an area where there is significant pressure for existing on-street parking facilities. The proposal would therefore be in accordance with the National Planning Policy Framework, Policies 2 (Towns), 9 (Land Use Division in Towns and Large Villages), 11 (Quality of Development), 51 (Development and Transport Impacts), 54 (Highway Design), 58 (Private Parking Provision) and 61 (Pedestrians) of the Dacorum Borough Local Plan 1991-2011, and Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages), CS8 (Sustainable Transport), CS12 (Quality of Site Design) and CS13 (Quality of the Public Realm) of Dacorum's Pre-submission Core Strategy.

RECOMMENDATIONS

1. That the application be DELEGATED to the Group Manager of Development Management and Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 and subject to the conditions set out below:
2. That this planning obligation secures the contributions set out in the Planning Obligations Supplementary Planning Document as follows:

Term	Amount
Allotments	£126
Outdoor Pitches	£918
Cycles	£136
Primary Schools	£4,938
Child Play Space	£3,200
Natural Green Space	£50
Travel Smart	£50
Libraries	£396
Monitoring	£588.84
Total	£10,402.84

RECOMMENDATION -

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.**

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2 Approval of the details of the Access, Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 3 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 4 Notwithstanding any details submitted as part of the planning application, prior to the commencement of the development hereby permitted, plans and details showing how the development will provide for renewable energy and conservation measures, and sustainable drainage and water conservation shall be submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policy 1 of the Dacorum Borough Local Plan 1991 - 2011 and adopted Supplementary Planning Guidance and CS29 of the Pre-Submission Core Strategy (October 2011) with Modifications January 2013.

- 5 The proposed dwellings shall not be occupied until parking bays for some 27 vehicles has been provided in accordance with the Parameter Plan hereby approved.**

Reason: In the interests of highways safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and saved Policies 51, 54 and 58 and Appendix 5 of the Dacorum Borough Local Plan 1991-2011.

6 The details of appearance to be submitted in accordance with Condition 2 shall include:

- elevations of the proposed building,
- full details of all materials to be used in the construction of any external surfaces of the development hereby approved,
- full details of any external lighting to the dwellings and
- details of any safety and crime prevention measures incorporated in the design of the new properties.

The proposed development shall be carried out fully in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy 11 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS13 of Dacorum's Pre-Submission Core Strategy (October 2011) with Modifications January 2013.

7 The details of layout to be submitted in accordance with condition 2 shall include:

- a block plan demonstrating the relationship between the proposed building(s) and the neighbouring properties at a scale of 1:500,
- floor plans at a scale of 1:50
- details of refuse and recycling facilities,
- measures for disabled access,
- means of enclosure and
- details of any crime prevention and security measures.

The proposed development shall be carried out fully in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the proposed building(s) and neighbouring properties in accordance with Policy 11 and Appendix 3 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS13 of Dacorum's Pre-Submission Core Strategy (October 2011) with Modifications January 2013.

8 The details of landscaping to be submitted in accordance with Condition 2 shall include:

- hard surfacing materials;
- means of enclosure;
- soft landscape works which shall include 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 where

appropriate; and

- trees to be retained and measures for their protection during construction works;

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area with regard to Policy 11 of the Adopted Local Plan and CS12 of the Pre-Submission Core Strategy (October 2011) with Modifications January 2013.

- 9 **The details of scale to be submitted in accordance with Condition 2 shall include:**

- an existing topographical survey of the site,
- details of slab levels, finished floor, eaves and ridge levels in respect to existing and proposed ground levels and
- details of slab level, finished floor, eaves and ridge levels to the existing dwellings adjacent to the boundaries of the site.

Reason: To ensure a satisfactory relationship to neighbouring properties in accordance with Policy 11 and Appendix 3 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS13 of Dacorum's Pre-Submission Core Strategy (October 2011) with Modifications January 2013.

- 10 **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:

- (i) a survey of the extent, scale and nature of contamination;**

- (ii) an assessment of the potential risks to:
- 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;

(iii) 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 Policy 11 of the adopted Dacorum Borough Local Plan 1991 - 2011.

INFORMATIVE:

The applicant is advised that a guidance document relating to land contamination is available in the Council's website:

<http://www.dacorum.gov.uk/default.aspx?page=2247>

- 11 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

5350 OPA 01

5350 OPA 02

5350 OPA 03 rev A

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

NOTE 1:

This decision to grant planning permission has been taken for the following reason and having regard to the policies and proposals in the development plan set out below and to all other material planning considerations, including relevant supplementary planning guidance.

The applicants have demonstrated that the redevelopment of this underused garage court would not lead to the displacement of vehicles to the detriment of highways safety. The proposals will create additional on-street parking within an area where there is significant pressure for existing on-street parking facilities. The new parking bay would be commensurate in scale with the current occupation rate for the garages to be demolished. It can be demonstrated that the scale of residential development proposed is appropriate and these new dwellings can be constructed without detriment to the character and appearance of the area and the amenities of neighbouring properties. The proposals would be in accordance with Policies 2, 9, 11, 51,

54 and 58 and Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011 and Policies CS4, CS8, CS12 and CS13 of Dacorum's Pre-Submission Core Strategy (incorporating the Main and Minor Modifications: January 2013).

NOTE 2:

The following policies of the development plan are relevant to this decision:

Dacorum Core Strategy

Policies CS1, CS2, CS4, CS8, CS12, CS13, CS17, CS18, CS19, CS26, CS28, CS29, CS31 and CS35

Dacorum Borough Local Plan 199-2011

Policies 1,10,13,18, 51, 54, 58, 61, 63, 99 and 111
Appendices 1, 3 and 5

Supplementary Planning Guidance and Documents

Accessibility Zones for the Application of Parking Standards
Area Based Policies for Residential Character Area – HCA 20: Highfield

Article 31 Statement

Planning permission has been granted for this proposal. There has been pre-application public consultation and involvement which has influenced the scale of the scheme submitted and discussion during the determination process which 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.