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DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 13 DECEMBER 2018 AT 7.00 PM
DBC COUNCIL CHAMBER - THE FORUM

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Guest (Chairman)
Councillor Bateman
Councillor Birnie
Councillor Clark
Councillor Conway
Councillor Maddern
Councillor Matthews

Councillor Riddick
Councillor Ritchie
Councillor Whitman
Councillor C Wyatt-Lowe (Vice-Chairman)
Councillor Fisher
Councillor Tindall

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

8. **ADDENDUM** (Pages 2 - 25)

Agenda Item 8



DEVELOPMENT MANAGEMENT COMMITTEE
Thursday 13th December 2018 at 7.00 PM

ADDENDUM SHEET

Item 5a

4/02249/18/FUL – DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 17 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1 SHOP) UNIT AND PARISH STORE ROOM, FORMATION OF LAYBY TO CHAPEL CROFT AND ALTERATIONS TO VEHICLE AND PEDESTRIAN ACCESSES

GARDEN SCENE CHIPPERFIELD, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EG

Further representations

Hertfordshire Highways response to neighbour correspondence (also reported below)

1. Accident record data is used to inform an assessment

2. A safety audit will be carried as part of any access and highway works, which in this case will include the proposed parking bays on Chapel Croft (the process of which can only start following the granting of any planning permission from the LPA) – safety issues are always the most important issue to deal with, which is why it is so important that the developments are designed to be in accordance with nationally and locally adopted guidance in addition to assessing the local environment and surrounding area of any site. Safety is always the primary concern for the Highway Authority when responding to consultations for planning applications.

3. I appreciate that the swept path analysis shows the original layout for the whole site. However the turning area itself has not changed.

I visited the site previously as part of the assessment process.

Earlier response to neighbours

Many thanks for contacting Hertfordshire County Council in relation to planning application 4/02249/18/MFA. Please see the following comments in relation to the proposed development, which will hopefully respond to the queries that you have raised. If you have any further specific questions please do not hesitate to contact me.

1. Access:

The site has two existing accesses, one from Chapel Croft and one from Croft Lane, both of which are to be utilised and improved as part of the proposed development. An amended plan (PL03 A) has been submitted as part of the application and includes details of a 6m radii formalised access at both accesses. The proposed access roads are of an acceptable width and design in accordance with design criteria as laid out in *Roads in Hertfordshire: Highway Design Guide (Table 4.1.1.1)* and *Manual for Streets (MfS)*, which includes national design guidance for residential roads.

Available visibility splays are shown on submitted plan number 03. Vehicular visibility splays of 2.4m x 43m are shown at the access onto Chapel Croft, which is acceptable when taking into consideration the speed and nature of traffic on the highway and the size of the proposed development and is in accordance with *Roads in Hertfordshire* and *MfS*. The level of visibility at the Croft Lane access is also acceptable with visibility levels in excess of 2.4m by 43m in either direction. There is also no record of any accidents in the last five years at either access or on the highway network in the immediate vicinity of the site.

The applicant would need to enter into an agreement with HCC as Highway Authority (subsequent to the granting of any planning permission) to ensure satisfactory completion of the access and associated road/highway improvements including:

- Upgrading of the existing accesses on Chapel Croft and Croft Lane.
- Tactile paving on the footway either side of each access, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces
- Re-instating the kerb to a full height at the existing dropped kerb to the front of “The Nurseries” on Chapel Croft.
- The construction of the two parallel car parking spaces and footway works on Chapel Croft to the front of the proposed shop.
- Further details (including details of materials to be used etc) will also be checked and approved as part of this process.

2. Parking and manoevrability:

The proposal includes the provision of 47 on site car parking spaces and a turning area in each access road, the layout of which is shown on submitted plan no. PL03 A. Two parallel parking bays (each 6m by 2m) have been proposed to the front of the proposed shop within highway land on Chapel Croft, the Layout and dimensions of which are acceptable and in accordance with guidance as laid out in *MfS* and *Roads in Hertfordshire*.

It is considered that any effects from parking would not be significant enough to recommend refusal from a highway point of view. The level of parking is in accordance with car parking standards as outlined in Appendix 5 of *Dacorum Borough Local Plan*. Dacorum Borough Council (DBC) is the parking authority for the district and therefore should ultimately be satisfied with the level of parking and therefore any specific queries in relation to the level of parking would need to dealt with by them.

A swept path analysis has been submitted as part of the *Transport Assessment* to illustrate that delivery/service vehicles would be able to turn around and egress to the delivery bay and subsequent highway in forward gear, which is considered to be acceptable. An appropriate condition will be required and sought to ensure that any turning areas for refuse, delivery and service vehicles is permanently provided and maintained.

3. Refuse / recycling collection:

Provision has been made for on-site refuse/recycling stores within 30m of each dwelling, within 25m of the proposed bin collection points and within the confines of the site and not on the surrounding highway network. The arrangements are in accordance with guidance as laid in *Manual for Streets and Roads in Hertfordshire: Highway Design Guide*. A swept path analysis / tracking plan has been submitted as part of *Transport Assessment* (drawing no. 04.1) to illustrate that waste collection vehicles would be able to turn around in both access roads and egress to the highway in forward gear, the arrangements of which are considered to be acceptable by HCC as Highway Authority. These turning areas have not been affected following the submission of the amended plan PL03 A.

An appropriate condition will be required and sought to ensure that all parking areas and turning areas for refuse and service vehicles is permanently provided and maintained.

4. Trip generation:

The expected traffic/trip rates for the development (as included as part of the submitted *Transport Assessment*) are less than the current use rates for the site. Following consideration of the proposed improvement works to the existing accesses (with potential to improve pedestrian accessibility when compared to the current access arrangements) and expected trip rates, the development is unlikely to have a significant enough impact on the surrounding highway network to recommend refusal from a highways perspective.

There is a very detailed and thorough procedure carried out as part of any planning application from a highways perspective including a safety audit as part any access and highway works (the process of which can only start following the granting of any planning permission from the LPA) – safety issues are always the most important issue to deal with, which is why it is so important that developments are designed to be in accordance with nationally and locally adopted guidance in addition to assessing the local environment and surrounding area of any site. We have no vested interest in the development and HCC as Highway Authority is a statutory consultee and not the planning authority.

Neighbour correspondence to Hertfordshire Highways

Rose Cottage, Chapel Croft

I write with reference to the above planning application with Dacorum under 4/02249/18/MFA.

My family have lived at Rose Cottage on Chapel Croft for 18 years which is directly opposite the proposed development site.

I have already objected to the proposed development site on a number of issues but there is three particular issues that really cause me concern and the Lead Planning Officer (Mrs Intan Keen) has suggested that I raise these issues with the Highways Department as it is an issue that you would be dealing with.

I have just seen the revised plans submitted by the Developer, Marchfield Homes, which local people will be objecting to now, as over 100 people objected to the original plan.

The three issues that concern me are as follows:

Croft Lane - new access road

I attach a copy of the latest proposed site plan which shows that there is no proposed turning area within the new Croft Lane access road for refuse lorries to turn within the new development. This means that the refuse lorry will either have to reverse into the new site or reverse out of the site. As car's park on Croft Lane opposite the proposed new entrance to the new site this will make it clearly a danger to other road users and pedestrians I would imagine that not having an adequate turning circle within the new site cannot be acceptable to the Highways Department?

Lay-by - Chapel Croft

On the attached proposed drawing of how the new shop/lay-by will look, my house is the one that sides onto the road on the left hand side. The access to our house is via the driveway behind the house (just to the left of the van on the road in the picture). If this lay-by goes ahead, it will be directly opposite the bottom of our and our neighbour's drive.

My three children currently run the risk of crossing this road (a 30mph limit road but never kept to) and if the lay-by goes ahead they will be walking into the new lay-by to access the path or will have to walk across the road at an angle to get onto the pathway.

The lay-by, if built, will also have major issues with cars pulling in and out of the space into an already busy road. This cannot be acceptable and surely the easiest way to deal with this is not to have a lay-by but have adequate parking within the new development and off the road?

Chapel Croft is a very busy road and cars are travelling way above the 30mph speed limit at numerous times of the day and night. Can you let me know the last time a traffic survey was held on this particular part of Chapel Croft?

Parking / Road issues on new site

The proposed site layout plan from Boast Associates shows 6 parking spaces for use by the shop – two in the lay-by and four on the left as you go into the new development from Chapel Croft.

The shop owner currently has three vehicles, so this leaves just three spaces for users of the shop which is completely inadequate and will result in people parking on Chapel Croft and throughout the new development.

The lay-by does not fit within the Chipperfield Village Design Statement and other shops in the village do not have lay-by's so why should this development?

Roadside parking detracts from the village appearance and I understand that we should avoid concrete kerbstones?

The parking proposal could lead to vehicles overhanging the adopted highway verge/road to the detriment of other road users which cannot be safe?

From the plan there are a further ten visitors parking spaces for seventeen new houses which is clearly not enough and needs to be reviewed - are you involved in this plan?

I believe that the Transport Statement submitted under these plans (by Icen Projects, August 2018) has many local inaccuracies and I would ask for your comments on this? For example, the report states no accidents on the road. This is clearly not true, and I am aware of at least two accidents on this road recently as well as several reported incidents to the police for incidents involving the lollipop lady who has been hit by a car recently on Chapel Croft.

I am not sure why we need to add a further access road into Croft Lane. This road is extremely busy in rush hour already, with children/parents going to school. Why cannot the plans just include the current access road from Chapel Croft into the development? This would take away any issues of further disruption to the current parking/driving/pathway issues on Croft Lane?

I believe that this case is proposed to be heard at the next DBC Planning Meeting on the 13th December so it would be good to hear your thoughts on the above before this date.

If you would like to come and visit us and see the site for yourselves I would be happy to meet you and show you how this will impact on the highway in Chipperfield.

Lyndhurst, Croft Lane

I can see that boxes have been ticked on this as an exercise which I appreciate but to give you some further local insight;

The current occupiers of the post office have 3 cars and therefore use 3 spaces, the nursery parking is consistently a third full. Where are those cars going to park?

The two proposed parallel parking bays outside the new shop mean that the children living in the house opposite, of which there are many would be crossing the road directly into these parking bays. How is that not of concern and causing a future risk in safety?

Outside our house cars park on Croft Lane where there is no footpath meaning on the school run children are forced to walk on the road across to the proposed new entrance on Croft Lane. The new access would mean crossing directly into a t-junction again causing greater safety concerns.

The bin lorry constantly gets stuck each week at this point in the road where people park either side until someone eventually moves their car.

The local businesses are now parking on the common and in Nunfield because spaces on Croft Lane and Chapel Croft are full. There is no need for an extra entrance to this development.

The nursery used to have a flow of traffic throughout the day, a new development in such an area that has no feasible public commuter transport will result in far more rush hour traffic causing another safety concern.

Although I understand your need to tick the boxes in order to support a development from above, the simple solution here is being completely ignored and capitalised on by a development company only concerned with profits and local authorities only concerned with instruction perceived to be coming from a political stand point.

Comments in relation to application (and amended plans)

Lyndhurst, Croft Lane

The only thing that you've not mentioned is to confirm if you are in agreement with Andrew Fisher's guidance that no parking spaces can be blocked in by another? Also what would be the official guidance on parking spaces for a 5 bedroom house, of course in respect of those being proposed behind us. Our neighbors confirmed that there was an insistence of 2 spaces for their 2 bedroom property, even though they have two cars themselves which leaves none for visitors. Ours as I've already stated was 3 for a 3 bedroom property so I'm assuming if line line with your guidance below would be 3.25 minimum, so 4 for a 5 bedroom property unless these rules have changed? Therefore looking at the application plans the proposal for parking behind us there are only 2 spaces for a 5 bedroom house as the garage will be ignored as it's blocked in by another space. As there is no provisions for visitor spaces in this area of the proposal can you confirm if an increase in parking will be part of your recommendation you'll be putting forward in your findings?

Further correspondence

I have to say I'm extremely disappointing to see your recommendation this morning. Having feared this was a tick box exercise it seems that those in the decision making process are playing with peoples lives in such a manor.

The below comment is in complete contradiction to your colleague who oversaw our planning permission application not 3 months ago, simply proving it's one rule for us and a completely different rule for the larger money making companies of this world.

It's also quite unbelievable that you fail to mention the fact that 45% of proposed occupiers in this new development are being assumed not to own a car. In such a rural location with no transport links as well. I guess as long as boxes are ticked it's simply moved off of one desk onto another until another village is ruined by overpopulation.

I suspect that you are aware that only one of the Chantry View properties have sold in the last year so the cost of property in this area is vastly outweighing the demand for it yet again this is failed to be mentioned anywhere.

No one is against the development but the simple solution of less houses and more parking seems to be outweighed by the 'it's ticked the boxes so now off my desk therefore not my problem' solution.

There will be a lot of interest in regards to the final decision made on Thursday but I suspect that it's quite a cut and shut affair and those benefiting from it will be the happier party.

Nettleden, Croft Lane

I see no material change in theses revised plans so my original comments remain ie too many houses too few useable carparking spaces (Garages do not these days get used for cars lack of public transport means more car parking than urban developments require too much traffic on croft lane 2 and a half story shop is not in line with village plan

Cycle store seems irrelevant and a cause for littering, loitering and a potential for illegal activities

26 Croft Close

I have received a letter from DBC stating Marchmont homes have made changes, however having reviewed the changes, all my points from my original objection to the previous application documents are still very much relevant and I would like DBC planning committee to take all points into consideration.

Chipperfield Parish Council

Chipperfield Parish Council believes that despite the principle of development being previously established and amendments having already been made by the applicant, this particular proposal is not appropriate for its village setting in Chipperfield. The following points explain why the Parish Council believe that the proposal as it stands

should be refused and the reason that could be used for refusing the application. Amendments that would be sought in a revised application are also detailed below.

Reasons for refusal and matters to be addressed

1. The density of the development proposal is not appropriate for its location in the Green Belt and in Chipperfield, a small village recognised in the Dacorum Adopted Core Strategy as being one of the least sustainable areas of the borough. It is therefore contrary to Policy CS6 which seeks to maintain a low density of development in the Green Belt settlement and para 145 of the NPPF which advises that construction of new building in the Green Belt should be regarded as inappropriate, stressing in the list of exceptions that there should only be limited infilling.

2. Having regard to the sustainability issues, the site allocation Proposal H/21 makes provision for a maximum of 12 dwellings, which the development proposal overlooks, seeking instead to increase the number of new buildings by more than one third. Para 144 of the NPPF advises: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt".

3. The development proposal is contrary to para 102, 103 and 105 of the NPPF which advise that transport issues should be thoroughly considered at the design stage. It has failed to appropriately address the lack of genuine choice of transport modes in the area and has not made sufficient provision of parking spaces within the development to meet the need of future residents who are likely to be car dependent, or to accommodate visitors and shop customers.

- Local bus services (e.g. Bus 352) runs at very low frequency and train stations are miles away, the nearest railway station being Kings Langley, approximately 2.9 miles away.
- There is no provision for encouraging cycling or other sustainable modes of transport within the proposed development and this will further encourage private car journeys to access essential services.
- There is no provision for a pedestrian route through the site and existing pedestrian access from Croft Lane is proposed to be removed.
- Garages, which are often converted under permitted development rights, have been counted toward the total parking spaces provided. This could reduce the number of spaces available over time unless a condition specifically removing permitted development rights to convert garages is added to the planning permission. Contrary to para 105 of the NPPF because the lack of public transport and lack of accessibility of Chipperfield to essential services has not been taken into account in the calculation of the appropriate number of car parking spaces provided. Also contrary to Adopted Policy CS8 Sustainable Transport.
- The insufficient amount of visitor parking provision at the Croft Lane section of the proposed development will further encourage on-street parking and reduce the quality of the conservation area streetscape. The high density, particularly at the Chapel Croft section, results in insufficient parking for residents, visitors, shop/PO staff and shop/PO customers (Shop/PO staff are not local-need 3-4 spaces).

- The development proposal is contrary to paragraph 102 of the NPPF as it does not adequately consider the environmental impact on traffic and transport infrastructures as advised. The Croft Lane access is too narrow to accommodate increased car movement. The turning provision to cul-de-sac at Croft Lane section raises further road safety concerns.
- The proposed development will have a negative impact on air quality and public health, contrary to paragraph 103 of the NPPF, due to lack of sufficient alternative to the use of the private vehicles to access employment opportunities and essential facilities and services.

4. The proposed development is contrary to para 118 of the NPPF which advises that development should be consistent with the prevailing height of neighbouring properties. The proposed Chapel Croft elevation is half a storey higher than the Nursery House (2 storeys) and most properties in the conservation area.

5. The development proposal does not explain how light pollution will be avoided and how that could potentially have a negative impact on the ancient woodland located to the North West of the site which is recognised as being an "habitat of principal importance for the conservation of biodiversity under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006." (Source: Preliminary Ecological Appraisal). This is contrary to paragraph 180 of the NPPF, which seeks out to limit light pollution/ disruption of wildlife habitats.

6. The proposed development will diminish the quality of the view from the conservation area to the ancient Woodland to the North West of the Application site due to the intensity of new built form and increased building heights.

7. The proposed development will diminish the quality of the view from the conservation area to the ancient Woodland to the North West of the Application site due to the intensity of new built form and increased building heights.

8. It is important that in terms of design and the impact on the character of the village that the whole scheme is treated as though it is in a Conservation Area, because part of it is in the conservation area and much of it is viewable from the conservation area. Detail design, materials and finishes should be dealt with by the DBC conservation team with reference to the Chipperfield Village Design Statement.

9. The response from Thames Water in the applicant's package of supporting documents is inadequate and must be challenged by DBC. There are issues in the village with both foul and surface water drainage. Properties adjacent to the development already experience frequent sewerage overflows (approx. monthly) from the main sewer (to which this development will connect) running north to the rear of the Croft Lane houses to north east of site. The sewer is apparently cracked and affected by tree routes. Despite representations by residents to Thames Water over more than a decade no plan to rectify this has been forthcoming. One resident has an alarm installed by Thames Water in an inspection chamber in their rear garden to signal blockage in advance of an overspill.

10. Because of the lack of affordable homes in Chipperfield allocations should give priority to those with local connections (to be defined by DBC).

11. There has been no provision made for a turning head at the end of the cul-de-sac at Croft Lane section and this is not acceptable. The applicant's contention that 'it is not necessary' is not acceptable to the Parish Council.

12. The detailed design of 'yard' at rear of 'Shop/PO' building needs careful consideration. Brick wall to rear of units 1,2,3 is OK but should be set back from yard to allow 'greening' of the yard perimeter with native hedging.

Considerations

Summary of reasons to grant

The published report sets out the planning benefits of the scheme, particularly those which are detailed from page 13, bearing in mind the Government's objective of significantly boosting the supply of homes (paragraph 59 of the National Planning Policy Framework). The other benefits are set out below:

- Creation of additional residential units contributing in a small way to avoid Green Belt land releases to which significant weight is attached;
- Provision of affordable housing on-site in line with Policy CS19 including smaller units;
- Retention of the shop and post office (Class A1 use) on the site as one of two stores serving the village and maintaining the community focus on Chapel Croft, to which moderate weight is attached;
- Parking provision would meet local standards for the entire residential development proposed and would exceed standards for the replacement shop, this is a benefit to which limited weight is attached;
- Formation of a designated layby and delivery bay together with other highway works which would have a positive impact with respect to highway and pedestrian safety;
- Decrease in traffic movements to and from the site as a result of the proposed redevelopment when compared with existing conditions to which moderate weight is attached;
- Building and layout would provide an appropriate response to the Chipperfield Conservation Area and enhance its setting, moderate weight is also attached;
- Substantial weight attached to redevelopment of a brownfield site, and one that lies within a village and that would present an opportunity to remediate contaminated land.

Parking provision

A response was sent to the occupier of Lyndhurst, Croft Lane acknowledging that parking spaces in a tandem arrangement could be acceptable where one car may block another provided they would be by the same occupier or within the same curtilage and as such for Plots 7 to 13 inclusive this arrangement would not raise any issues with respect to parking provision.

It was also noted that parking requirements are set out under saved Appendix 5 of the Dacorum Borough Local Plan 1991-2011 and are maximum standards:

One-bedroom dwellings – 1.25 spaces
Two-bedroom dwellings – 1.5 spaces
Three-bedroom dwellings – 2.25 spaces
Four or more bedroom dwellings – 3 spaces

Shop and post office

Opening hours have been confirmed as follows:

07:00 to 20:00 hours Monday to Saturday
08:00 to 16:00 hours Sunday
Closed on public and bank holidays

These are considered appropriate and generally in line with existing hours of operation. These shall be included under a new condition in the interests of safeguarding residential amenity within the development (front building) in accordance with Policy CS12 of the Core Strategy.

It has been advised that a temporary building will be available on site for the current shop tenant to operate from. Details and timeframes for this are also required by Condition 2 of the recommendation. It is understood that this has been guaranteed within the terms of the lease. It is therefore expected that the shop and post office will still be able to operation throughout the construction period.

Ancillary structures

The proposed Parish store room and cycle store would be accommodated within a single-storey building which involves the re-use and extension of an existing building located on the eastern boundary shared predominantly with the neighbouring dwelling at Shalom (Croft Lane). This building would have an eave height of approximately 2.4m and sloping up and away from the boundary to a ridge level at 3.3m high. The stepped ridge and hipped roof form would assist in breaking up the perceivable bulk. The rear garden of this property extends over 9m and due to the single-storey scale of the outbuilding, this would not have an adverse impact on the neighbouring property with respect to visual intrusion or loss of light in accordance with Policy CS12 of the Core Strategy. It is also noted the building would be entirely sealed on its eastern side (rear elevation) so that there would be no opportunities for overlooking within the outbuilding into the adjacent rear garden.

A further condition has been recommended requiring historical building recording for the Garden Scene Nursery brick building in accordance with Policy CS27 of the Core Strategy and paragraph 199 of the Framework.

Pre-commencement conditions

Under the powers given in the Neighbourhood Planning Act 2017, notice has been given of pre-commencement conditions, sent to the applicant's agent on 5 December 2018 and were subsequently agreed in writing the following day.

Recommendation

As per published report as delegated with a view to approval subject to the completion of an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (Heads of Terms as set out in the published report), however subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>Prior to commencement of the development hereby permitted, a Development Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Development Phasing Plan shall include details of and timeframes for:</p> <p>the removal of the existing buildings to be demolished; the reinstatement of the existing Class A1 (shop and post office) use on the site and timeframes for its closure during construction works; any phasing plans for construction across the site.</p> <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a sufficient amount of retail space within the village in accordance with saved Policy 45 of the Dacorum Borough Local Plan 1991-2011 and to provide certainty with respect to Community Infrastructure Levy charging timeframes.</p>
3	<p>The retail Class A1 unit hereby approved shall only be used for Class A1 uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose permitted under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p> <p>Reason: To ensure a sufficient amount of shopping facilities within the village in accordance with saved Policy 45 of the Dacorum Borough Local Plan 1991-2011.</p>
4	<p>The trees shown for retention on the approved Tree Protection Plan (prepared by David Brown Landscape Design, dated August 2018) shall be protected during the whole period of site clearance, excavation and construction by the erection and retention of protective fencing positioned beneath the outermost</p>

	<p>part of the branch canopy of the trees. In areas where tree protection fencing does not sufficiently cover Root Protection Areas, the use of 'No-Dig' construction methods shall be incorporated to minimise the impact to trees proposed for retention, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In order to ensure that damage does not occur to the trees during building operations in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policies 99 and 120 of the Dacorum Borough Local Plan 1991-2011.</p>
5	<p>In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five (5) years from the date of the occupation of the building for its permitted use.</p> <p>(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.</p> <p>(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.</p> <p>(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policies 99 and 120 of the Dacorum Borough Local Plan 1991-2011.</p>
6	<p>Construction of the buildings hereby permitted shall not take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials, including to the access roads (taking into consideration that access roads would need to act as shared surface road providing access for vehicles, cyclists and pedestrians); means of enclosure both within and around the site; location of trees to be retained; soft landscape works which shall include planting plans; written specifications</p>

	<p>(including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas, including turning areas for refuse vehicles serving Plots 8 to 13 inclusive shown on Drawing No. 2585 PL03 Rev A (proposed site layout); minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc).</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.</p>
7	<p>Construction of the buildings hereby permitted shall not take place until details of the external surfaces of the development have been submitted and approved in writing by the local planning authority. These details shall include:</p> <p>schedule of external materials, including samples of brick and roof tiles; details of brick bond and mortar; metrically scaled at 1:20 details of joinery and finish; rainwater goods; eaves details.</p> <p>, including samples, of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area in accordance with Policies CS12 and CS27 of the Dacorum Core Strategy 2013, saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.</p> <p>Informative: Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Windows shall be recessed at least 60mm from external building line.</p>
8	<p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p>

	Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.
9	<p>Constructions of the buildings hereby permitted shall not commence until full details in the form of metrically scaled plans and / or written specifications have been submitted and approved in writing by the local planning authority to show the following:</p> <p>kerb radii of 6m at the entrance to both accesses on Chapel Croft and Croft Lane;</p> <p>tactile paving details on the footpath to be provided at both accesses, which shall be in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces;</p> <p>reinstatement of the existing dropped kerb to Chapel Croft at the front of The Nurseries to a full kerb height;</p> <p>an appropriate level of secure cycle parking to the front of the proposed shop (Class A1); and</p> <p>clarification of the highway boundary to illustrate works which would be required on highway land.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.</p>
10	<p>Development hereby permitted shall not commence until a Construction Management Plan has been submitted and approved in writing by the local planning authority. The Construction Management Plan shall include full details of all proposed construction vehicle accesses, movements, parking arrangements and wheel washing facilities. The approved details shall be implemented throughout the construction programme.</p> <p>Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with Policy 57 of the Dacorum Borough Local Plan 1991-2011.</p>
11	<p>No development (including demolition) shall take place until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. This shall include information on the types of waste removed from the site and the location of its disposal. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To reduce the amount of waste produced on the site in accordance with Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan.</p>
12	<p>Development hereby permitted shall be carried out in accordance with the approved Drainage Statement prepared by Fairhurst (reference 103795-100, dated August 2018), including the following mitigation measures detailed within the Flood Risk Assessment:</p> <p>1. Limiting the surface water and foul water discharge to a maximum of 2l/s</p>

	<p>with discharge into the Thames foul water sewer; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.</p> <p>2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.</p> <p>3. Undertake drainage strategy to include to the use tanked permeable paving and attenuation tanks as indicated on drainage strategy drawing 103795/2001 Rev A.</p> <p>Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.</p>
13	<p>Construction of the buildings hereby permitted shall not take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Drainage Statement prepared by Fairhurst (reference 103795- 100, dated August 2018). The scheme shall also include:</p> <p>1. Exploration of opportunities for above ground features reducing the requirement for any underground storage; and</p> <p>2. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.</p> <p>Reason: To ensure the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.</p>
14	<p>Upon completion of the drainage works a Management and Maintenance Plan for the SuDS features and drainage network must be submitted to and approved in writing by the local planning authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</p> <p>Reason: To ensure the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.</p>
17	<p>First occupation of the development hereby permitted shall not commence until the proposed accesses and other necessary highway works shall have been</p>

	<p>completed in accordance with the Hertfordshire County Council residential access construction specification.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 57 of the Dacorum Borough Local Plan 1991-2011.</p>
18	<p>First occupation of the development hereby permitted shall not commence until the proposed accesses, on-site car parking and turning areas have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans (including details approved under Condition 6) and shall be retained thereafter and shall not be available other than for car parking.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013 and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.</p>
19	<p>The development hereby permitted shall not commence until a Phase II Report (Intrusive Site Investigation) to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority.</p> <p>If the Phase II Report identifies any actual or potential contamination and / or ground gas risks, the Report will need to establish the relevant remediation or protection measures necessary for the site, and a Remediation Statement shall be submitted to and approved in writing by the local planning authority.</p> <p>For the purposes of this condition:</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The Report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Dacorum Core Strategy 2013.</p>
20	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 19 shall be fully implemented within the timescales and by the deadlines as set out in the approved Remediation Statement. First occupation of the development hereby permitted shall not take place before a Site Completion Report has been submitted to and approved in writing by the local planning authority.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing</p>

	<p>evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Dacorum Core Strategy 2013.</p>
21	<p>Construction of the building containing the retail (Class A1) unit and residential units labelled Plots 14 to 17 (inclusive) on approved Drawing No. shall not take place until a Noise Mitigation Scheme proposing measures against externally generated traffic and mixed use noise has been submitted to and approved in writing by the local planning authority.</p> <p>The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.</p> <p>Reason: To ensure an appropriate level of residential amenity within the development with respect to noise from local traffic and the mixed use nature of the building in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
22	<p>There shall be no installation of building services plant before a plan showing location of all plant and a Noise Impact Assessment in relation to that plant and the impact on residential amenity has been submitted and approved by the local planning authority.</p> <p>Noise emitted by external building services plant and equipment shall not increase the existing typical background at any time when the plant is in operation. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential window.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>Reason: To safeguard the residential amenities within and adjacent to the site and to conserve and enhance the character and appearance of the Chipperfield Conservation Area in accordance with Policies CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.</p>
23	<p>Prior to first occupation of the development hereby approved, a scheme must be submitted to, and agreed by the local planning authority in consultation with Hertfordshire County Council, for the provision of fire hydrants. The units shall not be occupied until the hydrants serving the buildings have been provided in accordance with the approved details. The fire hydrants must thereafter be retained in association with the approved development.</p> <p>Reason: To provide for a safe means of access for fire and emergency vehicles in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
24	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting</p>

	<p>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:</p> <p>Schedule 2 Part 1 Classes A, B and D.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality including the Chipperfield Conservation Area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.</p>
25	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the respective dwellings and it shall not be converted or adapted to form living accommodation.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.</p>
26	<p>Notwithstanding the approved details, external electricity and gas meters shall not be installed on the southern elevations fronting Chapel Croft of the ground floor shop and Units 14, 15, 16 and 17 as shown on Drawing No. 2585 PI03 Rev A (proposed site layout).</p> <p>Reason: To positively conserve and enhance the character and appearance of the Chipperfield Conservation Area in accordance with Policy CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.</p>
27	<p>The retail (Class A1) use hereby permitted shall not operate other than within the following hours:</p> <p>07:00 to 20:00 Monday to Saturday 08:00 to 16:00 Sunday</p> <p>For the avoidance of doubt the retail use shall not operate during bank holidays or public holidays.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings within the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
28	<p>Demolition of the existing Garden Scene Nursery brick building (identified on Topographical Survey reference TS12 - 168P\1 Rev 0) shall not commence before a Historical Building Record has been submitted and approved in writing by the local planning authority. The Historical Building Record shall include details of the history, materials and (particularly to its front elevation) architectural features of the existing Garden Scene Nursery brick building, as well as photographs and drawings at a metric scale (1:20).</p> <p>Reason: In the interest of recording historical features on the site in</p>

	accordance with Policy CS27 of the Dacorum Core Strategy 2013 and paragraph 199 of the National Planning Policy Framework.
29	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>2585 PL01 (site location plan) 2585 PL02 (existing layout) 2585 PL03 Rev A (proposed site layout) 2585 PL04 Rev A (proposed street scenes 1 and 2) 2585 PL05 Rev A (proposed street scenes 3 and 4) 2585 PL10 Rev A (front building floor plans) 2585 PL11 Rev A (front building elevations) 2585 PL12 (plots 1 to 3 floor plans) 2585 PL13 (plots 1 to 3 elevations) 2585 PL14 (plots 4 to 6 floor plans) 2585 PL15 (plots 4 to 6 elevations) 2585 PL16 Rev A (plot 7 floor plans) 2585 PL17 Rev A (plot 7 elevations) 2585 PL18 (plots 8 and 10 floor plans) 2585 PL19 (plots 8 and 10 elevations) 2585 PL20 (plot 9 floor plans) 2585 PL21 (plot 9 elevations) 2585 PL22 (plot 11 floor plans) 2585 PL23 (plot 11 elevations) 2585 PL24 (plot 12 floor plans) 2585 PL25 (plot 12 elevations) 2585 PL26 (plot 13 floor plans) 2585 PL27 (plot 13 elevations) 2585 PL28 Rev A (single garage floor plans and elevations) 2585 PL30 (outbuildings floor plans and elevations) 2585 PL31 (elevation of plot 4 as seen from Rosetas) 2585 PL32 Rev A (cross section through plot 4 and Rosetas) 103795/2000 (Existing Drainage Arrangement) 103795/2001 Rev A (Proposed Drainage Strategy) Tree Protection Plan (prepared by David Brown Landscape Design, dated August 2018) 845.03 (bird and bat box details)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35</p> <p>Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the pre-application and determination stages which led to improvements to the scheme. The Council has therefore acted in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p>

Highways Informative

1. Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:
www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

2. Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

Contaminated Land Informative

For the requirements of Conditions 19 and 20, paragraph 121 of the National Planning Policy Framework states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

Refuse Informative

Each house should have space to store 3 x wheeled bins and a kerbside caddy. They should also have a similar amount of space outside their boundary nearest the road to present them for collection. The collection vehicle will be a 26ton rigid freighter.

The retail unit should have space for at least 2 x 1100ltr euro containers. There should be no space between the storage area and the collection vehicle which could be up to a 32ton rigid freighter.

Thames Water Informative

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of

the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality



Garden Scene Chipperfield, Chapel Croft, Chipperfield, Kings Langley, WD4 9EG (4/02249/18/MFA)

Dacorum Borough Council

DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 17 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1 SHOP) UNIT AND PARISH STORE ROOM, FORMATION OF LAYBY TO CHAPEL CROFT AND ALTERATIONS TO VEHICLE AND PEDESTRIAN ACCESSES

Allocated Brownfield Site

- Brownfield site allocated for residential development within the adopted Site Allocations Development Plan Document 2017.
- Scheme provides a well designed mix of dwelling types in keeping with a village location at a density comparable to the surroundings.
- NPPF states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Chipperfield Conservation Area

- Chipperfield Village Design Statement and the Conservation Area Appraisal have informed the design of the scheme.
- The front part of the site is within the Chipperfield Conservation Area.
- The proposed frontage building will enhance the appearance of the Conservation Area and has been designed with input from the Council's Conservation Officer.

Traffic

- A trip generation assessment has been undertaken. This concluded that the proposed development is likely to generate a lower level of vehicular trips than the former Garden Centre and Garden Machinery business.

Parking Spaces

- The development provides 52 parking spaces in total against a policy requirement of 42.75.
- Chapel Croft (Plots 7, 14 to 17 and shop) includes three one-bed units at 1.25 spaces per dwelling (3.75 spaces), one two-bed unit requiring 1.5 spaces, one five-bed unit requiring 3 spaces, 90m² retail unit at one space per 30m² (3 spaces) and a total of 17 spaces (excluding parking bay for Parish store) has been provided noting a maximum requirement of 11.25 spaces.
- Courtyard (Plots 1 to 6) includes six three-bed units at 2.25 spaces per dwelling (13.5 spaces) with 13 provided within open courtyard.
- Croft Lane (Plots 8 to 13) includes two four-bed and four five-bed units at 3 spaces per dwelling with a provision of 18 spaces which meets the required standards.



Foul Water Drainage System

- Thames Water stated that there is sufficient capacity within the sewer network to accept both foul and surface water flows from site.
- Thames Water and the Local Lead Flood Authority have no objection to the proposals.

Affordable Housing and Community Infrastructure Levy

- The scheme provides six affordable dwellings (three flats and three houses) for social rent and shared equity.
- The scheme is liable for Community Infrastructure Levy (CIL) at £150 per sq metre of new floorspace thereby generating substantial funds towards social and community infrastructure.

