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DEVELOPMENT MANAGEMENT

AGENDA

THURSDAY 14 JUNE 2018 AT 7.00 PM
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 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
Councillor P Hearn
Councillor Bateman

For further information, please contact Katie Mogan or Member Support

AGENDA

1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members declare their interest at the beginning of the relevant agenda item and it will be noted by the Committee Clerk for inclusion in the minutes.

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation.

Time per speaker	Total Time Available	How to let us know	When we need to know by
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	Noon the day of the meeting

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228221 or by email: Member.support@dacorum.gov.uk

Please note the Development Management Committee will finish at 10.30pm and any unheard applications will be deferred to the next meeting.

There are limits on how much of each meeting can be taken up with people having their say and how long each person can speak for. The permitted times are specified in the table above and are allocated for each of the following on a 'first come, first served basis':

- Town/Parish Council and Neighbourhood Associations;
- Objectors to an application;
- Supporters of the application.

Every person must, when invited to do so, address their statement or question to the Chairman of the Committee.

Every person must after making a statement or asking a question take their seat to listen to the reply or if they wish join the public for the rest of the meeting or leave the meeting.

The questioner may not ask the same or a similar question within a six month period except for the following circumstances:

- (a) deferred planning applications which have foregone a significant or material change since originally being considered
- (b) resubmitted planning applications which have foregone a significant or material change
- (c) any issues which are resubmitted to Committee in view of further facts or information to be considered.

At a meeting of the Development Management Committee, a person, or their representative, may speak on a particular planning application, provided that it is on the agenda to be considered at the meeting.

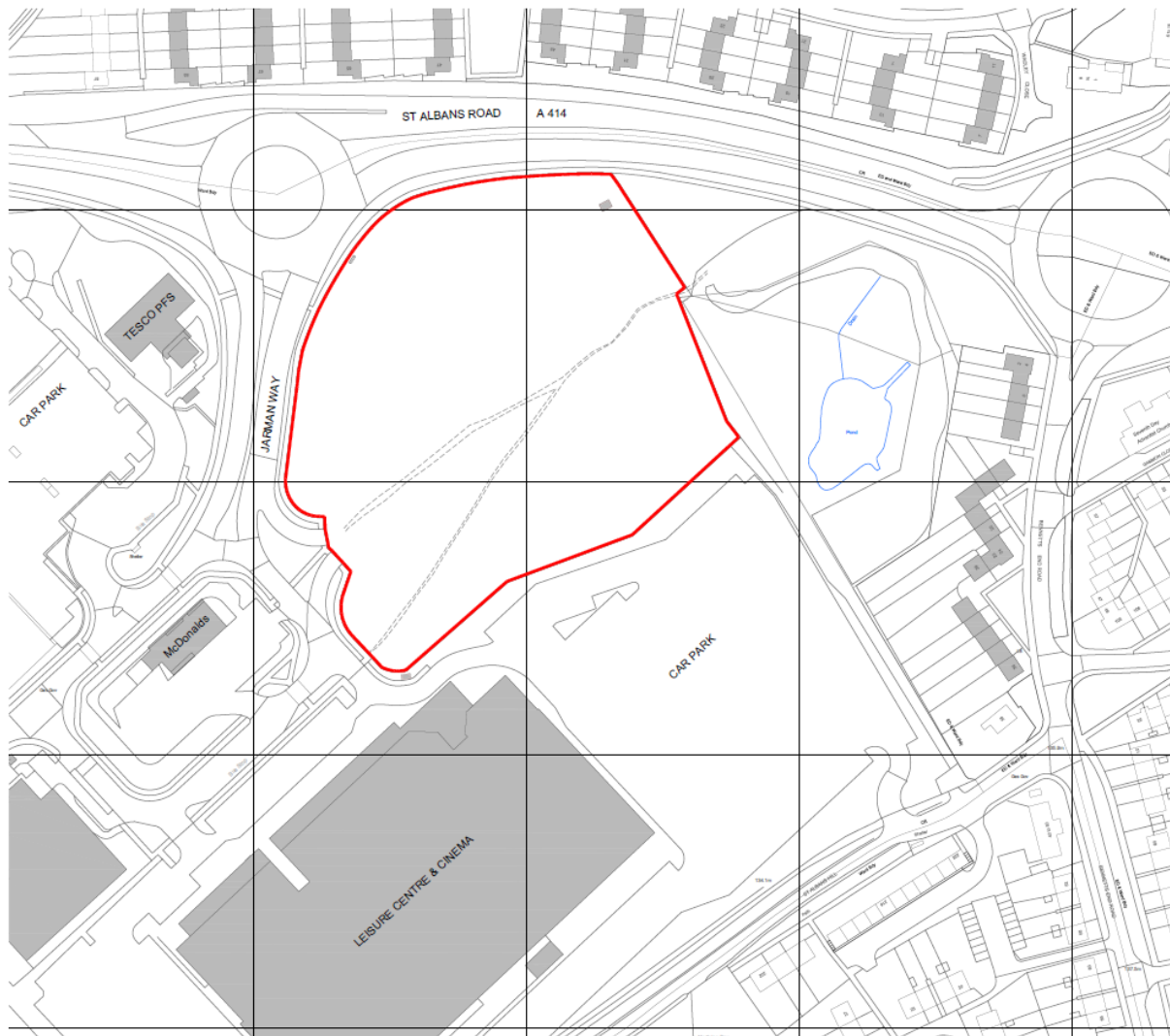
5. INDEX TO PLANNING APPLICATIONS

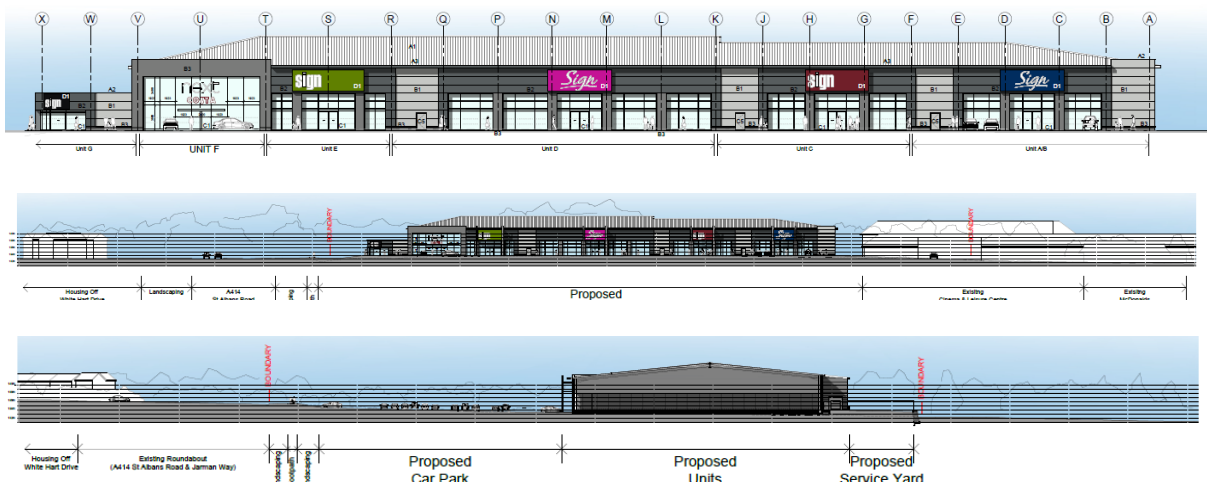
- (a) 4/00595/18/MFA - CONSTRUCTION OF 5 RETAIL (CLASS A1) UNITS TOTALLING 10,730 SQM FLOORSPACE, AND ONE UNIT TOTALLING 186 SQM FOR USE AS FINANCIAL SERVICES OR CAFE/RESTAURANT (CLASS A2 OR CLASS A3) AND ASSOCIATED ACCESS, CAR PARKING, SERVICE YARD AND LANDSCAPING - JARMANS FIELDS, ST ALBANS ROAD, HEMEL HEMPSTEAD (Pages 5 - 66)
- (b) 4/00580/18/FHA - RAISING OF HIPPED ROOF TO GABLE, CONSTRUCTION OF FRONT AND REAR DORMERS AND LOFT CONVERSION (AMENDED SCHEME) - 55 EGERTON ROAD, BERKHAMSTED, HP4 1DU (Pages 67 - 73)
- (c) 4/00534/18/FUL - DEMOLITION OF EXISTING GARAGE & WORKSHOP BUILDING AND CONSTRUCTION OF 1 NO. 3 BEDROOM DWELLING, DETACHED CAR PORT AND ASSOCIATED HARD AND SOFT LANDSCAPING - R/O 114-138, PICCOTTS END, HEMEL HEMPSTEAD, HP1 (Pages 74 - 90)
- (d) 4/00524/18/FHA - TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND DETACHED SINGLE STOREY GARAGE - PENTWYN, COURTAULDS, CHIPPERFIELD, KINGS LANGLEY, WD4 9JR (Pages 91 - 98)
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- (g) 4/00040/18/FUL - SINGLE-STOREY SIDE EXTENSIONS AND PART TWO PART SINGLE-STOREY REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING GARAGE, HIP-TO-GABLE LOFT CONVERSION, ALTERATIONS TO FRONT OPENINGS AND CONVERSION OF EXISTING BUILDING TO CREATE TWO SEPARATE DWELLINGS - 40 CONISTON ROAD, KINGS LANGLEY, WD4 8BU (Pages 116 - 128)
- (h) 4/00097/18/FHA - DEMOLITION OF EXISTING GARAGE, CONSERVATORY, REAR WING AND BAY. CONSTRUCTION OF SECOND STOREY EXTENSION AND GARAGE. REMODELING OF INTERIOR AND ADJUSTMENTS TO WINDOWS - HIGHLANDS, KINGS ROAD, BERKHAMSTED, HP4 3BP (Pages 129 - 138)
- (i) 4/00521/18/FUL - CONSTRUCTION OF 2- BED DETACHED DWELLING - 115 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PF (Pages 139 - 151)
- (j) 4/00508/18/FHA - GARAGE CONVERSION - 19 LAUREL CLOSE, HEMEL HEMPSTEAD, HP2 5ET (Pages 152 - 157)

6. APPEALS UPDATE (Pages 158 - 160)

5a 4/00595/18/MFA CONSTRUCTION OF 5 RETAIL (CLASS A1) UNITS TOTALLING 10,730 SQM FLOORSPACE, AND ONE UNIT TOTALLING 186 SQM FOR USE AS FINANCIAL SERVICES OR CAFE/RESTAURANT (CLASS A2 OR CLASS A3) AND ASSOCIATED ACCESS, CAR PARKING, SERVICE YARD AND LANDSCAPING.

JARMANS FIELDS, ST ALBANS ROAD, HEMEL HEMPSTEAD





4/00595/18/MFA	CONSTRUCTION OF 5 RETAIL (CLASS A1) UNITS TOTALLING 10,730 SQM FLOORSPACE, AND ONE UNIT TOTALLING 186 SQM FOR USE AS FINANCIAL SERVICES OR CAFE/RESTAURANT (CLASS A2 OR CLASS A3) AND ASSOCIATED ACCESS, CAR PARKING, SERVICE YARD AND LANDSCAPING.
Site Address	JARMANS FIELDS, ST ALBANS ROAD, HEMEL HEMPSTEAD
Applicant	Kier Property Developments Limited
Case Officer	Intan Keen
Referral to Committee	Large-scale major project which involves a planning obligation under Section 106 of the Town and Country Planning Act 1990; and is a resubmission of a scheme previously refused by the Committee

1. Recommendation

1.1 That planning permission is delegated with a view to **APPROVAL** subject to conditions and completion of a Section 106 agreement to secure compliance with retail restrictions and contributions towards off-site highway works.

2. Background

2.1 The current application has been considered in the context of an extant outline planning permission which granted the erection of Class A1 retail development (to include convenience and comparison retail floor space) and Class A3 drive-thru café / restaurant (with ancillary takeaway) together with access, car parking, service yard and associated works under 4/00424/15/MOA, allowed at appeal on 4 March 2016.

2.2 The relevant conditions attached to this permission are summarised as follows:

- Class A1 retail development to have a maximum gross floor area of 10,305m² comprising of; 1,505m² convenience food gross floor space (822m² net sales area) and 8,800m² comparison non-food gross floor space (8,000m² net sales);
- Minimum unit size 696m² gross floor area;
- Class A1 retail units shall not be used for the sale and display of clothing and footwear (except ancillary clothing or footwear for DIY, motoring or cycling activities);
- Removing permitted development rights.

2.3 It is also important to note that the current application is also being considered following the recent determination of the hybrid application including full planning permission for a retail park at Maylands Avenue. This retail scheme proposed nine Class A1 units and allowed the provision of a majority proportion of fashion floor space within one of those units.

3. Summary

3.1 Site Allocations Written Statement (2017) identifies the application site as forming part of Proposal site S/1 which is an out-of-centre retail location where retail and leisure uses are generally acceptable.

3.2 The application seeks full planning permission for a retail park comprising five Class A1 units totalling 10,730m² and a smaller end-of-terrace unit measuring 186m² to be used as either Class A2 or Class A3. Outline planning permission currently exists for the development of the site with 10,305m² Class A1 retail floor space and one 149m² Class A3 unit. This represents a fall-back position and as such it is given significant weight in the assessment of the current proposal.

3.3 Differences between the current proposal and the outline permission are detailed in the following sections. The changes would not result in a material impact on the viability and vitality

of Hemel Hempstead town centre, together with the allowed out-of-centre scheme at Maylands Avenue (details of this application also provided below).

3.4 To assist with the retail impact assessment the Council employed retail consultants Peter Brett Associates (PBA) to review the proposed changes from the outline permission, which were set out in the submitted Retail Assessment and a subsequent addendum. PBA's findings were as follows:

- Impact would not be materially different from the outline permission, individually and cumulatively together with the approved Maylands Avenue scheme;
- It was recommended that fashion floor space to be sold from one unit shall not exceed 920m² which would be consistent with the completed Section 106 under the Maylands Avenue planning permission to mitigate retail impact on Hemel Hempstead town centre; and
- The sequential test has been met with respect to policy requirements.

3.5. The proposal would be acceptable with respect to layout and appearance and would not compromise highway safety or the residential amenity of surrounding properties. The proposal is considered satisfactory in all other respects subject to suitable conditions to accord with guidance in the NPPF, the current and saved policies of the Dacorum Core Strategy (2013) and Dacorum Borough Local Plan 1991-2011.

4. Site Description

4.1 Jarman Park is a large shopping and leisure centre, located to the south-east of Hemel Hempstead town centre, although within the established urban area of the town. The application site comprises approximately 2.0 hectares of (currently enclosed) overgrown land located in the north-eastern portion of the park, located on the corner of St Albans Road (A414) and Jarman Way. The site features a long frontage to both street frontages, particularly to the southern side of St Albans Road where it is prominent on the approach to the roundabout traveling in the direction of the town centre from the M1.

4.2 Jarman Way circles the inside of the Park and is a one-way two-lane route; spurs onto and off the application site are already in place off this road. Levels fall gently in a south-eastern direction.

4.3 Surrounding land uses include residential properties off White Hart Drive to the north (opposite the dual carriageway of St Albans Road). To the east lies the Thames Water owned and managed Bennetts End flood lagoon which separates the application site from residential properties off Bennetts End Road.

4.4 Directly south and south-east of the site lies the open car parking area serving the restaurant and cinema complex. West of the site is the road reserve of Jarman Way, beyond which lies a detached drive-thru McDonalds and Tesco superstore with associated petrol filling station and open car park.

5. Proposal

5.1 Full planning permission is sought for the construction of 10,730m² of retail (Class A1) floor space provided in the form of a terrace including at mezzanine level and an attached unit measuring 186m² for use under Class A2 (financial and professional services) or Class A3 (restaurant or cafe). The site would utilise the existing access of Jarman Way.

5.2 The proposed Class A1 retail floor space would be spread over five units of varying sizes, with no unit less than 1,580m² in area (790m² footprint). The retail development would comprise one discount food retail unit and one fashion unit. The retail terrace would be set back from the

site's St Albans Road frontage behind an open car park of 231 spaces. A service yard including an additional 27 staff car parking spaces would be located to the rear (south-east) of the proposed retail terrace.

5.3 The ground floor area across all units would measure 6,689m² with 4,227m² at mezzanine level.

5.4 Opening hours for the proposed units are as follows:

- Retail (Class A1) units: 07:00 to 22:00 Monday to Saturday and 10:00 to 18:00 Sunday; and
- Unit G Class A2: 07:00 to 22:00 Monday to Saturday and 10:00 to 18:00 Sunday; or
- Unit G Class A3: 24-hour operation

5.5 The Planning Statement submitted under the current application outlines the differences between the outline planning permission and the current proposal. PBA in their assessment has summarised the changes as follows:

- 8,584m² net sales area, comprising 7,400m² comparison and 1,184m² convenience floor space (i.e. a small reduction in overall terms but including a 362m² uplift in convenience net sales); and
- The sale of clothing and footwear is sought from one unit.

5.6 The composition of the retail floor space proposed at the application site and how this differs from the previous approval are set out in the table below:

Area	Outline permission	Proposed	Difference
Total Class A1	10,305m ²	10,730m ²	425m ² increase
Total net sales	8,822m ²	8,584m ²	238m ² reduction
Total convenience	822m ²	1,184m ²	362m ² increase
Total comparison	8,000m ²	7,400m ²	600m ² decrease
Class A2 or A3	149m ²	186m ²	37m ² increase

5.7 The site is allocated for retail and leisure and is not considered to comprise EIA development.

6. Relevant Planning History

6.1 Relevant on-site history has been set out above and indicates the fall back position.

6.2 As alluded to above the proposal shall be considered in the planning context of the approval at Maylands Avenue which was a hybrid application including full planning permission for the construction of 12,503m² of retail floor space (Class A1), 545m² of restaurant (Class A3 / A5) and 180m² of restaurant (Class A1 / A3), a car park with 557 car spaces, and associated landscaping and access works. The latest version of this proposal was considered at the Development Management Committee of 15 June 2017 and planning permission granted on 29 December 2017 following completion of a Section 106 agreement.

6.3 Details of the Maylands Avenue proposal included the construction of 12,503m² of Class A1 retail (9,700m² net sales), consisting of 1,900m² of convenience retail and 7,800m² of comparison retail, along with two restaurant units totalling 725m² in area.

7. Policies

7.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

7.2 Dacorum Core Strategy

Policies NP1, CS1, CS2, CS4, CS8, CS9, CS10, CS11, CS12, CS13, CS14, CS16, CS25, CS29, CS31, CS32, CS33, CS35

7.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 31, 33, 37, 44, 51, 54, 55, 57, 58, 99, 100, 106, 113 and 129
Appendices 4 and 5

7.4 Supplementary Planning Guidance / Documents

- Site Allocations Written Statement (2017)
- Accessibility Zones for the Application of car Parking Standards (July 2002)

8. Constraints

- Open Land
- Out-of-centre retail
- Former Land Use
- CIL Zone 3

9. Representations

Consultation responses

9.1 These are reproduced in full at Appendix A.

9.2 It is noted that PBA's response to the submitted retail assessment is included within the submitted Retail Assessment Addendum prepared by the agent, Maddox Planning Consultants. PBA's final response to this submission is included at Appendix A below.

Neighbour notification / site notice responses

9.3 These are reproduced in full at Appendix B.

10. Considerations

Main issues

10.1 The main issues to consider are:

- Policy and principle
- Access, traffic and parking
- Layout and landscaping
- Appearance of buildings and impact on street scene
- Impact on neighbouring properties
- Flood risk and drainage
- Contaminated land and air quality
- Ecology
- Community Infrastructure Levy (CIL)

- Response to Riverside objection

Policy and principle

Policy context

10.2 The principle of an out-of-centre retail development has been established by the extant outline planning permission 4/00424/15/MOA. Since this appeal decision, the Site Allocations Written Statement was adopted in July 2017 and is a key consideration in the assessment of the current proposal. The application site at Jarman Fields has been identified under Proposal S/1 as an out-of-centre retail location where retail and leisure uses are generally acceptable (Section 5.18). Under Proposal S/1 the Site Allocations goes on to state that the nature and scale of development should aim to maximise the use of the site and ensure no significant adverse impact on Hemel Hempstead town centre. The sale and display of clothing and footwear is not acceptable, unless ancillary to the use of an individual unit.

10.3 There is general policy support for the development under Section 1 of the NPPF stating significant weight should be placed on the need to support economic growth (paragraphs 18 and 19). Section 2 of the NPPF ensures the vitality of town centres and further assessment on these provisions is set out in the following sections.

10.4 Policy CS16 of the Core Strategy is relevant and permits new retail floor space outside of defined centres if the proposal complies with the sequential approach and demonstrates a positive overall outcome in terms of the impact assessment.

10.5 Similarly, saved Policy 44 of the Local Plan requires the sequential approach to be followed. Under this policy, shopping development will only be permitted outside existing centres if it would not seriously affect the vitality or viability of nearby town or local centres.

10.6 As such, in considering the acceptability of the proposal in principle, the main issues relate to meeting the sequential test and the impact of the development on Hemel Hempstead Town Centre.

Sequential Test

10.7 It is noted that the proposal involves the sale of fashion items from one unit which would trigger the requirement for a Sequential Test to be carried out under Policy CS16 of the Core Strategy as well as paragraph 24 of the NPPF. Specifically, the latter states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. As set out above, Proposal S/1 under the Site Allocations sets out that the sale and display of clothing and footwear is not acceptable, unless ancillary to the use of an individual unit.

10.8 The sequential test (set out in the submitted Retail Assessment and subsequent Retail Assessment Addendum, both prepared by Maddox Planning Consultants) has been reviewed by PBA and found to be satisfactory (PBA comments reported in full within Appendix A).

Impact assessment on Hemel Hempstead Town Centre

10.9 An assessment of retail impact is set out under the following sections.

- *Solus impact*

10.10 As mentioned above, the changes of the current proposal from the extant permission include the increase of convenience floor space (to incorporate a discount food retailer operating from one of the units); a slight decrease in overall net sales floor space and comparison floor

space; and the introduction of a fashion retailer to occupy another one of the units.

10.11 As the proposed retail park would feature a discount food retailer and a fashion retailer trading from the site, this would expectedly increase the turnover of the scheme compared with a line-up of solely bulky goods retailers. This, however, must be balanced against an overall reduction in net sales area and also a reported higher amount of expenditure per capita.

10.12 For completeness the figures provided by the applicant below demonstrate the current proposal would generate a lower turnover than the approved scheme:

<u>Scheme</u>	<u>Comparison</u>	<u>Convenience</u>	<u>Total turnover</u>
Approved	£36.1m	£9.2m	£45.3m
Proposed	£33.7m	£11.4m	£45.1m

10.13 It follows that based on the proposed changes outlined above from the approved scheme (allowed at appeal) and the assessment within this section that the development would not have a materially different on Hemel Hempstead town centre when compared with the extant permission.

10.14 The effect of the individual changes are set out below.

- *Increase in the area permitted to be used for the sale of convenience goods*

10.15 PBA's advice sets out that as a result of the increase in convenience sales area from 822m² to 1,184m² (362m² uplift) that the proposed development is forecast to turnover at £2.2m above the extant permission in the year 2020 (£9.2m). This would compete with existing convenience retailers in the town centre which include Asda, Iceland, M&S, Tesco Express and other local shops.

10.16 When considered together with the convenience floor space approved at Maylands Avenue (under 4/03157/16/MFA), the current proposal would result in an increase in trade diversion from Hemel Hempstead town centre above the existing permission. This is set out in the table below where two scenarios are reported:

- Scenario A – impact of approved Jarman Fields scheme (4/00424/15/MOA) and approved Maylands Avenue scheme (4/03157/16/MFA); and
- Scenario B – impact of proposed Jarman Fields scheme (current application) and approved Maylands Avenue scheme

<u>Convenience sales</u>	<u>Diversion</u>	<u>Cumulative impact</u>
Scenario A	£4.8m	8.3%
Scenario B	£5.2m	8.9%

10.17 Consequently, the proposal would divert trade with respect to convenience goods from Hemel Hempstead town centre (representing a 0.6 percentage point increase in cumulative impact of both out-of-centre retail schemes).

- *Cumulative impact and change in comparison floor space*

10.18 In their initial assessment PBA set out that the scheme turnover would be lower than under the extant permission. The distribution of the proposed net sales area is an important characteristic of the scheme to assess the impact on Hemel Hempstead town centre. It differs from the extant outline permission as the total net sales area and the amount of comparison trading floor area have decreased. The above figures (trade diversion and impact) resulting from the uplift in convenience goods have been balanced against the reduction in comparison floor area (and reduction in overall net sales area). PBA has advised that the comparison

turnover of the proposed scheme in 2022 would be £33.7m.

10.19 PBA has set out in their advice (in both their initial and latest reviews) that the scheme turnover would not be materially different than under the extant permission; as such the impact on the town centre would not be significant as can be seen below:

Overall turnover basis	Diversion	Cumulative impact
Scenario A	£31.6m	7.8%
Scenario B	£31.8m	7.8%

10.20 Hemel Hempstead town centre would be able to withstand an increased level of diversion as set out above as there is an overall increase in expenditure per capita on average within the catchment area (map included within the Retail Assessment) based on 2017 Experian population projections (December 2017) which were made available after the consideration of the Maylands Avenue scheme at committee.

10.21 It follows that in impact terms, the overall cumulative impact of the scheme on Hemel Hempstead town centre would be lower than the fall back position of the extant outline permission (4/00424/15/MOA). The proposal therefore would not represent a significantly adverse impact on Hemel Hempstead town centre.

- *Extension to the permitted retail use to include the sale of clothing and footwear from one unit*

10.22 PBA's initial response sets out that the key concern is whether this element of the proposal would undermine the health of the town centre by allowing existing tenants to relocate to the site and shoppers diverting to the application site, thus reducing the attraction of and footfall within the town centre. This would mean that a fashion retailer could locate to the proposed retail park which is not the case under the extant permission at Jarman Fields.

10.23 Based on PBA's advice this element of the proposal could be acceptable subject to appropriate controls to mitigate the impact on the town centre. A specific retailer has been identified within the submitted Retail Assessment which has assisted in the quantitative assessment of the scheme (set out above). Whilst the use of personalised permissions is generally discouraged, ultimately the unit could be occupied by any retailer, including those which currently exist in the town centre. PBA has therefore recommended the introduction of a 'no poaching' clause to be built into the Section 106 agreement. This would ensure that retailers could not occupy space within the proposed retail park where they were present in the town centre, unless the operator committed to retaining its presence for a minimum of five years.

10.24 PBA in their final advice state that the Section 106 agreement for the Maylands Avenue scheme and the current scheme would target the same retailer and shall be exempt from the above 'no poaching' restrictive clause. Their advice goes on to state that the effect on the town centre of one retailer relocating to either Jarman Fields or Maylands Avenue would not be materially different as both are out-of-centre sites.

10.25 It is important to note that whilst the loss of one of the key retailers from the town centre would be an undesirable situation, it is noted that the town centre could lose any of its retailers (including to other centres such as Watford, for example) and this would be out of the control of planning.

10.26 The proposed development at Jarman Fields, including the provision of fashion floor space within one of the units, would not harm Hemel Hempstead town centre for the following reasons:

- The baseline position of the site's redevelopment includes its strategic allocation for retail

(Class A1) under Proposal S/1 in the Site Allocations Written Statement 2017;

- Whilst the current application has a slightly different focus in terms of the make-up of its retail space this must be considered against the baseline position;
- The site is also subject to an extant outline permission under 4/00424/15/MOA (allowed at appeal and considered in light of the approved retail park at Maylands Avenue);
- Assessment within the main report identified that in quantitative terms both Jarman Fields and Maylands Avenue retail schemes would not result in a significantly adverse impact on Hemel Hempstead town centre;
- The introduction of fashion floor space within one unit should be considered in the context of the wider retail park, which also features a Tesco hypermarket where there is a considerable amount of non-food sales area including clothing and footwear;
- The town centre would still be considered as an attractive shopping destination due to improvements along Marlowes and the diverse retail and leisure offer;
- More retail development within an out-of-centre shopping destination does not necessarily mean it will be more attractive;
- Forecasted turnovers cannot predict market conditions as these are subject to change and the submitted impact assessment has been scrutinised by the Council's retail consultants Peter Brett Associates who found that the impact on the town centre would not be significantly adverse;
- Retailers are typically subject to leases which is an important factor in commercial terms and planning cannot control retailers moving outside or into a centre;
- Footfall within the town centre would be anticipated to be high due to recent approvals and strategic allocations for housing.

10.27 It is concluded that the development would not raise any objections in this regard following advice from the Council's retail consultants Peter Brett Associates following their review of the proposals.

- *Health of Hemel Hempstead Town Centre*

10.28 In terms of the health of the town centre, the submitted Retail Assessment has identified an increase in the number of comparison retailers and a reduction in the number of convenience retailers. The proposal should be assessed in light of these local circumstances. The assessment with respect to convenience retailing has been set out above and has been balanced against a reduction in comparison floor space that would result in a lower impact on the town centre than the extant permission.

10.29 Factors which are indicators or contributors to the health of Hemel Hempstead town centre as reported in the submitted Retail Assessment are set out below where relevant:

- Existence of a number of major comparison goods retailers;
- Low vacancy rates;
- Varied representation across the centre;
- Public realm improvements and investment, including the recent planning permission for a cinema and restaurants within the Marlowes Shopping Centre (4/02035/17/MFA).

- *Restrictions on Class A1 retail*

10.30 As set out in PBA's advice if the application were granted it should be subject to the imposition of conditions, in addition to the restrictive Section 106 clause outlined above, in order to mitigate the impact of the development on the town centre:

- Restriction on total net sales area (8,584m² net) and gross floor area (10,916m² gross internal area);

- Convenience goods floor space restricted to Unit D up to a maximum of 1,184m² net;
- Comparison goods floor space capped at 7,400m² net and excluding the sale of clothing and footwear (unless ancillary to DIY or motorcycle / bicycle sales) other than in Unit F;
- Unit G restricted to Class A2 or Class A3 use;
- Preventing amalgamation and subdivision of units; and
- Removing permitted development rights.

10.31 Consequently, the proposal would not have a significant adverse impact on Hemel Hempstead town centre in terms of quantitative or qualitative characteristics and would not conflict with the aims of Section 2 of the NPPF or Policy CS16 of the Core Strategy.

Access, traffic and parking

10.32 As noted above, the proposed development would be accessed via the existing access and egress spurs off Jarman Way which would serve both the car park as well as the associated service yard. Previous comments from the highway authority found these arrangements acceptable.

10.33 The highway authority in their initial comments on the application raised objection as updated traffic data was required to assess the proposal. Information to address this objection has been submitted on behalf of the applicant and the highway authority has indicated in writing that their objection shall be removed; with a new recommendation to grant permission subject to conditions and a contribution for off-site highway works to promote sustainable transport measures.

10.34 With respect to on-site parking provision, the highway authority has found the level of parking provision acceptable however has also advised that it is the responsibility of the local planning authority to determine the acceptability of parking provision. The site lies within Accessibility Zone 3 (as set out in Supplementary Planning Guidance) where 50% to 75% of the maximum parking standard applies.

10.35 It is noted that the proposal would accommodate approximately 66% of the maximum parking standard and consequently the development would not raise issues with respect to parking. Saved Appendix 5 of the Local Plan sets out maximum parking standards and where elements of the proposal are unknown the highway authority has provided appropriate rates of parking for the various uses. The following levels of provision are noted:

- Class A1 food discount retailer: 1 space per 18m² for food stores up to 2,500m², resulting in a maximum 126 spaces for 2,276m² gross floor area; and
- Class A1 non-food retail: 1 space per 35m² (non-food without garden centre), resulting in a maximum 242 spaces for 8,455m² gross floor area; and
- Class A2 financial and professional services: 1 space per 30m², resulting in a maximum of 6 spaces for 186m² gross floor area; or
- Class A3 cafe: 1 space per 5m² of dining area plus 3 spaces per 4 employees; advice from the highway authority states that Unit G occupied by a Class A3 use would require 37 spaces on floor area alone. In this instance the standard has been applied to the whole of the unit area rather than the dining area as specified by the standard within saved Appendix 5.

10.36 It would be reasonable to assume the dining area for a unit of the size proposed could require up to 75m² of dining area (generating a maximum requirement of 15 spaces for this element). Additionally, a typical employment density for such a use would be 18m² per full-time employee of net internal area (generating a maximum requirement of 7 spaces for this element).

On this basis, an appropriate level of parking provision for the proposed Class A3 unit would be 22 spaces.

10.37 14 disabled parking spaces would be provided within the car park which would be acceptable noting the 4% of total provision required set out in saved Appendix 5 of the Local Plan.

10.38 Further details shall be sought through condition to secure appropriate levels of cycle parking for the development.

10.39 The proposal is therefore considered acceptable with respect to access, traffic and parking in accordance with Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Layout and landscaping

10.40 The proposed layout of the retail park would be satisfactory, noting the surrounding context provided by the existing configuration of the retail park. The retail terrace would directly front the roundabout, resulting in an angled position relative to the site's frontages to St Albans Road and Jarman Way. As such, the units would have a similar orientation to the cinema and restaurant complex to the south as well as the long elevation of the standalone McDonalds restaurant building. This is considered acceptable.

10.41 Whilst the retail terrace would be largely set back from the site's road frontages, the northernmost retail unit (Unit F) would represent a focal point on St Albans Road which would be appropriate.

10.42 The main (customer) car park serving the proposed units would be located in front of the retail terrace accessed via Jarman Way. Due to levelling works required on the site the majority of the car park would sit below the pedestrian path following the site's northern and eastern boundaries and separated by a landscaped buffer to follow the pattern of soft landscaping evident around the adjacent Tesco car park.

10.43 Servicing to the proposed retail units would occur along the terrace's south-eastern elevation, the boundary of which would be shared with the adjacent car park serving the cinema and this would not raise any layout concerns.

10.44 Mezzanine levels for the retail Class A1 units are proposed, however details of these have not been finalised. This is considered satisfactory subject to a condition placing a cap on mezzanine floor space and that its allocation shall be distributed within the maximum comparison and convenience floor areas set out above which shall also be conditioned.

10.45 It follows that the proposal is acceptable and in accordance with Policies CS10, CS11, CS12, CS13 and CS25 of the Core Strategy.

Appearance of buildings and impact on street scene

10.46 The design and external appearance of the proposed retail terrace has responded appropriately to its context within Jarman Park. Key features of the proposed building include:

- Framed entrance to the prominent north-eastern end of the terrace;
- Parapet and feature wall to the western corner at the vehicle entrance to the site;
- Verticality introduced through brick piers;
- Contrasting materials incorporating a mix of brick (colour local to the New Town) and cladding to add interest;
- Projecting signage frames under the main eaves.

10.47 Samples of materials shall be reserved by condition due to the scale of the building to ensure a suitable integration within its environment.

10.48 The submitted sections show that the proposed building would be largely set down from its St Albans Road frontage and the development would not appear unduly prominent within the largely suburban context surrounding the dual carriageway.

10.49 The development would be commensurate in height terms with surrounding development particularly the adjacent cinema and restaurant complex.

10.50 It follows the proposal accords with Policies CS10, CS11, CS12, CS13 and CS25 of the Core Strategy.

Impact on neighbouring properties

10.51 The proposed development would not prejudice the function of existing retail units within Jarman Park.

10.52 The nearest residential properties are located to the north and east of the site, however the wide road reserve of St Albans Road (A414 dual carriageway) and the open and treed space occupied by the Bennetts End flood lagoon would provide a sufficient buffer to these properties such that the additional traffic, noise and other impacts of the development would not result in an adverse impact on their residential amenity.

10.53 The proposal is therefore acceptable under Policy CS12 of the Core Strategy.

Flood risk and drainage

10.54 Flood risk and drainage matters have been adequately addressed in the submission noting the site's constraints and as such no objections have been received from Hertfordshire Lead Local Flood Authority, the Environment Agency or Thames Water. Conditions have been requested from the above requiring finalised details of drainage which are considered acceptable under Policy CS31 of the Core Strategy.

Contaminated land and air quality

10.55 Subject to conditions recommended by the Environmental and Community Protection team and the Environment Agency these matters are acceptable in accordance with Policy CS32 of the Core Strategy.

Ecology

10.56 Subject to the imposition of a condition requiring further surveys to identify bats and roosts as advised by Hertfordshire Environmental Records Centre, and the application site is allocated for redevelopment and subject to an extant permission; the proposal is satisfactory in this regard in accordance with the aims of the NPPF and Policy CS29 of the Core Strategy.

Community Infrastructure Levy (CIL)

10.57 The development of the site is subject to a CIL payment calculated in accordance with the CIL Charging Schedule. The convenience and comparison-based retail elements (Class A1) of the scheme are chargeable at £150 per square metre. A zero charge is levied against 'other' uses within the Charging Schedule and as such no charge is levied against the Class A2 / Class A3 uses.

10.58 The scheme results in an overall liability of some £1,609,500.

Response to Riverside objection

10.59 In response to particular points set out in the objections above, the following is noted:

- The assessment has been based on turnover figures should Next occupy a unit at Jarman Fields (and Maylands Avenue), however importantly the recommendations to grant planning permission have not been and are not on the basis that Next would take up floor space at either or both of these developments;
- The committee report acknowledges that the proposal for fashion floor space would be contrary to the specifications under Proposal S/1 of the Site Allocations, however as noted above, and reported in the agenda, the impact of the proposal individually and cumulatively with Maylands Avenue has been carried out and the Council's retail consultants PBA has found that the developments would not result in a significant adverse impact on Hemel Hempstead town centre;
- This assessment of the current application at Jarman Fields shall not cover the material considerations under which the Maylands Avenue scheme was determined;
- The loss of retailers from the town centre due to unpredictable market conditions is a key consideration in the determination of this application, also noting that PBA in their advice, as set out in Appendix A of the main report, state that the recommended restrictions placed on Jarman Fields was "because there [were] no named retailers attached to the application, the option to control this through a legal agreement requiring continued town centre presence [was] not available' to the Council. It was in this context that a condition to preclude clothing and footwear sales was recommended";
- No evidence has been supplied with respect to different trading patterns or conditions within the town centre;
- The Next store within Hemel Hempstead town centre may not necessarily be a driving factor in footfall terms noting the town centre also features M&S, H&M and Tk Maxx as example key retailers and there are a mix of other services within the town centre which may make the town centre a more attractive destination;
- The unit currently occupied by Next in the town centre is a corner unit with high visibility at the southern end of Marlowes and in the event it is vacated there is a greater prospect of this unit being let compared with others which are less exposed;
- The principle of fashion floor space trading outside the centre has been established under the Maylands Avenue retail park approval (under 4/03157/16/MFA).

11. Conclusions

11.1 For reasons above the proposed retail park would not result in a significantly adverse impact on Hemel Hempstead town centre when considered together with extant permissions for out-of-centre retail development and as such would not conflict with the relevant retail policies outlined above. The development would represent a key proposal on an allocated site and would represent a satisfactory design response and would not compromise highway safety.

11.2 It follows the proposal would accord with the aims of Policies CS1, CS2, CS4, CS8, CS10, CS11, CS12, CS13, CS14, CS16, CS25, CS29, CS31, CS32 and CS33 of the Dacorum Core Strategy 2013, saved Policies 10, 44, 51, 54, 58 and 99 of the Dacorum Borough Local Plan 1991-2011 and Site Allocations Written Statement (2017).

12. Recommendation

12.1 It is recommended that the application is **DELEGATED** to the Group Manager of Development Management and Planning with a view to approval subject to the completion of a

planning obligation under Section 106 of the Town and Country Planning Act 1990 and conditions set out below.

12.2 That the following Heads of Terms for the planning obligation be agreed:

- Financial contribution to address the immediate impacts of the proposed development on the local highway network to be agreed; and
- To secure compliance with retail conditions that restrict the sale of clothing and footwear within Unit F.

12.3 That the conditions listed below are imposed:

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

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

- 2 **The Class A1 retail floor space hereby permitted shall have a maximum gross floor area of 10,730sqm. The net sales area of the Class A1 retail floor space shall not exceed 8,584sqm (which shall include any ancillary cafe) comprising a maximum of:**

**1,184sqm convenience food goods; and
7,400sqm comparison non-food goods.**

Unit G as shown on Drawing No. 1929 - 33 Rev C shall be limited to a maximum gross internal floor space area of 186sqm for use within Classes A2 or A3.

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead town centre in accordance with Policy CS16 of the Dacorum Core Strategy 2013 and for the avoidance of doubt.

- 3 **The retail Class A1 units hereby permitted shall have a minimum gross internal area floor space of 696sqm (Units A to F inclusive as shown on Drawing No. 1929 - 33 Rev C).**

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead town centre in accordance with Policy CS16 of the Dacorum Core Strategy 2013.

- 4 **The retail Class A1 units hereby permitted shall not be used for the sale and display of clothing and footwear (except ancillary clothing or footwear for DIY, motoring or cycling activities) with the exception of Unit F as shown on Drawing No. 1929 - P - 33 Rev C.**

Reason: To limit the impact of the development on the vitality and viability of Hemel Hempstead town centre in accordance with Policy CS16 of the Dacorum Core Strategy 2013.

- 5 **The retail Class A1 units hereby approved shall only be used for Class A1 uses in accordance with other conditions of this planning permission and the Class A2 or Class A3 unit hereby approved shall only be used for uses falling within Classes A2 or A3 and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, 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).

Reason: In the interests of safeguarding the vitality and viability of Hemel Hempstead town centre in accordance with Policy CS16 of the Dacorum Core Strategy 2013.

- 6 Notwithstanding the details shown on the approved plans, of the total retail floor space (Class A1) hereby permitted (10,730sqm), no more than 4,227sqm (gross internal area) shall be installed at mezzanine level. Prior to the installation of any floor space at mezzanine level, metrically scaled floor plans showing the layout, amount and distribution of mezzanine floor space shall be submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of safeguarding the vitality and viability of Hemel Hempstead town centre in accordance with Policy CS16 of the Dacorum Core Strategy 2013.

- 7 The development hereby permitted shall not be open to customers other than between the following hours for the uses specified below:**

Units A to F inclusive (as shown on Drawing No. 1929 - P - 33 Rev C): 07:00 to 22:00 Monday to Saturday and between 10:00 and 18:00 on Sunday; and

Unit G as shown on Drawing No. 1929 - 33 Rev C within Class A2: 07:00 to 22:00 Monday to Saturday and between 10:00 and 18:00 on Sunday; or

Unit G as shown on Drawing No. 1929 - 33 Rev C within Class A3: 24 hour operation Monday to Sunday.

Reason: For the avoidance of doubt.

- 8 Installation of external surfaces shall not take place before samples and details 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. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 9 The development hereby permitted shall not commence before the submission of a scheme for the protection of existing trees and landscaping features either within or adjoining the site for approval in writing by the local planning authority. The approved methods of protection shall be carried out or installed in accordance with the relevant details approved and shall be maintained in place during the whole period of site demolition, excavation and construction.**

Reason: In order to ensure that damage does not occur to the trees or landscape features during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan 1991-2011 and Policy CS12 of the Dacorum Core

- 10 **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 site for its permitted use.**

(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 3998:2010 - Recommendations for Tree Work.

(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.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars under Condition 9 above 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.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policy 99 of the Dacorum Borough Local Plan 1991-2011 and saved Policy CS12 of the Dacorum Core Strategy 2013.

- 11 **Notwithstanding the details shown on Drawing No. 761-MP-01 Rev A, occupation of the development 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:**

- **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;**
- **trees to be retained;**
- **proposed finished levels or contours in relation to neighbouring sites and adjacent road frontages (including both St Albans Road A414 and Jarman Way);**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**
- **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);**

- retained historic landscape features and proposals for restoration, where relevant; and
- **Landscape Management Plan over a period of ten (10) years from the date of implementation of the landscaping scheme, including long-term design objectives, management responsibilities and maintenance schedules for the landscaped areas.**

The approved landscape works and management of landscaping 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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 12 Construction of the buildings hereby approved shall not take place until details of the proposed slab, finished floor and ridge levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land shall have been submitted to and approved in writing by the local planning authority. The buildings shall be constructed in accordance with the approved levels.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 13 Prior to the commencement of the development hereby permitted, bat roost characterisation surveys shall be undertaken between April and October (inclusive), consistent with Bat Conservation Trust Guidelines (2016) and used to confirm or amend the mitigation measures outlined in the approved Ecological Walkover Survey Results Technical Note. The survey results and recommendations shall be submitted and approved by the local planning authority prior to commencement of development. The development shall be carried out in accordance with the approved details.**

Reason: To ensure the continued ecological functionality of bats is maintained in accordance with the National Planning Policy Framework and Policy CS29 of the Dacorum Core Strategy 2013.

- 14 No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and / or that there are appropriate measures in place to protect nesting bird interest on site.**

Any such written confirmation shall be submitted to the local planning authority.

Reason: In the interest of safeguarding any ecological interest on the site in accordance with the NPPF and Policy CS29 of the Dacorum Core Strategy 2013.

- 15 Commencement of the development hereby permitted shall not commence before a Construction Traffic Management Plan has been submitted and approved in writing by the local planning authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:**

- a) Construction vehicle numbers, type, routing;
- b) Traffic management requirements;
- c) Construction and storage compounds (including areas designated for car parking);
- d) Siting and details of wheel washing facilities;
- e) Clearing of site entrances, site tracks and the adjacent public highway;
- f) Timing of construction activities to avoid school pick up / drop off times;
- g) The management of crossings of the public highway and other public rights of way;
- h) Provision and location of sufficient on-site parking prior to the commencement of construction activities; and
- i) Post-construction restoration / reinstatement of the working areas and any temporary accesses to the public highway.

Reason: In the interests of maintaining highway safety and efficiency and to protect users of the public highway and rights of way in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 54 of the Dacorum Borough Local Plan 1991-2011.

- 16 **Development of the approved parking and servicing areas as shown on Drawing No. 1929 - 33 Rev C shall not commence before full details in the form of metrically scaled plans and written specifications shall be submitted and approved in writing by the local planning authority to illustrate the following:**

- a) Roads, footways, foul and on-site water drainage;
- b) Existing and proposed access arrangements including visibility splays;
- c) Parking provision;
- d) Cycle parking provision;
- e) Servicing areas, loading areas and turning areas for all vehicles; and
- f) Provision of fire hydrants.

The development shall be carried out in accordance with the approved plans.

Reason: In the interests of maintaining highway safety and efficiency in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 54 of the Dacorum Borough Local Plan 1991-2011.

- 17 **Individual units within the development hereby permitted shall not be occupied for trading before a Delivery and Servicing Plan for that unit has been submitted and approved in writing by the local planning authority. The Delivery and Servicing Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed units and uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, access to / from the site for delivery and servicing vehicles, and to ensure that there is no conflict between parked vehicles and arriving or departing vehicles in the service yard. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of maintain highway safety and efficiency in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 54 of the Dacorum Borough Local Plan 1991-2011.

- 18 **All remediation or protection measures identified in the Remediation Statement referred to in the approved Remediation Strategy and Preliminary Piling Risk Assessment Report (reference WIE12557-100-R-5-1-3-REMSTRAT, Waterman,**

December 2017, Sections 5 and 6) shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement, and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

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 evidence that the site has been remediated to a standard suitable for the approved use.

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 and the National Planning Policy Framework.

- 19 The development hereby permitted shall be carried out in accordance with the approved Air Quality Assessment Report (reference 40234/3005, Peter Brett Associated, February 2018), including the use of solar PV panels and mitigation measures identified within.**

Occupation of the development hereby permitted shall not commence before a report on the number of electric vehicle charging points to be installed and relevant maintenance arrangements shall be submitted and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

Reason: To ensure the amenities of the site and surrounding area are protected from increased air quality arising from the development in accordance with Policies CS8 and CS32 of the Dacorum Core Strategy 2013.

- 20 In the event Unit G as shown on Drawing No. 1929 - P - 33 Rev C is occupied by a use falling within Class A3, a scheme for the ventilation of the premises, including the extraction and filtration of cooking fumes / odour control, shall be submitted and approved in writing by the local planning authority. The approved scheme shall be carried out prior to the commencement of the Class A3 use hereby permitted.**

Reason: To safeguard the amenity of neighbouring properties and adjoining units and the visual appearance of the area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 21 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the development.**

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in accordance with the National Planning Policy Framework.

- 22 **The development hereby permitted shall be carried out in accordance with the approved Flood Risk and Drainage Strategy (Issue 1, PCS Consulting Engineers Ltd, 18 February 2018) and the following mitigation measures:**

1. **Undertaking appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer restricted to a maximum of 11l/s for the 1 in 100 year-rainfall event.**
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 + 40% climate change event.**
3. **Implementing drainage strategy including attenuation tank and drainage blankets as indicated on the approved Drainage and Levels Drawing No. 900.**

Reason: To prevent the increased risk of flooding, both on and off-site in accordance with Policy CS31 of the Dacorum Core Strategy 2013.

- 23 **No development (excluding ground works) shall take place until the final design of the drainage scheme has been submitted and approved in writing by the local planning authority. The surface water drainage system will be based on the submitted Flood Risk and Drainage Strategy (Issue 1, PCS Consulting Engineers Ltd, 18 February 2018). The scheme shall also include:**

1. **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% 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.**
2. **Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.**
3. **Details of final exceedance routes, including those for an event which exceeds to 1:100 + climate change rainfall event.**

Reason: To prevent flooding by ensuring the satisfactory storage / 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.

- 24 **Piling, deep foundations, investigation boreholes and other intrusive groundwork (tunnel shafts, ground source heating and cooling systems, etc) using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in the approved details.**

Reason: To ensure that the proposed foundations or groundworks does not harm groundwater resources in line with the National Planning Policy Framework.

- 25 **A properly maintained fat trap shall be installed to serve Unit G as shown on Drawing No. 1929 - P - 33 Rev C in the event it is operated within the Class A3 use permitted on the site.**

Reason: To prevent the blocking of drains, sewage flooding and pollution to local watercourses in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 26 **No development shall take place until details of measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, together with a Site Waste Management plan (SWMP), shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.**

Reason: To accord with the waste planning policies of the area in accordance with Policy CS29 of the Dacorum Core Strategy 2013 and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.

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

**1929 - P - 31 (site location plan)
1929 - P - 33 Rev C (proposed site and building plan)
1929 - P - 34 Rev H (proposed ground floor plan)
1929 - P - 35 Rev F (proposed roof plan)
1929 - P - 36 Rev K (proposed elevations)
1929 - P - 39 Rev B (enlarged view of north-western elevation)
1929-P-40 (proposed site sections)
761-MP-01 Rev A (landscape masterplan)
40234/5501 TP v2.0 Retail Travel Plan
WIE12557-100-R-5-1-3-REMSTRAT (Remediation Strategy and Preliminary Piling Risk Assessment)
40234/3005 Air Quality Assessment
Flood Risk and Drainage Strategy Issue 1**

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement during the pre-application stage and the determination process which led to improvements to the scheme. The Council has therefore acted proactively 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) Order 2015.

Highways Informative

1. The applicant is advised that the storage of materials associated with the construction of the development should be provided within the site on land which is not public highway and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

2. General works within the highway: Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to

the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's highway design guide "Roads in Hertfordshire". 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Contamination Informative

Paragraph 121 of the NPPF 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 a membership of a relevant professional organisation'.

Contaminated land planning guidance can be obtained from Regulatory Services or via the Council's website at www.dacorum.gov.uk.

Appendix A - Consultation responses

Peter Brett Associates final retail response

I have now reviewed the addendum assessment prepared by Maddox in support of their current application at Jarman Park. The addendum assessment provides further information on both impact and sequential matters in response to the issues identified in PBA's advice to you (dated 16 April).

Impact

As you know, the April advice concluded that while there were deficiencies in the impact assessment, these did not go to heart of the matter so that it was possible to conclude that, subject to appropriate conditions, the development would not give rise to significant adverse impact on Hemel Hempstead town centre.

Maddox have provided some additional analysis intended to address those deficiencies; however, we do not comment on this in detail because the submission does not address the points previously raised on inflow and trade draw. Their confusion remains over the difference between trade draw and trade diversion (e.g. para. 2.6, reference is made to 'the impact trade draw arising from the proposal on Hemel Hempstead town centre'; this is actually trade diversion) so their statement at para. 2.7 is not correct: the principle of trade draw is not agreed as there is no information within either the main assessment or this addendum to allow that conclusion to be reached. However, given the conclusions set out in our April letter, we do not provide further comment here.

An additional clause is proposed to the S106 which is seeking to exempt Next from the

recommended no-poaching clause. In justifying this, Maddox refer to the S106 accompanying the Maylands Retail Park (MRP) permission. The reasons that Next were exempted from the no-poaching clause on the MRP permission are not entirely clear; it is noted though that the fashion-led unit in that scheme is more restricted in that the unit must have a minimum GIA of 1,700 sqm (i.e. larger than the relevant unit in the Jarman Park scheme), the area dedicated to fashion goods is limited to 920 sqm and cannot exceed 70% of what is referred to as the 'publicly accessible area'. It is not for PBA to speculate about whether Next would in practice occupy stores at both Jarman Park and MRP, and in any event, the effect on the town centre of Next relocating to either would not be materially different as both are out-of-centre sites. Despite the other restrictions set out above meaning that the circumstances of the MRP permission are not the same as the Jarman Park application, in effect of the clause on the MRP permission means that the principle of Next relocating outside the town centre with no requirement to maintain a town centre store is established. Because there is no justification for the exemption beyond referring to the precedent of the MRP permission and on that basis that the Council should be consistent in its decision taking, it follows that the Jarman Park scheme should also include the 920 sqm cap on fashion and clothing in Unit F.

Sequential approach

The addendum now includes fuller analysis of the sequential sites such that it is now possible to reach a conclusion on this. This includes assessing the various town centre allocations in additional detail and more clearly demonstrating flexibility in terms of reducing the scheme's floorspace and decking the car park so that sites of 1.9ha might be capable of accommodating the scheme.

As acknowledged in the April letter, many of the sites were considered during the course of the original application and also the various Aviva applications at Maylands Retail Park; however, some time had passed and it was incumbent on the applicant to update the analysis. It is accepted that various sites identified in Table 1 of the addendum (with the exception of the West Herts College/Civic Zone MU/1 site) can be dismissed in sequential terms on the basis that none are both suitable and available.

The additional analysis Maddox provide on MU/1 is welcomed. We agree that large portions of the site are not available due to either completed or committed schemes for alternative developments. This leave two parcels of land: it is accepted that the combination of constraints identified on the parcel of land at the north western corner of the site are such that it is not suitable for the proposed development. Similarly, the former Civic Centre element of the site at less than 1 ha is plainly too small to accommodate the development. On this basis, it is agreed that MU/1 can be dismissed in sequential terms.

Summary

The additional information provided by Maddox means that it is now possible to conclude the application is compliant with the sequential approach as set out at paragraph 24 of the NPPF. So, if the Council are minded to grant planning permission, the recommendations in relation to conditions and other mitigation measures set out in the April letter remain valid, apart from the amendments set out above in the event that the applicant seeks to include a clause which exempts Next from the no poaching agreement.

Strategic Planning and Regeneration

I confirm my view that there are no planning policy objections to the application. This conclusion is subject to the conditions and mitigation measures proposed by PBA to protect the vitality and viability of Hemel Hempstead town centre, in their 16 April 2018 letter to the Council and Cathy Hall's 4 May email to you.

Hertfordshire Highways comments following submission of further details

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Decision

Hertfordshire County Council as highway authority does not wish to raise an objection to the proposed development, subject to the following conditions.

Condition 1: Provision of Parking and Servicing Areas

Prior to the first occupation of the development hereby permitted the proposed onsite car and cycle parking, servicing, loading and unloading and service yard area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

Condition 2: Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way

Condition 3: Construction Parking

No development shall commence until a scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

Highway Informatives

AN1) Storage of materials

The applicant is advised that the storage of materials associated with the construction of this

development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of the Highway

It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Mud on Highway

It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Section 278 Agreement

Any works within the highway boundary would need to be secured and approved via a Section 278 agreement with Hertfordshire County Council.

Section 106 Agreement

A Travel Plan is required for the development, consisting of a written agreement with the County Council setting out a scheme to encourage, regulate and promote green travel measures for staff and visitors in accordance with the provisions of the County Council's Travel Plan Guidance for Business and Residential Development', which is subject to a sum of £6,000 towards the County Council's cost of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan review.

A contribution of £250,000 will be sought for the replacement of the bridge with a signalised pedestrian crossing. The proposed contribution would be indexed from 2015.

Description of the Proposal

The application is for full planning permission for the construction of five retail units (class A1) with a total GFA of 10730sqm, and one 186sqm unit for use as financial services or a cafe/restaurant (class A2 or A3) and associated access, car parking, service yard and landscaping.

The proposed development will be accessed from the existing access 'stub' on Jarman Way,

which will connect to the internal road layout. There are no proposals to modify the existing access point.

It is proposed that a total of 258 car parking spaces are provided at the proposed development. This comprises 231 parking spaces in the main car park area and 27 parking spaces in the service yard, which will be for staff.

Site Description

The proposed development site is located west of Jarman Way and south of St Albans Road. Jarman Way forms a roundabout with St Albans Road north-west of the site. Jarman Way is a privately maintained road and is subject to a 30mph speed limit. St Albans Road is a Principle A, main distributor road and is subject to a 40mph speed limit in the vicinity of the site.

The site is bound to the north by St Albans Road, to the east by woodland and a pond, to the south by the Jarman Square leisure centre and to the west by Jarman Way.

The site is brownfield land and is currently vacant.

History

The relevant planning history for the site as follows:

- 4/00595/18/MFA -A major full application was submitted for the construction of five retail units (class A1) with a total GFA of 10730sqm, and one 186sqm unit for use as financial services or a cafe/restaurant (class A2 or A3) and associated access, car parking, service yard and landscaping. HCC as Highway Authority recommended refusal of the planning application. The applicant then provided additional information for consideration under the same application, in the form of a Technical Note. The Technical note is discussed as part of this revised response for application 4/00595/18/MFA.

- 4/00424/15/MOA -A major outline application was submitted for the construction of a Class A1 retail development and a Class A3 drive-thru cafe/restaurant unit together with access, car parking, a service yard and associated works. The application was refused in June 2015 as it was determined that the application site would compete with Hemel Hempstead town centre as a retail destination. The decision was appealed (reference APP/A1910/W/15/3132774) and outline planning permission was granted in 4th March 2016.

- 4/00455/07/MFA -A major full planning application was submitted and granted in 2007 for the construction of retail warehouses and associated car parking, access, a service yard and landscaping. Permission for the variation of Condition 18 of the planning permission was granted in December 2009 (reference 4/02362/07/ROC), this was for the CCTV provision. In August 2010, planning permission was granted for the variation of Condition 1 of application 4/02362/07/ROC, which allowed an extension of the planning permission for five years. This expired on the 19th August 2015.

- 4/0625/89 -Outline planning permission was granted for a mixed use recreation, leisure and commercial development in 1991.

Analysis

The applicant has provided a Transport Statement (TS), Planning Statement and Employment Travel Plan for review as part of the application package.

A Design and Access Statement (DAS) is a requirement for all full planning applications that have an impact on the highway, as outlined in Roads in Hertfordshire: Highway Design Guide (3rd Edition). A DAS has been provided as part of the application package and this is acceptable.

Policy Review

The TS does not include a review of any local or national policy documents.

However, the following documents have been reviewed within the Planning Statement:

- National Planning Policy Framework (2012);
- Dacorum Borough Council Core Strategy (2013);
- Dacorum Borough Council Site Allocations DPD (2017); and,
- Dacorum Borough Council Local Plan 1991-2011 (saved policies).

However, the applicant has not considered the following policy documents:

- Hemel Hempstead Urban Transport Plan (2009);
- Department for Transport, Manual for Streets; and,
- Roads in Hertfordshire: Highway Design Guide (3rd Edition).

Trip Generation

Existing Trip Generation

The existing site is vacant brownfield land and has therefore been assumed to generate no trips. This is considered acceptable.

Extant Trip Generation

The TS has considered the trips that would be generated by the permitted land use as part of application 4/00424/15/MOA. The trip generation was set out in the Transport Assessment (TA) for the consented scheme. This was for the construction of a mixed use development comprising 8800sqm of non-food retail land use and 1505sqm of food retail land use.

The trip generation profile for 8800sqm non-food retail element of the consented scheme is as follows:

- Weekday Peak Hour (17:00–18:00): 153 arrivals, 152 departures and 305 two-way trips
- Saturday Peak Hour (12:00–13:00): 235 arrivals, 234 departures and 469 two-way trips

The trip generation profile for the 1505sqm food retail element of the consented scheme is as follows:

- Weekday Peak Hour (17:00-18:00): 45 arrivals, 54 departures and 99 two-way trips
- Saturday Peak Hour (12:00–13:00): 87 arrivals, 92 departures and 179 two-way trips

The TA for the consented scheme made an allowance within their trip generation profile for linked trips between the food retail land use and the non-food retail land use. A reduction of 30% was applied to the trips for the food retail land use, on the assumption that there would be an element of cross-visitation between the units at the development.

The resultant trip generation for the 1505sqm food retail element is as follows:

- Weekday Peak Hour (17:00-18:00): 32 arrivals, 38 departures and 69 two-way trips
- Saturday Peak Hour (12:00-13:00): 61 arrivals, 64 departures and 125 two-way trips

The total trip generation for the consented scheme including the reduction in trip rates for the food-retail land use is as follows:

- Weekday Peak Hour (17:00-18:00): 185 arrivals, 190 departures and 374 two-way trips

- Saturday Peak Hour (12:00-13:00): 296 arrivals, 298 departures and 594 two-way trips

The above trip generation profile was approved by HCC as part of the outline planning consent for application 4/00424/15/MOA.

Proposed Trip Generation

To determine the peak hour for the proposed development, the applicant has considered the results of a manual-classification count survey and an automatic traffic count survey which were undertaken in the vicinity of the 'Jarman Park' retail and leisure centre. The results of the surveys indicated that the weekday peak hour was 17:00-18:00 and the weekend peak hour was on a Saturday between 12:00-13:00. The TS has assumed that the proposed development will have the same peak hours. This is considered acceptable.

It is noted that there are discrepancies between the GFAs for the proposed development that are set out in the TS and the GFAs that are set out in the planning application submission. The planning application submission states that the proposals are for 10730sqm of retail land use, whereas the TS states that there will be 10916sqm of retail land use, plus 186sqm for a café/restaurant. Given that the TS has considered a higher GFA, this allows for a more robust scenario and is therefore considered acceptable.

Furthermore, the planning application submission states that the 186sqm unit will be used for financial services or a café/restaurant. However, the TS does not provide a trip generation profile for either land use. Given that the unit is not expected to generate a significant amount of trips, this is considered acceptable.

Non-Food Retail Trip Generation

The TS states that the proposed five retail units will have a total GFA of 10916sqm which will comprise both food-based retail and non-food based retail. The trips generated by each type of retail have been considered separately. This is considered acceptable. The non-food retail element of the proposed development will have a total GFA of 8640sqm, comprising 4413sqm of ground floor retail and 4227sqm of mezzanine level retail.

The TRICS Output file was not included in the application submission and was later provided by the applicant. A full TRICS report should be included in any future submissions, to ensure that the sites used for comparison are relevant and appropriate.

The search criteria used by the application to obtain the trip rates is as follows:

- Category '01 -Retail -G -Other Individual Non-Food Superstore' chosen;
- Vehicle trip rates selected;
- Weekday and Saturday sites considered separately;
- Edge of Town Centre, Suburban area and Edge of Towns sites chosen; and
- Sites in England and Scotland considered.

It is noted that the trip rates used in the TS were obtained from the TRICS database in August 2015. This information is considered to be out of date and review of the TRICS database has confirmed that some of the sites used by the applicant are no longer within the date range of the most recent 10 years. Using the same search criteria as the applicant, the up-to-date TRICS information results in higher trip rates. For the weekday PM Peak, this equates to an additional 25 two-way trips. Given that the additional trips are unlikely to significantly change the impact of the development on the highway network, the TRICS data used by the applicant is considered acceptable.

The vehicular trip rates presented in the TS are as follows:

- Weekday Peak (17:00-18:00): 1.504 arrivals, 1.597 departures and 3.101 two-way trips
- Saturday Peak (12:00-13:00): 3.617 arrivals, 3.39 departures and 7.007 two-way trips

The resultant trip generation based on a GFA of 8640sqm is as follows:

- Weekday Peak (17:00-18:00): 130 arrivals, 138 departures and 268 two-way trips
- Saturday Peak (12:00-13:00): 313 arrivals, 293 departures and 605 two-way trips

Food Retail Trip Generation

The food retail provision at the proposed development will have a total GFA of 2276sqm. TRICS database has been used to determine the vehicular trip generation for the food-retail land use. The TS states that if the unit was occupied by a discount food retailer, this would generate more trips than if it was occupied by a retailer that falls within the 'Retail Park Including Food' category of the TRICS database. As a result, the 'Retail -Discount Food Stores' category has been used. This is considered acceptable.

The applicant has not specified the other criteria used in the TRICS site selection process and has not included a TRICS output report in the appendices of the TS. As a result, the search criteria used by the applicant to generate the trip rates is unknown. A full TRICS report should be included in any future submissions, to ensure that the sites used for comparison are relevant and appropriate.

The vehicular trip rates presented in the TS are as follows:

- Weekday Peak Hour (17:00-18:00): 3.438 arrivals, 3.583 departures and 7.021 two-way trips
- Saturday Peak Hour (12:00-13:00): 4.705 arrivals, 5.053 departures and 9.758 two-way trips

The resultant trip generation based on a GFA of 2276sqm is as follows:

- Weekday Peak Hour (17:00-18:00): 78 arrivals, 82 departures and 160 two-way trips
- Saturday Peak Hour (12:00-13:00): 107 arrivals, 115 departures and 222 two-way trips

This is considered acceptable.

Linked Trips

The TS states that there will be a degree of cross-visitation between the units at the proposed development, therefore a reduction has been applied to the trip generation profile for both the food retail and non-food retail.

In terms of the food retail land-use, a reduction of 10% has been applied to the trip generation profile. The TS states that this is due to the proximity of the Tesco Extra superstore, which already attracts food retail trips to the immediate vicinity of the proposed development. This is considered appropriate.

The resultant trip generation based on a GFA of 2276sqm and a 10% reduction in vehicle trips is as follows:

- Weekday Peak (17:00-18:00): 70 arrivals, 73 departures and 144 two-way trips
- Saturday Peak (12:00-13:00): 96 arrivals, 104 departures and 200 two-way trips

For the non-food retail land use, a reduction of 30% has been applied to the trip rates to account for cross-visitation. The resultant trip generation based on a GFA of 8640sqm is as follows:

- Weekday Peak (17:00-18:00): 91 arrivals, 97 departures and 188 two-way trips
- Saturday Peak (12:00-13:00): 219 arrivals, 205 departures and 424 two-way trips

This is considered acceptable.

Net Impact

The net impact based on the vehicular trip generation of proposed land use is as follows:

- Weekday PM Peak (17:00-18:00): +161 arrivals, +170 departures, +332 two-way trips
- Weekend Peak (12:00-13:00): +315 arrivals, +309 departures, +624 two-way trips

The TS has compared the net impact of the trip generation of the proposed development to the net impact of the consented scheme. The net difference is as follows:

- Weekday PM Peak (17:00-18:00): -24 arrivals, -20 departures and -42 two-way trips
- Saturday Peak (12:00-13:00): +19 arrivals, +11 departures and +30 two-way trips

It is noted that the two-way vehicular trip generation for the weekday peak hour is lower than the consented trip generation for the permitted scheme. The proposed development will generate an additional 30 two-way trips during the Saturday peak hour. This is considered acceptable.

Trip Distribution

The applicant has not undertaken an impact assessment to understand the distribution of the new trips on the surrounding highway network. This is not considered acceptable. The local area has changed since the previous application was submitted and further assessment of the impacts on the local network are required.

The applicant has since provided a Technical Note which addresses the comments raised by HCC regarding the omission of a trip distribution profile in the TS. The Technical Note includes a trip distribution exercise based on classified turning counts undertaken at the Jarman Way / A414 roundabout. The weekday PM Peak (17:00 -18:00) surveys were carried out in November 2017, while the weekend Saturday Peak (12:00 -13:00) surveys were carried out in April 2018.

Given that the existing site is greenfield land, the proposed development results in a net increase in trips on all arms of the roundabout. During the weekday PM Peak, the greatest increase is 105 PCUs on the Jarman Way arm of the roundabout, which accounts for vehicles turning right onto the A414 (E). During the weekend peak the greatest increase is 187 PCUs, which accounts for vehicles turning left onto Jarman Way from the A414 (E).

The trip distribution impact for the proposed development has been compared to the trips generated by the consented scheme (application reference 4/00424/15/MOA). The proposed development will result in a reduction in the number of trips during the weekday PM Peak on all arms of the junction. During the weekend peak, there will be a slight increase in the number of vehicles using all arms of the junction when compared to the consented scheme. The maximum increase is 12 PCUs, which occurs on the A414 (E) arm.

On the basis that the proposed development results in a net reduction in traffic during both peak periods compared to the consented scheme, the applicant has not distributed the trips further along the highway network. This is considered acceptable.

Impact on the Highway

Junction Assessment

The trip distribution exercise has demonstrated that there will be a net reduction in the number of vehicles using the Jarman Way / A414 roundabout when compared to the existing scheme. On this basis, the applicant has not provided junction modelling as part of the TS or Technical Note. This is considered acceptable.

Highway Safety

The applicant has provided a review of collision data for the latest five year period, using data obtained from Hertfordshire County Council. The data was obtained for Jarman Way, the Jarman Way / St Albans Road roundabout and St Albans Road between Old Crabtree Lane and the roundabout with Bennetts End Lane / White Hart Road.

The review confirms that nine collisions have occurred during the latest five year period, one of which was serious in severity and eight of which were slight in severity. There are no obvious collision trends that could be attributed to deficiencies with the highway network; therefore, it is unlikely that the development would exacerbate any existing issues with the highway network and is therefore unlikely to have a detrimental impact on the safety of the highway network.

Refuse and Service Delivery

The TS states that a service yard will be provided to the rear of the proposed development units. An exception to this is Unit G, which will be serviced from the front of the unit outside of operational hours.

The TS includes swept path analysis drawings for a 16.5m articulated vehicle, 10m rigid vehicle, 11.22m recycling vehicle and a large car. It is noted that there is likely to be conflict between larger vehicles entering the car park internal layout and the exit of a large car. However, this is not expected to have an impact on the public highway and is therefore acceptable.

Highway Layout

Vehicle Access

The proposed development will be accessed from Jarman Way and an access 'stub' has previously been constructed. The access 'stub' is currently blocked by bollards. It is proposed that this access is retained and connected to an internal access road throughout the site. It is not proposed that any changes are made to the existing access. This is considered acceptable.

Pedestrian Access

Footways are provided along both sides of the previously constructed access 'stub'. It is proposed that the footway on the site entrance arm of the junction will connect to a pedestrian crossing within the site. The crossing will provide connectivity to the footway along the front of the units. This is considered acceptable.

Road Safety Audit

A Stage 1 Road Safety Audit (RSA) has not been provided. However, as no changes to the highway network are proposed. This is considered acceptable.

Parking

Car Parking Provisions

The Dacorum Borough Council parking standards set out the maximum car parking standards for new developments within the Borough. Four different accessibility zones are set out within

the standards. The proposed development is located within Zone 4, where 75%-100% of the maximum demand based on the parking standards can be applied.

For land use class A1 retail food stores at food retail parks, the maximum car parking standards are to be decided on individual merits. This includes shared parking and an overall reduction in the provision, to take account of linked trips on site.

The same standards that are detailed above apply to non-food retail parks where the individual land use components are known. Where the individual land use components are unknown, 1 space per 40sqm of GFA should be provided. Based on a GFA of 8640sqm for the non-retail land use, this equates to a maximum provision of 216 car parking spaces.

For Class A3 restaurants/cafes, 1 space per 5sqm of dining area floorspace should be provided, plus 3 spaces per 4 employees. Based on a GFA of 186sqm, this equates to 37 car parking spaces plus additional spaces for the employees.

The TS states that 231 car parking spaces will be provided within the main car park at the proposed development. An additional 27 car parking spaces will be provided in the service yard, for use by employees of the units.

The level of parking provision is considered acceptable. However, it will be the responsibility of the LPA to determine the acceptability of the vehicle parking provision.

Disabled Car Parking Provision

The Dacorum Borough Council parking standards also set out the required parking for disabled motorists, including for shops and premises to which the public will have access. Where the proposed car park has more than 200 spaces, 4 spaces plus 4% of the total capacity should be allocated for disabled motorists. This equates to the provision of 13 disabled spaces.

The TS states that of the 231 car parking spaces at the proposed development, 14 will be disabled spaces.

The level of parking provision is considered acceptable. However, it will be the responsibility of the LPA to determine the acceptability of the vehicle parking provision.

Car Parking Layout

The car parking layout is shown on the drawing 1929-P-33 Proposed Site and Building Plan. The car park will need to be designed in accordance with the guidance set out Roads in Hertfordshire: Highway Design Guide (Third Edition).

Cycle Parking Provisions

The Dacorum Borough Council cycle parking standards state that for land use class A1 retail food stores, 1 short term space per 250sqm GFA should be provided plus 1 long term space per 10 maximum staff on site at any one time. Based on the retail food stores' GFA of 2276sqm, this equates to 9 short term parking spaces plus additional long term spaces for staff.

For land use class A1 non-food retail developments, 1 short term space per 350sqm GFA should be provided plus 1 long term space per 10 maximum staff on site at any one time. Based on a GFA of 8640sqm for the non-food retail land use, this equates to 25 short term parking spaces plus additional long term spaces for staff.

The parking standards for restaurants/cafes state that 1 short term cycle parking space should be provided per 100sqm GFA, plus 1 long term space per 10 maximum staff on site at any one time. This equates to two short term cycle parking spaces, plus additional long term spaces for staff.

In total, 36 short term cycle parking spaces should be provided at the proposed development. Long term cycle parking should be provided based on the number of employees.

The TS states that a total of 34 cycle parking spaces will be provided at the proposed development, in the form of 17 Sheffield stands. The stands will be lit and covered, with half of the spaces located in the service yard for use by staff.

The proposed parking provision is below the standards set out by Dacorum Borough Council. However, it is ultimately the decision of the LPA to determine the suitability of the final parking arrangements for the proposed development.

Accessibility

Bus Services

The nearest bus stop to the proposed development is located on Jarman Way, to the south-east. The bus stop comprises a flag pole and is served by bus 101. The bus provides regular services between Hemel Hempstead and Jarman Park.

Rail Services

The nearest station to the proposed development is Apsley, which is approximately 2.6km to the south-west. The station is managed by London Northwestern Railway and is situated on the West Coast Main Line. Regular services are provided to London Euston, Tring and other local areas.

Walking and Cycling

Footways are provided along both sides of Jarman Way. There's an existing pedestrian footbridge over St Albans just west of the roundabout junction with Jarman Way.

Jarman Way is subject to a 30mph speed limit and is considered suitable for use by cyclists. Furthermore, cycle route HH8 connects Hemel Hempstead town centre to Jarman Park via a shared footpath which runs parallel to the A414 St Albans Road.

Pedestrian and Cycle facilities in the vicinity are considered reasonable for the proposed development and local area.

Construction

A Construction Traffic Management Plan (CTMP) will be required to ensure that construction vehicles will not have a detrimental impact in the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to highway safety.

Travel Plan

A Retail Travel Plan has been provided as part of the application package. A number of hard and soft measures are recommended by the applicant in order to positively affect the modal shift towards more sustainable modes of transport and to reduce the reliance on private vehicles. A revised TP would be conditioned if the application were permitted and the following points will need to be incorporated. Contributions would also be required via a S106 agreement to cover TP monitoring costs.

- A synopsis of relevant local and national planning policy has not been included in the Travel Plan. This is required to give those impacted by the plan a background understanding to why

the Travel Plan has been written and how it fits in with local and national policy regarding sustainable transport.

- Travel Plan Co-Ordinator details to be supplied on appointment along with details of secondary contact in case of personnel changes. Time allocated to role and frequency on site details also need to be provided.

- Once occupiers are known and relevant personnel appointed, a statement from senior management to the implementation and success of the plan would be appropriate to demonstrate commitment to the plan.

- Steering Group -given that this is an employment Travel Plan a Steering Group composed of relevant members of staff from the different units would give the opportunity to discuss site issues, review the measures implemented and provide a co-ordinated approach which may be more likely to make the plan a success.

- Package of measures - Generally speaking an appropriate range of measures is provided here however in order to reduce the need to travel, there could be a policy of local recruitment, flexible working policies, video conferencing and teleconferencing facilities where appropriate. A pool car could be considered so that staff could travel to work by sustainable means but car share to meetings for example.

- The focus appears to be mainly on staff. There are ways in which customers can also be encouraged to travel to the site by sustainable means, eg by providing them with information on how to access the site by walking/cycling/public transport.

- Baseline mode split data and interim mode shift targets -these have not been included. It is acknowledged that site occupiers are not yet known, but use class is -could use data from TRICS or Census journey to work data which would be updated after first staff survey. Interim mode shift targets are required to demonstrate commitment to an achievable but significant shift towards sustainable modes. Targets can be adjusted after initial staff survey.

- Travel Plan review -this is not mentioned. Regular review of the plan and the success or otherwise of measures that have been implemented is necessary to ensure that the progress towards set targets is being made. The Travel Plan will only be signed off in Year 5 if the targets for that year have been met. Review can highlight whether the plan is on course to meet set targets or whether additional measures are needed and whether there are specific reasons why progress has been held up. Together with a Steering Group with appropriate membership, this can ensure that a plan remains on course to meet targets.

- Evaluation and support fee -to be sought if plan secured through S106 process.

A fee of £6000 will be secured by S106 agreement for the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan review.

Planning Obligations/ Community Infrastructure Levy (CIL)

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards transport schemes in the borough would be sought via CIL. A S106 Agreement will be required to secure Travel Plan Monitoring fees.

As per the TA submitted as part of this application, and the Appeal APP/A1910/W/15/3132774, a S106 contribution would be sought for contributions to the replacement of the existing pedestrian bridge over A414 St Albans Road with a signalised controlled pedestrian crossing, Travel Plan monitoring fees and other sustainable programs. A contribution of £250,000 will be

sought for the replacement of the bridge with a signalised pedestrian crossing. The proposed contribution would be indexed from 2015.

Conclusion

Hertfordshire County Council (HCC) have reviewed the information provided and does not wish to object to the proposed development, subject to suitable conditions being applied.

Hertfordshire Highways initial comments

Hertfordshire County Council (HCC), as highway authority, has wishes to object to the proposed development as there is not enough information to support that the proposed development would not have a severe impact on the local highway network. The applicant is required to carry out junction modelling to demonstrate that the non-food and food retail units would not have a severe impact on the operation of the local highway network.

Description of the Proposal

The application is for full planning permission for the construction of five retail units (class A1) with a total GFA of 10730sqm, and one 186sqm unit for use as financial services or a café/restaurant (class A2 or A3) and associated access, car parking, service yard and landscaping.

The proposed development will be accessed from the existing access 'stub' on Jarman Way, which will connect to the internal road layout. There are no proposals to modify the existing access point.

It is proposed that a total of 258 car parking spaces are provided at the proposed development. This comprises 231 parking spaces in the main car park area and 27 parking spaces in the service yard, which will be for staff.

Site Description

The proposed development site is located west of Jarman Way and south of St Albans Road. Jarman Way forms a roundabout with St Albans Road north-west of the site. Jarman Way is a privately maintained road and is subject to a 30mph speed limit. St Albans Road is a Principle A, main distributor road and is subject to a 40mph speed limit in the vicinity of the site.

The site is bound to the north by St Albans Road, to the east by woodland and a pond, to the south by the Jarman Square leisure centre and to the west by Jarman Way.

The site is brownfield land and is currently vacant.

History

The relevant planning history for the site as follows:

- 4/00424/15/MOA - A major outline application was submitted for the construction of a Class A1 retail development and a Class A3 drive-thru café/restaurant unit together with access, car parking, a service yard and associated works. The application was refused in June 2015 as it was determined that the application site would compete with Hemel Hempstead town centre as a retail destination. The decision was appealed (reference APP/A1910/W/15/3132774) and outline planning permission was granted in 4th March 2016.
- 4/00455/07/MFA - A major full planning application was submitted and granted in 2007 for the construction of retail warehouses and associated car parking, access, a service yard and landscaping. Permission for the variation of Condition 18 of the planning permission was

granted in December 2009 (reference 4/02362/07/ROC), this was for the CCTV provision. In August 2010, planning permission was granted for the variation of Condition 1 of application 4/02362/07/ROC, which allowed an extension of the planning permission for five years. This expired on the 19th August 2015.

- 4/0625/89 - Outline planning permission was granted for a mixed use recreation, leisure and commercial development in 1991.

Analysis

The applicant has provided a Transport Statement (TS), Planning Statement and Employment Travel Plan for review as part of the application package.

A Design and Access Statement (DAS) is a requirement for all full planning applications that have an impact on the highway, as outlined in Roads in Hertfordshire: Highway Design Guide (3rd Edition). A DAS has been provided as part of the application package and this is acceptable.

Policy Review

The TS does not include a review of any local or national policy documents.

However, the following documents have been reviewed within the Planning Statement:

- National Planning Policy Framework (2012);
- Dacorum Borough Council Core Strategy (2013);
- Dacorum Borough Council Site Allocations DPD (2017); and,
- Dacorum Borough Council Local Plan 1991-2011 (saved policies).

However, the applicant has not considered the following policy documents:

- Hemel Hempstead Urban Transport Plan (2009);
- Department for Transport, Manual for Streets; and,
- Roads in Hertfordshire: Highway Design Guide (3rd Edition).

Trip Generation

Existing Trip Generation

The existing site is vacant brownfield land and has therefore been assumed to generate no trips. This is considered acceptable.

Extant Trip Generation

The TS has considered the trips that would be generated by the permitted land use as part of application 4/00424/15/MOA. The trip generation was set out in the Transport Assessment (TA) for the consented scheme. This was for the construction of a mixed use development comprising 8800sqm of non-food retail land use and 1505sqm of food retail land use.

The trip generation profile for 8800sqm non-food retail element of the consented scheme is as follows:

- Weekday Peak Hour (17:00-18:00): 153 arrivals, 152 departures and 305 two-way trips
- Saturday Peak Hour (12:00-13:00): 235 arrivals, 234 departures and 469 two-way trips

The trip generation profile for the 1505sqm food retail element of the consented scheme is as follows:

- Weekday Peak Hour (17:00-18:00): 45 arrivals, 54 departures and 99 two-way trips
- Saturday Peak Hour (12:00-13:00): 87 arrivals, 92 departures and 179 two-way trips

The TA for the consented scheme made an allowance within their trip generation profile for linked trips between the food retail land use and the non-food retail land use. A reduction of 30% was applied to the trips for the food retail land use, on the assumption that there would be an element of cross-visitation between the units at the development.

The resultant trip generation for the 1505sqm food retail element is as follows:

- Weekday Peak Hour (17:00-18:00): 32 arrivals, 38 departures and 69 two-way trips
- Saturday Peak Hour (12:00-13:00): 61 arrivals, 64 departures and 125 two-way trips

The total trip generation for the consented scheme including the reduction in trip rates for the food-retail land use is as follows:

- Weekday Peak Hour (17:00-18:00): 185 arrivals, 190 departures and 374 two-way trips
- Saturday Peak Hour (12:00-13:00): 296 arrivals, 298 departures and 594 two-way trips

The above trip generation profile was approved by HCC as part of the outline planning consent for application 4/00424/15/MOA.

Proposed Trip Generation

To determine the peak hour for the proposed development, the applicant has considered the results of a manual-classification count survey and an automatic traffic count survey which were undertaken in the vicinity of the 'Jarman Park' retail and leisure centre. The results of the surveys indicated that the weekday peak hour was 17:00-18:00 and the weekend peak hour was on a Saturday between 12:00-13:00. The TS has assumed that the proposed development will have the same peak hours. This is considered acceptable.

It is noted that there are discrepancies between the GFAs for the proposed development that are set out in the TS and the GFAs that are set out in the planning application submission. The planning application submission states that the proposals are for 10730sqm of retail land use, whereas the TS states that there will be 10916sqm of retail land use, plus 186sqm for a café/restaurant. Given that the TS has considered a higher GFA, this allows for a more robust scenario and is therefore considered acceptable.

Furthermore, the planning application submission states that the 186sqm unit will be used for financial services or a café/restaurant. However, the TS does not provide a trip generation profile for either land use. Given that the unit is not expected to generate a significant amount of trips, this is considered acceptable.

Non-Food Retail Trip Generation

The TS states that the proposed five retail units will have a total GFA of 10916sqm which will comprise both food-based retail and non-food based retail. The trips generated by each type of retail have been considered separately. This is considered acceptable. The non-food retail element of the proposed development will have a total GFA of 8640sqm, comprising 4413sqm of ground floor retail and 4227sqm of mezzanine level retail.

The TRICS Output file was not included in the application submission and was later provided by the applicant. A full TRICS report should be included in any future submissions, to ensure that the sites used for comparison are relevant and appropriate.

The search criteria used by the application to obtain the trip rates is as follows:

- Category -01 - Retail - G - Other Individual Non-Food Superstore chosen;
- Vehicle trip rates selected;
- Weekday and Saturday sites considered separately;
- Edge of Town Centre, Suburban area and Edge of Towns sites chosen; and
- Sites in England and Scotland considered.

It is noted that the trip rates used in the TS were obtained from the TRICS database in August 2015. This information is considered to be out of date and review of the TRICS database has confirmed that some of the sites used by the applicant are no longer within the date range of the most recent 10 years. Using the same search criteria as the applicant, the up-to-date TRICS information results in higher trip rates. For the weekday PM Peak, this equates to an additional 25 two-way trips. Given that the additional trips are unlikely to significantly change the impact of the development on the highway network, the TRICS data used by the applicant is considered acceptable.

The vehicular trip rates presented in the TS are as follows:

- Weekday Peak (17:00-18:00): 1.504 arrivals, 1.597 departures and 3.101 two-way trips
- Saturday Peak (12:00-13:00): 3.617 arrivals, 3.39 departures and 7.007 two-way trips

The resultant trip generation based on a GFA of 8640sqm is as follows:

- Weekday Peak (17:00-18:00): 130 arrivals, 138 departures and 268 two-way trips
- Saturday Peak (12:00-13:00): 313 arrivals, 293 departures and 605 two-way trips

Food Retail Trip Generation

The food retail provision at the proposed development will have a total GFA of 2276sqm. TRICS database has been used to determine the vehicular trip generation for the food-retail land use. The TS states that if the unit was occupied by a discount food retailer, this would generate more trips than if it was occupied by a retailer that falls within the 'Retail Park Including Food' category of the TRICS database. As a result, the 'Retail - Discount Food Stores' category has been used. This is considered acceptable.

The applicant has not specified the other criteria used in the TRICS site selection process and has not included a TRICS output report in the appendices of the TS. As a result, the search criteria used by the applicant to generate the trip rates is unknown. A full TRICS report should be included in any future submissions, to ensure that the sites used for comparison are relevant and appropriate.

The vehicular trip rates presented in the TS are as follows:

- Weekday Peak Hour (17:00-18:00): 3.438 arrivals, 3.583 departures and 7.021 two-way trips
- Saturday Peak Hour (12:00-13:00): 4.705 arrivals, 5.053 departures and 9.758 two-way trips

The resultant trip generation based on a GFA of 2276sqm is as follows:

- Weekday Peak Hour (17:00-18:00): 78 arrivals, 82 departures and 160 two-way trips
- Saturday Peak Hour (12:00-13:00): 107 arrivals, 115 departures and 222 two-way trips

This is considered acceptable.

Linked Trips

The TS states that there will be a degree of cross-visitation between the units at the proposed development, therefore a reduction has been applied to the trip generation profile for both the food retail and non-food retail.

In terms of the food retail land-use, a reduction of 10% has been applied to the trip generation profile. The TS states that this is due to the proximity of the Tesco Extra superstore, which already attracts food retail trips to the immediate vicinity of the proposed development. This is considered appropriate.

The resultant trip generation based on a GFA of 2276sqm and a 10% reduction in vehicle trips is as follows:

- Weekday Peak (17:00-18:00): 70 arrivals, 73 departures and 144 two-way trips
- Saturday Peak (12:00-13:00): 96 arrivals, 104 departures and 200 two-way trips

For the non-food retail land use, a reduction of 30% has been applied to the trip rates to account for cross-visitation. The resultant trip generation based on a GFA of 8640sqm is as follows:

- Weekday Peak (17:00-18:00): 91 arrivals, 97 departures and 188 two-way trips
- Saturday Peak (12:00-13:00): 219 arrivals, 205 departures and 424 two-way trips

This is considered acceptable.

Net Impact

The net impact based on the vehicular trip generation of proposed land use is as follows:

- Weekday PM Peak (17:00-18:00): +161 arrivals, +170 departures, +332 two-way trips
- Weekend Peak (12:00-13:00): +315 arrivals, +309 departures, +624 two-way trips

The TS has compared the net impact of the trip generation of the proposed development to the net impact of the consented scheme. The net difference is as follows:

- Weekday PM Peak (17:00-18:00): -24 arrivals, -20 departures and -42 two-way trips
- Saturday Peak (12:00-13:00): +19 arrivals, +11 departures and +30 two-way trips

It is noted that the two-way vehicular trip generation for the weekday peak hour is lower than the consented trip generation for the permitted scheme. The proposed development will generate an additional 30 two-way trips during the Saturday peak hour. This is considered acceptable.

Trip Distribution

The applicant has not undertaken an impact assessment to understand the distribution of the new trips on the surrounding highway network. This is not considered acceptable. The local area has changed since the previous application was submitted and further assessment of the impacts on the local network are required.

Impact on the Highway

Junction Assessment

The applicant has not provided junction modelling as part of the TS. This is not considered acceptable. The local area has changed since the previous application was submitted and further assessment of the impacts on the local network are required.

Highway Safety

The applicant has provided a review of collision data for the latest five year period, using data obtained from Hertfordshire County Council. The data was obtained for Jarman Way, the Jarman Way / St Albans Road roundabout and St Albans Road between Old Crabtree Lane and the roundabout with Bennetts End Lane / White Hart Road.

The review confirms that nine collisions have occurred during the latest five year period, one of which was serious in severity and eight of which were slight in severity. There are no obvious collision trends that could be attributed to deficiencies with the highway network; therefore, it is unlikely that the development would exacerbate any existing issues with the highway network and is therefore unlikely to have a detrimental impact on the safety of the highway network.

Refuse and Service Delivery

The TS states that a service yard will be provided to the rear of the proposed development units. An exception to this is Unit G, which will be serviced from the front of the unit outside of operational hours.

The TS includes swept path analysis drawings for a 16.5m articulated vehicle, 10m rigid vehicle, 11.22m recycling vehicle and a large car. It is noted that there is likely to be conflict between larger vehicles entering the car park internal layout and the exit of a large car. However, this is not expected to have an impact on the public highway and is therefore acceptable.

Highway Layout

Vehicle Access

The proposed development will be accessed from Jarman Way and an access 'stub' has previously been constructed. The access 'stub' is currently blocked by bollards. It is proposed that this access is retained and connected to an internal access road throughout the site. It is not proposed that any changes are made to the existing access. This is considered acceptable.

Pedestrian Access

Footways are provided along both sides of the previously constructed access 'stub'. It is proposed that the footway on the site entrance arm of the junction will connect to a pedestrian crossing within the site. The crossing will provide connectivity to the footway along the front of the units. This is considered acceptable.

Road Safety Audit

A Stage 1 Road Safety Audit (RSA) has not been provided. However, as no changes to the highway network are proposed. This is considered acceptable.

Parking

Car Parking Provisions

The Dacorum Borough Council parking standards set out the maximum car parking standards for new developments within the Borough. Four different accessibility zones are set out within the standards. The proposed development is located within Zone 4, where 75%-100% of the maximum demand based on the parking standards can be applied.

For land use class A1 retail food stores at food retail parks, the maximum car parking standards are to be decided on individual merits. This includes shared parking and an overall reduction in

the provision, to take account of linked trips on site.

The same standards that are detailed above apply to non-food retail parks where the individual land use components are known. Where the individual land use components are unknown, 1 space per 40sqm of GFA should be provided. Based on a GFA of 8640sqm for the non-retail land use, this equates to a maximum provision of 216 car parking spaces.

For Class A3 restaurants/cafes, 1 space per 5sqm of dining area floorspace should be provided, plus 3 spaces per 4 employees. Based on a GFA of 186sqm, this equates to 37 car parking spaces plus additional spaces for the employees.

The TS states that 231 car parking spaces will be provided within the main car park at the proposed development. An additional 27 car parking spaces will be provided in the service yard, for use by employees of the units.

The level of parking provision is considered acceptable. However, it will be the responsibility of the LPA to determine the acceptability of the vehicle parking provision.

Disabled Car Parking Provision

The Dacorum Borough Council parking standards also set out the required parking for disabled motorists, including for shops and premises to which the public will have access. Where the proposed car park has more than 200 spaces, 4 spaces plus 4% of the total capacity should be allocated for disabled motorists. This equates to the provision of 13 disabled spaces.

The TS states that of the 231 car parking spaces at the proposed development, 14 will be disabled spaces.

The level of parking provision is considered acceptable. However, it will be the responsibility of the LPA to determine the acceptability of the vehicle parking provision.

Car Parking Layout

The car parking layout is shown on the drawing 1929-P-33 Proposed Site and Building Plan. The car park will need to be designed in accordance with the guidance set out Roads in Hertfordshire: Highway Design Guide (Third Edition).

Cycle Parking Provisions

The Dacorum Borough Council cycle parking standards state that for land use class A1 retail food stores, 1 short term space per 250sqm GFA should be provided plus 1 long term space per 10 maximum staff on site at any one time. Based on the retail food stores' GFA of 2276sqm, this equates to 9 short term parking spaces plus additional long term spaces for staff.

For land use class A1 non-food retail developments, 1 short term space per 350sqm GFA should be provided plus 1 long term space per 10 maximum staff on site at any one time. Based on a GFA of 8640sqm for the non-food retail land use, this equates to 25 short term parking spaces plus additional long term spaces for staff.

The parking standards for restaurants/cafes state that 1 short term cycle parking space should be provided per 100sqm GFA, plus 1 long term space per 10 maximum staff on site at any one time. This equates to two short term cycle parking spaces, plus additional long term spaces for staff.

In total, 36 short term cycle parking spaces should be provided at the proposed development. Long term cycle parking should be provided based on the number of employees.

The TS states that a total of 34 cycle parking spaces will be provided at the proposed development, in the form of 17 Sheffield stands. The stands will be lit and covered, with half of

the spaces located in the service yard for use by staff.

The proposed parking provision is below the standards set out by Dacorum Borough Council. However, it is ultimately the decision of the LPA to determine the suitability of the final parking arrangements for the proposed development.

Accessibility

Bus Services

The nearest bus stop to the proposed development is located on Jarman Way, to the south-east. The bus stop comprises a flag pole and is served by bus 101. The bus provides regular services between Hemel Hempstead and Jarman Park.

Rail Services

The nearest station to the proposed development is Apsley, which is approximately 2.6km to the south-west. The station is managed by London Northwestern Railway and is situated on the West Coast Main Line. Regular services are provided to London Euston, Tring and other local areas.

Walking and Cycling

Footways are provided along both sides of Jarman Way. There's an existing pedestrian footbridge over St Albans just west of the roundabout junction with Jarman Way.

Jarman Way is subject to a 30mph speed limit and is considered suitable for use by cyclists. Furthermore, cycle route HH8 connects Hemel Hempstead town centre to Jarman Park via a shared footpath which runs parallel to the A414 St Albans Road.

Pedestrian and Cycle facilities in the vicinity are considered reasonable for the proposed development and local area.

Construction

A Construction Traffic Management Plan (CTMP) will be required to ensure that construction vehicles will not have a detrimental impact in the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to highway safety.

Travel Plan

A Retail Travel Plan has been provided as part of the application package. A number of hard and soft measures are recommended by the applicant in order to positively affect the modal shift towards more sustainable modes of transport and to reduce the reliance on private vehicles. A revised TP would be conditioned if the application were permitted and the following points will need to be incorporated. Contributions would also be required via a S106 agreement to cover TP monitoring costs.

- A synopsis of relevant local and national planning policy has not been included in the Travel Plan. This is required to give those impacted by the plan a background understanding to why the Travel Plan has been written and how it fits in with local and national policy regarding sustainable transport.
- Travel Plan Co-Ordinator details to be supplied on appointment along with details of secondary contact in case of personnel changes. Time allocated to role and frequency on site details also need to be provided.

- Once occupiers are known and relevant personnel appointed, a statement from senior management to the implementation and success of the plan would be appropriate to demonstrate commitment to the plan.
- Steering Group - given that this is an employment Travel Plan a Steering Group composed of relevant members of staff from the different units would give the opportunity to discuss site issues, review the measures implemented and provide a co-ordinated approach which may be more likely to make the plan a success.
- Package of measures - Generally speaking an appropriate range of measures is provided here however in order to reduce the need to travel, there could be a policy of local recruitment, flexible working policies, video conferencing and teleconferencing facilities where appropriate. A pool car could be considered so that staff could travel to work by sustainable means but car share to meetings for example.
- The focus appears to be mainly on staff. There are ways in which customers can also be encouraged to travel to the site by sustainable means, eg by providing them with information on how to access the site by walking/cycling/public transport.
- Baseline mode split data and interim mode shift targets - these have not been included. It is acknowledged that site occupiers are not yet known, but use class is - could use data from TRICS or Census journey to work data which would be updated after first staff survey. Interim mode shift targets are required to demonstrate commitment to an achievable but significant shift towards sustainable modes. Targets can be adjusted after initial staff survey.
- Travel Plan review - this is not mentioned. Regular review of the plan and the success or otherwise of measures that have been implemented is necessary to ensure that the progress towards set targets is being made. The Travel Plan will only be signed off in Year 5 if the targets for that year have been met. Review can highlight whether the plan is on course to meet set targets or whether additional measures are needed and whether there are specific reasons why progress has been held up. Together with a Steering Group with appropriate membership, this can ensure that a plan remains on course to meet targets. Evaluation and support fee - to be sought if plan secured through S106 process.

A fee of £6000 will be secured by S106 agreement for the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan review.

Planning Obligations/ Community Infrastructure Levy (CIL)

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards transport schemes in the borough would be sought via CIL. A S106 Agreement will be required to secure Travel Plan Monitoring fees.

As per the TA submitted as part of this application, and the Appeal APP/A1910/W/15/3132774, a S106 contribution would be sought for contributions to the replacement of the existing pedestrian bridge over A414 St Albans Road with a signalised controlled pedestrian crossing, Travel Plan monitoring fees and other sustainable programs. The proposed contribution would be indexed from 2015.

Conclusion

Hertfordshire County Council (HCC) have reviewed the information provided and wishes to object to the proposed development as there is not enough information to support that the proposed development would not have a severe impact on the local highway network. The applicant is required to carry out junction modelling to demonstrate that the non-food and food retail units would not have a severe impact on the operation of the local highway network.

Dacorum Conservation and Design

The proposal is for in effect an extension to the retail park. This site is however more prominent on the corner of the roundabout on St Albans way. Although the site has now been boarded off it is a relatively flat area of land that is currently not developed. Beyond this screening the rest of the retail park is a belt of tree planting. The elements of the park that can be seen from the road date from the end of the 20th century and are of lesser architectural merit. The nearby housing relates to the 1970s development of the new town are of two storey in a buff brick with tiled roofs.

The proposals have moved forward substantially since the pre application discussions and through the course of the planning application. We believe that changes to the roof structure to create a shadow line and the construction of corner feature buildings will help to visually break up the mass of the main elevation. The introduction of the buff brick would help to add to the visual interest and provide a contrast with the grey cladding of the central shop units. To the entrance area (flank towards the retail park) the elevation has now been broken up through subdivision and the inclusion of vertical panelled sections in an attempt to visually reduce the dominance of this flank elevation. To the pond/ planted side elevation the wrapping of the corner with brick work and the introduction of the smaller single storey corner element would help add to the visual variety although we note that this element is screened by planting.

The alterations to the proposed signage would be welcomed and it would now appear to be more in keeping with the character of the building. It would now appear to be more connected to the building and sit comfortably with the overall design. Therefore we are now satisfied that this element of the scheme has been suitably addressed.

The introduction of the car parking to the frontage would allow the buildings to appear well set back and therefore not appear overly dominant within the streetscape of St Albans way. This will be added to through the creation for the hedge and planting of trees to the boundary. As such the boundary of the site and St Albans way would be greened and partially enhanced.

Overall we believe that the proposals would sit comfortably with the surrounding retail park and as such we would not object to the proposals.

Recommendation All external materials and cladding subject to approval. Hard landscaping and planting subject to approval.

Dacorum Trees and Woodlands

Supplementary Landscape Information Feb 2018, section 3 – Indicative Plant Schedule

All proposed tree, shrub, hedging and ground cover species and planting sizes are appropriate for their setting and the development overall. Where applicable, plant species percentages / densities are also acceptable. Proposed planting will add seasonal visual interest to parking areas and site boundaries without creating long-term maintain issues, for example, that may affect parked cars.

Proposed planting specifications and maintenance schedules are in accordance with industry standards / guidelines.

Landscape Master Plan 761-MP-01 Rev A

Planting is located towards the site boundaries where it will have visual impact, especially at the site entrance. Planting is also present within the car parking area but understandably restricted in extent to minimise maintenance. Species and planting locations are suited to the new use of

the site.

Dacorum Contaminated Land

Whilst we have no objection to the proposed development however, the following planning conditions and informative are hereby recommend should planning permission be granted having given adequate consideration to the submitted Air Quality Assessment report, Remediation strategy and preliminary piling risk assessment report, Design and Access Statement, Planning Statement and all other submitted reports and drawings.

1. Contaminated Land Condition

Whilst we take note of the submitted Remediation Strategy & Preliminary Piling Risk Assessment Report with reference WIE12557-100-R-5-1-3-REMSTRAT prepared by Waterman dated December 2017 and all the other contaminated land reports mentioned in the remediation strategy:

All remediation or protection measures identified in the Remediation Statement referred to in the above report as stated in section 5 (Preliminary Foundations Risk Assessments) and section 6 (Remedial Options) shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

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 evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

2. Air Quality Condition

Whilst we take note of the submitted Air Quality Assessment Report with reference 40234/3005 prepared by Peterbrett dated February 2018, its conclusion in section 7 and the use of Solar PV Panels as the source of energy for the development, the applicant is required to implement the mitigation measures identified in section 6 (Mitigation) of the submitted report.

The applicant also need to submit a report on the number of electric vehicle charging point that will be installed with its relevant maintenance arrangement on the development considering, the site closeness to the council designated AQMA and in other not to not contravene the Council's Air Quality Action Plan.

Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013).

3. Construction Management Plan Condition

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.

Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The Construction Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing
- b) Traffic management requirements
- c) Construction and storage compounds (including areas designated for car parking)
- d) Siting and details of wheel washing facilities
- e) Cleaning of site entrances, site tracks and the adjacent public highway
- f) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.

4. Air Extraction and Filtration Condition

Prior to the occupation of the proposed café/restaurant (Class A3) use aspect of the development hereby permitted, a scheme for the ventilation of the premises, including the extraction and filtration of cooking fumes/odour control, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the commencement of the use hereby permitted.

Reason: To safeguard the amenities of those premises nearby the application site and the appearance of the building as a whole.

5. Un-expected Contaminated Land Informative

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 with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

6. Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Environment Agency

Thank you for consulting us on the above planning application. Having reviewed the submitted documents we believe planning permission could be granted to the proposed development subject to the conditions set out below. Without these conditions the site would pose an unacceptable risk to the environment and we would object to the application.

Condition 1 – Remediation Strategy

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- a) All previous uses;
- b) Potential contaminants associated with those uses;
- c) A conceptual model of the site indicating sources, pathways and receptors; and
- d) Potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

In addition, the Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of contamination present could result in deterioration of groundwater quality within the Upper Lee Chalk WFD groundwater body.

Reason

The site is located in our highest groundwater protection area (SPZ1) and previous uses of the site have led including this condition to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.

Condition 2 – Verification Report

Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

To prevent deterioration of, and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

Condition 3 – Long term monitoring

The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary

contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 109 of the National Planning Policy Framework.

Condition 4 – Previously unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

Condition 5 – Infiltration of surface water

No infiltration of surface water drainage into the ground at Jarmans Fields, St Albans Road, Hemel Hempstead is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

Condition 6 – Piling, deep foundations, investigation boreholes and other intrusive groundwork etc.

Piling, deep foundations, investigation boreholes and other intrusive groundwork (tunnel shafts, ground source heating and cooling systems, etc.) using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed foundations or groundworks does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework.

Condition 7 – Decommissioning of investigative boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall

be implemented prior to the occupation the permitted development.

Reason

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework.

Condition advice

Condition 1

While the submitted “Jarmans Fields, Hemel Hempstead, Geo-Environmental Assessment (Waterman Infrastructure and Environmental limited, March 2017, Doc ref WIE12557-100-R-2-2-2-GeoEnv)” is partially sufficient to address parts 1 and 2 of this condition, the conceptual site model is incomplete:

- Boreholes have not been installed to sufficient depth to allow for sampling of groundwater quality within the sensitive chalk principal aquifer.
- Groundwater flow within the Chalk has not been determined.
- The only relevant laboratory certificates that have been submitted relate to one sampling location (WS10A).
- Based on the limited information available, it is not clear if a suitable range of determinates has been selected for analyses (this information is not within the body of the report).
- A body of perched groundwater was encountered within the made ground, yet no samples appear to have been analysed.
- The Landmark Report, as submitted, is incomplete.
- The report draws on information and conclusions from previous reports (Phase 1 Environmental Assessment of Potential for Ground Contamination (Ref: EN4068/R/1.1.3/NC) dated January 2004, and Phase 2 Site Investigation and Environmental Risk Assessment (Ref: EN4319/R/1.2.1/ME) dated July 2006.), however copies of these have not been supplied.
- Until these points are addressed it is not possible to agree that the risks posed to controlled waters have been suitably constrained and that suitable measures have been identified to mitigate these risks.

Condition 4

No investigation can completely characterise a site. The condition may be appropriate where some parts of the site are less well characterised than others, or in areas where contamination was not expected and therefore not included in the original remediation proposals.

Condition 5

Infiltration of surface water has the potential to mobilise contamination present within the soil. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required.

Condition 6

Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance. During piling works (especially if the piles extend to the Chalk within SPZ1 saturated zone) due to the proximity of nearby potable

abstractions the weekly groundwater monitoring for insitu parameters and turbidity should be considered.

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>

The submitted pilling risk assessment is a “preliminary” report, requiring confirmation from the appointed contractor. The final version will need to be submitted for review.

Groundwater advice

We recommend that developers should follow best practice advice;

- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Refer to the contaminated land pages on GOV.UK for more information.

We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination e.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

Use MCERTS accredited methods for testing contaminated soils at the site.

A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a “Competent person” E.g. a suitably qualified hydrogeologist.

In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.

Further guidance on the setting of compliance points for DQRAs can be found here (<https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-risk-assessments>).

Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m.

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a

conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

- Upflow percolation column test, run to LS 2 – to derive kappa values;
- pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
- LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test.
- Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11.
- The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.)

Where SUDs are proposed; infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit. Further advice is available in the updated CIRIA SUDs manual http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

Hertfordshire Minerals and Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the county council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage districts and boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its *National Planning Policy for Waste (October 2014)* which sets out the following:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste
- management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

This includes encouraging re-use of unavoidable waste where possible and the use of recycled

materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.

The county council would expect detailed information to be provided for both the site preparation and construction phases as the waste arisings from construction will be of a different composition to arisings from the enabling work. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.

Hertfordshire Lead Local Flood Authority

Following a review of the Flood Risk Assessment and Drainage Strategy carried out by PCS Consulting Engineers Ltd reference Issue 1 dated 18 February 2018, we can confirm that we the Lead Local Flood Authority (LLFA) have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

The drainage strategy is based upon attenuation and discharge into Thames surface water sewer restricted to greenfield runoff rates. We note that infiltration is not being proposed due to the presence of clay and the site being partially covered by historic tip. There are no watercourses within the vicinity of the site. The car parking and hardstanding areas drain to lined drainage blanket and roof area to underground attenuation tank. Micro-Drainage modelling has been provided to ensure that the site can cater for the 1 in 100 plus 40% for climate change. We therefore recommend the following conditions to the LPA should planning permission be granted.

LLFA position

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved the Flood Risk and Drainage Strategy carried out by PCS Consulting Engineers Ltd reference Issue 1 dated 18 February 2018 and the following mitigation measures:

1. Undertaking appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer restricted to a maximum of 11l/s for the 1 in 100 year rainfall event.
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 + 40% climate change event.

3. Implementing drainage strategy including attenuation tank and drainage blankets as indicated on the Drainage and Levels drawing reference no. 900.

Condition 2

No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted the Flood Risk and Drainage Strategy carried out by PCS Consulting Engineers Ltd reference Issue 1 dated 18 February 2018

The scheme shall also include;

1. 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.
2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Hertfordshire Environmental Records Centre following submission by applicant

I can confirm that the paragraph highlighted below provides sufficient information to ensure the LPA can determine the application, consistent with the Habitats Regulation as necessary.

We have advised use of the following as wording to describe a Condition to secure the activity surveys:

Condition and reason for activity surveys where appropriate:

"Prior to commencement of the development, bat roost characterisation surveys should be undertaken between April and October inclusive, consistent with Bat Conservation Trust Guidelines (2016) and used to confirm / amend the mitigation measures outlined in xxxxx. The survey results and recommendations should be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with these approved details.

Reason: To ensure the continued ecological functionality of bats is maintained in accordance with European and national legislation."

Thames Water

Waste Comments

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"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."

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water would advise that with regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Hertfordshire Environmental Records Centre

1. There is no ecological information within the database for this site although it has been subject of an ecological appraisal. It has been a sewage farm in the 1900s and more recently a landfill site 1950-70s and benefits from a retail allocation in the local plan an extant planning permission for a retail park. It is likely to support some local interest.

2. The ecological walkover report is, by default, very superficial for a site already with planning permission although I have no objections to its results and recommendations. However legal issues will still need to be complied with. In summary:

2.1 It identified some areas of grassland interest with a number of more interesting species. The range of open mosaic habitats on previously developed land was considered a priority habitat.

2.2 Potential reptile interest was identified and evidence of earlier surveys, although the current situation still needs to be determined as reptiles could potentially have colonised the site if they were not previously present.

2.3 Potential bat interest was considered present.

2.4 An invertebrate survey is proposed.

2.5 Mammal holes were present although not confirmed as badger. This will need to be updated as necessary, usually standard practice prior to any development.

2.6 An Ecological Assessment Report (EAR) will need to be provided. It will include a full assessment of the scheme in relation to identified important ecological features, and will outline the avoidance, mitigation or compensation measures to enable legal and policy compliance, and ensure no net loss in biodiversity.

3. The planning statement states:

6.18 Further studies in relation to ecology will need to be undertaken as the application progresses and these can be addressed via conditions attached to any planning permission granted

This is acknowledged and I consider are acceptable other than for bats as no mitigation has been outlined. In this respect the ecological report is lacking sufficient detail to properly inform the development.

Given bats are EPS this information is required prior to determination; either these surveys are undertaken now to determine presence / absence, or an outline mitigation statement is provided to enable the LPA to satisfy the Habitats Regulations if the application is to be determined with sufficient information. Our standard advice in this situation (usually when outside the survey season) is that the LPA should obtain an outline mitigation strategy to demonstrate how bats – if present – are likely to be dealt with, and then the further surveys are secured through a Condition of approval with any further recommendation made as necessary. The strategy may only need to be a paragraph but if potential has been identified the LPA still does not know if bats are present and what will be done to conserve them.

However, given planning permission already exists which should have taken this issue into account if previously considered necessary, DBC may consider the current report is acceptable. If so, further surveys could be secured by Condition, but any planning decision could be contested as the Habitat Regulations have not been complied with.

4. The other issue I am concerned with is the claim for no net loss as expressed under further work: *The results of the below described surveys will also inform an assessment of the scheme designs to enable prescription of the enhancement measures that will ultimately deliver no net loss in biodiversity, in accordance with the National Planning Policy Framework (NPPF).*

This is wholly unachievable on site and as such I consider the statement lacks any credibility. The site clearly supports some local interest – it is even considered to be a Priority Habitat. Furthermore it is within an urban environment and so by default currently contributes to the open greenspace of that environment which will be entirely lost as a result of the development.

5. Whilst the planning situation is acknowledged – and I would not consider any existing ecological interest to outweigh the proposed uses for the site which are already accepted and even permitted - the result of the development can only lead to a net loss of biodiversity given the nature and extent of development and limited landscaping which cannot possibly replicate or compensate for the loss of open habitat currently present.

6. Landscaping will benefit the development; this is, however, an expected component of the development. It does little to compensate or enhance ecology other than at a very local level within the site itself, compared to the existing situation. Consequently, I would expect to see Biodiversity Offsetting proposed as part of the EAR to ensure that the aspiration of NPPF are met in respect of seeking not net loss and enhancement of biodiversity as a result of development. DBC may consider the EAR should be secured as a Condition of approval.

Hertfordshire Fire and Rescue

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on

new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed

for this proposal.

Hertfordshire Crime Prevention

I have read the documents , visited the site and undertaken a crime analysis of the area .

I am content that security and crime prevention have been addressed and pleased that compliance with the physical security of Secured by Design is detailed in the Design and Access statement (4.13). I can support this application.

With reference to my email yesterday , please would you consider the Car Parking – I had a meeting with the Neighbourhood Team Sgt Karen Mellor and some of her team, they advised that anti-social behaviour was a major concern at Jarmans Park.

Car Park

CCTV – at the moment there is no CCTV we would ask that this is installed at this site. There seems to be a problem with youths driving around , I know this is difficult as Tesco is open 24 hours ,however this does need to be addressed , breaking up the car park using bollards or different road surfaces .

Further Consideration - Management Security

There are concerns about the Private Security , please would you check with the client that sufficient security measures are in place , whilst the Police will attend situations , it is a huge drain on resources if they are continually being called.

Dacorum Refuse

It is difficult to know what the waste requirements will be but storage space for 4 x 1100ltr containers should be made for each unit as a starting point. No steps between the storage area and the collection vehicle.

Hertfordshire Property Services

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum CIL Zone 3 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Appendix B - Neighbour notification and site / press notice responses

Riverside Shopping Centre, Hemel Hempstead town centre

I refer to the above application and my email dated the 18th May 2018 which included a holding objection. As you know I have been instructed by Aberdeen Standard Investments who act on behalf of the leasehold owners of the Riverside Shopping Centre (RSC) within Hemel Hempstead Town Centre (HHTC), with the Local Authority as freehold owners.

1. Background to Objections

My clients objected to the original application for retail development on this site (reference 04/00424/14/MOA). That development was approved in March 2016 around the same time that another out-of-centre retail park scheme was approved on the Former Lucas Site in Maylands Avenue (reference 4/01132/15/MOA). My clients raised serious concerns over the approval of

two schemes and the limited controls that were proposed on the goods that could be sold from both. Whilst my clients took limited comfort from the restrictions that prevented the sale of clothing, footwear & fashion goods, they remained firmly of the view that both developments would still be able to sell goods that were already sold in HHTC and would therefore compete directly.

My clients note that since then a revised permission has been given on the Former Lucas Site (Aviva Site) (reference 4/03157/16/MFU). As with the original consent it includes provision for one unit to sell a limited range of clothing, footwear & fashion goods in conjunction with the sale of other goods, which we had always understood was to allow for a Next @ Home store to anchor this development.

The current application on Jarman Park seeks an enlargement of the permitted foodstore, to which my clients have no objection. It also seeks consent for one unit to be used to sell clothing & footwear up to 1,580 square metres gross (Unit F on the submitted plan). It is clearly intended to be a traditional high street Next and not the Home store format. It is this aspect of the application that my clients strongly object too.

2. Importance of Next to Hemel Hempstead Town Centre

The existing Next store within the RSC occupies a very prominent and visual location with the centre. Next trade from a unit of 1,395 square metres gross, over two floors. Information provided by the Centre Manager for RSC confirms that the Next store trades very well. It stands out as one of the most popular stores in the town centre and is therefore of significant importance not only to the RSC but also HHTC as a whole.

The retail advice provided to the Council in the Peter Brett Associates Review (PBA Review), dated the 16th April 2018, concludes that the impact of the current application will not be significant provided appropriate controls remain in place to protect existing town centre clothing, shoe & fashion retailers. The PBA Review also alludes to the Applicants (Maddox) assessment of the health of HHTC. Maddox allege that the latter has improved, but this appears to be based primarily on some new public realm investment, a new leisure commitment and new owners for the Marlowes Centre. None of these criteria should or can be accorded much weight. They are not traditional indicators of the relative health of an individual centre.

The Centre Manager for the RSC has rightly pointed out that since the 2016 approval, retailing on the high street has struggled and continues to do so, a problem that has recently been well documented nationally. Hemel Hempstead itself has seen a number closures, for example, Mothercare, Toys r us, Maplin, I Candy and Anne Summers and these units remain vacant adding to the high vacancy rate within HHTC. This is not anecdotal evidence, but factual and must be viewed in the context of a picture nationally which points to other traditional national high street retailers trading poorly with ongoing announcements of store closures.

The PBR Review recommends that if the Council is minded to support the application a 'no poaching' clause must be included as an Obligation within an accompanying 106 Agreement. This is a clear reflection of the importance of existing clothing, footwear & fashion retailers to HHTC, specifically Next who are the named operator in this case. It must follow that if an Obligation cannot achieve this, then this aspect of the application will not be acceptable as it would result in a significant adverse impact on HHTC.

Paragraph 6.6 of the Maddock Planning Statement (March 2018) suggests that whilst Next will occupy proposed Unit F their existing town centre store will continue to trade. Even so and even though Maddock confirm the importance of Next to HHTC, paragraph 2.9 of their Retail Addendum (dated April 2018) requests that Next be excluded from any Obligation or 'no poaching' clause. The statement Maddox make in relation to Next's commitment to remain within HHTC cannot therefore be accorded any weight whatsoever. In addition, if Maddox wish to

pursue the approach that excludes Next then they must revisit their impact assessment on the basis of the scenario where the significant role that Next performs within HHTC will be lost - Maddox do not act for Next and more importantly they do not include any Obligation or other evidence to support their contention that Next will remain within HHTC.

Whilst Maddox refer to the Aviva Agreement on the Maylands site, the clothing & fashion use in that case is tied to the sale of other goods and in particular a Next @ Home format. These comments aside, had my clients been aware that the Aviva Agreement precluded Next from that 'no poaching' Obligation, it is likely that they would have challenged that decision as it too seems to open the door for Next to leave HHTC.

3. Proposed Obligations to Control Future Users

My clients have over the years invested heavily within the RSC, but as in 2015/2016 there still remain today vacant units within this centre as well as the Marlowes Shopping Centre. Added to this is the uncertainty that remains as to how those vacancies and the overall health of HHTC will stand up to the cumulative impact of both the permitted Jarman Park and Maylands Avenue developments. The Council approved both in the knowledge they would draw a significant amount of comparison trade from the town centre without any mitigation for that loss.

My clients are firmly of the view that the approved restrictions on Jarman Park should not be removed as they represent the only remaining protection for the clothing, footwear & fashion sector which is acknowledged as effectively anchoring the retail role and offer of HHTC.

There is a strong likelihood that once the principle of clothing, footwear & fashion is established the Applicants will push for greater representation on the Park. Even the introduction of one clothing & footwear retailer immediately changes the offer of Jarman Park bringing it into direct competition with HHTC.

If the Council were minded to approve the application, then the accompanying 'no poaching' Obligation cannot exclude Next. To do so would in all likelihood lead to the closure of its store within HHTC. That view is supported by the fact that my clients understand that Next have already signed up as a tenant on the Maylands Avenue development (we assume as a Home store format). The existing RSC Next store is broadly the same size as proposed Unit F and if approved then this new unit is likely to be available at the same time as the current lease of the RSC Next store expires - on the 28th September 2020.

In March 2016 the previous owners of Jarman Park agreed to the widening of the retail consent on their site but with restrictions preventing the sale of clothing & footwear in order to protect HHTC. The current Applicants have not alluded to any change in planning circumstances since then to justify lifting this restriction, even in part. On the contrary, the only change that has occurred supports the retention of this restriction in that Proposal S1 of the Ste Allocations Development Plan Document, in allocating the site for retail use, confirms that "*the sale of clothing & footwear in not acceptable*" unless for ancillary use. The adoption of this Plan (2017) post-dates the March 2016 consent and must be accorded significant weight. The current application is clearly contrary to that policy, but nowhere in Maddox's submissions is there any reference to other material considerations that would justify that policy being set aside (see paragraphs 5.9 & 6.6 of their Planning Statement which simply acknowledge the existence of this policy without commenting further.).

For the above reasons, my clients would request that the application, in so far as it proposes a relaxation of the extant consent to allow the sale of clothing, footwear & fashion goods, be refused. If the Council are minded to approve the application then my clients would insist on an Obligation within the accompanying 106 Agreement that properly ensures that no existing town centre retailers are 'poached' and that this does not exclude Next.

I would of course be happy to discuss the above further with you or your advisor's PBA.

Riverside Shopping Centre comments (in relation to 24 May 2018 DMC report)

Further to my email below, I have now had a read through of the relevant sections of your Committee Report.

It goes without saying that my clients find the recommendations in the Report, insofar as the relaxation to allow clothing, footwear & fashion goods are concerned, extremely disappointing. There is no doubt that this aspect of the recommendation raises significant concerns over the future application of development plan retail policies that seek to protect Hemel Hempstead Town Centre (HHTC). In particular, I would ask you to note the following:

- At paragraph 10.2 you refer to Proposal S1 of the Site Allocations DPD, but nowhere do you assess this further or advise Members that allowing clothing, shoe & fashion goods to be sold on this Park would be contrary to this policy and as required by law how this conflict is in Officers outweighed by other material considerations
- Its unclear why at paragraph 10.24 you have not made Members aware that it is Next that this application is targeting – they are a named operator in the Application. In addition, that the Maylands Avenue consent allows, we were led to believe, for a Next @ Home and not a Next high street format store
- As we have not seen PBA's latest advice I cannot comment, but since 2015 their stance on this Park and Maylands Avenue appears to have changed materially from one of seeking to resist out-of-centre retail developments that would compete directly with HHTC to now effectively raising no objection to the loss of Next from the town centre. It appears that PBA agree with the Applicants request to exclude Next from the 'no poaching' Obligation in the 106 and if so either they or Officers should explain to Members the retail implications of that loss (both in terms of turnover, town centre offer and linked trips) to HHTC – as far as I can see neither the Applicants nor PBA have factored this into their assessments
- The Council clearly made an error in its approval in 2017 of the Maylands Avenue scheme by excluding Next from Obligations to commit themselves to retaining their HHTC store if they opened a new unit on that development – as far as I am aware my clients were not consulted on that change and supporting the current proposal will simply compound that error
- I am unclear as to the reason for including the comments in paragraph 10.25 of your Report as they are not relevant to the determination of this application and seem to show a lack of understanding of the retail planning and policy reasons behind the goods restrictions that were placed on Jarman Park or for that matter any out-of-centre retail developments
- The findings set out in paragraph 10.26 do not reflect my clients direct experience of trading conditions in the town centre and it is a significant concern that neither Officers nor PBA have taken a more critical review of the health of the town centre

As before, I would be grateful if you could report these comments in an Addendum to the Report or at the Meeting itself.

Riverside Shopping Centre holding objection

In relation to the above application and as you may have seen from the planning history to this site, we previously acted for Aberdeen Asset Management Plc, which has now merged with Standard Life Plc to form Standard Life Aberdeen Plc. My clients have just instructed me to advise them in relation to the current application on Jarman Park, which I understand you are dealing with. As before, my clients act on behalf of the leasehold owners of the Riverside Shopping Centre within Hemel Hempstead Town Centre with the Local Authority as freehold owners.

I apologise for the lateness of our submissions on this application, but we are currently reviewing

the application and formulating an objection. The latter is likely to relate to concerns over the relaxation of the current planning restrictions on the sale of clothing & footwear from the permitted development at Jarman Park (reference 4/00424/14/MOA), which if allowed will lead to the 'poaching' of town centre retailers to the development resulting, together with the predicted trade draw (impact) of the whole development on Hemel Hempstead Town Centre, in a "*significant adverse impact*".

I hope to be able to finalise our objection with my clients early next week and in the meantime I would be grateful if you could accept this email as our holding objection to the above application.

81 White Hart Drive

Something that we are concerned about massively is the possibility of the car park opposite our house becoming another parking spot for boy racers to do doughnuts in their cars late at night past opening hours.

Not sure if you are aware or not but this is a big issue in the Tesco car park and naturally, with the 24 hour McDonalds being there it naturally attracts youngsters.

We have a 2 year old child and he's been woken up in the past due to the noise and we have been forced to contact the police at one stage.

So my question is what measures will be in place to ensure that the car park cannot be accessed past a certain time and used as a mini race track or congregation area late at night?

6 Bennetts End Road

Regarding Safety Concerns

When planning the proposed Jarman site will provision please be made for pedestrians. Consideration should be given to the elderly and wheelchair users, with adequate controlled pedestrian crossings not only to the new development but also to the Tesco site, preferably with a speed limit and speed calming humps.

Site access should not restrict use of the pedestrian footpath which currently runs from the dual carriageway and roundabout (at which there is no crossing) round to the restaurant complex and Tesco.

**5b 4/00580/18/FHA RAISING OF HIPPED ROOF TO GABLE,
CONSTRUCTION OF FRONT AND REAR DORMERS AND LOFT CONVERSION
(AMENDED SCHEME)
55 EGERTON ROAD, BERKHAMSTED, HP4 1DU**

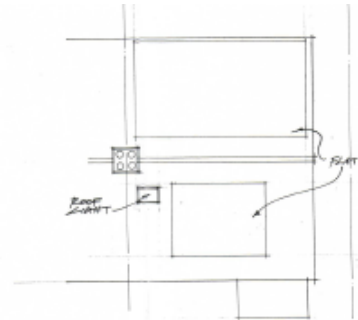




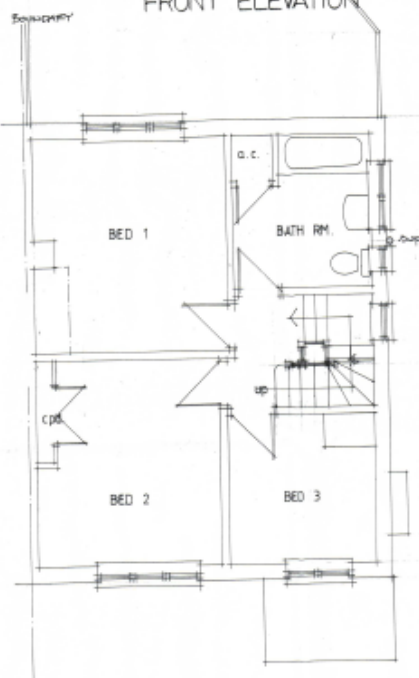
FRONT ELEVATION



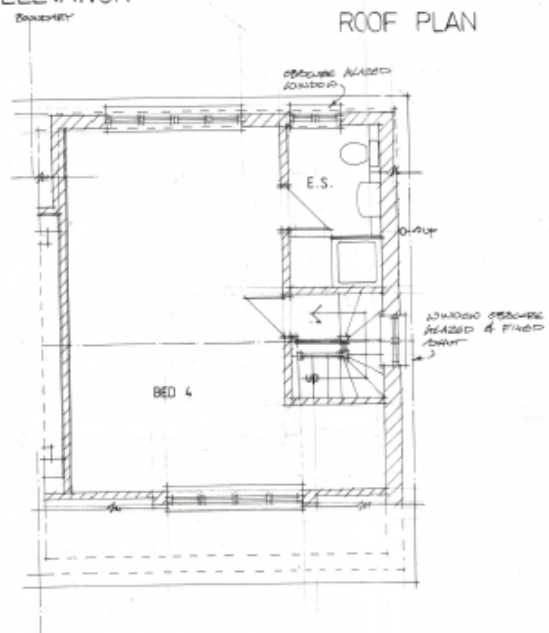
REAR ELEVATION



ROOF PLAN



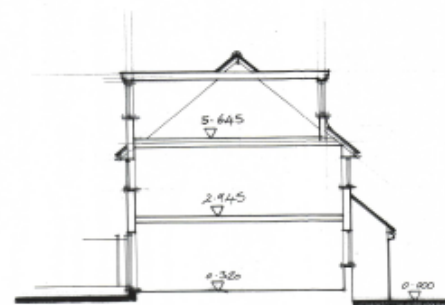
FIRST FLOOR PLAN



ROOF SPACE PLAN



FLANK ELEVATION



SECTION A-A / RETURN FLANK

4/00580/18/FHA	RAISING OF HIPPED ROOF TO GABLE, CONSTRUCTION OF FRONT AND REAR DORMERS AND LOFT CONVERSION (AMENDED SCHEME)
Site Address	55 EGERTON ROAD, BERKHAMSTED, HP4 1DU
Applicant	MR & MRS DUFFY, 55 EGERTON ROAD
Case Officer	Amy Harman
Referral to Committee	OBJECTION FROM BERKHAMSTED TOWN COUNCIL

1. Recommendation

1.1 That planning permission be **GRANTED** subject to the conditions set out below.

2. Summary

2.1 The extensions are not considered to have a harmful impact on the street scene. In addition there are many examples of similar extensions in Egerton Road. As a result the proposal would not result in adverse impact on the street scape, preserving both the character and appearance of the existing dwellinghouse and wider street scene. Accordingly the proposed coheres with the NPPF (2012), Saved Appendix 7 of the Dacorum Local Plan (2004) and Policies CS4, CS11 and CS12 of the Core Strategy (2013).

3. Site Description

3.1 The application site is a semi-detached dwellinghouse located to the north side, towards the close of Egerton Road, Berkhamsted. The immediate character area comprises similarly designed semi-detached dwellinghouse of relatively similar build, age, height and size; however may have been extended but the overall character of the area is evident.

4. Proposal

4.1 Raising of hipped roof to gable, construction of front and rear dormers and loft conversion.

5. Relevant Planning History

4/02533/17/FHA RAISING OF HIPPED ROOF TO GABLE, CONSTRUCTION OF FRONT AND REAR DORMERS AND CONVERSION OF LOFT SPACE TO BECOME BEDROOM AND EN-SUITE

Withdrawn
16/11/2017

4/01654/17/FHA SINGLE STOREY REAR EXTENSION, GARAGE CONVERSION, FRONT DOOR RELOCATION AND ASSOCIATED ALTERATIONS

Granted
09/08/2017

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

6.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Appendix 5 & 7

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area

7. Constraints

- AREA OF ARCHAEOLOGICAL IMPORTANCE
- CIL1

8. Representations

Consultation responses

8.1 Berkhamsted Town Council - Objection

The inclusion of the front dormer within this application constitutes an overdevelopment of the property which is also out of keeping with the street scene.

CS11; CS12; Appendix 3 (I).

8.2 Historic Environment Advisor

In this instance I consider that the development , given its nature, will not have an impact on heritage assets of archaeological interest. I therefore have no comment to make upon the proposal.

Neighbour notification/site notice responses

8.3 53 Egerton Road- Objection

I am opposed to this proposal for the same reasons as I laid out in my letter of 2nd November 2017 regarding the original proposal Reference 4/02533/17/FHA. In short I am against the alteration of the sky line. Berkhamsted Town Council also stated in their objection (1st November) "The inclusion of the front dormer within this application constitutes an overdevelopment of the property which is also out of keeping with the street scene," which I believe also applies to this latest application.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Street Scene

- Impact on Residential amenity
- Impact on Highway Safety

Policy and Principle

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues of consideration relate to the impact of the proposals character and appearance upon the existing dwellinghouse, immediate street scene and residential amenity of neighbouring properties.

Impact on Street Scene

9.3 Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.4 The hip to gable extension would ordinarily be permitted under Class B of GDPO - as the cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 40 cubic metres (in this instance it would increase it by 29.16 cubic metres). Recent appeals which have been upheld by the Planning Inspectorate confirm that the permitted development fall-back positions are to be given considerable weight in the consideration of planning applications. Furthermore many of the properties in the locality have undertaken hip to gable extensions.

9.5 The front dormer is of limited size and set down from the ridge of the roof and set in from the flank elevation. It is of sympathetic design and mirrors the fenestration featured in the existing dwelling.

9.6 Front dormers are not an uncommon feature in the street scene and many examples can be found in Egerton Road, therefore it is felt that this feature would not be detrimental to the appearance of the local street scene.

9.7 As a result the proposal would not result in adverse impact on the street scape, preserving both the character and appearance of the existing dwellinghouse and wider street scene. Accordingly the proposed coheres with the NPPF (2012), Saved Appendix 7 of the Dacorum Local Plan (2004) and Policies CS4, CS11 and CS12 of the Core Strategy (2013).

Impact on the living conditions of future occupants and surrounding residential units

9.4 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way visual intrusion, loss of light and privacy.

9.5 There is an additional window on the flank elevation facing 57 Egerton Road, however this is shown on the plans as being obscure glazed. There are also additional windows in the rear elevation in the rear dormer. However it is considered that there is little additional opportunity

for overlooking given the existence of rear facing windows.

9.6 Due to the marginal scale of the rear extensions, it is not considered that a significant loss of daylight or outlook to neighbouring habitable windows would result.

9.7 Thus, the proposed in regards to residential amenity is acceptable in terms of the NPPF (2012), Saved Appendices 3 and 7 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Trees and Landscaping

9.5 No impact on trees

Impact on Highway Safety

9.6 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policies CS8 of the Core Strategy (2013) and saved policies 57, 58 and appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.7 The proposal would result in an increase in dwelling size from 3 to 4 bedrooms. Currently the property only provides one off street parking space. However on my site visit it was noted that there is plenty of available on-street parking, further the site is located close to Berkhamsted Town Centre and a short walk to Berkhamsted train station. As such the proposed development would not result in significant impact to the safety and operation of adjacent highway. Thus, the proposal meets the requirements of Policies CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

Response to Neighbour comments

9.8 These points have been addressed above.

CIL

9.9 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable due to resulting in less than 100m² of additional floor space.

10. Conclusions

10.1 In conclusion it is considered that the planning application should be granted subject to the proposed conditions. The extensions would not be harmful to the character and appearance of the street scene and indeed mirror others already constructed within Egerton Road.

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

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

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

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

1735 / 02

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

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.**

Reason: To ensure a satisfactory appearance to the development in accordance with Adopted Core Strategy CS12

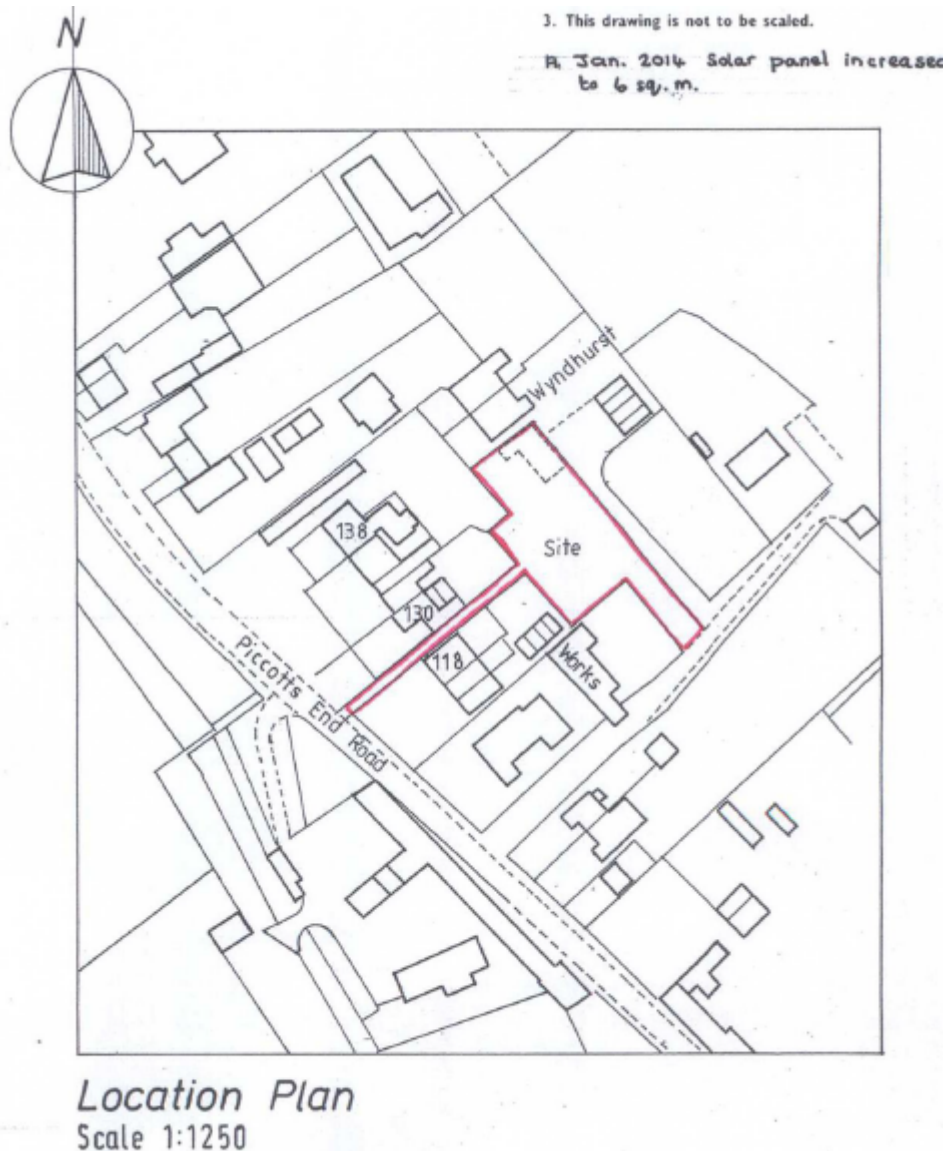
Article 35 Statement

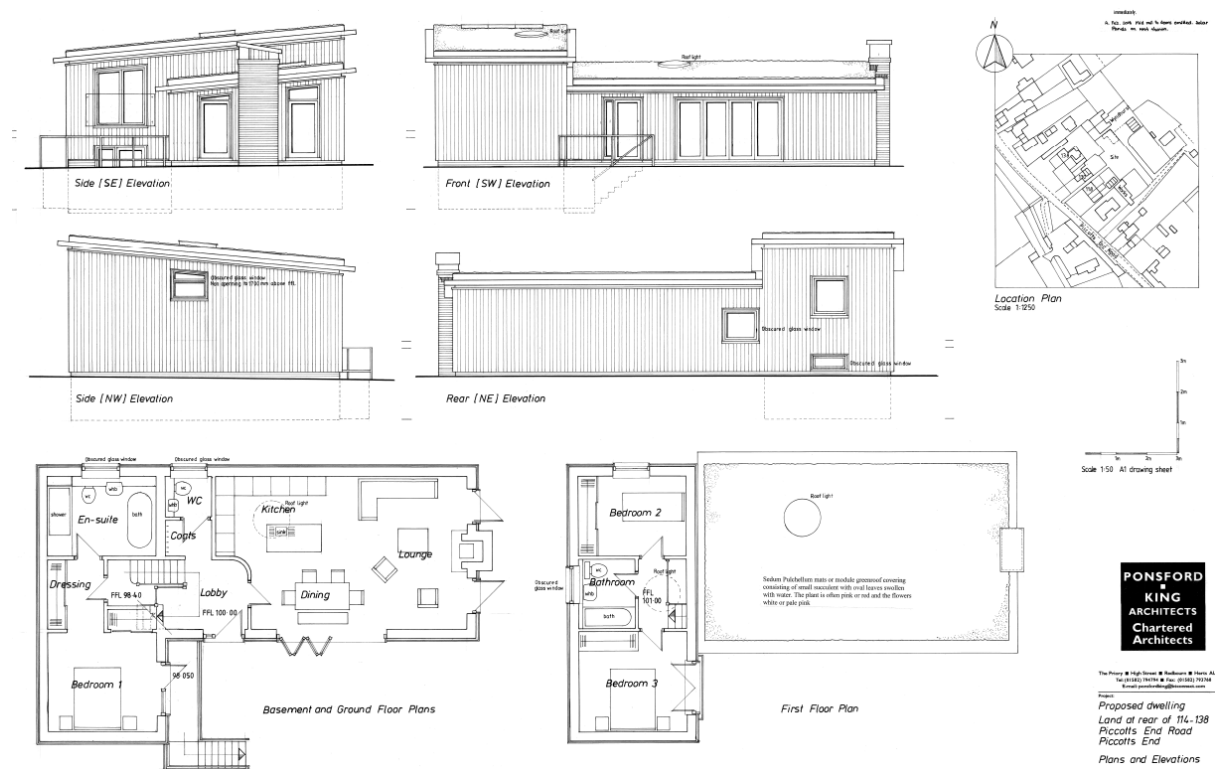
Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Agenda Item 5c

5c 4/00534/18/FUL DEMOLITION OF EXISTING GARAGE & WORKSHOP BUILDING AND CONSTRUCTION OF 1 NO. 3 BEDROOM DWELLING, DETACHED CAR PORT AND ASSOCIATED HARD AND SOFT LANDSCAPING

R/O 114-138, PICCOTTS END, HEMEL HEMPSTEAD, HP1





4/00534/18/FUL	DEMOLITION OF EXISTING GARAGE & WORKSHOP BUILDING AND CONSTRUCTION OF 1 NO. 3 BEDROOM DWELLING, DETACHED CAR PORT AND ASSOCIATED HARD AND SOFT LANDSCAPING
Site Address	R/O 114-138 Piccotts End, Hemel Hempstead, HP1
Applicant	Belgrave Property Developments Ltd
Case Officer	Amy Harman
Referral to Committee	Previous similar scheme refused by Development Management Committee

1. Recommendation

- 1 That planning permission be **GRANTED**

2. Summary

2.1 The proposals now include the demolition of the existing garage and workshop and the construction of only one dwelling. A contemporary design has been followed in order to allow for the development not to compete with the historic properties which are adjacent to it and also to reduce the massing of the proposal.

2.2 In the 2014 appeal the Inspector only supported the finding of harm to the Green Belt. He concluded that there was no harm caused to the heritage assets. The Inspector also did not support the allegation that the proposal failed to provide a safe and satisfactory access to the site.

2.3 The Inspector did conclude that the assessment of the harm to the Green Belt was unreasonably founded in that the refusal had not taken into account the fact that the site is 'previously development land'. The scheme has been significantly amended to take this into account and now it is officers' opinion that this approach addresses the concerns raised by the Inspector in his previous decision and therefore the proposal is considered acceptable in principle in accordance with Adopted Core Strategy Policy CS5 and advice within Section 9 of the NPPF.

3. Site Description

3.1 The application site is located to the north-east of Piccotts End Road, to the rear of the cottages fronting the road comprising No's 114-138 and occupies an elevated position with levels falling to the south-west. The site comprises of an open grassed area in a poor state with a poor quality storage building in the northern corner. The site is located within the Piccott's End Conservation Area and is adjacent to a number of listed cottages fronting Piccotts End Road. The site is also located within an Area of Archaeological Significance and is contained within the footprint of the former 'Old Infirmary Yard' and adjacent to the former Cottage Hospital site.

3.2 Surrounding properties comprise of a builder's store, offices and yard to the south with historic cottages to the north-west, west and south-west fronting the road, including the listed No's 130-136 and 112. There is a pair of more modern semi-detached dwellings to the north of the site.

3.3 The site is bounded by an historic red brick wall along the north-eastern boundary and close-boarded fencing along the other boundaries. The site is accessed via a narrow gravel access track which runs between No's 118 and 130, which also serves the garage block to the rear of No's 118-114.

4. Proposal

4.1 Demolition of existing garage & workshop building and construction of 1 no. 3 bedroom dwelling, detached car port and associated hard and soft landscaping

5. Relevant Planning History

4/00371/14/FUL DEMOLITION OF EXISTING GARAGE AND WORKSHOP BUILDINGS AND CONSTRUCTION OF 1 NO. 4 BEDROOM DWELLING, DETACHED CAR PORT AND BIN STORE AND ASSOCIATED HARD AND SOFT LANDSCAPING.
Refused
14/05/2015

4/01752/12/FUL DEMOLITION OF EXISTING AND CONSTRUCTION OF TWO NEW DWELLINGS WITH CAR PORT AND ASSOCIATED PARKING.
Withdrawn
29/11/2012

4/01753/12/CAC DEMOLITION OF EXISTING AND CONSTRUCTION OF TWO NEW DWELLINGS WITH CAR PORT AND ASSOCIATED PARKING.
Withdrawn
30/11/2012

4/00311/09/FUL DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF SINGLE STOREY DWELLING
Refused
17/08/2009

4/01677/04/FUL FIVE DWELLINGS WITH GARAGES
Refused
06/09/2004

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

6.2 Adopted Core Strategy

NP1, CS1, CS2, CS4, CS12, Cs24

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 9, 116, 118. Appendix 5

6.4 Supplementary Planning Guidance

- Environmental Guidelines (May 2004)
- Landscape Character Assessment (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)

- Conservation Area Character Appraisal for Hemel Hempstead

7. Constraints

Grade 1 listed build
Green Belt
Area of special control for adverts
Area of archaeological importance
cil3
Conservation area
Former land use

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Green Belt
- Impact on Conservation Area / Listed Building
- Impact on Highway Safety
- Landscaping
- Ecology

Policy and Principle

9.2 There is a detailed planning history relating to this site and this submission follows on from the latest Inspector's Decision, it has been the result of extensive pre-application discussions.

9.3 The Inspector only supported the finding of harm to the Green Belt. He concluded that there was no harm caused to the heritage assets. The Inspector also did not support the allegation that the proposal failed to provide a safe and satisfactory access to the site.

9.4 The inspector did conclude that the assessment of the harm to the Green Belt was unreasonably founded in that the refusal had not taken into account the fact that the site is 'previously development land'. Instead he concluded that the proposal would have a greater footprint and would rise well above the boundary wall, as a result, it would be a more dominant built form than the existing development and would detract from the openness of the Green Belt.

9.5 The proposals now include the demolition of the existing garage and workshop and the construction of only one dwelling. A contemporary design has been followed in order to allow

for the development not to compete with the historic properties which are adjacent to it and also to reduce the massing of the proposal.

Green Belt

9.6 The National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, however there are exceptions to this. One such exception is previously developed land, whereby limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt.

9.7 Policy CS5 is broadly consistent with the advice within Section 9 of the Framework, provided the development has no significant impact on the character and appearance of the countryside.

9.8 In this instance although the location of the new building has been shifted slightly, the footprint of the new building is only marginally larger. The proposal also includes a semi-basement (lower ground floor level) enabling the accommodation to be contained within a structure the same height and profile of the existing workshop.

9.9 It is our opinion that this approach addresses the concerns raised by the Inspector in his previous decision and therefore the proposal is considered acceptable in principle.

Impact on Conservation Area / Listed Building

9.10 The Inspector of Historic Buildings and Areas were consulted and advised that we seek the views of our own specialist conservation and archaeological advisers, as relevant. As such, much time and debate has taken place with the architect, design team and the Conservation officer to ensure that the building would be both contemporary and preserve the nearby heritage assets. The design has been substantially altered to provide a low structure of modern design appearance sunk into the landscape. The basement/ ground floor plans are sunken and this substantially reduces the impact of the proposed dwelling. The design is contemporary with a split level, vertical boarding and a sedum roof. As such rather than making a particular statement the structure will sit comfortably within the background and have a subservient character to the historic buildings to the street frontage. The boarding and the brick chimney stack reference local details and therefore help to tie the design in with its wider context. The detailing of the boarding is acceptable as is the set back of the windows within the elevations. As such we believe that the proposed new dwelling would sit comfortably with the building and the surrounding landscape. Therefore we believe that the proposal would sit comfortably within the character of the conservation area.

9.11 We have carefully analysed the site and carefully considered if the proposals would impact on the setting and significance of the nearby listed buildings and we would give the preservation of their setting great weight. However we would consider that the proposals would have a negligible impact on the setting of the nearby listed buildings. Therefore we do not believe that the balancing exercise in this case is necessary. There could be a minor level of harm which would be considered to be less than substantial harm caused to the designated asset of the conservation area through the demolition of structures and the erection of a new dwelling on the site. However we believe that with the sensitive small scale design, the repair of the boundary walls and the enhancement of the garden that the benefits of the proposals outweigh any harm caused. The decision maker should give the conservation of the heritage assets great weight but overall we would consider that the proposals preserve the heritage assets.

9.12 The Conservation Officer recommends approval. He commented that; that the proposals are acceptable and overall would preserve the character of the conservation area. As such we would support the scheme. A sample of the external materials for the dwelling and hard

landscaping should be agreed on site. All repairs to the boundary walls should be completed before the dwelling is occupied. A sample of lime pointing of the repairs should be agreed on site. The method statement for these repairs submitted in the DAS should be conditioned.

Impact on Trees and Landscaping

9.13 An extensive landscape plan was submitted with the application. Hertfordshire Ecology were consulted on this and support the landscaping which includes creation of wildflower grassland and tree planting.

Impact on Highway Safety

9.14 Hertfordshire County Council as Highway Authority has considered that the proposal in highway safety capacity terms and considers that this proposal would not have an unreasonable impact on the safety and operation of the adjoining public highway with the inclusion of planning conditions.

9.15 The applicant has provided sufficient information to provide sufficient assurances that the new dwelling can be constructed using appropriately sized machinery and equipment and without any risk of harm to the rear boundary wall or the wall paintings within frontage properties. As such a site management plan and associated documents have been submitted and will be conditioned.

Ecology

9.16 Hertfordshire Ecology were consulted on the application and provided the following comments;

1. An updated bat Preliminary Roost Assessment has been provided in support of the proposals. This identified limited evidence of use by bats as well as some potential roosting opportunities within the site. Given these would be affected by the proposals, further activity surveys are now required to determine whether there is any further evidence of bats actively using the site for roosting. These can only be undertaken when bats are active.
2. As part of the PRA, an outline mitigation strategy has been provided which describes the type of mitigation that could be required should bats be found to be present and roosting. This information enables DBC to determine the application having taken reasonable account of the presence of bats and their conservation requirements. I consider it satisfies the third Habitat Regulations test regarding the conservation of bats.
3. Consequently, I advise that the further surveys should be secured by a Condition of Approval. They will need to be undertaken prior to works likely to affect them take place on the site. Any further advice can then be provided / updated accordingly by the ecologist and a licence applied for if necessary.
4. The potential for reptile use of the site has been considered in the past although the survey is now old – we have a copy of the previous survey.
However, whilst the habitat may remain suitable, the previous surveys were negative and there is nothing to suggest anything has changed or that the site has become more suitable. Consequently I am of the opinion that a precautionary approach should be taken when removing any rubble or long established vegetation on site. If any evidence of reptiles is found, work should stop and any reptiles trapped out and removed to a suitable location elsewhere to ensure they are not harmed. I advise this should be stated as an Informative attached to any permission.
5. Similar consideration should be given to the potential for roosting birds if works take place during the breeding period. If nesting birds are discovered, works should stop to allow birds to completely finish using the nest(s). This should also be attached as an Informative.
6. I support the landscaping which includes creation of wildflower grassland and tree planting. I note this includes an apple, which should be a domestic cultivar given the very old apple tree in

front of the listed building. Consideration could be given to planting more fruit trees as opposed to other species, given that this would almost certainly be more characteristic of the historic planting associated with the properties. They would also provide pollination benefits within the site.

7. Further to the above I do not consider there are any other ecological matters associated with this proposal that would represent a constraint. Consequently DBC is able to determine the application accordingly.

Response to Neighbour comments

9.17 Comments have been received from neighbours which relate to the principle of development and also the setting of the listed building and the effect the development would have on the listed building to the front of the site. All these comments have been carefully considered and taken into account whilst dealing with this application. These points have been addressed above.

CIL

9.18 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liabe due to resulting in more than 100m² of additional floor space.

10. Conclusions

10.1 It is recommended that this application being granted subject to the recommended conditions.

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

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

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

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

7046-101 A
7046-102 A
7046-103 A

Heritage Statement
Design Statement
Historic Buildings Record
Site Management Plan April 2018
Constrution Plan (Ponsford King Architects) April 2018
Concrete Supply to site Plan

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

- 3 **No development shall take place until details 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. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

A sample of lime pointing of the repairs should be agreed on site.

Reason: In the interests of the visual amenities of the Conservation Area in accordance with Adopted Core Strategy CS12 and CS24

- 4 **No development shall take place until details of the materials proposed to be used on the hard landscaping have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure a satisfactory development in accordance with CS24

- 5 **All repairs to the boundary walls should be completed before the dwelling is occupied.**

Reason: In the interests of the visual amenities of the Conservation Area in accordance with Adopted Core Strategy CS12 and CS24

- 6 **Prior to first occupation of the proposed dwelling, the parking spaces shall be provided as shown on the submitted plan. The parking spaces shall be retained thereafter for the use of non-commercial vehicles only. The spaces shall be made available to the occupiers of the development unless the Local Planning Authority otherwise agrees in writing.**

Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining public highway in accordance with Adopted Core Strategy CS12.

- 7 **Prior to the first use of the access a properly consolidated and surfaced turning space for cars shall be been provided within the curtilage of the site as identified on the submitted plan. The turning space should be free from obstruction and available for use at all times.**

Reason: To allow vehicles to enter and leave the site in forward gear, in the interests of highway safety in accordance with Adopted Core Strategy CS12

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant 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 2015.

Informatives

Precautionary approach should be taken when removing any rubble or long established vegetation on site. If any evidence of reptiles is found, work should stop and any reptiles trapped out and removed to a suitable location elsewhere to ensure they are not harmed.

Similar consideration should be given to the potential for roosting birds if works take place during the breeding period. If nesting birds are discovered, works should stop to allow birds to completely finish using the nest(s).

Appendix A

Consultation responses

1. Town/Parish Council

None

2. Hertfordshire county Council – Highway Authority

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. Prior to first occupation of the proposed dwelling, the parking spaces shall be provided as shown on the submitted plan. The parking spaces shall be retained thereafter for the use of non-commercial vehicles only. The spaces shall be made available to the occupiers of the development unless the Local Planning Authority otherwise agrees in writing. Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining public highway. 2. Prior to the first use of the access a properly consolidated and surfaced turning space for cars shall be provided within the curtilage of the site as identified on the submitted plan. The turning space should be free from obstruction and available for use at all times. Reason: To allow vehicles to enter and leave the site in forward gear, in the interests of highway safety. Highway Comment

This amended application is for a revised internal layout with the dwelling appearing to have a smaller footprint and positioned more to the east of the site. The car port has also been moved to the south eastern edge of the site. This is shown on the plan numbered 4026-501 rev A dated January 2015. As with the previous application, the applicant still proposes the demolition of an existing buildings /workshop and construction of one detached dwelling. The site is located at the end of a private track, which takes access from Piccotts End, which is a local distributor road with 30 mph speed limit. At the top of the track, there are four purpose built garages. They appear to have sufficient space in front of the garage doors to park and turn around on. As part of this latest application, the private track has now been accurately surveyed. The width at the pinch point is now recorded as being 2.48m wide. This is a metre smaller than previously quoted by the applicant. This may mean that only motor cars can access this track with any ease which clearly they do at present as there is a block of four garages at the top of the site. Currently a vehicle wanting to access the site has to wait on the public highway to allow a vehicle already on the track to leave the site. The Highway Authority has considered that whilst the proposed development would increase the number of vehicles using this track, the likelihood of vehicles having to wait on the public highway to allow an oncoming vehicle to exit the site would increase but not significantly with one dwelling. Vehicle to vehicle inter-visibility in both directions from the existing access remains acceptable for the speed and hierarchy of the road. The applicant has indicated that there will be off street parking spaces provided as part of the proposed development. This should accord with the local planning authority's parking policy

The highway authority is aware of the neighbour concerns about intensifying the use of the track and have read the comments from the emergency services about access and the use of sprinklers systems should permission be granted. The fact remains that this is an existing access that already enjoys vehicular access and that one dwelling would not lead to conditions that would warrant highway capacity concerns

However, the highway authority is concerned with how this site will actually be developed. Whilst not recommending refusal to the LPA on the previous applications it was on the understanding that the track had sufficient width to allow delivery vehicles to access the top of the site. This is now not the case and has been brought to the applicants attention. The applicant has now submitted a construction management plan. The plan states how the site will be accessed and what measures will be put in place to mitigate concerns raised about the construction of this house.

Hertfordshire County Council as Highway Authority has considered that the proposal in highway safety capacity terms and considers that this proposal would not have an unreasonable impact on the safety and operation of the adjoining public highway with the inclusion of the above planning conditions.

3. Building Control Surveyor

- Approved document M Confirmation that design considerations in respect to disabled access under (threshold).
- Approved Document B Access under Section 5 Access is none compliant, due to widths and length of approach to property.
(Refer to Section 5 Table 20 and diagram 50)

4. Inspector of Historic Buildings and Areas

Thank you for your letter of 7 March 2018 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

5. Hertfordshire Ecology

1. An updated bat Preliminary Roost Assessment has been provided in support of the proposals. This identified limited evidence of use by bats as well as some potential roosting opportunities within the site. Given these would be affected by the proposals, further activity surveys are now required to determine whether there is any further evidence of bats actively using the site for roosting. These can only be undertaken when bats are active.

2. As part of the PRA, an outline mitigation strategy has been provided which describes the type of mitigation that could be required should bats be found to be present and roosting. This information enables DBC to determine the application having taken reasonable account of the presence of bats and their conservation requirements. I consider it satisfies the third Habitat Regulations test regarding the conservation of bats.

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However, whilst the habitat may remain suitable, the previous surveys were negative and there is nothing to suggest anything has changed or that the site has become more suitable.

Consequently I am of the opinion that a precautionary approach should be taken when removing any rubble or long established vegetation on site. If any evidence of reptiles is found, work should stop and any reptiles trapped out and removed to a suitable location elsewhere to ensure they are not harmed. I advise this should be stated as an Informative attached to any permission.

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7. Further to the above I do not consider there are any other ecological matters associated with this proposal that would represent a constraint. Consequently DBC is able to determine the application accordingly.

Appendix B

Comments received from local residents

128 Piccotts End

I wanted to comment on the above application for Piccotts End.

I am really concerned about the application as the vehicle access would run through a narrow path which runs right outside my front door. It's such a narrow path, any further vehicle access will be a nightmare and I would hate for it to ruin the current conservation/heritage area we have.

If I can have any further influence it would be appreciated.

☐

Director of Piccotts End Limited, which owns the Grade 1 listed property at 130-132 Piccotts End - 28 Birch Green, Hertford

138 Piccotts End

The previous application to develop this green belt site of special interest was referred to the Planning Committee and we request that if the LPA decide to support this proposal it is also referred to the Planning Committee.

1. The Green Belt

The owner has made many proposals to build on this green belt site and all have been refused.

The last application on this green belt site was approved by planning officers and then rejected by the planning committee. The owner appealed, and the appeal was resolutely turned down by the planning inspectorate just 2 years ago:

Conclusions 49.

Accordingly I conclude that this would be inappropriate development in the Green Belt that would harm the fundamental purposes and aims of the Green Belt, and in the absence of any other considerations that clearly outweigh this harm, the development would be contrary to Policy CS5 in the Core Strategy and the Framework.

50. I therefore conclude that the appeal should be dismissed.

As you will know, the government's most recent directives on inappropriate development on

green belt land have tightened and are very clearly opposed to such development with new legal protections being introduced, reinforced by Theresa May's recent speech (March 2018):

'That's why the answer to our housing crisis does not lie in tearing up the Green Belt.

No, the defining characteristic of Green Belt land is not its beauty or its greenness, but its openness. Green Belts exist not to preserve landscapes but to prevent urban sprawl. That is what they were created for in the 1950s and that is the valuable purpose they still serve today.

Planning rules already say that Green Belt boundaries should be changed only in "exceptional circumstances". But too many local authorities and developers have been taking a lax view of what "exceptional" means. They've been allocating Green Belt sites for development as an easy option rather than a last resort.

To prevent this, we're strengthening existing protections so that authorities can only amend Green Belt boundaries if they can prove they have fully explored every other reasonable option for building the homes their community needs.'

These are precisely the reasons that development on this green belt site has been refused many times and if anything the position is now clearer than ever. In line with stated government policy, can the LPA prove they have explored every other reasonable option ahead of permitting development on this green belt site?

2. Inappropriate Development

This proposal is considered inappropriate development under policy 4 of the local plan:

'Inappropriate development will only be allowed where it can be demonstrated that *very special* circumstances exist which clearly outweigh the harm to the green belt.'

Where are the very special circumstances presented? I've read the planners' report several times and there is no cogent list of four or five very special reasons why inappropriate development should be allowed. And there is no closely argued case explaining how they might outweigh the harm and no case studies have been presented by developers. A strongly argued case built on clear precedents involving grade 1 listed land, close to an exceptional grade 1 listed building need to be presented to argue a case for this *inappropriate development*. So this proposal should be rejected.

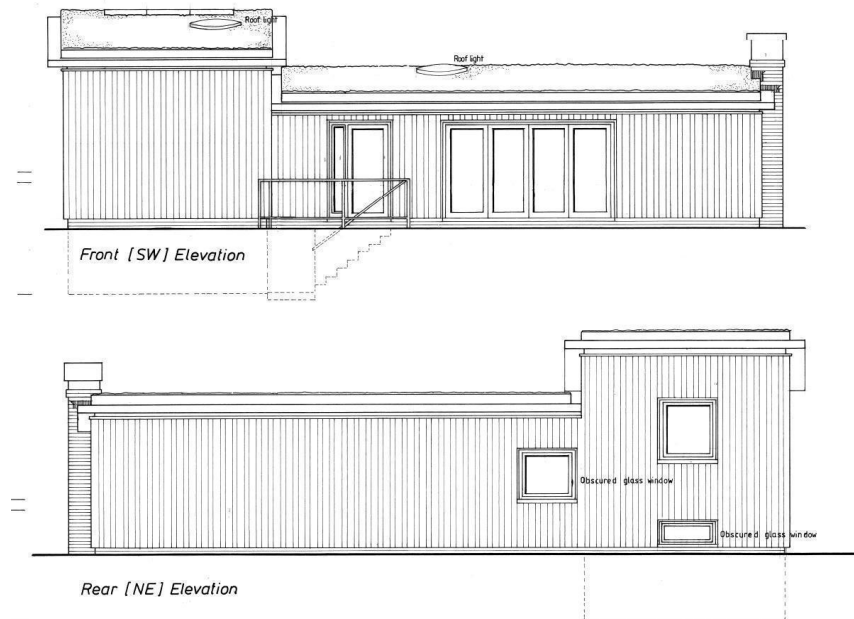
3. Permitted Development Rights

This plan proposes a relatively modest house on a large plot. It is also quite an uneasy design with the master bedroom and bathroom placed underground. It might well be bought with a view to extending under permitted development rights, perhaps significantly with two full storeys, including redevelopment of the large carport into a second building. If this proposal does progress, permitted development rights should be suspended.

3. Adverse Effect on a Listed Building

This proposed development needs to be weighed with particular care as it will have an adverse effect in planning terms on the setting of a listed building. And not just any listed building, but a former great medieval hall house of England, the only building in the UK to house both exceptional religious murals and an Elizabethan painted room. A building of national significance which is grade 1 listed and the only grade 1 listed residential building in the whole Dacorum area.

It is therefore critical that any new building that lies immediately behind the medieval building is also exceptional in architectural terms. I am in real sympathy with the idea to fit any new building into the space occupied by the current workshop/garage, and also that a new building should be contemporary in style and not a pastiche as was proposed previously. However, these are the planned front and rear elevations of the new house, and a picture is worth a thousand words:



4. Design Issues

I applaud the extensive garden planning encouraged by the LPA. This is a very welcome step in the right direction. However, any new building in this listed setting and conservation area should inspire and excite the imagination. In the digital age couldn't a more performative approach be adopted? This proposed building lacks movement, concept or any sense of celebration of the built form, particularly in relation to the remarkable grade 1 building it aspires to sit behind. A *very special* circumstance for developers to argue for this 'inappropriate development' could have been a strong design serving to enhance the site. But this opportunity has not been grasped.

5. Building Material Issues

Likewise, the building materials planned for this proposed building would create a sense of dissonance with all the surrounding buildings. The LPAs LPF document, Matter 7: Policy LA1, Appendix 1 (2016) relates to the Marchmont Farm development and the council asserts:

'Although much of the housing development will not be visible from Piccotts End Road, the new housing will be closely linked via the Link Road and Piccotts End Lane. Use of traditional styles, materials and layout should be used to reflect the style of the conservation area.'

Traditional materials are emphasised in the Marchmont development which will be some distance from Piccotts End, and yet in this instance with the proposal to build directly behind one of Dacorum's most special listed buildings, the materials are entirely alien. Timber clad houses are not a feature of Piccotts End. Lime (wattle and daub), oak frames, hand made brick and lime mortar, slate and flint are the materials that define this conservation area, and not cedar weather boarding.

Oak frames are used with great imagination in contemporary designs, often together with the

lightness of glass, or even traditional lime render. I could support a good design occupying this footprint built from those or other appropriate materials. In my view the proposed design is just too rudimentary and lacking grace and should be rejected.

6. Site Issues

This proposal would involve a considerable amount of earth excavation and removal due to the underground construction. In the previous proposal, developers said that smaller trucks would decant building materials to large lorries. But where? The main road is very narrow at this point – where will the lorries stop to collect and deliver materials? This is a bus route – where is the impact assessment of this? The highways authorities must be alerted to this.

An alternative access road has been offered to developers and this should be explored.

The exceptional wall paintings in the Mural Cottages are in a perilous and fragile condition and several expert reports can be produced to support this. The significant digging works must be assessed in terms of their impact on the paintings, as must the risk of vibration and damage from so many heavy vehicles in constant use on Infirmary Lane. There has never been any precedent for the close proximity of all this heavy plant vibration, particularly as the medieval building has the most rudimentary foundations (the Mural Cottages are set well back and up from the main road). The planning inspector on his visit expressed concern about this issue.

The grade 1 listed buildings rely on a borehole to supply their water. The impact on the water table and the risk of contamination from all this excavation activity have not been assessed, and this should be an essential condition.

There are significant issues at stake with this proposal and we ask that you consider the points raised with due regard.

On-line comments

132 PICCOTTS END, HEMEL HEMPSTEAD, HP1 3AU (Objects)

Comment submitted date: Fri 23 Mar 2018

I am writing as one of the owners of the Grade 1 listed property at 130-132 Piccotts End. We take our responsibility for the care of this building and its internationally important wall paintings very seriously and consequently have some reservations about the new planning proposal. Most notably the threat of vibration and ground disturbance by the amount of digging out and construction traffic.

We are concerned about the risk of destabilising the foundations of these listed buildings and of polluting or displacing the water table which provides the only water supply to the cottages via a borehole which is sited between the cottages and the proposed new development.

It is imperative that the safety of these important national assets is placed before the need to agree to a new development which may put them at risk.

The design of the dwelling is not sympathetic to the medieval character of the village and the

surroundings, and the materials are completely inappropriate for the site.

Old School House, Powderham, Exeter, EX6 8JJ (Neutral)

Comment submitted date: Tue 20 Mar 2018

I am the owner of 'Church Lane'. The principle of developing in the GREEN BELT has not changed from last time, so on that basis the application should be rejected. However the APPLICANT has been offered (by me) an alternative access down the much wider, safer and easier access road between 110 and 112 Piccotts End. The offer to them was on commercial terms and it would allow the current access to the site to be blocked off or used for pedestrian access to the site only. If this alternative access was used, I feel that the APPLICANT is giving something back to affected residents (albeit at some financial cost) and takes away from the Grade ONE listed Mural Cottages the potential damage through additional traffic, especially during any potential construction of the proposed dwelling. I therefore urge Dacorum Planning Department to take this, once and for all opportunity of insisting that planning for this site will be GRANTED but only if the alternative access offered is used.

79, Benslow Lane, Hitchin, SG4 9RA (Objects)

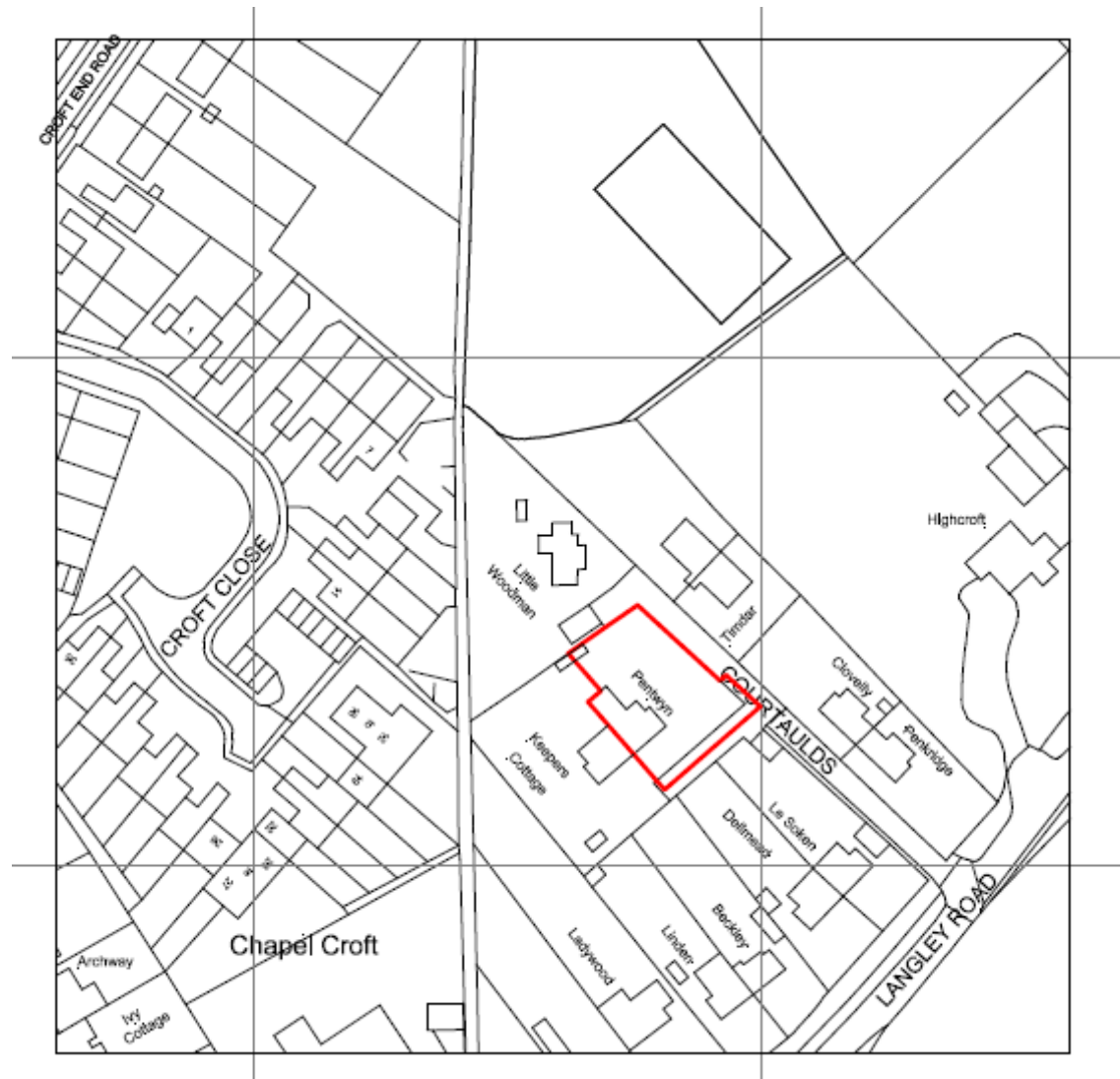
Comment submitted date: Fri 16 Mar 2018

I write on behalf of Mrs R J Speakman of Fenton Cottage, 118 Piccotts End (Mrs Speakman is my mother):

1. The only justification for this property is monetary gain by the developer and should not be allowed.
2. The proposed dwelling, being on land that slopes up from the affected properties, will destroy their privacy and be visible from the first floor windows.
3. There will be significant noise pollution from the additional vehicles using and servicing the proposed dwelling and this will be exacerbated by the tunnel effect of the walls of No. 118 and the single-glazed window in the sitting room on the side elevation of No. 118
4. There is no possible vision splay on exiting the driveway onto Piccotts End Road in a South Easterly direction to the Old Town.
5. The narrow access would make it difficult for private cars and commercial vehicles to safely use the road without some risk of the adjacent properties being hit and suffering substantial damage - particularly fire engines.

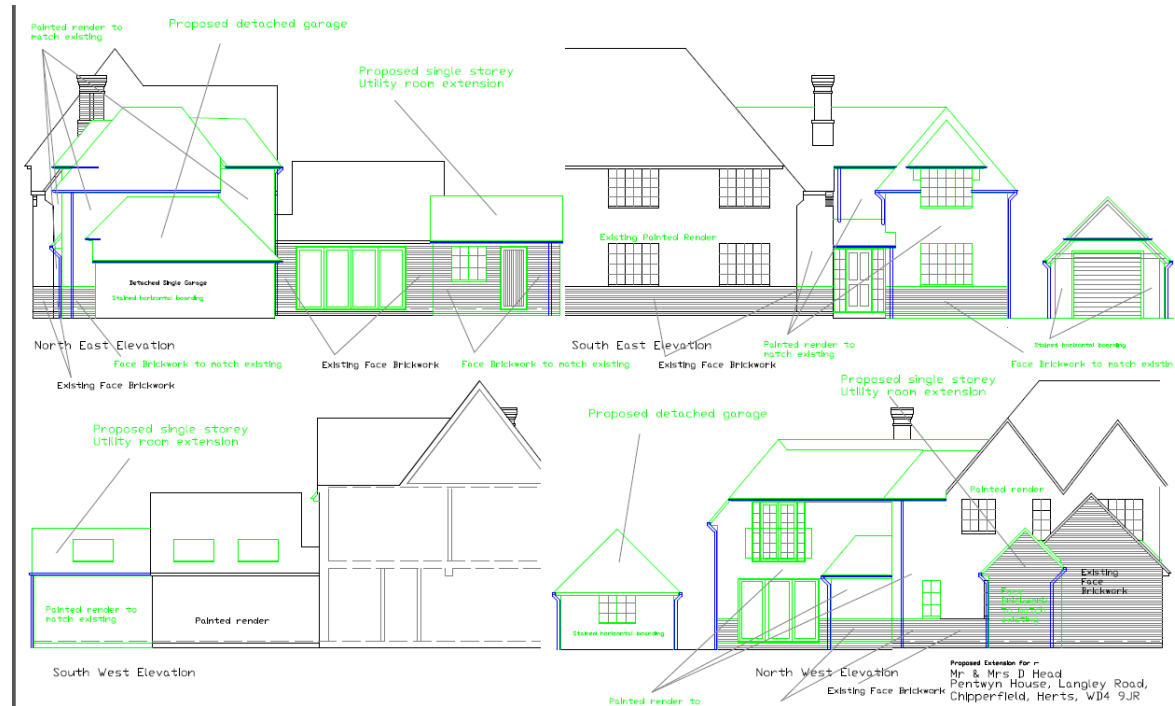
5d 4/00524/18/FHA TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND DETACHED SINGLE STOREY GARAGE

PENTWYN, COURTAULDS, CHIPPERFIELD, KINGS LANGLEY, WD4 9JR



5d 4/00524/18/FHA TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND DETACHED SINGLE STOREY GARAGE

PENTWYN, COURTAULDS, CHIPPERFIELD, KINGS LANGLEY, WD4 9JR



4/00524/18/FHA	TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND DETACHED SINGLE STOREY GARAGE.
Site Address	PENTWYN, COURTAULDS, CHIPPERFIELD, KINGS LANGLEY, WD4 9JR
Applicant	Mr & Mrs Head, Pentwyn
Case Officer	Sally Robbins
Referral to Committee	Contrary views of Chipperfield Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed two storey side extension, single storey rear extension and detached single storey garage through design, scale and visual impact will not adversely impact upon the local character of Chipperfield Village, visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of surrounding properties. The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS6, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012).

3. Site Description

3.1 The application site is located within the selected small village of Chipperfield and is situated within the Green Belt. The site comprises a two storey semi-detached dwellinghouse located on the southwest of Courtaulds, a small private road off Langley Road to the northeast of the village centre. Courtaulds is composed of six uniquely-styled detached and semi-detached properties. The application site is situated in a generous plot with mature gardens bordered by hedges, trees and shrubs. To the front of the property is a gravel driveway which can comfortably accommodate three cars.

4. Proposal

4.1 The proposal is an amended scheme of planning permission ref. 4/00097/17/FHA (two storey side extension). The current application seeks full planning permission for the construction of a two storey side extension, single storey rear extension and single storey detached garage.

5. Relevant Planning History

4/00097/17/FHA	TWO STOREY SIDE EXTENSION Granted 10/03/2017
4/00364/97/4	TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION Granted 14/04/1997
4/00436/96/4	TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION Granted 14/05/1996
4/00359/95/4	DOUBLE GARAGE Withdrawn 01/05/1995

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

6.2 Adopted Core Strategy

CS6, CS11 & CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Appendix 3 & 7

7. Constraints

- Small Village
- Area of Special Control for Adverts
- Former Land Use
- Green Belt

8. Representations

Consultation responses

8.1 Chipperfield Parish Council: CPC Objects to this application due to the excessive increase in floor area to original 'as built'

Neighbour notification responses

8.2 None

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and Principle
- Impact on Green Belt
- Layout, Design & Scale
- Impact on Street Scene
- Impact on Residential Amenity

Policy & Principle

9.2 The application site is located within the village of Chipperfield in the Green Belt. Core Strategy (2013) Policy CS6 does not specifically include a reference to limiting percentage increases but states that house extensions are permitted within selected small villages provided

that the development is sympathetic to its surroundings, including the adjoining countryside, in terms of character, design, scale, landscaping and visual impact. It must also retain and protect features essential to the character and appearance of the village.

9.3 Paragraph 89 of the NPPF regards the construction of new buildings as inappropriate development in the Green Belt. Therefore the proposed detached garage is considered to be inappropriate development and it does not meet any of the exceptions to inappropriate development set out in paragraph 89. As such, very special circumstances will need to be demonstrated in order to outweigh the potential harm to the Green Belt, and any other identified harm.

Impact on Green Belt

9.4 The proposed single storey rear extension is acceptable in principle. However, as outlined above, the proposed detached garage is considered to be inappropriate development in terms of Green Belt policy. As such, the following very special circumstances are taken into consideration.

9.5 The proposed garage could be constructed under Permitted Development if it were situated 2m from the boundary. The submitted plans show that it would be situated a minimum of 1.2m from the boundary. It is therefore considered that the proposed detached garage is only marginally outside of the limitations set out in Schedule 2, Part 1, Class E of the General Permitted Development Order. The garage would be situated 1.2m from the flank elevation of the proposed side extension and it is not considered that the proposed garage could be repositioned any closer to the dwelling without compromising access to the rear of the property. In terms of visual impact and impact on Green Belt openness, it is considered that there would be very little perceived difference between the proposed garage and a garage that was positioned 0.8m further away from the boundary, as could be constructed under Permitted Development.

9.6 The proposal includes the removal of two outbuildings to the rear of the dwelling, along the northwest boundary. The proposed garage would have a foot print of 27 sq m, which could be offset by the removal of the two outbuildings measuring a combined total of approximately 10 sq m. Therefore the impact in terms of Green Belt openness is considered to be modest, particularly taking into account the site's location within a built up area of a designated small village. In order for the Council to maintain further control over any future extensions or outbuildings, Permitted Development Rights would be removed in that regard.

Layout, Design & Scale

9.7 The proposed side extension would have a width of approximately 6m, a depth of 5m, an eaves height of 4m and a ridge height of 7m. The proposed side extension would have a new access door, a window and a dormer window on the southeast (front) elevation. On the rear elevation there would be bi-fold doors opening out on to the garden. Bi-fold doors would also replace the existing French doors on the northeast elevation of the existing single storey rear extension. At first floor level there would be a Juliette balcony, with views over the rear garden. The proposed two storey extension will be set back from the principle elevation of the parent dwelling by approximately 1m and the ridge height will be set down from the ridge of the main roof.

9.8 The proposed single storey rear extension would measure 4m deep and 2.4m wide with an eaves height of 2.5m and ridge height of 4m. The single storey rear extension would be modest in scale and would comprise a small utility room. The proposed side and rear extensions would be finished in materials to match the original dwellinghouse, including plain roof tiles, facing brickwork and painted render.

9.9 The proposed garage would measure 6.5 deep and 4.3m wide with an eaves height of 2m and a ridge height of 4m. It would be situated 1.2m - 1.5m from the northeast boundary and would have a timber frame with a horizontal wooden cladding finish.

9.10 It is considered that the layout and scale of the proposed extensions and detached garage would be subordinate to the original dwelling. The extensions would be finished in materials to match the parent dwelling and the garage would be finished in materials that integrate with the character and appearance of the surrounding village.

Impact on Street Scene

9.11 The proposal site is situated in a residential area of Chipperfield, a selected village within the Green Belt, which is characterised by a wide variety of detached, semi-detached and terraced dwellinghouses in a range of architectural styles. Courtaulds is a small private road composed of six individually styled properties set in generous plots with mature gardens. Some of the surrounding properties show evidence of alteration and/or extensions. The proposed two storey side extension and detached garage would be visible from the street and surrounding properties. The maximum ridge height of the proposed side extension would be lower than the main ridge of the parent dwelling. Although the proposed extension would add bulk and mass to the property, it would be a subordinate addition.

9.12 The proposed build and form of the two storey side and single storey rear extensions and the single storey detached garage are considered to respect the original and surrounding properties. The scale of the extension is considered to harmonise with the scale of the parent dwelling and surrounding dwellings so will not appear bulky or overbearing. The detached garage would be modest in scale and would comprise a hipped roof in order to minimise the bulk and visual impact. There would be limited visibility of the single storey rear extension within the street scene. The proposal will therefore not have a significant impact on the character and appearance of the original building and would not look incongruous to the neighbouring properties.

Impact on Trees and Landscaping

9.13 In accordance with the submitted plans, no trees or bushes would be affected by the proposed development.

Impact on Highway Safety

9.14 There would be no changes to the existing vehicular or pedestrian access.

Impact on Residential Amenity

9.15 The proposed two storey side extension includes the addition of first floor windows on the front and rear elevations. However, the large separation distances between the proposed extension and neighbouring properties Little Woodman (25m), Le Soken (40m) and Dellmead (40m) would not result in a significant loss of privacy or amenity.

9.16 Turning towards the northeast, the proposed extension would be visible from the neighbouring property Timdar. The separation distance between the proposed two storey side extension and Timdar would be approximately 20m, whilst the proposed single storey detached garage would be situated approximately 15m from Timdar. The front elevation of Timdar faces the side elevation of the application dwelling. The development would clearly be visible to the occupants of Timdar, however it is considered that the separation distance of 15m to the garage and 20m to the two storey side extension is significant enough to mitigate any loss of daylight or sunlight. Furthermore, the roof of the proposed two storey side extension would be hipped and set down from the main ridge, which will reduce the impact in terms of overbearing or loss of

light. There are no first floor windows proposed on the northeast elevation (facing Timdar) and therefore there will be no additional overlooking as a result of the proposal.

9.17 Taking all of the above into account it is considered that overall, though visible from surrounding neighbouring dwellings, the proposal will not result in significant harm to the living conditions of the occupants of surrounding units, in terms of overbearing, overlooking or loss of light.

CIL

9.18 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable due to it resulting in less than 100m² of additional floor space.

10. Conclusions

10.1 The proposal complies with the Council's development strategy whereby house extensions will be permitted in selected small villages in the Green Belt, provided that the development is sympathetic to its surroundings, including the adjoining countryside, in terms of character, design, scale, landscaping and visual impact. It must also retain and protect features essential to the character and appearance of the village. The construction of the detached garage would be considered to be inappropriate development in terms of national Green Belt policy, however very special circumstances have been demonstrated that outweigh the potential harm to the Green Belt. The impacts of the proposal have been considered with regard to the character and appearance of the area, the quality of the design and the impact on the living conditions of the occupants of the neighbouring dwellings. It has been concluded that the proposal is acceptable and conforms to the Dacorum Local Plan (2004), Core Strategy (2013) and relevant sections of the NPPF (2012).

11. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions / for the following reasons :

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

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

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

Schedule 2 Part 1 Classes A, B and E

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, in accordance with Core Strategy (2013) Policies CS6 and CS12.

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

DRW. NO. 01 Rev H

DRW. NO. 04 Rev J

DRW. NO. 05 Rev I

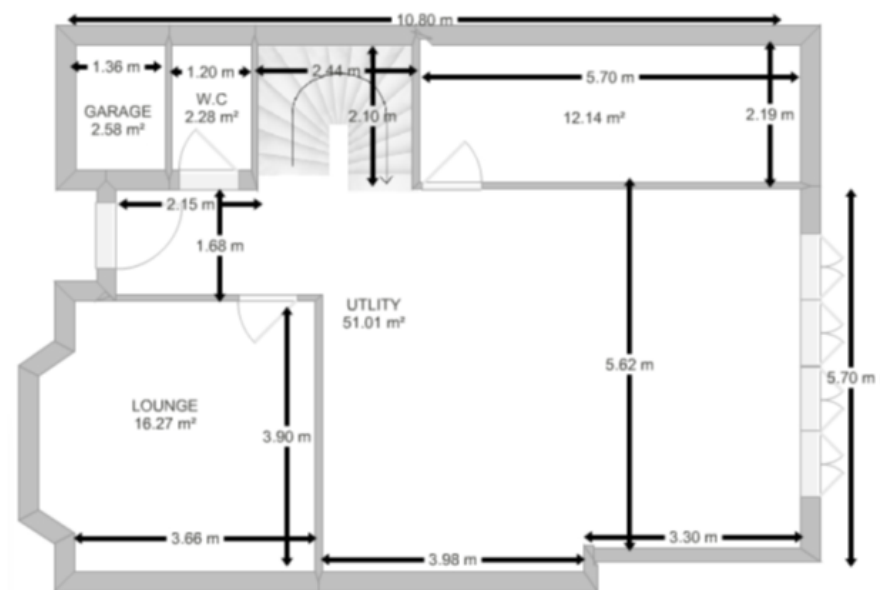
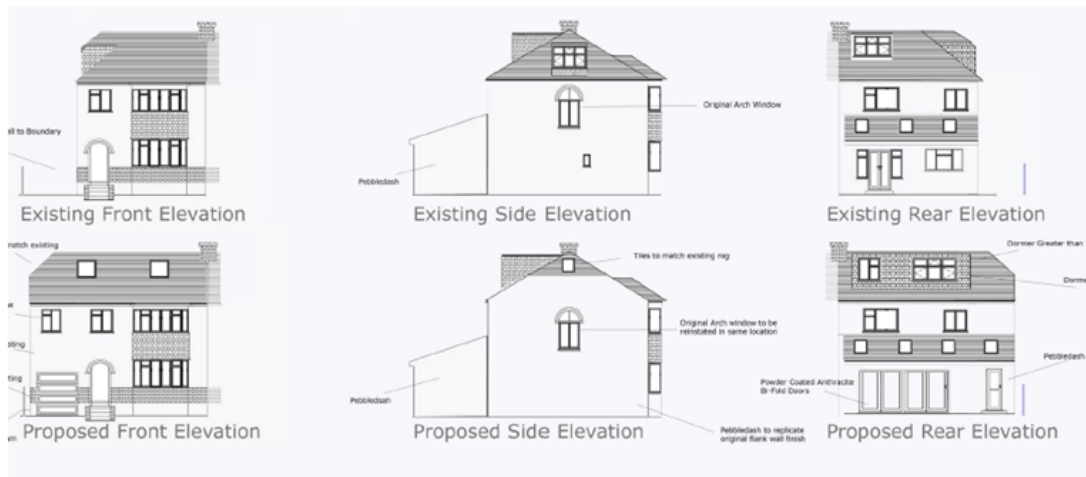
Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with Core Strategy (2013) Policy CS12.

Article 35

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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) Order 2015.

**5e 4/00560/18/FHA CONSTRUCTION OF TWO STOREY SIDE
EXTENSION. EXTEND EXISTING LOFT CONVERSION ABOVE PROPOSED
SIDE EXTENSION AND REPLACE EXISTING DORMER. INSTALLATION OF
TWO VELUX WINDOWS TO FRONT FACING ROOF. EXTEND EXISTING SINGLE
STOREY REAR EXTENSION TO THE SIDE.
28 OSBOURNE AVENUE, KINGS LANGLEY, WD4 8DB**





4/00560/18/FHA	CONSTRUCTION OF TWO STOREY SIDE EXTENSION. EXTEND EXISTING LOFT CONVERSION ABOVE PROPOSED SIDE EXTENSION AND REPLACE EXISTING DORMER. INSTALLATION OF TWO VELUX WINDOWS TO FRONT FACING ROOF. EXTEND EXISTING SINGLE STOREY REAR EXTENSION TO THE SIDE.
Site Address	28 OSBOURNE AVENUE, KINGS LANGLEY, WD4 8DB
Applicant	Mr Wade, 28 Osbourne Avenue
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to committee in view of the objections of the Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed two storey side extension, single storey rear extension and dormer window are considered to be appropriate in terms of their design, bulk and scale. They would be similar in appearance to a number of extensions undertaken in Osbourne Avenue and are not considered to result in harm to either the character and appearance of the property or the street in accordance with Policies CS12 and CS13 of the Core Strategy.

2.2 Full details of the proposed outbuilding, listed on the application form, have not been provided and as such it has not been considered as part of this application. Based on the information provided it is likely to constitute permitted development.

2.3 The proposals are not considered to be harmful to the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011.

3. Site Description

3.1 The application site is located on the western side of Osbourne Avenue close to its junction with Havelock Road. The area is primarily residential in nature. The application site backs onto playing fields at Kings Langley Primary School with common land to the south west of the site.

3.2 28 Osbourne Avenue is a modest two storey semi-detached dwelling with rendered walls, bay windows and a hipped roof. Osbourne Avenue is characterised by pairs of semi-detached properties, many of which have been extended and altered over the years including single and two storey extensions right up to the boundary.

4. Proposal

4.1 The proposed development involves the construction of a two storey side extension, a single storey rear extension and the conversion of the resulting loft space. The two storey side extension would extend to within 300mm of the common boundary with 30 Osbourne Avenue. The roof would be extended to form a half hipped roof and the existing dormer extended to facilitate the provision of additional space within the loft.

4.2 The proposed works would not increase the number of bedrooms within the property.

5. Relevant Planning History

The current single storey rear extension was granted planning permission in 2002 (4/00395/02/FHA).

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

NP1, CS1, CS2, CS4, CS11, CS12, CS13 and CS29.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 51 and 58
Appendices 5 and 7

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Environmental Guidelines (May 2004)

7. Constraints

Large Village
CIL 2

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

The key issue in this case is the scale of development and whether this is appropriate in the context of the plot and surrounding residential properties.

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on the Character and Appearance of the area
- Impact on the residential amenities of 30 Osbourne Avenue
- Impact on Highway Safety

Policy and Principle

9.2 The principle of extending existing properties within the confines of larger villages such as Kings Langley would be accepted in accordance with Policies CS1 and CS4 of the Core Strategy.

Quality of Development

9.3 The proposed works are considered to be appropriate in terms of their layout, design, bulk, scale and use of materials and as such would not detract from the appearance of the property in accordance with Policy CS12 of the Core Strategy. The works themselves are actually quite modest, building on existing extensions to the rear of the property and at roof level. The proposed works would result in the removal of a prominent and unattractive dormer window to the side elevation of the property and would provide a half hip to the new roof similar in approach and reflective of the traditional roof form to properties in the street. The rear dormer window would be set in from the margins of the roof and below the ridge line in accordance with saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011.

Impact on Street Scene

9.4 The proposed works are not considered to result in significant harm to the character and appearance of the street in accordance with Policies CS11 and CS12 of the Core Strategy.

9.5 The character and appearance of Osbourne Avenue has undergone significant change since the dwellings thereon were originally constructed. A number of properties have extended onto the common boundary with neighbouring units, including those at Nos. 8, 11, 14, 16, 17, 23, 25 and 27 Osbourne Avenue; significantly reducing the space between properties and in places resulting in near terracing of the original semi-detached units. A number of properties have also converted the resulting roof space to additional accommodation with velux windows to the front elevation. These are not considered harmful and could be provided in any event without planning permission.

Impact on Residential Amenity

9.6 The impact of the proposed works on the amenities of the neighbouring property, No.30, must be carefully considered in accordance with Policy CS12 and having regard to saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011. The two storey extension would not project beyond the existing rear wall of the property and that of its neighbour to the south and as such is not considered to result in any significant harm, by reason of either a loss in daylight or sunlight. Given the juxtaposition of the properties, I am also satisfied that the proposed single storey would not cause any significant harm to the residential amenities of this property. The applicants already have a window in the flank elevation facing the blank gable to No.30 and although a window would be reused in the proposed development I am satisfied that there would be no material harm to privacy as a result of the proposal. It is noted that the windows to the flank elevation of the application property would serve a stairwell rather than habitable rooms.

Impact on Highway Safety

9.7 There is currently a single parking space at the front of the property and a narrow area of hard standing to the side of the unit which could be utilised for the parking of vehicles associated with the use of the dwelling. There are no on-street parking restrictions within Osbourne Avenue nor the neighbouring Havelock Road.

9.8 I am satisfied that there would be no material change to either the arrangements for the parking of vehicles or the size of the dwelling as a result of the proposals and as such can only conclude that the proposed development, whilst clearly under the parking standards in saved Appendix 5 of the Dacorum Borough Local Plan 1991-2011, would not be detrimental to matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy.

Response to Neighbour comments

9.9 At the time of writing, no representations had been received in writing from neighbouring properties. Any comments received will be addressed in the addendum.

CIL

9.10 The proposed development would not be subject to the Community Infrastructure Levy

10. Conclusions

10.1 The proposed development is considered to be in broad accordance with the Development Plan and as such can be recommended for approval.

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

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

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

- 2 **The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development.

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

0280B001 Revision B

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

Appendix A

Consultation responses

1. Kings Langley Parish Council

The Council objected to this application because of its bulk/size. This would not be in keeping with neighbouring properties being too large a development for the plot.

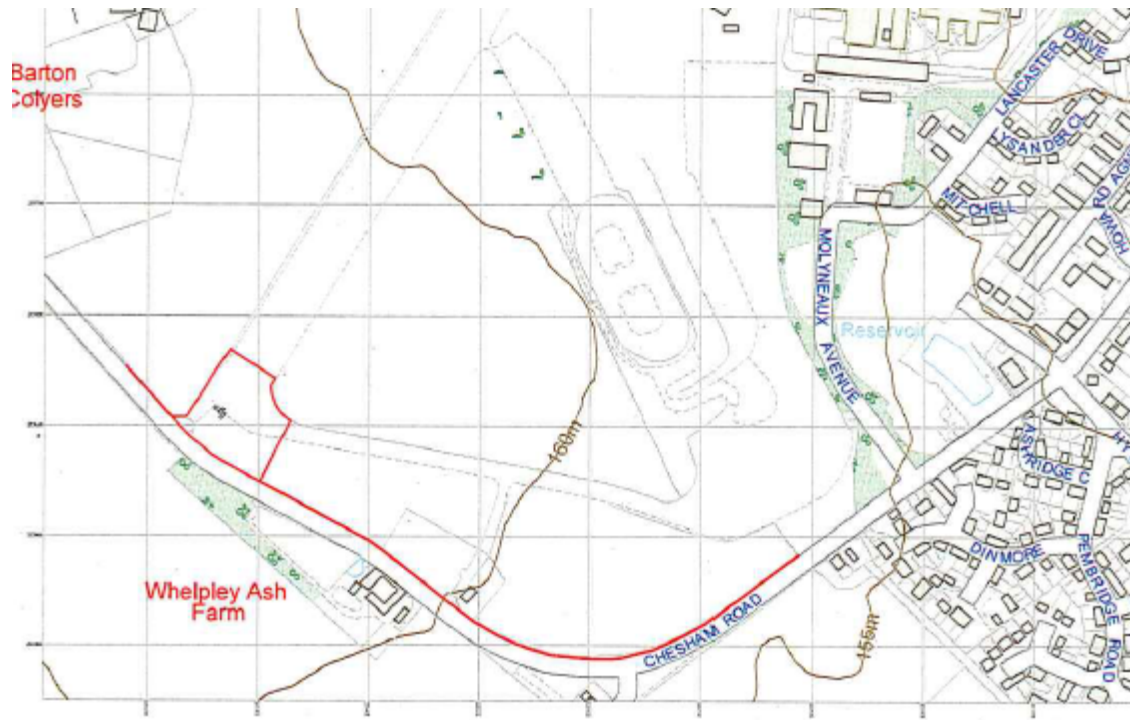
Appendix B

1. Neighbour Representations

No comments received.

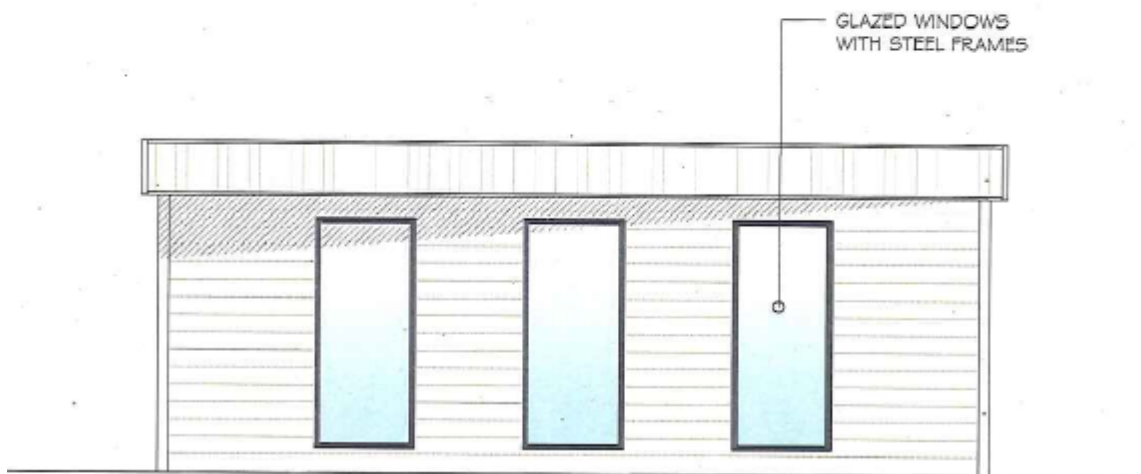
Agenda Item 5f

**5f 4/02911/17/FUL DEMOLITION AND REMOVAL OF EXISTING PORTA CABIN/SITE OFFICE AND TWO STEEL CONTAINERS. CONSTRUCTION OF NEW SITE SECURITY OFFICE AND SECURITY FENCE ALONG SOUTHERN BOUNDARY
BOVINGDON MARKET, BOVINGDON AIRFIELD, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NP**

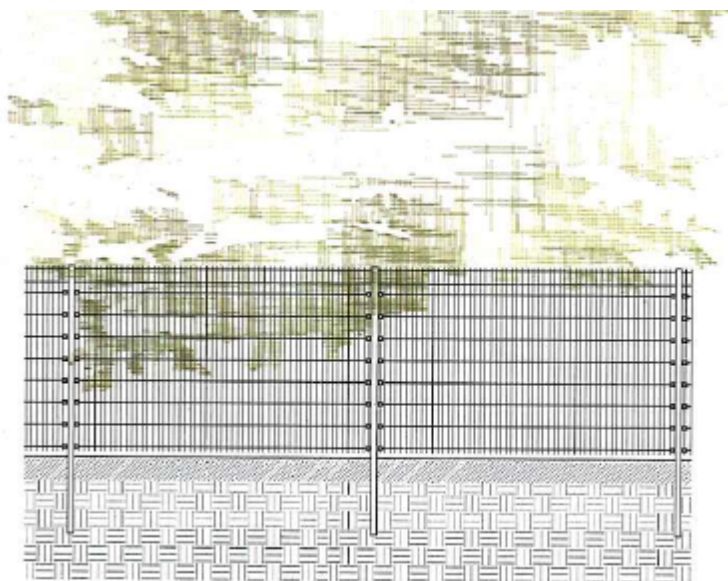




North) Elevation



South) Elevation



4/02911/17/FUL	DEMOLITION AND REMOVAL OF EXISTING PORTA CABIN/SITE OFFICE AND TWO STEEL CONTAINERS. CONSTRUCTION OF NEW SITE SECURITY OFFICE AND SECURITY FENCE ALONG SOUTHERN BOUNDARY
Site Address	BOVINGDON MARKET, BOVINGDON AIRFIELD, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NP
Applicant	W.J & M MASH LTD, C/O AGENT
Case Officer	Joan Reid
Referral to Committee	Bovingdon Parish Council have objected

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The proposals constitute inappropriate development in the Green Belt, however the very special circumstances outweigh the harm to the openness of the Green Belt and are considered acceptable. There would be a benefit to the site by removing the existing porta cabins and buildings and any visual harm of the fence would be mitigated by additional planting. The permission is for a temporary period and is considered acceptable for approval subject to conditions.

3. Site Description

3.1 The application site comprises part of a former RAF runway built in WWII that runs east-west across Bovingdon Airfield, as well as a grass overshoot area attached to the west of the runway and a concrete taxiway that curves in a northern direction towards Berry Farm, a farmhouse. The concrete runway, known as 08/26, is approximately 650 metres long and 45 metres wide.

3.2 To the west of the site is the small village of Whelpley Hill (together with Whelpley Hill caravan park). Bovingdon Airfield was closed by the RAF in 1979 and since then the ownership has been divided up and passed through various private ownerships, while HM Prison The Mount has been built on the eastern portion of the airfield, with the large village of Bovingdon immediately to the east of the prison. The runway has been used for the years for various uses including a Saturday market, temporary filming and car racing.

4. Proposal

4.1 Planning permission is sought for erection of a perimeter fence and erection of a reception/site security building. Amendments to the proposals have been made for both the building itself and the fence as below:

4.2 The proposed building has been amended from a larger more modern building to a smaller wooden building. Existing Porta Cabins are to be removed. The proposed fencing has been amended from a palisade fence to a open mesh fence measuring approximately 1.8m in height. The fence is to run along the southern boundary on Chesham Road.

5. Relevant Planning History

4/00392/18/FPA PRIOR NOTIFICATION OF THE TEMPORARY USE OF LAND FOR FILM MAKING PURPOSES UNDER CLASS E, PART 4, SCHEDULE 2 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015. USE OF LAND FOR CONSTRUCTION OF STAGE SET AND ASSOCIATED PARKING FROM

04/04/2017 - 04/01/2018.
Prior approval not required
06/04/2018

4/02839/17/FUL CHANGE OF USE FROM FARM SHOP TO CAFE
Granted
29/12/2017

4/02840/17/FUL TEMPORARY PLANNING PERMISSION FOR USE OF LAND FOR FILM-
MAKING FOR 3 YEAR PERIOD TO INCLUDE USE OF HARDSTANDING
FOR STATIONING OF SUPPORT SERVICES, ASSOCIATED STORAGE
AND PARKING. USE OF FORMER CONTROL TOWER AS ANCILLARY
OFFICE SPACE
Granted
28/12/2017

4/01678/17/FUL TEMPORARY PLANNING PERMISSION FOR USE OF LAND FOR FILM-
MAKING FOR 13 WEEKS TO INCLUDE ERECTION OF STAGE
STRUCTURE AND USE OF HARD STANDING FOR STATIONING OF
SUPPORT SERVICES, AND PARKING
Granted
13/09/2017

4/01559/17/FUL TEMPORARY PLANNING PERMISSION FOR USE OF LAND FOR FILM-
MAKING FOR 28 WEEKS TO INCLUDE ERECTION OF STUDIOS AND
USE OF HARD STANDING FOR STATIONING OF SUPPORT
SERVICES AND STORAGE
Granted
23/08/2017

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

NP1, CS1, CS5, CS8

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 58, 99

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Environmental Guidelines (May 2004)

7. Constraints

- NATS any dev AGL

- GREEN BELT

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 No comments received

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Green Belt
- Impact on Highway Safety
- Other

Policy and Principle

9.2 The application site is situated within the Green Belt. As such, the principles and requirements of Policy CS5 establish the acceptable development types within the remaining areas of designated Green Belt land.

9.3 Policy CS5 of the Core Strategy states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. Within the Green Belt, small-scale development will be permitted i.e. building for the uses defined as appropriate in national policy provided that they have no significant impact on the character and appearance of the countryside and support the rural economy and maintenance of the wider countryside.

9.4 The airfield comprises previously developed land in the Green Belt and paragraph 89 of the NPPF allows for limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'.

9.5 Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

9.6 If it is considered that the development does not fit within the exceptions and would result in harm to the openness of the Green Belt, the principle will only be acceptable should such very special circumstances to justify the development within the Green Belt are in evidence.

9.7 The scheme proposes the removal and demolition of the existing portable buildings on site, to be replaced with an entrance/security building associated with the on-going filming and other activities on the site. This use for filming has mainly been established under permitted

development rights for filming under the General Permitted Development Order however planning permission has been granted for other filming on the site also including 'Dancing on Ice' which was filmed there in Winter and Spring this year. The porta cabins/structures on the site were associated with a previous use of the site as a builders yard, this use has now ceased but the porta-cabins and containers remained on site. No further enforcement action was taken and these structures have been on site for more than 10 years.

9.8 The applicants indicate that the proposed building would replace these buildings however in principle, it isn't considered that the proposal would be appropriate development permissible under paragraph 89 of the NPPF as these porta Cabins are not permanent buildings. The proposed building is considered to be small scale (measuring 7.5m by 7.5m) and required to provide a security building/reception associated with the various lawful uses on the site. However, it is considered that it does constitute a permanent building in the Green Belt, which would diminish openness and as such is considered to be inappropriate development in the Green Belt. Therefore, it is considered that a case of very special circumstances is required to justify the building.

9.9 Whilst, the structures to be removed are not considered permanent, they are lawful and it is considered that the replacement building would be similar in size to existing structures. The proposals would enable better security of the site for the lawful uses and appear small scale, tidying up a general ad hoc untidy entrance. As the building is ancillary to the filming uses on the site, which are generally supported due to the economic benefit for the locality and need nationally, this factor also is considered to be a 'very special circumstance' and the need is also supported in terms of providing facilities for security. Overall, it is considered that the 'very special circumstances' exist which justify the building and a condition will be removed requiring removal of the existing structures before erection of the new building. It is also considered reasonable for the permission to be temporary to take account of the temporary uses and associated needs. As such it is proposed to limit the permission to 5 years and request that the building be removed after this period.

9.10 In terms of the proposed fence, this is also considered to be development of a previously developed site which would result in some harm to the openness of the Green Belt. However, the revised design which is more open in design and sympathetic together with the proposed proposed additional planting will cause limited harm and will have the benefit of securing the site. It is also noted that fences of similar height can be constructed under permitted development rights where they are not adjacent to a highway. This permitted development restriction is generally to allow consideration of any potential harm to Highway visibility and in this case, no objection is raised by Hertfordshire Highways. For these reasons it is considered this element of the proposal is justified. A condition requiring specific details of planting will be imposed.

Impact on Street Scene and Character of the Area

9.11 It is considered that the building would improve the overall approach of the site by removal of portacabins and as the building is small scale would not result in any significant harm to the character/appearance of the area. The fence is intended to fill the existing gaps behind the vegetation but the applicant is asked to increase planting to mitigate the impact of the fence. In the longer term, it is considered that the scheme would improve vegetation surrounding the site and the harshness of the fence would be mitigated.

Impact on Trees and Landscaping

9.12 It is considered important that the installation of the fence would not harm the root areas of existing hedging and vegetation and as such, if any damage occurs, replacement planting will be required. As such a condition requiring detailed scheme of planting will be imposed.

Impact on Highway Safety

9.13 The Highway Authority has stated that the development is unlikely to result in a significant increase in the volume of traffic in the vicinity of the site and therefore has no objection to the temporary use of the site for filming.

Impact on Neighbours

9.14 No adverse impacts. Complied with Policy CS12 of the Core Strategy.

Aviation Safety

9.15 The site is situated within NATS Bovingdon Safeguarding Zone and as such, the Safeguarding Authority has been consulted on the application. No objection has been raised.

10. Conclusions

10.1 The proposed development would constitute inappropriate development in the Green Belt, however, there are very special circumstances which justify this limited harm, which include removal of existing lawful structures and visual improvements to the site, together with consideration of the need and benefit of the works to the associated filming uses. The building is considered justified in association with the lawful uses on the site and will be limited to a temporary period. The fence is also considered justified and any harm arising visually will be mitigated by additional planting.

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

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>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>01 02 03 04 05 06 07 08 09 10 11</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development shall take place until a scheme for planting shall have been submitted to and approved in writing by the local planning authority. This scheme shall include:</p> <p>a) Proposed planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);</p>

	<p>schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;</p> <p>b) A method statement setting planting timeframes and details for replacement planting if any vegetation fails to establish/die.</p> <p>The scheme of planting works shall be carried out in accordance with the details contained within the method statement above.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policy CS5 and CS12.</p>
4	<p>All structures shown for removal on the approved plans shall be permanently removed from the site prior to erection of the building hereby permitted.</p> <p>Reason: In the interests of maintaining the open character of the Green Belt in accordance with the NPPF and policy CS5.</p>
5	<p>The permission is for a period not exceeding 5 years of the date of this permission. No later than 6 months after the expiry of the permission, the building hereby approved shall be demolished and all materials removed from the site.</p> <p>Reason: In the interests of visual amenity and openness of the Green Belt in accordance with the NPPF and policy CS5 of the adopted Core Strategy.</p>

Appendix 1

Consultation responses

1. Town/Parish Council

Bovingdon Parish Council - Original submission

- 1) The existing portacabin and steel containers are 'temporary structures', thus would not be subject to the rules for planning consent by default. This would therefore be an application for a new building on greenbelt land and as such should not be permitted as it would be detrimental to the openness of the greenbelt.
- 2) The proposed fence at 1.7m would be imposing and out of keeping with the surrounding environs, thus have a detrimental impact on the openness of the greenbelt

Bovingdon Parish Council - Revised Scheme

Object - the comments made at the Planning Committee meeting held on 20 December 2017 still stand and are as follows:

The existing portacabin and steel containers are 'temporary structures', thus would not be subject to the rules for planning consent by default. This would therefore be an application for a new building on greenbelt land and as such, should not be permitted, as it would be of detriment to the openness of the greenbelt.

The proposed fence at 1.7m would be imposing and out of keeping with the surrounding environs, thus have a detrimental impact on the openness of the greenbelt.

2. Hertfordshire County Council – Highway Authority

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management

Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Hertfordshire County Council as Highway Authority does not object to the development, subject to the informative notes below.

INFORMATIVES:

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

The proposal is for Demolition and removal of existing porta cabin/site office and two steel containers. Construction of new site security office and security fence along southern boundary

There are no substantial highways implications in this amendment.

PARKING

No Vehicle Parking details were submitted for this application

ACCESS

The site is accessed from Chesham Road, which is a "B" classified numbered road, the B4505 with a 60mph speed limit. No changes are proposed to the existing access and no works are required in the highway.

CONCLUSION

HCC as highway authority considers that the proposals would not have an unreasonable impact upon highway safety or capacity, subject to the informative notes above

3. NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not

provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

4. Environmental Health - Contamination Team

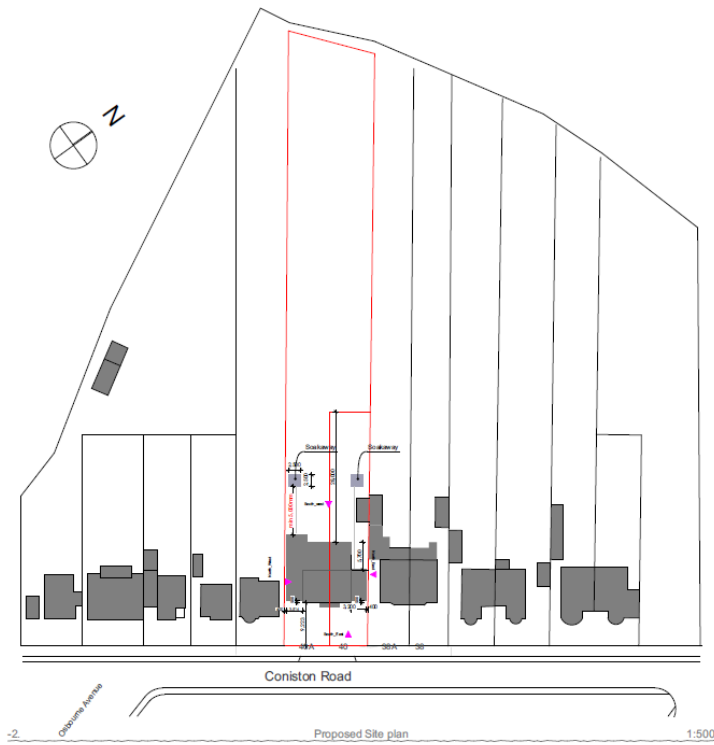
The site has a potentially contaminative former land use (military land) and is also located within the vicinity of another potentially contaminative former land use (unknown filled ground). Consequently there may be land contamination issues associated with this site. I recommend that the contamination conditions (CONT1 and CONT2) be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Agenda Item 5g

5g 4/00040/18/FUL SINGLE-STOREY SIDE EXTENSIONS AND PART TWO PART SINGLE-STOREY REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING GARAGE, HIP-TO-GABLE LOFT CONVERSION, ALTERATIONS TO FRONT OPENINGS AND CONVERSION OF EXISTING BUILDING TO CREATE TWO SEPARATE DWELLINGS

40 CONISTON ROAD, KINGS LANGLEY, WD4 8BU

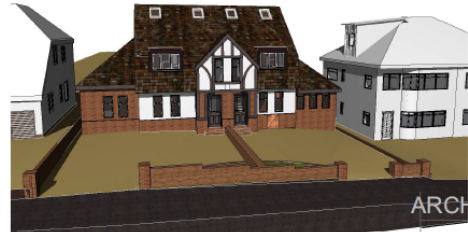




Street view /existing/

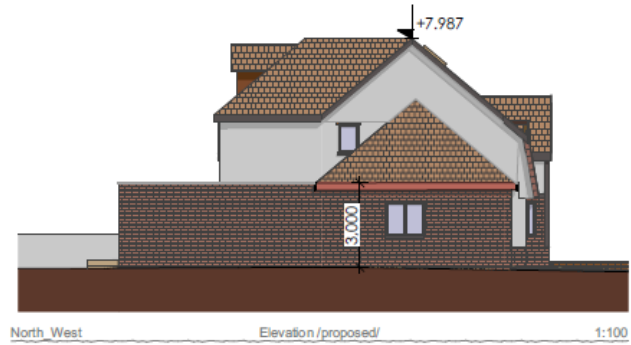
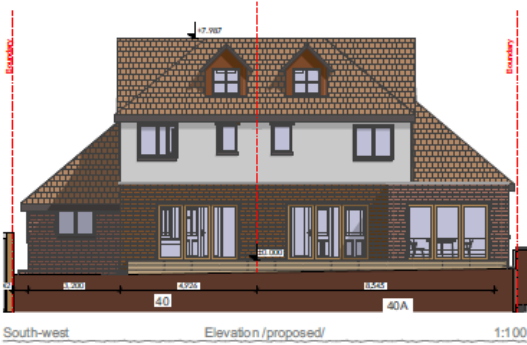
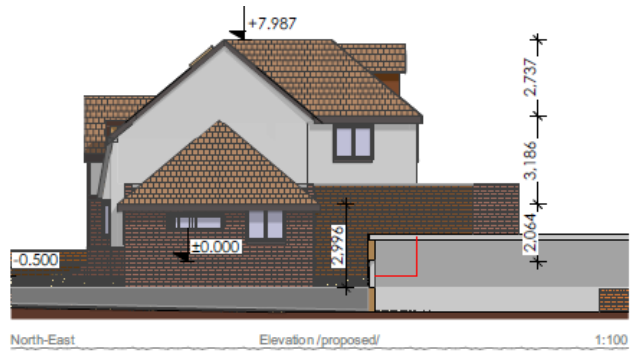


Street view /proposed/



Note:
Sookaway to be built min 5,000mm to the rear of the house with 2,500mm in width, 2,500mm in length and 2,500mm deep.

Project:
Demolition & construction of double story conversion / separate da
Address:
40 Coniston LANGLEY, I
Drawing title:
Date: 10/10/17



Note:
All measurements to be made on the site.
All materials to be similar to apierance to existing.

4/00040/18/FUL	SINGLE-STOREY SIDE EXTENSIONS AND PART TWO PART SINGLE-STOREY REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING GARAGE, HIP-TO-GABLE LOFT COVNERSION, ALTERATIONS TO FRONT OPENINGS AND CONVERSION OF EXISTING BUILDING TO CREATE TWO SEPARATE DWELLINGS
Site Address	40 CONISTON ROAD, KINGS LANGLEY, WD4 8BU
Applicant	MR MITEV
Case Officer	Intan Keen
Referral to Committee	Contrary views of Kings Langley Parish Council

1. Recommendation

1.1 That planning permission be **delegated with a view to APPROVAL** subject to the expiry of the notification period on amended plans and subject to conditions.

2. Summary

2.1 The development of the site to create two dwellings (net increase of one residential unit) is acceptable in principle noting the site's location within the village of Kings Langley. The proposed extensions and building conversion would not have an adverse impact on the character and appearance of the street scene and surrounding area. The development would not have a harmful impact on the residential amenity of neighbouring properties. Access and parking arrangements would be satisfactory.

2.2 The proposal is therefore in accordance with the aims of the National Planning Policy Framework and Policies CS1, CS4, CS10, CS11 and CS12 of the Dacorum Core Strategy.

3. Site Description

3.1 The application site is currently occupied by a detached two-storey dwelling set on a wide plot located on the north-western side of Coniston Road. The site lies within the village of Kings Langley within an established residential area which rises from Hempstead Road (A4251) in a south-westerly direction. The street comprises predominantly two-storey semi-detached dwellings of varying detailing and external materials within a suburban setting.

3.2 The existing dwelling on the application site, together with the neighbouring semi-detached dwellings to the north-east at Nos. 38 and 38a, is set back slightly compared with the established building line along the north-western side of Coniston Road. The building setback and in-out vehicle access allows for a small element of soft landscaping to the site's frontage.

4. Proposal

4.1 Planning permission is sought to extend the existing building and convert it to create two separate dwellings with four bedrooms each, based on amended plans.

4.2 A hip-to-gable loft conversion is proposed that would retain the original ridge height, incorporating four roof lights within the front elevation. Two gabled dormer windows would feature on the resultant rear roof slope.

4.3 The extensions also comprise single-storey hipped lean-to extensions to either side of the building adding 3.2m and 3.5m to its width, and a part two-storey part single-storey rear extension projecting 3.4m at first floor level and 5.2m at ground floor from the existing dwelling. A further single-storey rear projection would extend a further 1.6m in the footprint of the existing detached garage.

4.4 Subdivision of the plot would be at the centre of the existing building with the garden of the south-western dwelling wrapping around that of the north-eastern dwelling, however garden depths for both properties would be a minimum of 28m following construction of the rear extensions.

4.5 Car parking would be provided at the front of the respective dwellings with space for up three car parking spaces each, utilising the two existing accesses off Coniston Road so that each property would have independent access from the other.

5. Relevant Planning History

5.2 None on site.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance

6.2 Dacorum Core Strategy

Policies NP1, CS, CS4, CS8, CS10, CS11, CS12, CS17, CS28, CS19, CS29, CS31, CS32, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 18, 21, 58, 99
Appendices 3 and 5

6.4 Supplementary Planning Guidance / Documents

- Kings Langley Urban Design Assessment (2006)
- Environmental Guidelines (May 2004)
- Planning Obligations (April 2011)

7. Constraints

- Residential Area within large village
- Green Belt
- Former land use
- Oil pipe buffer
- CIL Zone 2

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification / site notice responses

8.2 These are reproduced in full at Appendix B in response to the amended plans.

8.3 Responses received in relation to the original submission are summarised at Appendix C.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Layout and density
- Impact on appearance of street scene
- Impact on neighbouring properties
- Traffic, access and parking
- Drainage and flood risk
- Community Infrastructure Levy (CIL)
- Oil pipe buffer

Policy and principle

9.2 As described above, the site lies within an established built up residential area within the village of Kings Langley, where appropriate residential development is encouraged under Policy CS4 of the Core Strategy. Section 6 of the NPPF sets out housing applications should be considered in the context of the presumption in favour of sustainable development.

9.3 The portion of Green Belt land confined to the rear portion of the site would not be affected by the development, noting the proposed subdivision arrangement is also wholly contained within the area designated as residential land. As such the proposal would not conflict with the aims of Policy CS5 of the Core Strategy.

Layout and density

9.4 The proposal and associated subdivision would generally follow the regular pattern of development within Coniston Road.

9.5 In layout terms the proposal would be acceptable, also noting the allocated garden areas to the proposed dwellings would be satisfactory, exceeding average minimum garden depths of 11.5m as set out under saved Appendix 3 of the Local Plan. 9.6 Importantly, private amenity areas of 28m or greater for the two dwellings would be appropriate and functional taking their size into consideration (four-bedrooms each) and would be of sizes commensurate with adjacent and nearby properties on Coniston Road.

9.7 Concerns have been raised with the amount of development proposed on the site. It is noted that the proposed rearward projection of 8m at single-storey level, whilst deep compared with the existing building footprint, would replace the existing detached garage which extends up to 7.3m beyond the rear wall of the house. The first floor rear additions would extend to the rear in line with the side walls of the original building.

9.8 There would be no objections to the proposed side extensions constructed within 1m of their respective side boundaries noting the assessment below and side extensions of this width that could currently be carried out under permitted development.

9.9 In numerical density terms the development would result in 9 dwellings per hectare. Based on the pattern of development within the surrounding area, noting plot widths broadly consistent with semi-detached dwellings located immediately north-east of the site and beyond, the proposal would be acceptable in terms of residential density.

9.10 The development is therefore acceptable under Policies CS11 and CS12 of the Core Strategy.

Impact on appearance of street scene

9.11 It is acknowledged that the existing dwelling is an attractive, generously-proportioned building with arts and crafts front gabled projection. The building forms part of a street scene comprising predominantly semi-detached dwellings in a suburban setting. The size of dwellings gives the impression of a low to medium density within the immediate residential area. There is no uniform building pattern although dwellings appear generally of a certain age (1930s construction) with large proportions and a variance in building materials. Many of these dwellings feature side extensions and complex roof forms which are visible from the street, setting them further apart from each other in terms of form and design detail.

9.12 The existing dwelling on the application site, whilst it contributes to the suburban character, would not be considered as a non-designated heritage asset. It does however feature a wide street frontage and due to gaps between buildings and the topography of the area falling towards Hempstead Road, any building extensions to the front would be visible within the immediate street scene of Coniston Road.

9.13 It is acknowledged that the hip-to-gable loft conversion and insertion of roof lights could be carried out to the existing dwelling under permitted development. Although the original roof profile would not be retained as a result, the semi-detached pair would benefit from a symmetrical profile, retaining its ridge and eave height, and the original gable and pair of dormer windows would remain the prominent elements in the street. The positioning of four roof lights on the principal elevation, whilst high in number, would be not unduly compromise the building's appearance noting their size and spacing.

9.14 Additionally, the proposed side extensions would allow gaps between dwellings to be maintained with hipped lean to roofs which provide an appropriate transition from the resultant main gable roof of the building, without being overly prominent in the street scene.

9.15 The proposed two-storey rear extensions would be confined within the side extremities of the original building as appropriate. These would extend to approximately 3.4m at two-storey level from the original rear wall and would be hipped into the site to reduce building bulk where perceived within the street scene. As such, these elements of the proposal would not harm the character and appearance of Coniston Road.

9.16 It is noted that the proposed decking area to the rear would not exceed 0.3m above the highest point of natural ground level which would be permitted development.

9.17 The proposal would be acceptable under Policies CS11 and CS12 of the Core Strategy.

Impact on neighbouring properties

9.18 The impact of development upon the living conditions of the two properties either side at Nos. 38a and 40 Coniston Road should be considered. Each will be discussed in turn.

38a Coniston Road

9.19 The original application was subject to a daylight and sunlight assessment which concluded that there would not be a harmful impact in light terms from a two-storey side and rear extension relative to the sole side-facing kitchen window at No. 38a.

9.20 It is not considered that the single-storey side extension and the rear extensions would have an adverse impact on No. 38a from the perspective of this kitchen window. The amount

of building and structures that could be carried out under permitted development is a material consideration, and this includes a two-storey rear extension of 3m in depth. The extension would project 3.4m at two-storey level at a distance of 3.8m from the shared boundary (6.2m from the window). When viewed together with the single-storey side extension, which has an eave height in line with permitted development, and boundary treatment that could be constructed between the properties it is not considered the additional 0.4m depth at two-storey level would significantly impact the neighbouring property above permitted development.

9.21 Due to the level change between the application site and the kitchen window at No. 38a the proposed gable roof over the main building would not be readily perceived.

9.22 There are no rear-facing windows to No. 38a that would be adversely affected by the proposals.

9.23 With respect to the proposed decking, the south-eastern edge would be located approximately 3.9m from the shared side boundary with No. 38a, at which point it would be at a height of 0.46m above natural ground level. It is not considered to give rise to overlooking concerns and views towards windows and the rear garden of No. 38a would be further obscured by the rear projection on the neighbouring property.

42 Coniston Road

9.24 There is a side-facing kitchen window at No. 42 which is directed towards the application site, however the kitchen has an open plan arrangement with a dining and sitting area which benefits from larger rear-facing openings to the rear. This property's siting on higher ground relative to the application site would also assist in alleviating any concerns with respect to the impact of development in terms of visual intrusion or loss of light.

9.25 The proposed two-storey rear extension would not intrude into a 45° line from the ground floor rear-facing windows.

9.26 Additionally the proposed single-storey projection proximate to the shared side boundary would extend to the depth of the existing garage with a consistent eave height of 3m. Whilst a deep extension, the development would be replacing an existing structure, and the increase in height of building along the boundary by approximately 0.5m would be acceptable noting the drop in levels of approximately 0.65m towards the application site.

9.27 No. 42 as noted is sited on higher ground and would not be adversely affected by the patio proposal.

9.28 The development would therefore accord with Policy CS12 of the Core Strategy in this regard.

Traffic, access and parking

9.29 No objections have been raised by the highway authority in their comments below with respect to traffic and utilising existing access arrangements for the two dwellings.

9.30 Parking would be provided on-site accommodating three cars per dwelling totalling six spaces appropriately split between their respective forecourts. As such, the development would meet the maximum standards set out under saved Appendix 5 of the Local Plan at three spaces per dwelling and it is not considered that parking demand as a result of the development would place undue stress on the surrounding road network.

9.31 The proposal would comply with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Drainage and flood risk

9.32 A soakaway plan has been provided noting the site's location within a Source Protection Zone. The Environment Agency have raised no objection to the soakaway plan. The development would not conflict with the aims of Policies CS31 and CS32 of the Core Strategy.

Community Infrastructure Levy (CIL)

9.33 The development of the site is subject to a CIL payment calculated in accordance with the CIL Charging Schedule at £150 per square metre.

Oil pipe buffer

9.34 The area for proposed development would not encroach within the oil pipe buffer affecting the site, with the exception of subdivision fencing within the rear garden. It is noted however that fencing in this location up to 2m high would not require planning permission.

10. Conclusions

10.1 For reasons mentioned above the proposal would be acceptable in principle noting the contribution the proposal would make towards housing need in the Borough. The development would not have an adverse impact on the appearance of the street scene, and would not unduly compromise the residential amenity of neighbouring properties. Car parking arrangements would meet maximum standards and would therefore be sufficient.

10.2 The proposal is therefore in accordance with Policies CS1, CS4, CS8, CS11 and CS12 of the Core Strategy.

11. RECOMMENDATION

11.1 It is recommended that the application is DELEGATED to the Group Manager, Development Management and Planning with a view to approval subject to the expiry of the notification period on the amended plans and subject to the conditions set out below.

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

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

- 2 **The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 3 **No development (excluding demolition and groundworks) shall 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:**

- **hard surfacing materials including method of disposal of surface water;**

- 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;
- trees to be retained and measures for their protection during construction works;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;
- refuse storage areas;
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);
- retained historic landscape features and proposals for restoration, where relevant.

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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 4 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.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 5 The windows at first floor level in the north-eastern and south-western elevations of the development hereby permitted shall be non-opening below a height of 1.7m and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

Schedule 2 Part 1 Classes A and E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

R6 - 1/6 (site location plan) May 2018
R6 - D (proposed demolition plan) June 2018
R6 - 4/6 (proposed site plan only) June 2018
R6 - 5/6 (proposed floor plans) June 2018
R6 - 6/6 (proposed elevations) June 2018

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

Article 35

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Appendix A - Consultation responses

Kings Langley Parish Council

The Council objected to this application because its bulk / size would not be in-keeping with neighbouring properties / the street and would create a visual intrusion and cause a loss of light to neighbouring properties.

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informative:

I recommend inclusion of the following advisory note to ensure that any works within the highway are to be carried out in accordance with the provisions of the highway Act 1980.

Storage of materials AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the highway AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Planning Application

Proposal is for demolition of existing garage. Construction of a part two storey, part single storey rear extension. A two storey side extension to each side. Alterations to the windows and doors to front elevation. Conversion of the existing dwelling into two separate dwellings.

Site and Surrounding

The site is located at 40 Coniston Road, Kings Langly. The existing property is a detached property with two dropped kerb arrangements. Coniston Road is a 715m long unclassified local access road linking A4125 Hampstead Road and Barnes Lane. There is no on-street parking restrictions and most properties are either detached or semi-detached with off street parking.

Sustainability

The site is surrounded by residential properties.

Access and Parking

Applicant is not proposing to alter any on-site parking which is a matter for the local planning authority. In terms of access as explained above there are two dropped kerb arrangements and the applicant is not proposing to make any alterations. Since the proposal is for two separate dwellings each dropped kerb could be allocated each dwelling for separate access arrangement

Conclusion

The highway authority does not wish to restrict the grant of consent.

Dacorum Contaminated Land

No objection. Note site's location within the vicinity of potentially contaminative land use (infilled quarry) and suggest standard conditions.

Dacorum Building Control - no comment

Hertfordshire Property Services - no objection

Environment Agency - no objection

British Pipeline Agency - not in zone of interest, no comment

Appendix B - Neighbour notification and site notice response

38a Coniston Road

I have had contact with the applicant about the new plans which are certainly an improvement. My observations are:

Whilst I would prefer the status quo to remain, I am aware of PD rights. We have had a lot of dialogue regarding the eaves height of the single storey extension adjoining my property and the reduction to 3m above ground level as shown is welcomed and must be strictly adhered too. The total roof height is above PD but officers can comment. The applicant had offered a white paint/render gable adjoining me but the drawing shows brick?

We discussed windows on my elevation and I strongly request obscure glazing and high level opening only so this should be conditioned as the drawings do not state this. My preference is for the first floor side bedroom window to the 2 storey extension to be removed but that is a planning officer matter, if not then obscure glazed.

The 2 storey extension is deeper than PD but will leave that to officers to comment.

32 Coniston Road

I have viewed the amended plans for 40 Coniston Road and still have objections, namely:

1) the new development will extend to both boundaries with adjoining properties, and the new plans seem to suggest that there will be even less of a gap from the boundary lines than seen in the previous plans submitted.

2) The removal of the existing chimneys will seriously detract from the nature and character of the house. The house is in Tudor style and the chimneys are twisted effect and rather beautiful. Taking these away will change the style of the house.

3) The extensions to the back and side of the house will considerably increase its footprint.

4) Turning one detached house into two semi detached properties increases the burden on local parking provision.

I also note that a significant construction has taken place in the rear garden of this property which is likely to lie within the Green Belt and I cannot find that planning permission has been sought or granted.

Appendix C - Neighbour notification and site notice responses to original plans

Items of correspondence have been received from Nos. 19, 21, 32, 38a, 42 Coniston Road, objecting to the proposal on the following grounds:

- Proposed additions to building would appear alien and harm the character and balance of the building;
- Varying gable and ridge heights which are not well-related;
- Contrived design and crown roof represents overdevelopment;
- Excessive height and bulk;
- Materials unsympathetic to site and surrounding area;
- Gap between dwellings would not be proportionate to building sizes;
- Erode spacious character and balance of street;
- Development lead to terracing effect;
- Development would impact amenity from neighbouring windows;
- Daylight and Sunlight assessment submitted was carried out without a site visit to the neighbouring property;
- Over-dominating form of development leading to unreasonable visual intrusion;

- Impact of development on neighbouring properties noting drop in levels;
- Additional parking and traffic unsatisfactory on busy road and noting proximity to school;
- Inaccuracies on plan;
- Design and Access Statement required;
- No details of foundations.

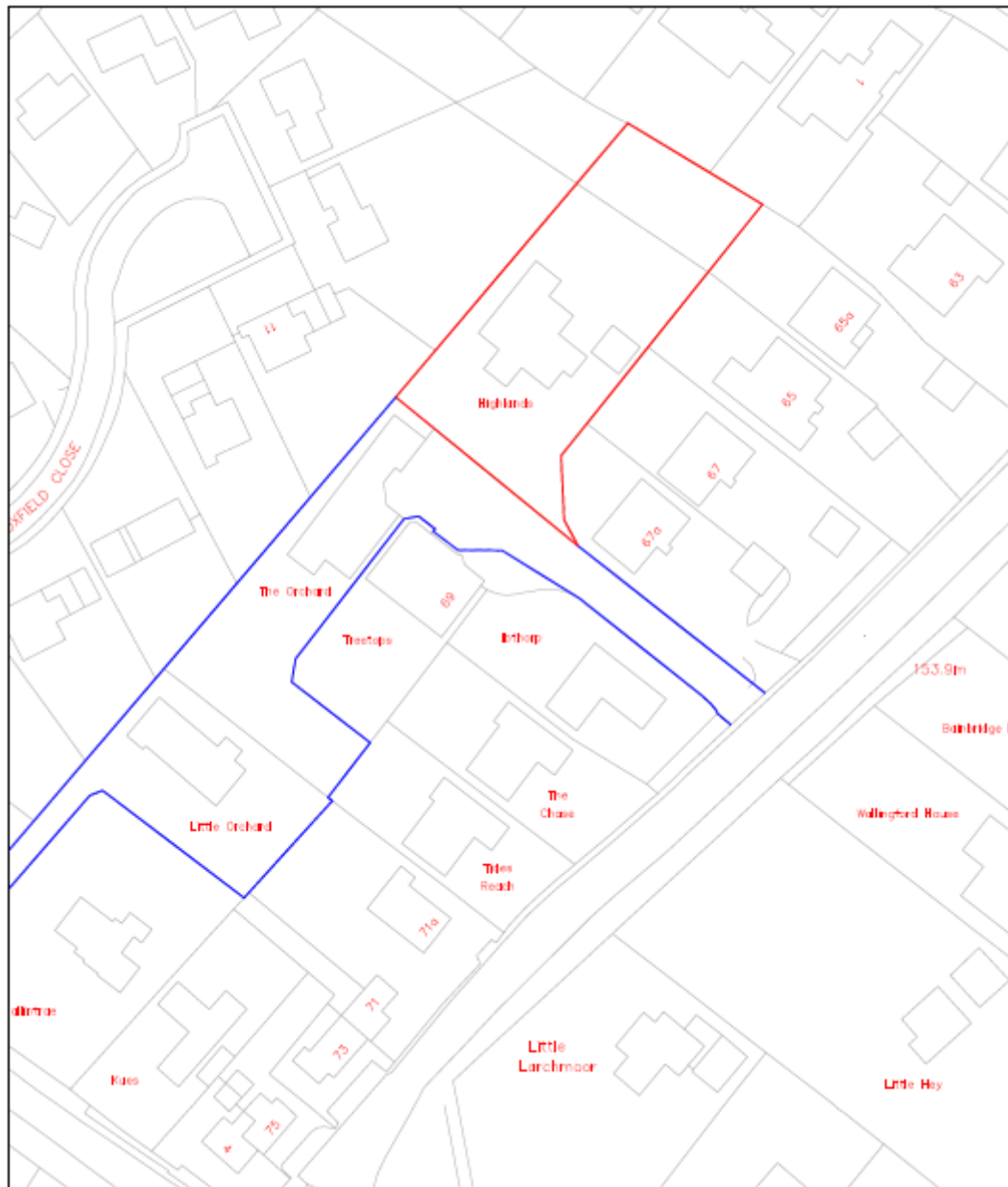
It is noted that the dimensions of the proposed plans accord with those on site and the plans are satisfactory for the purposes of the planning application in terms of assessing the impact of the development on the surrounding area.

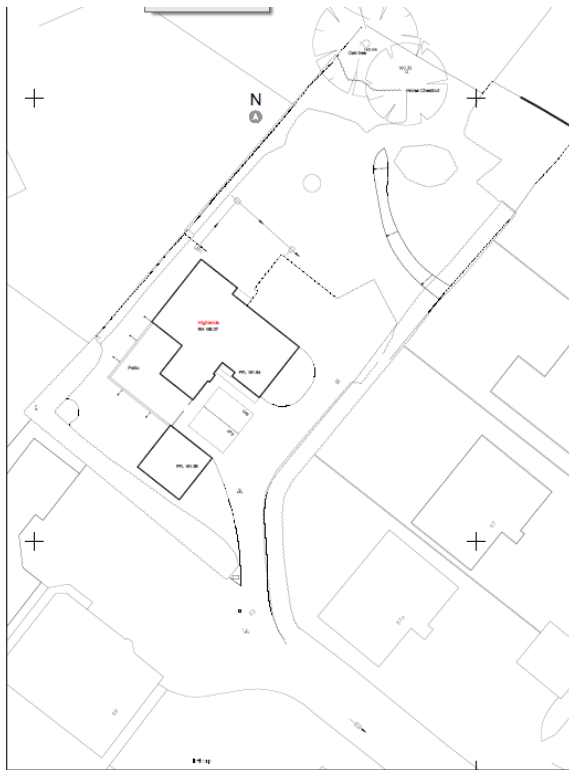
Details of foundations would not normally be required relating to an application of this scale and construction works are covered under separate legislation.

Under the Town and Country Planning (Development Management Procedure) (England) Order 2015, a Design and Access Statement is not a mandatory validation requirement for this application. Reference is made to Section 9 which requires an application for planning permission to be accompanied by a statement where any part of the development is in a designated area and consists of the provision of one or more dwellinghouses (designated area is defined under this section as a Conservation Area or a property appearing on the World Heritage List). The application site does not lie within a designated area for the purposes of this regulation.

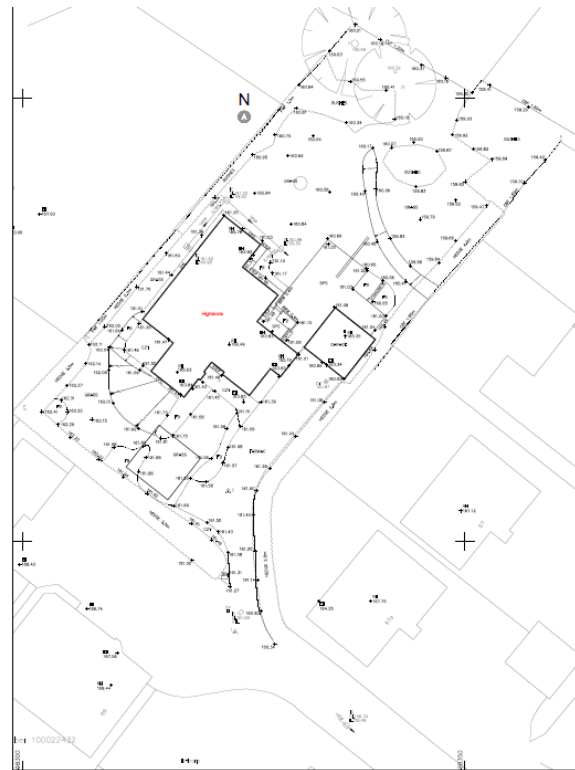
5h 4/00097/18/FHA DEMOLITION OF EXISTING GARAGE, CONSERVATORY, REAR WING AND BAY. CONSTRUCTION OF SECOND STOREY EXTENSION AND GARAGE. REMODELING OF INTERIOR AND ADJUSTMENTS TO WINDOWS.

HIGHLANDS, KINGS ROAD, BERKHAMSTED, HP4 3BP





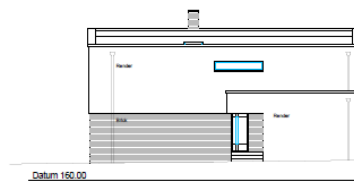
PROPOSED SITE PLAN SCALE 1/200



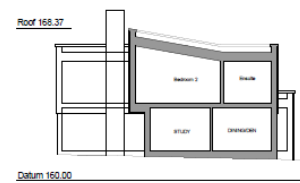
EXISTING SITE PLAN SCALE 1/200



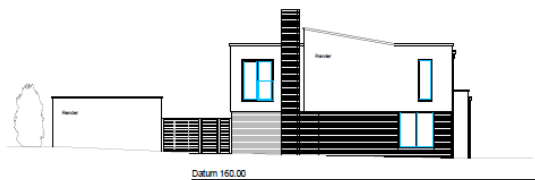
Proposed South West Elevation (Front)



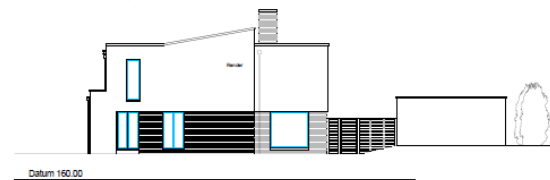
Proposed North East Elevation (Rear)



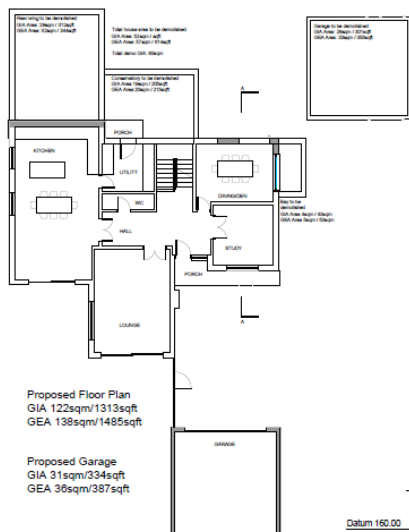
Section A



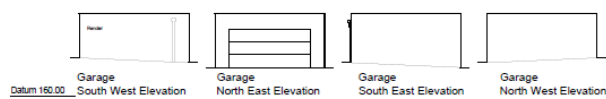
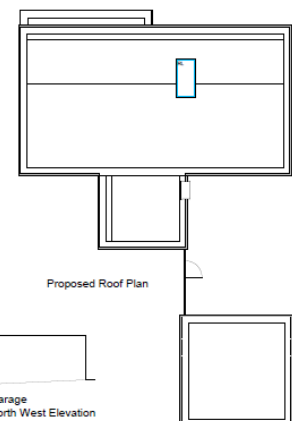
Proposed South East Elevation (Side)



Proposed North West Elevation (Side)



GIA:
Floor area of new build 154sqm
Floor area to be demolished 80sqm
Total new build floor area: (154 - 80) = 74msqm.



4/00097/18/FHA	DEMOLITION OF EXISTING GARAGE, CONSERVATORY, REAR WING AND BAY. CONSTRUCTION OF SECOND STOREY EXTENSION AND GARAGE. REMODELING OF INTERIOR AND ADJUSTMENTS TO WINDOWS.
Site Address	HIGHLANDS, KINGS ROAD, BERKHAMSTED, HP4 3BP
Applicant	Mr & Mrs Wilton, 20 The Old Registry Office
Case Officer	Briony Curtain
Referral to Committee	Contrary views of Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The site is situated within the town of Berkhamsted wherein residential development is acceptable in accordance with Policy CS4. Whilst modern and striking in their design, Kings Road is characterised by variety, and as such the extensions and alterations proposed will not appear incongruous. Given the secluded position of the application site, the overall character and appearance of this part of Kings Road will not change. Given the separation distance, design of the proposals, and existing circumstances including existing high levels of mutual overlooking, there would be no significant adverse impact on the residential amenities of adjacent properties in terms of light, privacy or visual intrusion. The proposal would comply with Policy CS12 in these regards.

3. Site Description

3.1 The application site is located towards the southern end of Kings Road, close to the junction with Shootersway and currently comprises a detached single storey bungalow; Highlands. The bungalow is reached via a steep driveway leading off Kings Road, which is shared by three properties. Highlands occupies a secluded position behind No.s 67 and 67a Kings Road, and is not visible from the main road. To the northwest are No.s 11 and 12 Oxfield Close, both of which are large, detached dwellings which are set at an angle. To the south-east are Treetops and The Orchard, also both two storey detached properties.

4. Proposal

4.1 Planning Permission is sought for the demolition of the existing rear projection, conservatory and garage. The existing hipped roof would be removed and a second floor extension would be constructed. The extensions would be modern in their appearance with angled and flat roofs. The walls would be brick and render.

5. Relevant Planning History

4/00957/03/FHA CONSERVATORY
Granted
10/06/2003

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, CS11 and CS12.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 21, 51, etc.

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area BCA 12
- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. **Constraints**

- HALTON DOTTED BLACK
- 10.7M AIR DIR LIMIT
- Former Land Use
- TREE PRESERVATION ORDER
- CIL1

8. **Representations**

Consultation responses

8.1 Berkhamsted Town Council - Objection.

The bulk and mass of the proposals would lead to overlooking of neighbouring properties and resultant loss of amenity. Contrary to CS11, CS12.

Neighbour notification/site notice responses

8.2 - Four representations were received, all objecting to the proposals.

These are reproduced in full at Appendix 1

9. **Considerations**

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on site / street scene
- Impact on Neighbouring Properties
- Impact on Highway Safety
- Other

Policy and Principle

9.2 The site is situated in the town of Berkhamsted within a designated residential area, wherein residential development is acceptable in principle in accordance with Policy CS4 of the

Core Strategy.

The main considerations in the determination of the application are the impact of the development on the character and appearance of the site and street scene; the impact upon neighbouring properties; parking and highway safety

Design, Scale, and Impact on street scene.

9.3 The proposed extensions and alterations would result in the dwelling appearing substantially different from those surrounding it, in that it is of an innovative, contemporary design which would contrast with its neighbours. It would however provide a distinctive property which given its secluded position would not alter the overall character or appearance of this part of Kings Road. The design is considered acceptable.

Whilst an additional floor would be introduced, given the modern flat roof design, the mass and bulk introduced is considered acceptable. Additional plans comparing the existing dwelling to the proposed have been submitted and demonstrate that the total height has increased by only 2m. The resulting building remains lower than adjacent properties (treetops and The Orchard) which occupy a similar position in relation to properties of both Oxfield Close and Kings Road. The resulting building is considered of a compatible scale and would not therefore appear dominant or at odds with the prevailing street pattern.

All existing trees and hedging along the front and rear boundaries would be maintained which would help screen the property within the site. The materials proposed are considered acceptable.

The proposals would integrate with the street scape character and respect adjacent properties in terms of layout, site coverage, scale, height, bulk, and materials. It thus complies with Policy CS12 of the Core Strategy.

Impact on Neighbouring Properties.

9.4 There would be no significant adverse impacts. Given its position at the top of the hill and the increased height associated with the first floor being introduced, the resulting building will have an impact on the residential amenities of adjacent properties, however, not to such a degree as to warrant a refusal.

It is appreciated that the application site sits within a relatively constrained location, within close proximity to neighbouring properties both within Kings Road and Oxfield Close. Taking the relationship of the application site and that of neighbouring residents into consideration it is not thought that the additional 2m height, or the additional mass or bulk associated with the design change would result in significant loss of outlook or daylight serving the habitable windows, conservatory or garden areas of neighbouring properties. A sectional plan has been submitted to demonstrate the relative land levels and separation distances between the application site and the Kings Road properties. No significant loss of daylight or sunlight to neighbouring residents on Kings Road would result from the proposed roof extensions due the north- west orientation of the application site in relation to these properties and the 25m separation.

Given the topography of the area, Highlands occupies an elevated position above the Kings Road properties. As such, the additional height, and the fact the existing hipped roofs (which slope away from neighbouring sites) are to be replaced by a flat, higher facade, the extensions would be clearly visible from habitable windows and the rear garden areas of adjoining

properties. However, given the separation distance, the extensions would not appear unduly prominent or oppressive. Highlands is sited over 25m from all surrounding dwellings. In addition as part of the proposal, the footprint of the dwelling would be reduced; the existing rear wing and conservatory would be demolished. This would mean the mass, bulk and sprawl of the existing building would be lesser in some areas and therefore improve aspect in these areas. For example, when viewed from Oxfield Close to the rear, the overall width of the building would be reduced by 7m. This reduced sprawl is considered to off-set the additional 2m height. The separation distances are comparable to those of surrounding buildings.

There would be no significant increase in overlooking of neighbouring sites or a loss of privacy. This part of Kings Road is heavily developed and as such there is already a high degree of mutual overlooking between sites. It is acknowledged that Highlands is presently a bungalow which is entirely surrounded by hedging and trees and as such, itself does not currently permit any views of adjacent properties. However, other surrounding properties boast similar views to those that would be created. The rear elevations of No.s 67 and 67a are already overlooked from the front facing habitable rooms of Treetops and The Orchard, albeit from a slightly greater distance and oblique angle. As previously noted the separation distance exceeds 25m which is considered sufficient to ensure an acceptable degree of privacy. Moreover all windows to the side / rear elevations would be either obscure glazed (and a condition to this effect will be imposed), or have been angled to restrict views (bedroom 3) to the south east ie. down the driveway. The front facing windows would be sited in closer proximity to Treetops and The Orchard, than the existing but again given the existing mutual overlooking, despite appearing nearer the additional habitable rooms being introduced would not significantly reduce privacy. A refusal based on loss of privacy could not be sustained.

Impact on Highway Safety

9.6 The application site falls within Zone 4 of the Accessibility Zone in Berkhamsted. Appendix 5 of the DBLP states 4 or more bedrooms dwellings within Zone 4 require a maximum car parking standard of 3 spaces. The site is well served by off-street car parking with a large front driveway and a double garage forms part of the proposal. It is therefore considered the proposed number of parking spaces would be in accordance with Appendix 5 of the DBLP.

Community Infrastructure Levy

9.7 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable due to resulting in less than 100m² of additional floor space.

10. Conclusions

10.1 The proposed extensions through position, layout and design would not adversely impact upon the immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7 Policies 57 and 58 of the Dacorum Local Plan (2004), Policies CS6, CS8, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012).

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

1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
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	Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings and documents.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy Cs12 of the Core Strategy.</p>
3	<p>The window(s) at first floor level in the north-west elevation of the extensions hereby permitted shall be non-opening and shall be permanently fitted with obscured glass.</p> <p>The first floor window to the right hand side of the South-East elevation (annotated as 'en-suite' to bedroom 2 on drawing no. 17 514 PL04A) of the extensions hereby permitted shall be non-opening and shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the amenity of adjoining residents.</p>
4	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes A, B, and C.</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.</p>
5	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>17 514 PL02 - proposed and existing site layout 17 514 PL04A - New House Proposed plans and Elevations 17 514 PL05 - New House site context 17 514 PL06 - proposed elevations with existing outline 17 514 PL07A - Views from proposed development</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 pro-actively through positive engagement with the applicant 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 2015.</p>

Neighbour notification/site notice responses

Objections

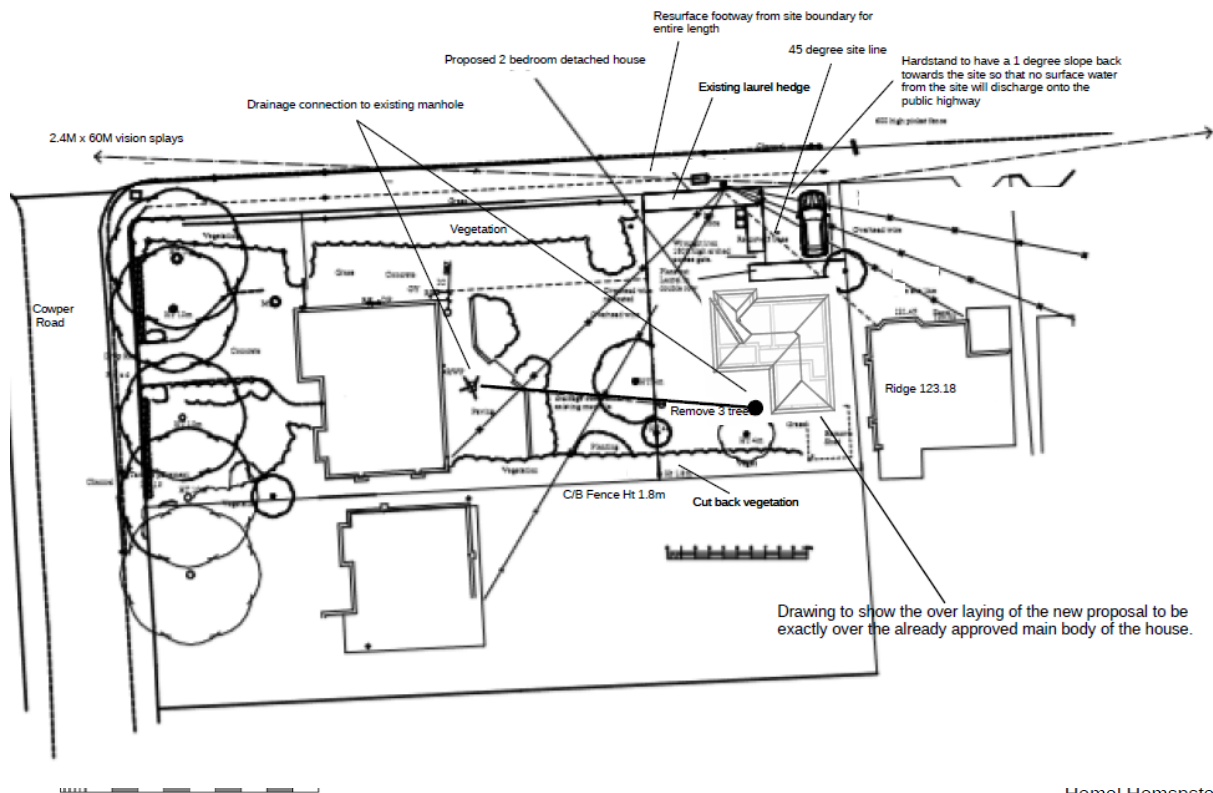
Comments:

Address	Comments
67 Kings Road	<p>The amended designs do not respond appropriately to our concerns raised - the window elevation will still impact our privacy and there is nothing in planning policy to say that privacy distance can be reduced if there is a hedge screen.</p> <p>There are minimal design changes, still no windows on the north elevation; we reiterate all our previous concerns - overshadowing, loss of privacy and concerns about current and future overdevelopment.</p> <p>We wholly oppose the revised proposal.</p> <p>Our primary objection is loss of privacy from being overlooked due to the added 1st floor accommodation: Proposed windows on the new 1st floor en-suite are less than 22m from our rear bedroom windows To resolve this all windows facing our property should be removed.</p> <ul style="list-style-type: none">- Another major concern is being overlooked & overshadowed, due to the relative height of the property which is already 1 storey higher than our property. The bulk of the proposed 1st floor addition should therefore be reduced, within a pitched roof.- It seems the proposed garage will not be accessible for parking, as it is orientated away from the access road & blocked by 2 external parking spaces.- The north elevation, facing the rear garden, has no windows providing good views to the garden. It seems this may be designed with a future 'backland' development of the rear garden. If this is the case we would wholly oppose a proposal due to loss of privacy, loss of residential garden space, noise & disturbance. <p>Our objection remains unchanged from previously lodged. The revised plans do not address our concerns. Restating our previous objection:</p>
67a Kings Road	<p>We have two concerns.</p> <p>Firstly, being overlooked/loss of privacy. Due to the landscape the second storey extension will look down into the rooms on the rear of our property, in particular the bedrooms on the first floor, as Highlands is elevated relative to our property.</p> <p>We are also concerned by the loss of light. We currently have a hedge separating our property from Highlands, which is almost 3m high at the rear of our property to provide privacy from a one storey dwelling. With the addition of the second</p>

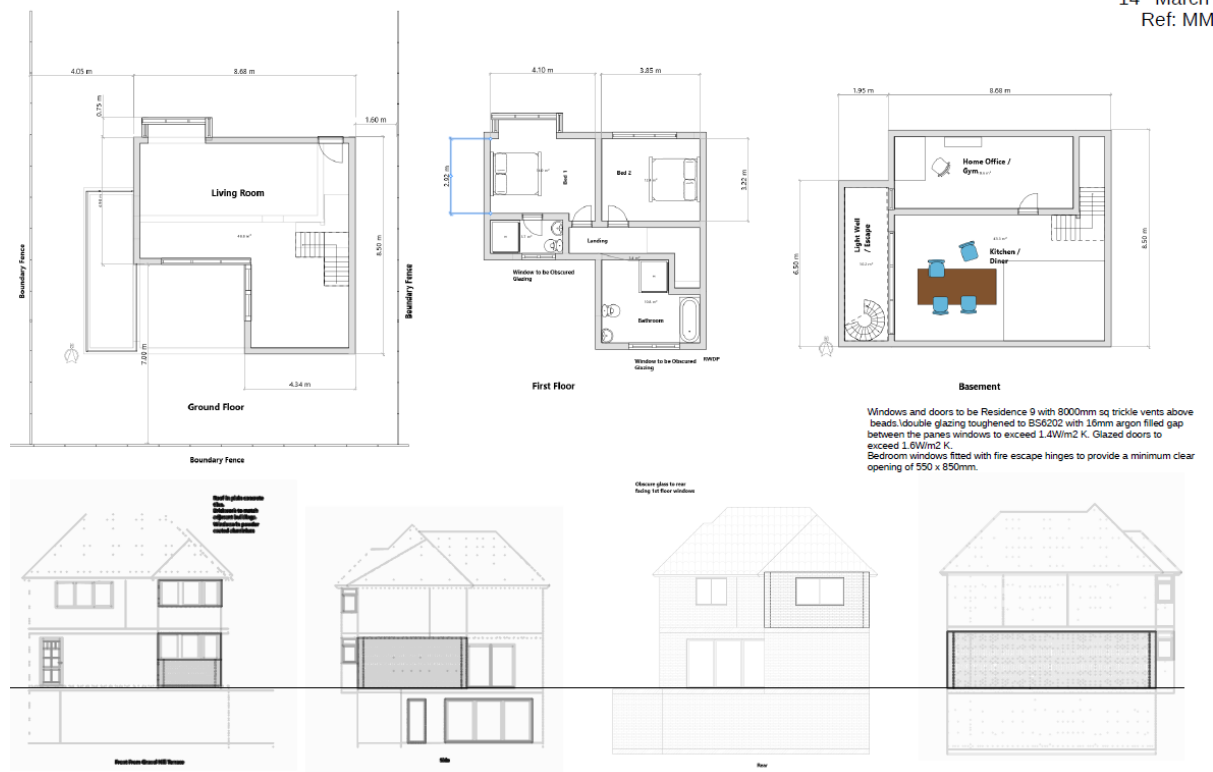
5i 4/00521/18/FUL CONSTRUCTION OF 2- BED DETACHED DWELLING.

115 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PF





Hemel Hempstead
14th March
Ref: MM



4/00521/18/FUL	CONSTRUCTION OF 2- BED DETACHED DWELLING.
Site Address	115 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PF
Applicant	Mr Mills, 115 Cowper Rd.
Case Officer	Briony Curtain
Referral to Committee	Previous application for similar development refused by Members.

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The principle of residential development is acceptable as the site is located within a residential area. Moreover planning permission has already been granted for the construction of a similar proposal, which is a material consideration that should be afforded significant weight in the current determination. The main differences between the current proposal and that previously approved is; the size of the unit (a two storey rear extension has been added) and the introduction of a basement. Given the extension is to the rear and the basement underground, the proposal would not have any significant adverse impact on the appearance of the site or wider streetscene when compared to that already approved. Its impact on the amenity of neighbouring properties in terms of light, privacy and visual intrusion would be minimal. An acceptable level of residential amenity is provided for future occupants including, whilst smaller than the previously approved, an acceptably sized private garden area. The access and car parking is deemed satisfactory and has not changed from the previous approval. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Policies CS4, CS11 and CS12 of the Core Strategy and saved Policies 58, and saved Appendices 5 and 7 of the DBLP.

3. Site Description

3.1 The application site; No. 115 Cowper Road, is located on a corner plot at the junction between Cowper Road and Gravelhill Terrace, within the Hemel Hempstead Character Area 8 (Counters End). The plot currently comprises a large, detached, two-storey dwelling constructed with light brick, plain tiles and white uPVC. The property benefits from a fairly large rear garden. The surrounding area comprises predominantly detached dwellings with occasional examples of semi-detached housing.

4. Proposal

4.1 The application seeks planning permission for the construction of an amended two-storey, two-bedroom detached dwelling within the residential curtilage of 115 Cowper Road. The proposed dwelling would be sited in the rear of the garden, adjacent to 11 Gravelhill Terrace. Whilst the proposed dwelling remains as approved when viewed from Gravel Hill Terrace, the current proposal differs from that previously approved as a basement and two storey rear wing have been introduced. The introduction of these elements has reduced the size of the private amenity space. The parking and access remains as approved.

5. Relevant Planning History

4/00173/16/FUL CONSTRUCTION OF ONE 2-BEDROOM DETACHED HOUSE
Refused (- **allowed at appeal**)
19/05/2016

4/01650/10/FHA SINGLE STOREY FRONT EXTENSION AND GARAGE CONVERSION
WITH NEW ATTACHED GARAGE TO SIDE

Granted
15/11/2010

4/01653/99/4 FIRST FLOOR EXTENSION AND ALTERATIONS TO GARAGE
Granted
20/10/1999

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

NP1, CS1, CS4, CS11, CS12, and CS29.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, and 13. Appendix 3, 5 and 7.

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area HCA 8; Counters End.
- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

- 45.7M AIR DIR LIMIT
- CIL3
- TREE PRESERVATION ORDER

8. Representations

Consultation responses

8.1 Herts County Council Highways raise no objection. The Woodlands Officer raises no objection. Their comments are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 Three Neighbour Objections received. These are reproduced in full at Appendix B.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on site / street scene
- Impact on residential amenity (existing and future)

- Impact on Highway Safety
- Other - CIL

Policy and Principle

9.2 The site is located within the residential area of Hemel Hempstead where the Core Strategy, Policies CS1, CS4, CS11 and CS12 are relevant. Policy CS4 supports appropriate residential development, whilst CS11 and CS12 is concerned with quality of neighbourhood and site design. In terms of compatibility with the Character Area Appraisal (HCA 8), the development principles for the area are as follows:

- Design: Scope for variety, innovation and modernity in design.
- Type: Detached dwellings are strongly encouraged.
- Height: New buildings should not normally exceed two storeys.
- Size: Medium to large dwellings are encouraged.
- Layout: Informal layouts are acceptable, although dwellings should follow a defined building line. Spacing should be provided in the medium range (2m to 5m).
- Density: Development should be compatible with the character in the existing density range of 15 dwellings/ha.

The construction of the dwelling is acceptable in principle in this residential location and furthermore, planning permission has already been granted (allowed at appeal) for the construction of a two bed dwelling on the site.

The main considerations in the determination of this current application are thus the differences between the two proposals and the impact of these.

Layout, Design, Scale, impact on street scene

9.3 The siting of the proposed dwelling, its general layout, and overall design all remain as previously approved. The front elevation also remains exactly as approved.

The scale of the dwelling has increased as a two storey rear wing has been added. However, notwithstanding the larger footprint and additional floor space now proposed, the dwelling is still considered to be of an appropriate size and scale for the plot. The development principles for the area; HCA 8, state medium to large dwellings are encouraged. The increase in the size of the dwelling is therefore considered acceptable, in accordance with the principles for the area, and more in line with the size and scale of the surrounding built form. Adequate space is maintained in and around the building so as to not appear cramped or excessive in relation to the plot or the wider area.

From public vantage points, the front, western side elevation and part of the eastern elevation of the proposed dwelling would be visible. The two storey rear addition, now proposed, is located to the far south-eastern corner of the previously approved dwelling, and given it extends only part way across the rear elevation, it would not be readily apparent from public vantage points. Whilst visible, it is set back from the main western side elevation so would appear subservient and would be entirely set against the back drop of the larger, deeper side elevation of No. 11 Gravel Hill Terrace behind. The impact of the additional wing on the overall character and appearance of the street scene would thus be very minimal.

As the Inspector notes, in their considerations of the allowed appeal, '*the appeal proposal would be a compact dwelling and although it would appear noticeably smaller than the majority of the buildings surrounding it, there would be limited public vantage points where this would be apparent*'. The dwelling allowed at appeal is similar in width to the existing properties of Gravel Hill Terrace so the Inspector comments; '*noticeably smaller*', must refer to the

dwelling's depth. The introduction of the rear wing would make the depth of the proposed dwelling more comparable to those of adjacent dwellings and thus more in keeping with the remainder of the street scene. In visual terms this may in fact ensure a better integration into the existing street scene when compared to the previous approval.

The dwelling would integrate with the existing street scene character and complies with Policy Cs12 in this regard.

Residential Amenity

9.4.1 Existing Neighbouring Properties

Being underground, the addition of the basement would not impact on the residential amenity of adjacent properties in terms of light, privacy or visual intrusion.

The two storey rear addition now proposed would affect outlook from, and light to, windows serving habitable windows in the flank elevation of No. 11 Gravel Hill Terrace. However, the rooms they serve also have the benefit of other windows (front and rear facing) which would not be affected by the development). Whilst the depth of the dwelling has been increased by 3.5m, given the position and orientation of the windows, the fact they are secondary serving windows and the fact the existing boundary treatment will already have a limiting effect on the ground floor windows, the development as amended would not materially harm the living conditions of the occupiers of No. 11, especially when compared to the dwelling already approved.

The proposal would not have a detrimental impact on the residential amenity of the occupiers of No. 113 in respect of overlooking. In line with the previous approval, the rear facing windows would both serve bathrooms and be obscure glazed. A condition requiring obscure glazing and non-opening (below 1.7m from floor of room) would be conditioned.

9.4.2 Future Residents

The enlargement to the footprint of the dwelling now proposed, and the lightwells/ access associated with the basement both reduce the size of the rear garden. However, it is still considered that an acceptable amount of amenity space for the size of the dwelling is being provided. Three distinct amenity areas are maintained; an area 14m in width by 3.5m in depth is located to the very rear of the plot; a 4m by 3.5m area is provided between the living room and basement lightwell; in addition, the space to the rear of the building would be supplemented by an additional 6m by 7m garden to the front. All three areas are considered functional in their shape and collectively would adequately serve the dwelling. A total of 107 square metres of garden is provided (excluding the area to side of basement lightwell and parking area) which is considered acceptable to serve a two bedroom property in this location. There are larger properties, in the area which have smaller or comparable sized amenity spaces.

It is acknowledged that in allowing the appeal, due to the restricted size of the site, the inspector removed Class A permitted development rights. However class A would permit numerous extensions in a variety of different configurations some of which would be harmful and would result in a substandard amount or shape of amenity. The removal of Permitted Development Rights does not prevent all future extensions, but results in them requiring consent. This allows the LPA to retain control.

On balance it is considered a refusal based on amenity space could not be sustained.

Impact on Highway Safety

9.5 Saved Appendix 5 of the Local Plan advises that as a maximum standard, dwellings

comprising two bedrooms should accommodate 1.5 parking spaces. The resultant site layout would comprise two off-street parking spaces. Considering this and considering the proximate (walking distance) to local centres within Hemel Hempstead and nearby public transport links, the proposal is deemed acceptable in accordance with Policy CS12 of the Core Strategy and saved Policy 58 of the Local Plan. Moreover the provision of a two bedroomed dwelling with two off-street parking spaces in the same arrangement has already been accepted by the Planning Inspector and granted planning permission. This is a material consideration that should be afforded significant weight. With regards to the access and highway safety, Hertfordshire County Council (Highways Department), have not raised any concerns, however, they have asked for a number of conditions and informatives to be included. Where considered necessary and reasonable these have been imposed.

CIL

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

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

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>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development shall 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; 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; car parking layouts and other vehicle and pedestrian access and circulation areas;</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.</p>
4	<p>The dwelling hereby permitted shall not be occupied until the arrangements for vehicle parking, shown on Drawing No. MM01 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. Before being brought in to use the new parking areas hereby approved shall be surfaced in tarmacadam or similar durable bound material and arrangements shall be made for surface water</p>

	<p>from the site to be intercepted and disposed of separately so that it does not discharge in to highway.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities and To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety.</p>
5	<p>The windows at first floor level in the rear elevations of the dwelling hereby permitted shall be non opening (unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed) and shall be permanently fitted with obscured glass up to a height of 1.7m above the floor of the room in which the window is installed.</p> <p>Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Core Strategy.</p>
6	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes A, B, C, E, and F</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.</p>

Appendix A

Consultation responses

1. Hertfordshire county Council – Highway Authority

Do not wish to restrict grant of planning permission. Recommend conditional approval.

The development proposal is for erection of 2 bedroom detached dwelling. Site and surrounding:

The site is located at 115 Cowper Road which is the corner plot of Cowper Road and Gravel Hill Terrace. Both Cowper Road and Gravel Hill Terrace are unclassified local access roads. In terms of accessibility the application site is in a residential neighbourhood

Capacity and Safety

The highway network in the vicinity of the site does not have capacity or road safety issues. The Additional vehicle trips associated with a proposal is unlikely to have any noticeable impact on the local road network.

Vehicular Access and parking

The proposal is to serve the site via a dropped kerb from Gravel Hill Terrace. The applicant proposal is to provide two car parking spaces. In terms of access the applicant should take a note of Condition and AN1

Refuse Collection

Refuse collection as existing.

Conclusion

The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes

2. Woodlands Officer

I have reviewed the above planning application. I have no objections, there are a small number of trees require removal to build new dwelling – trees are of low quality so not opposed. Landscaping details are required.

Appendix B

Neighbour notification responses

2 Objections Received;

Address; 113 Cowper Road	<p>Comments; Over-Development of the Site and Cramped Design Impacting Living Conditions of Neighbours.</p> <p>The previous planning application for this site (4/00173/16/FUL) started out with larger dwellings, then a single dwelling, and these designs were iteratively reduced in scale until a plan was put forward that was deemed to be potentially acceptable by the planning officer, but was still subsequently rejected by the development committee as <i>‘The proposal would by reason of its cramped and contrived layout result in the overdevelopment of the site’</i>. Clearly from these iterations, the scale of the development for 4/00173/16/FUL was at the very limit of acceptable. To crystalize this point, the appeals inspector <i>‘Exceptionally’</i>, and specifically, removed development rights <i>‘given the modest size of the proposed house, its outdoor space and its relationship to neighbouring dwellings’</i> in order to <i>‘avoid adverse effects on the living conditions of existing and future occupiers’</i>. ‘Occupiers’ in this sense, includes those of neighbouring properties, not just occupiers of the development, and this planned development is unquestionably cramped</p>
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	<p>and overbearing to neighbours.</p> <p>There has been no change to the size of the proposed site, so there is absolutely no justification for an increase in the footprint and scale of the dwelling, so the plans must be rejected on this basis.</p> <p>Insufficient Amenity Space</p> <p>The Dacorum Borough Local Plan recommends a rear garden length of 11.5m. The previous application had a garden length of 7m, but this plan has reduced that to 3.5m. The Local Plan acknowledges that reduced depth may be acceptable for '<i>Starter Homes</i>', and the Appeals Inspector accepted this circumstance for the previous application due to its '<i>small size</i>'. The dwelling in this application is much larger in scale than that in the previous application, and it can in no way be described as a starter home, so even the 7m should be considered insufficient for the scale, and definitely the reduced 3.5m is insufficient and the plans must be rejected.</p> <p>Overlooking 113 Cowper Road & Window Design</p> <p>This new design has bathrooms at the back overlooking the garden of 113 Cowper Road. The plans do specify obscure glass, but the windows shown are large, overbearing and opening. It is typical of these applicants that they have shown no consideration for their nearest neighbours in design of these windows. The ensuite bathroom could have had a small high-level window either facing south or towards 115 Cowper Road, in obscure glass opening only above 1.7m and tilting open towards the sky rather than downwards. The</p>
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	<p>main bathroom flank (only 3.5m from the boundary with 113 Cowper Road and overlooking a private patio), could have had no window facing 113 Cowper Road at all – instead the bathroom window could have been designed to face the brick wall flank of 11 Gravel Hill Terrace, and be sited as a long, high level, obscure glass window at 1.7m height and hinged at the bottom, so tilting open upwards. This would have had little impact on the amenity of the development, but would have been a much more sympathetic design for the occupants of 113 Cowper Road.</p> <p>The plans must be rejected on the design of these windows. In the appeal decision for the previous application, the inspector stated: <i>‘In order to protect the living conditions of neighbours the first-floor rear windows must be obscured and non-opening for that height where overlooking might otherwise be likely to occur.’</i> The inspector’s decision note further states: <i>‘no part of those windows that are less than 1.7metres above the floor of the room in which they are installed should be capable of being opened.’</i></p> <p>Overlooking 115 Cowper & 113 Cowper Road. These latest plans include patio doors facing west. These door face directly into the primary rooms of 115 Cowper Road, and additionally look into, and are overlooked by, a bedroom at the rear of 113 Cowper Road. This constitutes loss of privacy to the inhabitants of Cowper Road, and the plans must be rejected on this basis.</p> <p>Proximity to 11 Gravel Hill Terrace for basement construction This plan includes a basement, which will need to</p>
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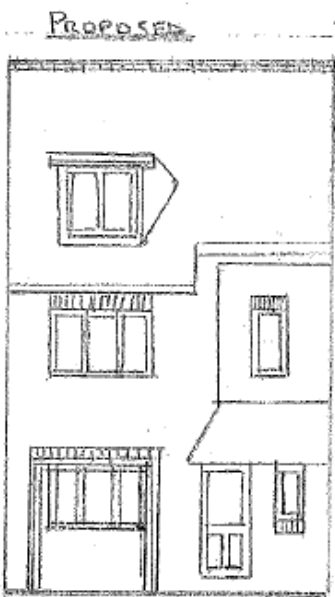
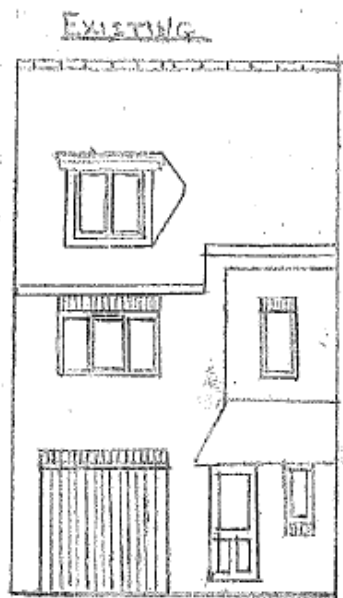
	<p>be excavated very close to 11 Gravel Hill Terrace. The basement is close enough to 11 Gravel Hill Terrace for The Party Wall Act to be invoked and formal notifications and agreements with occupants of 11 Gravel Hill Terrace will be required.</p> <p>As the basement plan extends beyond the footprint of the house above ground, it is unlikely that the apple tree retained in the layout scheme for the previous planning application could be retained.</p> <p>The plans give no indication for the design and safety of the light well. It is not clear if it is an open pit or covered structure.</p>
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Address; 11 Gravel Hill Terrace	<p>Comments; I believe that, in judging this application, the Council should consider previous comments on application ref. 4/00173/16/FUL, their own local plan and, most importantly, the relevant sections of the appeal decision (ref: APP/A1910/W/16/3153122) allowing construction of what was described as "a small starter home", in particular: -</p> <ol style="list-style-type: none"> 1. The reasons for removing permitted development rights (para.15 of appeal decision) and, 2. The comments regarding functional amenity space (para.9 of appeal decision) in relation to the proposal's size (now considerably increased). <p>I submit that, in light of the above, this application should be rejected.</p> <p>The appeal decision to grant planning permission for the erection of one 2-bedroom house included the statement "it is necessary to remove permitted development rights for extensions to the house...." and continues "This would be to avoid adverse effects on the living conditions of existing and future occupiers." This application seeks not only to add a basement extension but also to considerably increase the footprint.</p> <p>The decision acknowledges that the rear garden (7 metres long) is shorter than the average 11.5 metres but may be acceptable for "a small starter home." It also notes the Council's consideration that "it would provide adequate functional amenity space for the proposal's size." The current application is</p>
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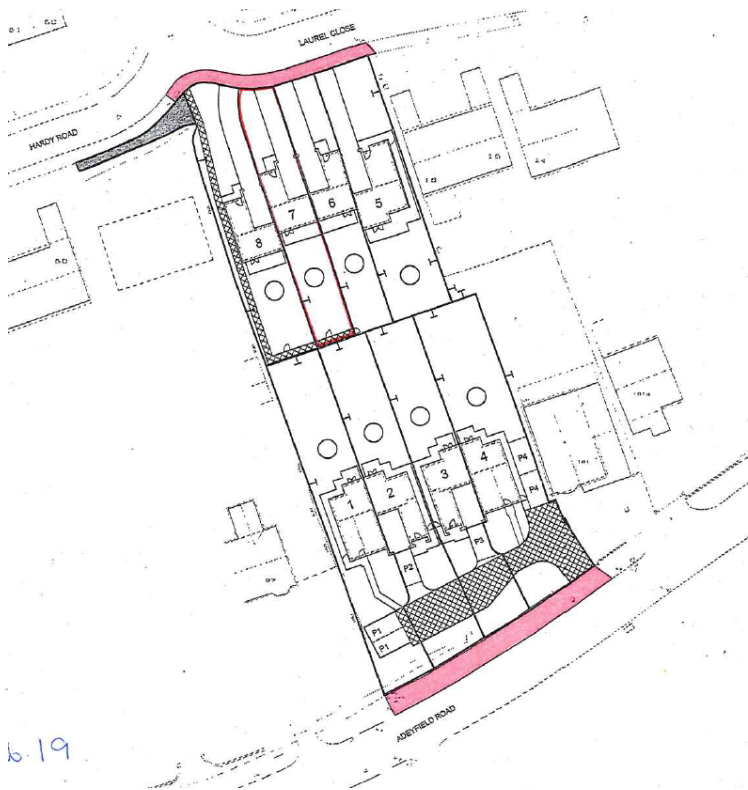
	<p>for a considerably larger property with corresponding loss of amenity space and a rear garden of approximately 3.5 metres. Surely this is an unacceptable reduction.</p> <p>I submit that, in order to respect the conditions of the appeal decision this application should be rejected.</p>
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Agenda Item 5j

5j 4/00508/18/FHA GARAGE CONVERSION
19 LAUREL CLOSE, HEMEL HEMPSTEAD, HP2 5ET



PLAN 1



b.19

4/00508/18/FHA	GARAGE CONVERSION
Site Address	19 LAUREL CLOSE, HEMEL HEMPSTEAD, HP2 5ET
Applicant	MRS T NORCOTT, 19 LAUREL CLOSE
Case Officer	James Gardner
Referral to Committee	APPLICANT IS MEMBER OF STAFF

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The application would not result in an unacceptable reduction in parking provision and, by extension, would not result in an adverse impact on highway safety, thus according with saved policies 57, 58 and Appendix 5 of the Dacorum Local Plan (2004). In accordance with Policies CS8 and CS12 of the Core Strategy (2013), it is considered that the level of parking provided would be sufficient having had regard to the accessibility of the location and the current parking arrangements.

2.2 The external alterations to the front elevation would result in a satisfactory appearance and do not give rise to concerns. As such, the proposal accords with saved Appendix 7 of the Dacorum Local Plan (2004) and Policies CS11 and CS12 of the Core Strategy (2013).

3. Site Description

3.1 The application site is located on the southern side of Laurel Close and comprises a modern terraced property. It is externally finished in a mixture of brick, cream painted render, with concrete interlocking tiles on the roof. There is a modest flat roof dormer on the front roof slope which is clad in lead and a small porch canopy above the front door. To the front there is a driveway with space for up to 2 vehicles in a tandem arrangement and a small area of lawn.

4. Proposal

4.1 Planning permission is sought to convert the existing integral garage into habitable accommodation.

5. Relevant Planning History

4/01466/11/FUL

Construction of four terraced 3-bed houses with access from laurel close.
Land at 99 Adeyfield Road, Hemel Hempstead.
Granted.

4/00261/18FHA

Garage conversion.
17 Laurel Close, Hemel Hempstead.
Granted.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, CS8, CS9, CS11, CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 57, 58, Appendices 5 & 7

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

- Residential Area

8. Representations

Consultation responses

8.1 Not applicable.

Neighbour notification/site notice responses

8.2 No responses received.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Street Scene
- Impact on Highway Safety

Policy and Principle

9.2 The application site is located within a residential area of Hemel Hempstead wherein, in accordance with Policy CS4 of the Core Strategy (2013), appropriate residential development is encouraged.

Impact on Street Scene / Appearance of Building

9.3 Saved Appendix 7 of the Dacorum Borough Local Plan (1991 - 2011) promotes good design practice on house extensions; in particular it states that extensions should harmonise with the original design and character of the house in terms of scale, roof form, window design and external finishes. Whilst it is acknowledged that the conversion of a garage to habitable accommodation would not generally be classed as a house extension, the design principles are nevertheless relevant. The guidance is clearly concerned with achieving a satisfactory visual relationship between the extension and the main house. The considerations in this case are no different. In addition to the above guidance, policies CS11 and CS12 of the Core Strategy seek to ensure that new development preserves attractive streetscapes and satisfactorily integrates with the streetscape character.

9.4 The external alterations include replacement of the garage door with a UPVC window to

match the window above, infilling the surrounding area with brick and covering with a matching render.

9.5 Subject to the use of matching materials, which will be secured by condition, the alterations do not give rise to any concerns from a visual perspective. Additionally, providing a habitable room at ground floor level would create an active frontage and incorporate natural surveillance which helps to deter crime and the fear of crime. The benefits of an active frontage also extend to visual improvements to the area; indeed, the manner in which a dwelling addresses the street is an extremely important consideration. By providing windows in this elevation it is considered that there would be visual improvements.

9.6 The development is therefore considered to comply with saved Appendix 7 of the Dacorum Local Plan and Policies CS11 and CS12 of the Dacorum Core Strategy.

Impact on Highway Safety

9.7 Policy CS9 states that the traffic generated by new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account planned improvements and cumulative effects of incremental development.

9.8 Policy CS12 seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Saved Policies 57 and 58 (and associated Appendix 5) of the Local Plan promote an assessment based upon maximum parking standards. This is not consistent with Policy CS12 and the NPPF and, accordingly, more weight is given to the 'case by case' approach to parking provision prescribed in national policy and CS12. That said, the maximum standards contained within saved Appendix 5 remain material planning considerations.

9.9 In general the conversion of an integral garage to habitable accommodation does not require planning permission provided it complies with the criterion set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. In this instance, however, the right to convert the garage has been removed by virtue of condition 12 of planning permission 4/01466/11/FUL. The full wording of the condition is as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 dwelling and it shall not be converted or adapted to form living accommodation.

Reason: *In the interests of highway safety in accordance with Policy 58 of the Dacorum Borough Local Plan.*

9.10 The rationale for imposing this condition was clearly articulated in the case officer's report, the relevant section of which has been reproduced below:

Local residents have described how they suffer from parking and congestion on Laurel Close. However, this is a result of the existing houses on Laurel Close (and nearby properties), not the proposed development. The highway concerns and examples raised by the Laurel Close Residents Association are existing situations. We can not blame houses that do not exist for double parked cars in Treballan Drive or six cars parked on the corner of Hardy Road / Laurel Close / Treballan Drive.

It is clear, however, that the new houses must provide enough off-street parking to serve their needs. Councillor Wood has indeed called-in this application on parking grounds. Appendix 5 of the DBLP states that 3-bedroom houses in this area should provide 2.25 spaces. The driveways are over 10 metres in length and this would be sufficient for two cars. When combined with the integral garage each house within the proposed development would provide 3 parking spaces. The garages can be controlled by condition to ensure that they remain available to provide the opportunity for car parking. As such this development is providing sufficient on-site parking to ensure that it does not exacerbate any existing parking difficulties or safety concerns.

It should also be noted that the Highways Authority have not raised an objection to the proposals, subject to two conditions. The provision of pedestrian visibility splays and the prevention of mud and other debris from entering the highway are both in the clear interest of highway safety and should therefore be secured by condition as required by the Highways Authority.

The imposition of the condition was appropriate as the unrestricted conversion of the garages of all four houses has the potential to reduce the parking provision to below the Council's maximum parking standard within an area of noted parking stress.

9.11 A total of twelve parking spaces were originally provided - an overprovision of two spaces - so there is scope to reduce the number of spaces and still be policy compliant. Planning application 4/00261/18FHA has recently been granted for the conversion of the integral garage of 17 Laurel Close to habitable accommodation, reducing the excess number of parking spaces from two to one. Should this application be granted the number of excess spaces would be reduced to zero, but this would still be in compliance with the maximum standard. Consideration also needs to be given to whether in actuality a space is being lost. Given that that garage is limited in size and that it would be necessary to move up to two vehicles already parked on the driveway to extricate a vehicle parked in the garage, which would be totally impractical, it is debateable whether any of the garages are used for parking.

9.12 The proposal is considered acceptable. It would comply with the maximum parking standards set out in saved Appendix 5 of the Dacorum Local Plan, and Policy CS8 of the Dacorum Core Strategy which states that development should provide sufficient, safe and convenient parking based on car parking standards, safeguarding residential amenity and ensuring highway safety.

Response to Neighbour comments

9.13 No comments have been received from neighbouring properties.

CIL

9.14 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is not CIL liable due to it resulting in less than 100m² of additional floor space.

10. Conclusions

10.1 As outlined above, the key considerations to this application relate to the impact of the visual changes on the original dwelling / street scene and the impact on parking in the immediate vicinity. The visual changes are minor and are considered to result in an overall improvement. In terms of the parking considerations, the dwelling would retain two off-road parking spaces, which meets the maximum standard, and it has been confirmed by the

applicant that the garage is not currently used for parking as it is insufficient in size and cannot accommodate a modern vehicle.

10.2 The development proposed accords with the relevant local and national policies and is acceptable in planning terms.

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

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>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Plan 1</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013).</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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 2015.</p>

Agenda Item 6

6. APPEALS

A. LODGED

4/00130/18/FUL	Barry DROPPED KERB AND CROSSOVER. 64-66 AKEMAN STREET, TRING, HP23 6AF View online application
4/01249/18/ENA	Gatehouse APPEAL AGAINST LISTED BUILDING ENFORCEMENT NOTICE - CONSERVATORY AND BRICKING UP OF WINDOW. 26 PARK STREET, TRING, HP23 6AW View online application
4/01976/17/FHA	Metcalf LOFT CONVERSION INCLUDING REAR DORMER. INSTALLATION OF FRONT ELEVATION ROOF LIGHT WINDOWS. SINGLE STOREY SIDE INFILL EXTENSION. 21 CHARLES STREET, BERKHAMSTED, HP4 3DG View online application
4/02315/17/FUL	Mitchell Tye Developments Ltd - Mr Tye REPLACEMENT OF TWO STOREY WORKSHOP WITH 2-BED DWELLING 61 LONGFIELD ROAD, TRING, HP23 4DF View online application
4/02422/17/FHA	Mr & Mrs S Rouse TWO-STOREY SIDE AND REAR EXTENSIONS, REMOVAL OF CENTRAL CHIMNEY, INSTALLATION OF DORMER WINDOWS AND ALTERATIONS TO FENESTRATION THE HOLLOW, TOMS HILL ROAD, ALDBURY, TRING, HP23 5SA View online application
4/02813/17/FUL	BANNISTER 20M X 40M MANEGE AND RETENTION OF STATIC CARAVAN, SMALL POLE BARN AND SINGLE STABLE HARESFOOT GRANGE, CHESHAM ROAD, BERKHAMSTED, HP4 2SU View online application

4/03283/16/MFA

Grace Mews LLC
DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF
31 RETIREMENT APARTMENTS AND ANCILLARY FACILITIES
INCLUDING COMMUNAL LOUNGES, GUEST ACCOMMODATION
AND STAFF OFFICES WITH ASSOCIATED ACCESS,
PARKING, SERVICING AND AMENITY SPACE.
SITE AT JUNCTION OF BROOK STREET AND MORTIMER HILL,
TRING, HP23 5EE
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

4/02889/17/ENA

IVOR GREGORY
APPEAL AGAINST ENFORCEMENT NOTICE - USE OF LAND FOR
COMMERCIAL/RESIDENTIAL PURPOSES AND CONSTRUCTION OF
STORAGE AREAS AND CONCRETE PAD
THE RICKYARD, ASTROPE LANE, ASTROPE, TRING, HP23 4PN
[View online application](#)
Inquiry date 15 August 2018

D. FORTHCOMING HEARINGS

4/03082/16/ROC

Drift Limits and Cathy Leahy
REMOVAL OF CONDITION 1 (TWO-YEAR TEMPORARY PLANNING
PERMISSION) OF PLANNING INSPECTORATE DECISION
(APP/A1910/C/14/223612) APPEAL OF PLANNING APPLICATION
4/00435/14/ENA (MOTORCYCLE/MOTOR VEHICLE ACTIVITIES AND
ASSOCIATED STORAGE/PARKING)

LAND AT RUNWAYS FARM, BOVINGDON AIRFIELD, UPPER
BOURNE END LANE, HEMEL HEMPSTEAD, HP1 2RR
[View online application](#)
Hearing date 22 August 2018

4/03283/16/MFA

Grace Mews LLC
DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF
31 RETIREMENT APARTMENTS AND ANCILLARY FACILITIES

INCLUDING COMMUNAL LOUNGES, GUEST ACCOMMODATION
AND STAFF OFFICES WITH ASSOCIATED ACCESS, PARKING,
SERVICING AND AMENITY SPACE.

SITE AT JUNCTION OF BROOK STREET AND MORTIMER HILL,
TRING, HP23 5EE

[View online application](#)

Hearing date 15 August 2018

E. DISMISSED

None

F. ALLOWED

None