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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 26 JULY 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 Bateman
Councillor Birnie
Councillor Clark
Councillor Conway
Councillor Maddern
Councillor Matthews

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

For further information, please contact 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	5pm the day before the meeting.

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228209 or by email: Member.support@dacorum.gov.uk

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.

Please note: If an application is recommended for approval, only objectors can invoke public speaking and then supporters will have the right to reply. Applicants can only invoke speaking rights where the application recommended for refusal.

5. INDEX TO PLANNING APPLICATIONS

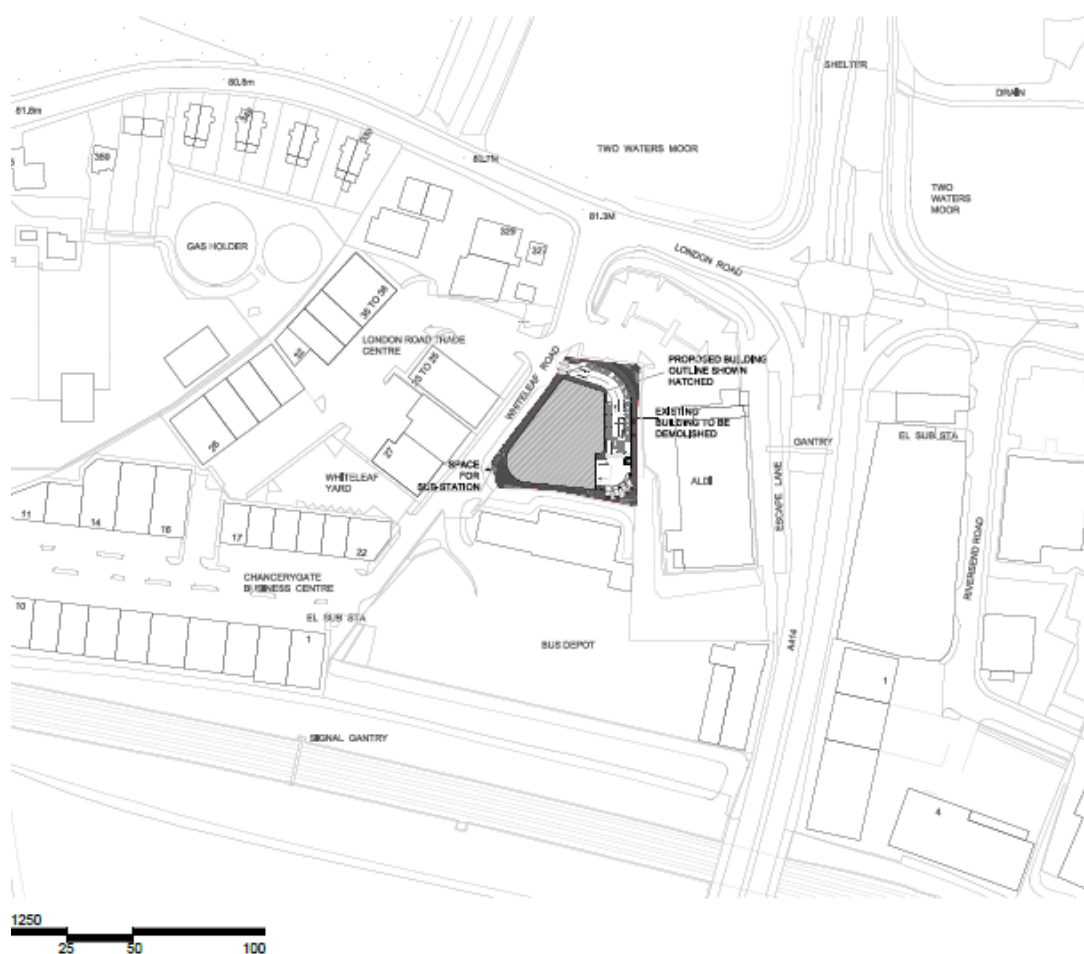
- (a) 4/02368/17/MOA - DEMOLITION OF A 4 STOREY OFFICE BUILDING. CONSTRUCTION OF UP TO 17 STOREY RESIDENTIAL DEVELOPMENT. FEATURING 305 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-SITE COFFEE SHOP, ROOF GARDEN AND LIBRARY/OBSERVATORY, INTERNAL ARBORETUM, FUNCTION ROOM AND UNDERGROUND PARKING FACILITIES FOR 323 CARS IN AN AUTOMATIC CAR PARKING SYSTEM, WITH ON-SITE ELECTRIC CAR SHARE - THE BEACON, WHITELEAF ROAD, HEMEL HEMPSTEAD, HP3 9PH (Pages 5 - 61)
- (b) 4/02402/17/MOA - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO CREATE 10 DWELLINGS (CLASS C3) WITH ACCESS OFF HUDNALL LANE (OUTLINE APPLICATION WITH ACCESS, LAYOUT AND SCLAE SOUGHT) - FOURWAYS CAR SALES, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QP (Pages 62 - 101)
- (c) 4/01198/18/MFA - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF FOUR RESIDENTIAL BUILDINGS TO PROVIDE 29 FLATS (12 X 1BED, 17 X 2BED), PUBLIC OPEN SPACE, RESIDENTIAL AND VISITOR PARKING AND ASSOCIATED AMENITY SPACE - LAND AT APSLEY MILLS ADJ. THE COTTAGE, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD (Pages 102 - 135)
- (d) 4/00367/18/FUL - DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING - 39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP (Pages 136 - 152)
- (e) 4/00419/18/FUL - DEMOLITION OF EXISTING DETACHED GARAGE AND FLAT ROOF SIDE EXTENSION. CONSTRUCTION OF NEW 2 BEDROOM DWELLING - 2 NUNFIELD, CHIPPERFIELD, KINGS LANGLEY, WD4 9EW (Pages 153 - 183)
- (f) 4/00536/18/FUL - CONSTRUCTION OF 2 BED DWELLING (AMENDED SCHEME) - 2 COWPER ROAD, MARKYATE, ST ALBANS, AL3 8PR (Pages 184 - 200)
- (g) 4/01348/18/FUL - CHANGE OF USE FROM (B1/B8) BUSINESS/STORAGE TO (A3) CAFE - CORNER BARN, CHURCH FARM, STATION ROAD, ALDBURY, TRING, HP23 5RS (Pages 201 - 214)
- (h) 4/02935/17/FUL - CONSTRUCTION OF TWO POLYTUNNELS AND BARN FOR AGRICULTURAL PURPOSES - UPPER BOURNE END LANE, HEMEL HEMPSTEAD (Pages 215 - 228)
- (i) 4/00337/18/FHA - ONE AND TWO STOREY REAR EXTENSIONS, GARAGE CONVERSION, SINGLE STOREY FRONT EXTENSION, LOFT CONVERSION, FRONT ROOF LIGHT AND DECKING - 1 ELLESMERE ROAD, BERKHAMSTED, HP4 2EX (Pages 229 - 241)

6. APPEALS (Pages 242 - 247)

7. PLANNING ENFORCEMENT PROSECUTION UPDATE (Pages 248 - 249)

**4/02368/17/MOA DEMOLITION OF A 4 STOREY OFFICE BUILDING.
CONSTRUCTION OF UP TO 17 STOREY RESIDENTIAL DEVELOPMENT.
FEATURING 305 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-
SITE COFFEE SHOP, ROOF GARDEN AND LIBRARY/OBSERVATORY,
INTERNAL ARBORETUM, FUNCTION ROOM AND UNDERGROUND PARKING
FACILITIES FOR 323 CARS IN AN AUTOMATIC CAR PARKING SYSTEM, WITH
ON-SITE ELECTRIC CAR SHARE.**

THE BEACON, WHITELEAF ROAD, HEMEL HEMPSTEAD, HP3 9PH



**4/02368/17/MOA DEMOLITION OF A 4 STOREY OFFICE BUILDING.
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FEATURING 305 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-
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FACILITIES FOR 323 CARS IN AN AUTOMATIC CAR PARKING SYSTEM, WITH
ON-SITE ELECTRIC CAR SHARE.**

THE BEACON, WHITELEAF ROAD, HEMEL HEMPSTEAD, HP3 9PH



4/02368/17/MOA	DEMOLITION OF A 4 STOREY OFFICE BUILDING. CONSTRUCTION OF 17 STOREY RESIDENTIAL DEVELOPMENT. FEATURING 305 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-SITE COFFEE SHOP, ROOF GARDEN AND LIBRARY/OBSERVATORY, INTERNAL ARBORETUM, FUNCTION ROOM AND UNDERGROUND PARKING FACILITIES FOR 323 CARS IN AN AUTOMATIC CAR PARKING SYSTEM, WITH ON-SITE ELECTRIC CAR SHARE.
Site Address	THE BEACON, WHITELEAF ROAD, HEMEL HEMPSTEAD, HP3 9PH
Applicant	Lumiere Acquisitions Ltd, Unit 04
Case Officer	Briony Curtain
Referral to Committee	Previous applications reported to Members.

1. Introduction / Background.

1.1 This report is the result of an appeal which has been submitted against the non-determination of planning application 4/02368/17/MOA.

The above planning application was received in September 2017. To date the Local Planning Authority has not determined it and the applicant has appealed against its non-determination. The views of the LPA are invited as part of the appeal procedure. The Planning Inspector will however determine the appeal.

The application has therefore been brought before Members not for determination but to ascertain the Council's views with regard to the proposal. The views of the Planning Committee will form the basis of the appeal Statement that must be submitted to the Planning Inspectorate by the 1st August 2018.

2. Recommendation.

It is recommended that Members confirm that they would have refused the application if they were in a position to determine the application for the following reasons:

The proposed development fails to meet the requirements of Policy CS19 of the Core Strategy 2013; Affordable Housing and SPD Affordable Housing in that the scheme would not provide policy compliant affordable housing.

Insufficient information has been submitted for the LPA to form a detailed understanding of the schemes viability. The viability assessment submitted does not provide the necessary information or justification for the assumptions adopted and the values/ calculations relied upon. It has not therefore been adequately demonstrated that it would not be viable to meet policy requirements. A Section 106 agreement has not therefore been agreed to secure provision.

3. Summary

3.1 The principle of the redevelopment of this site for residential and mixed use (gym, coffee shop etc) is acceptable in this particular location within the Two Waters General Employment Area in accordance with Policies CS4 and CS17 of the Core Strategy 2013. Moreover full planning permission has already been granted for the construction of a 16-storey residential development comprising 272 flats (with associated facilities), 318 car parking spaces. No objection is therefore raised to the principle of the development.

3.1.2 The current application seeks outline planning permission for the construction of up to a 17 storey residential development featuring 305 apartments, on-site gym and leisure facilities, on-site coffee shop, roof garden, library / observatory, internal arboretum, function room and underground parking facilities for 323 cars in an automated car parking system with on-site electric car share.

3.1.3 All matters (access, layout, scale, appearance and landscaping) are reserved and must therefore be considered under a separate application (reserved matters) should planning permission be granted. Indicative plans have been submitted to support the application, but are for guidance only.

3.1.4 The area has previously been identified as a gateway site to Hemel Hempstead where there is justification for a taller building. The current application seeks consent for a building up to 17 storeys in height comprising 305 flats. The indicative plans submitted demonstrate that 17 storeys can be achieved within a lower building (65.65m) than the 16 storey building previously approved (66.15m high). Similarly the increase to 305 flats has been achieved through amendments to the mix of the units; the previously approved three bedroom flats have been reduced in size to one and two bed flats and studios. The indicative plans submitted show the same building envelope as the approved scheme. As such, based on the indicative plans, the development would have a similar, if not slightly lower, visual impact compared to that approved and would not compromise skyline views across the nearby Boxmoor Trust land or surrounding Green Belt land. The LPA is therefore satisfied that a building up to 17 storeys in height comprises 305 flats would be acceptable in terms of density and building height.

3.1.5 The development and its location would provide an acceptable standard of amenity for future residents of the building and would not significantly adversely affect adjacent properties including the closest residential dwellings.

3.1.6 The proposed parking arrangements are considered acceptable. A transport statement has been submitted to support the application. The proposal would put additional stress on the already congested surrounding highway network but Herts County Council Highways are satisfied that these could be adequately mitigated through the undertaking of off-site works, and contributions towards improving pedestrian and towpath linkages. These would need to be secured via condition and legal agreement and would need to be fully considered at reserved matters stage should permission be granted.

3.1.7 Policy CS35 requires all development to make appropriate contributions towards the infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The development would be CIL liable and given its position in Zone 3; Hemel Hempstead a charge of £100 per square metre is applicable to the residential elements of the proposal.

3.1.8 The proposal complies with Policies NP1, CS1, CS4, CS8, CS10, CS12, CS15, CS16, CS17, CS18, CS29, CS31, CS32 of the Core Strategy 2013 and saved policies 18, 31, 51, 58 and 111 of the Dacorum Borough Local Plan 1991-2011.

3.1.9 Paragraph 50 of the NPPF requires Local Planning Authorities to set policies to meet identified affordable housing need on site, unless off-site provision or a financial contribution broadly equivalent can be robustly justified. As such, Policy CS19 of the Core Strategy requires that Affordable homes will be provided on sites in Hemel Hempstead for developments of 10 or more dwellings, and that 35% of new dwellings proposed should be affordable homes. Further detailed guidance is provided in the Affordable Housing Supplementary Planning Document.

3.1.10 The proposal seeks consent for 305 flats and provides an affordable housing commuted sum (in lieu of on site provision) of £1,750,000 (£1.75M). A financial viability report has been

submitted to support the application and suggests a higher affordable housing contribution would render the scheme un-viable.

3.1.11 The Council has had the viability of the scheme independently assessed. The report produced concludes that insufficient information has been provided for the Council to form a detailed understanding of the scheme's viability. Much of the necessary information has not been provided or has been provided in insufficient detail. Little, if any justification of the assumptions adopted and the values / calculations relied upon have been included. The LPA is therefore not satisfied that an acceptable affordable housing contribution is being provided.

3.1.12 In addition, recent communications to the council suggest that on-site affordable housing may now be viable. Off-site provision should only be considered where it can be demonstrated that on site delivery is not feasible / preferable. Whilst historically a commuted sum has been accepted as the applicants have been unable to secure the involvement of a Registered Social Landlord for the management and maintenance of affordable housing units on site, recent communications from the applicants (post the submission of the appeal) suggest this is no longer the case. It now appears on-site provision may be feasible. If on-site provision is now feasible this needs to be explored further, will require a new financial appraisal and would impact the schemes viability. Given the current application is yet to be determined this additional information must now be considered.

3.1.13 The proposal is contrary to Policy CS19 of the Core Strategy 2013 and Supplementary Planning Documents; Planning Obligations (April 2011) and Affordable Housing (Jan 2013).

4. Site Description

4.1 The application site is located on the south-eastern side of Whiteleaf Road, and comprises a vacant, partly demolished four storey former office building. The site is within the Two Waters General Employment Area and as such land uses in the immediate area, particularly off Whiteleaf Road are predominantly commercial. The uses are varied and outlined in detail below.

4.1.1 Land to the north and east of the site is occupied by Aldi supermarket, accessed off Whiteleaf Road, and located at a prominent corner at the intersection of London Road and Two Waters Road. Further north opposite London Road, a wide two to three lane main road, is open land owned by Boxmoor Trust which straddles the River Bulbourne and the Grand Union Canal. Two Waters Road to the east of the site across this section is a two-way, six lane thoroughfare leading to Hemel Hempstead town centre. Opposite Two Waters Road is the continuation of the Two Waters General Employment Area and the recently constructed self storage building.

4.1.2 To the south of the application site is Arriva bus depot which is also accessed at the top of Whiteleaf Road. Beyond this is the mainline railway line and opposite is land within the Green Belt.

4.1.3 Immediately west of the site is Whiteleaf Road a wide two-way two-lane road which offers no on-street parking. Directly opposite there are low profile buildings of commercial use on a lower terrace forming part of the Chancerygate Business Park. These units share private and communal parking areas via a single access off Whiteleaf Road. Further west is land designated for residential development and the closest existing residential properties on London Road to the north-west of the site.

4.1.4 Buildings within the Two Waters General Employment Area are generally low profile, predominantly two-storey or double-height with mezzanine level. The Chancerygate

Business Park on the western side of Whiteleaf Road is arranged on three stepped terraces, consistent with the topography of the area. Specifically, the land rises steadily from London Road to the north of the site and up along Whiteleaf Road in a south-westerly direction.

4.1.5 The site is one property removed from the busy intersection of Two Waters Road and London Road which connects off the A41 bypass, separated only by the low rise Aldi supermarket building and associated open car park. The site's elevated position from London Road and the northern part of Two Waters Road (specifically south of the bridge over the Grand Union Canal) give the site a prominent position from these vantage points.

5. Proposal

5.1 Outline planning permission with all matters reserved is sought for the demolition of the existing office building and the construction of a 17 storey residential development featuring 305 apartments, on-site gym and leisure facilities, on-site coffee shop, roof garden, library / observatory, internal arboretum, function room and underground parking facilities for 323 cars in an automated car parking system with on-site electric car share.

6. Relevant Planning History

4/00303/18/DRA DETAILS OF CONSTRUCTION MANAGEMENT PLAN ATTACHED TO PLANNING PERMISSION 4/03441/15/MFA
Refused
14/06/2018

4/01782/17/FUL CONSTRUCTION OF NEW SINGLE STOREY WELFARE FACILITY BUILDING FOR GARAGE STAFF.
Granted
08/09/2017

4/02054/16/ADV ILLUMINATED HOARDING.
Granted
21/09/2016

4/03441/15/MFA DEMOLITION AND REPLACEMENT OF A 4 STOREY OFFICE BUILDING WITH 16 STOREY RESIDENTIAL DEVELOPMENT. FEATURING 272 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-SITE COFFEE SHOP, ROOF GARDEN, INTERNAL ARBORETUM, FUNCTION ROOM AND UNDERGROUND PARKING FACILITIES FOR 313 CARS IN AN AUTOMATIC CAR PARKING SYSTEM, WITH ON-SITE ELECTRIC CAR SHARE AND ELECTRIC BIKE SHARE SCHEME.

PLEASE NOTE THAT THIS RE CONSULTATION APPLIES ONLY TO THE SURFACE WATER DRAINAGE STRATEGY - LISTED ON THE WEBSITE AS ADDITIONAL INFORMATION 3/3/2016 1.

Granted
19/07/2016

4/01761/15/RES RESERVED MATTERS APPLICATION DETAILING ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE REQUIRED BY CONDITION 1 OF PLANNING PERMISSION 4/02320/14/MOA (CONSTRUCTION OF 16-STOREY AND FOUR BASEMENT LEVEL BUILDING COMPRISING OF UP TO 208 FLATS, OFFICES, RETAIL, LEISURE SPACE AND 228 CAR PARKING SPACES FOLLOWING

- DEMOLITION OF EXISTING OFFICE (CLASS B1) BUILDING (ALL MATTERS RESERVED).
Withdrawn
27/10/2015
- 4/02561/15/VAR VARIATION OF LEGAL AGREEMENT
Granted
19/05/2016
- 4/02320/14/MO A CONSTRUCTION OF 16-STOREY AND FOUR BASEMENT LEVEL BUILDING COMPRISING OF UP TO 208 FLATS, OFFICES, RETAIL, LEISURE SPACE AND 228 CAR PARKING SPACES FOLLOWING DEMOLITION OF EXISTING OFFICE (CLASS B1) BUILDING (ALL MATTERS RESERVED)
Granted
26/06/2015
- 4/01044/14/OPA CHANGE OF USE OF OFFICE DEVELOPMENT (CLASS B1) TO 17 RESIDENTIAL UNITS (CLASS C3)..
Prior approval required and granted
15/07/2014
- 4/00613/14/MFA CHANGE OF USE FROM OFFICES (CLASS B1) TO A 38-BEDROOM HOTEL (CLASS C1), INCLUDING CONSTRUCTION OF SINGLE-STOREY FRONT AND SIDE EXTENSIONS TO FACILITATE ANCILLARY RESTAURANT AND SWIMMING POOL, ALTERATIONS TO CAR PARK AND ASSOCIATED LANDSCAPING
Refused
05/06/2014
- 4/02161/13/FUL INSTALLATION OF FOUR VERTICAL AXIS WIND GENERATORS
Withdrawn
20/01/2015
- 4/01388/12/FUL DEMOLITION OF REAR SINGLE STOREY EXTENSION AND CONSTRUCTION OF TWO STOREY REAR EXTENSION, INTERNAL AND EXTERNAL ALTERATIONS ADDITIONAL CAR PARKING/LOADING BAY AND CREATION OF TERRACE AT SECOND FLOOR LEVEL
Granted
07/09/2012
- 4/00579/12/FUL DEMOLITION OF REAR SINGLE STOREY EXTENSION AND CREATION OF ADDITIONAL CAR PARKING. INTERNAL AND EXTERNAL ALTERATIONS WITH CREATION OF TERRACE AT SECOND FLOOR LEVEL.
Granted
23/05/2012
- 4/00587/12/ADV TWO INTERNALLY ALUMINATED FASCIA SIGNS AND ONE FREE STANDING SIGN.
Granted
17/05/2012
- 4/00920/06/TEL INSTALLATION OF REPLACEMENT TELECOMMUNICATIONS CABIN

Prior approval not required
20/06/2006

4/00609/01/ADV ILLUMINATED SIGNS
Granted
10/05/2001

4/02109/99/4 NEW CLADDING, ENCLOSURE OF ENTRANCE LOBBY AND NEW
GROUND FLOOR WINDOW
Granted
27/01/2000

4/01141/96/4 NEW SECURITY FENCE
Granted
28/10/1996

7. Policies

7.1 National Policy Guidance

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

7.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, CS8, CS11, CS12, CS14, CS15, CS16, CS17, CS18, CS19, CS23,
CS28, CS29, CS31, CS33, CS35.

7.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 21, 31, 33, 37, 44, 51, 57, 58, 76, 111
Appendices 1, 3 and 5.

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

- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)
- Two Waters Masterplan Guidance (Feb 2018)

8. Constraints

- CIL3
- 45.7M AIR DIR LIMIT
- Former Land Use
- GENERAL EMPLOYMENT AREA
- HAZARDOUS SUBSTANCES (BUFFERED)
- LHR Wind Turbine

9. Representations

Consultation responses

9.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

9.2 These are reproduced in full at Appendix 2

10. Considerations

Main issues

10.1 This application is an outline application with **ALL** matters reserved. The main issues to consider are:

- Policy and principle
- Density and Height
- Impact on neighbouring properties and Amenity of future residents
- Access / Parking and Impact on Highway Safety
- Affordable Housing and CIL

Policy and Principle

10.2 The principle of the re-development of this site for residential and mixed use purposes has already been established through the granting of full planning permission for a 16 storey mixed use building in July 2016.

10.2.1 The application site is located in the Two Waters General Employment Area within the town of Hemel Hempstead. In such locations, Policy CS15 of the Core Strategy seeks to protect B-class uses including office use (Class B1). Saved Policy 31 of the Local Plan sets out the proposed employment uses of this General Employment Area which include business, industry, storage and distribution.

10.2.2 The principle of a mixed-use (predominantly residential) building in this location has been accepted through the granting of outline planning permission in June 2015 and full planning permission in July 2016. Although the loss of office space within the General Employment Area would be contrary to Policy CS15, consideration must be given to the previous planning consents and the permission which allowed the conversion of the entire building to residential through the recently introduced prior approval process (application 4/01044/14/OPA). No objection was raised with regard to the loss of the office space in previous applications. In addition it is important to note that there is no longer any existing office use on the site. The building has been stripped ready for demolition. These factors would weigh in favour of the proposal.

10.2.3 On this basis, despite the loss of the former office floor space, the proposal would not conflict with the overriding objectives of Policy CS15 of the Core Strategy or saved Policy 31 of the Local Plan.

10.2.4 This part of the Two Waters General Employment Area is made up of a mix of land uses. Light industrial and storage and distribution uses occupy land on the western side of Whiteleaf Road (forming the Chancerygate Business Centre), whilst the eastern side of Whiteleaf Road, (where the application site is located), comprises office development, a former car showroom recently developed as an Aldi supermarket, and the Arriva bus depot. Based on the variety of uses in this part of the Two Waters General Employment Area, a mixed use building of the nature proposed would not conflict with surrounding uses, nor would it undermine the function of the Employment Area.

10.2.5 Additionally, the Two Waters General Employment Area has been considerably reduced in size as part of the Site Allocations process, of relevance is the removal of the adjacent Aldi supermarket site and the National Grid site to its western edge. Reference is made to Policy SA5 of the Site Allocations 2006-2031 Written Statement (Pre-submission September 2014). The redesignation of these two sites gives the application site a location at the edge of the centre, which weighs in favour of the proposal for a mixed use, predominantly residential development.

10.2.6 The main use within the development would be residential. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

10.2.7 The proposed residential development would be relatively isolated from existing and designated residential areas, with the nearest residential area located on the National Grid site to the west (not yet developed) and existing dwellings on London Road to the north-west of the application site. This is not considered to be problematic given the number of dwellings and the services that would be available to residents within the proposed building, including a gym, cafe, function room and roof terrace.

10.2.8 The proposal would strengthen the existing five-year supply of deliverable housing sites within the Borough, and would reduce pressure to develop on Green Belt sites by ensuring non Green-Belt sites such as this are developed efficiently.

10.2.9 The proposal is considered acceptable in principle and would comply with the relevant policies of the Dacorum Core Strategy. Furthermore as stated, permission for a similar, predominantly residential scheme has already been granted full planning permission in July 2016 and this is material consideration that should be afforded weight.

Density and Building Height

10.3 The area is identified as a gateway site to Hemel Hempstead in the Two Waters Masterplan Guidance where there is justification for a taller building. Planning permission has previously been granted for a 16-storey building 66.15m in height. This is a material consideration that should be afforded weight in the current application.

10.3.1 The current application seeks consent for a building up to 17 storeys in height comprising 305 flats. Whilst all matters are reserved, the indicative plans submitted demonstrate that 17 storeys can be achieved within a lower building (65.65m) than the 16 storey building previously approved (66.15m high). Similarly the increase to 305 flats (from the consented 272 flats) has been achieved through amendments to the mix / size of the units; the previously approved three bedroom flats have been reduced in size to smaller units and on the indicative plans now appear as one and two bed flats and studios. Similarly the indicative plans submitted show the same building envelope (width, depth and footprint) as the approved

scheme. As such, based on the indicative plans, the development would have a similar, if not slightly lower, visual impact compared to that approved and would not compromise skyline views across the nearby Boxmoor Trust land or surrounding Green Belt land. The LPA is therefore satisfied that a building up to 17 storeys in height comprising 305 flats would be acceptable in terms of density and building height. The exact design, height and appearance of the building would be agreed at reserved matters stage.

10.3.2 The proposal is considered to comply with Policies CS10, CS11 and CS12 of the Core Strategy 2013 and Saved Policies 21, and 111 of the Local plan

Impact on neighbouring properties and Amenity of future residents

10.4 The proposal would not have a significant adverse impact on neighbouring properties.

10.4.1 A Daylight / Sunlight assessment was submitted as part of the previous full application for a 16 storey building and has been resubmitted as part of the current application. Bearing in mind, the indicative plans illustrate a very similar building (height, width, depth and footprint) this assessment would remain pertinent to current considerations. The assessment demonstrates that the proposal would not have a significant adverse impact with respect to loss of light, or overshadowing. All surrounding properties including the nearest dwellings and offices would maintain a sufficient degree of outlook from main windows.

Access / Parking / Impact on Highway Safety

Access

10.5 Access is a reserved matter and not therefore for consideration at this time. However, previous permissions have been granted for similar sized buildings occupying the same site and incorporating an automated parking system (APS) and no objections were received from Herts County Council Highways to these. The LPA is therefore satisfied that a building up to 17 storeys in height on this site incorporating APS parking could be safely accessed. Previous permissions included the provision of off-site works (KEEP CLEAR markings), contributions to the upgrading of canal towpaths and pedestrian links and highway improvements (improvements to optimise the use of traffic lights). Provided these measures were secured by legal agreement the current proposal would be acceptable. Exact details would need to be agreed at reserved matters stage.

Parking

10.5.1 The Councils parking standards are set out in Appendix 5 of the Dacorum Borough Local Plan. In accordance with this, the maximum parking standards for the various components of the proposal are as follows;

- 1.25 spaces per one-bedroom dwelling
- 1.5 spaces per two-bedroom dwelling
- Retail - residents coffee shop; (Class A3) - 1 space per 30sqm
- Library / observatory (Class D1) - 1 space per 30sqm of freestanding (otherwise assessed on merits)
- Leisure - residents gym / function room; (Class D2) - where individual land use components are not known - 1 space per 15sqm

10.5.2 The Car parking standards SPD states that new development will generally be expected to accommodate all parking demand on site. However, significantly lower levels of parking provision may be acceptable where demand is likely to be less and a tendency for over spill on-street is, or can be controlled for example in high density housing in town centres, near

railway stations or housing over shops.

10.5.3 In addition paragraph 39 of the NPPF is relevant and states that if setting local parking standards for residential and non-residential development, local planning authorities should take into account;

- the accessibility of the development
- the type, mix and use of development
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

10.5.4 The proposal seeks consent for 305 flats and 323 parking spaces in an automated parking system (APS). This equates to 1 spaces per flat and 18 to serve all other uses / visitors.

Parking continues to be a significant concern of local residents and Members.

10.5.5 The use of an APS on this site has already been accepted. The consented scheme comprised 272 flats and 318 spaces in an APS arrangement, which equates to one space per flat and 46 to serve all other uses. As part of the approval, the legal agreement requires that each flat is sold with a parking space and the 46 surplus would be managed by the building management company who would sell/rent additional spaces to occupiers or make them available to visitors. In addition residents could rent their spaces to each other. The exact details of the parking management plan are to be agreed (via S106).

10.5.6 The current proposal sees a similar arrangement but with only 18 spaces available to the parking management company for rent / sale (a decrease of 28). Whilst this is obviously less favourable, on balance, given the previous approval, it is concluded that a refusal could not be sustained. Similar to the previous application there are a number of factors that must be considered. It is important to note that the gym/leisure/coffee uses proposed within the building are for residents only (secured by legal agreement) and as such would not generate significant additional parking demand. In addition to the residents parking, given the limited size and scale of residents facilities being proposed (based on the indicative plans) it is considered that only very limited parking would be required for staff / employees. The site is considered to be reasonably accessible, as it benefits from a position within the employment area, in very close proximity to an existing supermarket and in relatively close proximity to the town centre (950m) and the train station (1000m). Residents of the development would therefore have access to a range of services and facilities. In addition, whilst indicative at this stage, the 305 flats are small studio , one and two bedroom properties as opposed to larger family units. It would therefore be feasible that demand for parking could be less. Young professional couples who may not own a car could occupy the units, walk to the station, town etc.

10.5.7 On balance, subject to the imposition of appropriate conditions and S106 agreement, the parking provision and APS arrangements are considered acceptable and comply with Dacorum Borough Council's parking standards.

Impact on Highway Safety

10.5.8 It is clear with a development of this scale that there will be an increase in traffic on the local highway network and it is acknowledged that the site is situated at an already busy road junction (which is regularly congested in all directions, especially at weekends). However, detailed Traffic Assessments have been submitted in support of the proposals; which seeks consent for an additional 33 units compared to the 272 consented scheme. Herts County Council Highways have reviewed the submitted assessments and find the proposals

acceptable subject to the imposition of conditions, contributions towards the upgrade of the canal towpath and pedestrian links and the introduction of several highway improvements. Highway improvements were secured as part of the previous consent and included; KEEP CLEAR road markings to the front of Whiteleaf Road, refreshed GIVE WAY markings on Whiteleaf Road, to optimise the use of the exiting SCOOT (Split Cycle Offset Optimisation Technique) traffic light computer controlled system and to introduce MOVA (microprocessor Optimised Vehicle Actuation) software. With regard to the APS, this was accepted as part of the previous scheme, as it was demonstrated that the additional of several lay-by's etc at ground floor level and an extra queuing lane would provide appropriate on-site storage space to accommodate any queuing such that it would not over spill onto the public highway (whiteleaf road and beyond). Whilst access and layout etc are all reserved matters, the LPA and Herts County Council Highways are satisfied that provided the appropriate conditions, and S106 requirements are included, and the details are agreed at a later stage, the larger development could be accommodated on the site without significantly adversely affecting the safety or operation of the local highway network.

Affordable Housing and CIL

10.6 Paragraph 50 of the NPPF requires Local Planning Authorities to set policies to meet identified affordable housing need on site, unless off-site provision or a financial contribution broadly equivalent can be robustly justified.

10.6.1 As such, Policy CS19 of the Core Strategy requires that Affordable homes will be provided on sites in Hemel Hempstead for developments of 10 or more dwellings, policy sets out that 35% of new dwellings proposed should be affordable homes. Further detailed guidance is provided in the Affordable Housing Supplementary Planning Document.

10.6.2 The NPPF states that planning obligations should be set at a level which is flexible and which does not result in developments being stalled. It also makes it clear that it is a legitimate part of planning that developers and landowners should be able to achieve competitive returns in order to ensure viability, and ultimately deliverability. The councils Affordable Housing Supplementary Planning Document supports this stance and states that affordable housing must be provided 'unless it can be demonstrated that it is unviable to provide the specified level (35%) or there is no evidence of need in the area'. It goes on to state that 'in cases where the applicant considers that the site cannot viably support the Councils affordable housing policy requirements, the Council will require the applicant to submit a financial appraisal and supporting evidence at pre-application stage. This will enable the Council to assess at the earliest opportunity, the optimum affordable housing mix which is economically viable on the site'.

10.6.3 The proposal seeks consent for 305 flats and provides an affordable housing commuted sum offer of £1,750,000 (£1.75M). A financial assessment prepared by Bespoke Property Consultants (BPC) has been submitted in support of the application. A report prepared by Savills has also been included. This information is confidential but sets out the costs and considerations including Gross Development Value, construction costs, professional fees, profit, site purchase prices, alternative land values etc.

10.6.4 The LPA has had the submitted viability assessment independently reviewed. Based on the information submitted to date, the consultants undertaking the review concluded that 'insufficient information has been provided for the Council to form a detailed understanding of the schemes viability'. During the review the Council requested and were denied additional further information and as such the conclusions reached in the Consultants report were based on the available information and was supplemented by their own research.

The LPA is **not** satisfied that the financial contribution towards affordable housing set out in the appraisal and the assumptions therein are sound.

10.6.5 Policy CS35 requires all development to make appropriate contributions towards the infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The development would be CIL liable and given its position in Zone 3; Hemel Hempstead a charge of £100 per square metre is applicable to the residential elements of the proposal.

10.6.6 Whilst there is some dispute between the applicants and LPA with regard to the liable floor area, given this is a outline planning application with indicative floor areas only this is not a matter for consideration at this time. Based on the indicative floor plans submitted, the LPA calculated a greater chargeable floor area than the applicants. However even allowing for the larger figure within the viability the Consultants undertaking the review concluded there was still scope for a greater affordable housing delivery than currently offered.

10.6.7 In addition to an isolated assessment of the viability of the proposed scheme, given the assumptions relied upon in the submitted viability assessment it is also necessary to explore the viability / contributions secured in previous approvals.

10.6.8 The current proposal seeks to increase the number of units constructed (when compared to previously consented schemes) and the indicative plans submitted suggest this is to be achieved within the same building envelope, yet the financial contributions being offered (the table sets out Affordable Housing and CIL) have been significantly decreased. The viability assessment submitted fails to justify / explain these decreases. A summary of the applications approved to date and the total contributions secured is provided below;

	AFF HOUSING
208 flats	£3,285,000
272 flats	£2,074,213
305 flats	£1,750,000

10.6.7 The summary table shows that the total financial contributions (AH and CIL) have decreased by approx £1M. The submitted viability assessment fails to adequately account for this.

10.6.8 Finally the above reviews were undertaken on the basis of the scheme delivering a payment in lieu of affordable housing. This is inconsistent with the requirements of the Core Strategy which seek on-site provision. Off-site provision should only be considered where it can be demonstrated that Registered Providers would not be interested in on site delivery.

10.6.9 Whilst historically a commuted sum has been accepted as the applicants have been unable to secure the involvement of a Registered Social Landlord for the management and maintenance of affordable housing units on site, recent communications from the applicants suggest this is no longer the case. It now appears on-site provision may be feasible. On - site provision will require a new appraisal and this would impact viability.

10.6.10 The proposal is thus contrary to Policies CS35 and CS19 of the Core Strategy 2013 and Supplementary Planning Documents; Planning Obligations (April 2011) and Affordable Housing (Jan 2013).

Other Material Planning Considerations

10.7 Contamination / Air Quality/ Flood risk/ archaeology

Whilst an accurate assessment of most of these matters can not be undertaken until reserved matters stage, based on the previous permission for a similar sized building occupying the same site, subject to the imposition of appropriate conditions, and legal agreements the LPA is satisfied that all the above matters are acceptable or can be adequately mitigated. All statutory consultees have been consulted and no objections have been received. The proposal complies with all the relevant policies of the Core Strategy 2013.

12. RECOMMENDATION – It is recommended that Members confirm that they would have refused the application if they were in a position to determine the application for the following reasons:

The proposed development fails to meet the requirements of Policy CS19 of the Core Strategy 2013; Affordable Housing and SPD Affordable Housing in that the scheme would not provide policy compliant affordable housing.

Insufficient information has been submitted for the LPA to form a detailed understanding of the schemes viability. The viability assessment submitted does not provide the necessary information or justification for the assumptions adopted and the values/ calculations relied upon. It has not therefore been adequately demonstrated that it would not be viable to meet policy requirements. A Section 106 agreement has not therefore been agreed to secure provision

APPENDIX 1 – CONSULTEE REPONSES.

HERTS FIRE AND RESCUE

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

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.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

HERTS COUNTY COUNCIL HIGHWAYS

Proposal

Demolition of a 4-storey office building. construction of 16-storey residential development featuring 305 apartments, on-site gym and leisure facilities, on-site coffee shop, roof garden and library/ observatory, internal arboretum, function room and underground parking facilities for 323 cars in an automatic car parking system with on-site electric car share.

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 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 suitable conditions.

SHC 02: Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways, cycleways, foul and on-site water drainage.
- ii) Roads and footway.
- iii) Foul and surface water drainage.
- iv) Visibility splays.
- v) Access arrangements.
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: In the interests of highway safety and operation and to ensure minimal residual cumulative impacts occur as a consequence of the proposed development.

Internal Layout: The applicant is required to utilise the proposed internal layout as presented in the drawing 'Mitigation Option 2: Layby and Additional Feeder Lane Arrangements' which was provided in the second TA Addendum for the original application reference '4/03441/15/MFA'. This was presented as a queue mitigation measure to satisfy that the queuing as a consequence of the Automatic Parking System (APS) will be contained within the site and will not encroach on the highway.

Reason: In the interests of highway safety and operation and to ensure minimal residual cumulative impacts occur as a consequence of the proposed development.

Highway Mitigation Measures: Prior to first occupation of the development, the applicant will be responsible for improvements to the highway network that will aim to ensure that the development will not have severe cumulative impacts to the highway network. The suggested mitigation measures will be agreed via S278 legal agreements and will include, at minimum, KEEP CLEAR road markings in front of Whiteleaf Road on London Road, optimise the operation of the existing SCOOT (Split Cycle Offset Optimisation Technique) traffic light computer control system and introduce MOVA (Microprocessor Optimised Vehicle Actuation) software at the Two Waters Road/ London Road signalised junction, and refresh Give Way markings on Whiteleaf Road. This is per the previous agreement as part of original application 4/03441/15/MFA.

Reason: In the interests of highway safety and to ensure minimal residual cumulative impacts occur as a consequence of the proposed development.

Car and Cycle Parking Management Plan: Prior to first occupation of the development, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the local planning authority. It shall include the following:

- Details of car parking allocation and distribution;
- Details of the car club regarding the operation, management, and implementation scheme;
- Methods to minimise on-street car parking;
- A scheme for the provision and parking of cycles; and,
- Monitoring required of the Car and Cycle Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority.

The Car and Cycle Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the local planning authority, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interested of encouraging the use of sustainable modes of transport in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy

(September 2013) and saved Policies 57 and 58 of the Dacorum Borough Local Plan 1991-2011.

SHC 38: Prior to the commencement of the development a monitoring programme to assess the level of traffic generation at defined intervals of occupancy shall be submitted to and approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council as the Local Highway Authority. The monitoring programme shall be implemented as agreed unless the Local Planning Authority gives written approval to any variation in consultation with Hertfordshire County Council, the Local Highway Authority.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed.

SHC 18: Prior to commencement of the development hereby permitted a visibility splay measuring 2.4 x 43 m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 22: Prior to the commencement of the development hereby permitted sufficient space shall be provided within the site to enable a standard size servicing and or delivery vehicle to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and retained thereafter available for that specific use.

Reason: In the interests of satisfactory development and highway safety.

SHC 25: Development shall not commence until a scheme detailing provision for on-site 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.

SHC 26A: Prior to the commencement of any works a Construction Logistics Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Hertfordshire County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason: In the interests of maintaining highway efficiency and safety.

SHC 27A: No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To prevent extraneous material being deposited on the highway.

SHC 27B: For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition SHC 27A.

Reason: To prevent extraneous material being deposited on the highway.
S278 Agreement Any works within the highway boundary (including alterations to the footway and the proposed site access) will need to be secured and approved via a S278 Agreement with the HCC.

S106 Agreement and Contributions

A S106 Agreement will be required to secure the Construction and Logistics Plan and Travel Plan. Mitigation measures for the junctions will be required under a S106 Agreement. Additionally, planning obligations previously agreed as part of the agreed outline applications from 26 June 2015, and 19 July 2016, will still apply.

A Travel Plan for the residential development, consisting of a written agreement with the County Council setting out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development 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 costs of administrating and monitoring the objectives of the Travel Plan Statement and engaging in any Travel Plan Review.

Informatives

HCC recommend inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

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/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

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/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

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 123 4047.

AN4) 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 publication "Roads in Hertfordshire - Highway Design Guide (2011)". Before works commence the applicant would need to apply to the Highway Authority to obtain their

permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

Description of the Proposal

The proposed development includes the demolition of an existing 4 storey office building and the erection of a 17 storey residential building with the following uses:

- 305 residential flats:
- 177 x studio and 1bed flats
- 128 x 2 bed flats
- On-site gym/leisure centre, coffee shop, and function room
- Roof garden
- Internal arboretum
- Underground parking for 323 cars plus 5 above ground electric car parking spaces

The site is located at Symbio House, Whiteleaf Road, Hemel Hempstead. The site is on the south east side of Whiteleaf Road. On-street parking is not permitted on Whiteleaf Road; however, it is permitted on London Road to the west of the junction with Whiteleaf Road. Whiteleaf Road is an unclassified L2 local access road.

The site is located in a semi-industrial area of Hemel Hempstead. Adjacent land uses include the Arriva bus depot and a car yard.

The application is accompanied by a Transport Letter and it is stated in the Transport Letter than the Transport Assessment (TA) submitted as part of the permitted scheme on the site, 4/03441/15/MFA, should be referred to for previously approved findings.

Permitted Scheme

As is mentioned through the Transport Letter that accompanies this planning application, the development has prior planning approvals and a permitted schemes exist. The most recent permitted scheme was given approval 19 July 2016 as part of an amendment.

The proposed development in the consented scheme includes the demolition of an existing 4 storey office building and the erection of a 16 storey residential building with the following uses:

- 272 residential flats:
- 12 x studio flats
- 119 x 1 bed flats
- 115 x 2 bed flats
- 26 x 3 bed flats
- On-site gym/leisure centre, coffee shop, and function room
- Roof garden
- Internal arboretum
- Underground parking for 318 cars

The proposed new building will be arranged as follows:

- Basement levels: Parking
- Ground floor: Reception, Coffee and Function room
- 1st floor: Gym, flats
- 2nd - 16th floor: Flats

The consented scheme had provided the relevant TRICS outputs as part of the Transport Assessment. The TRICS outputs provided were approved and the permitted scheme generated 87 total two way trips in the AM Peak and 90 two-way trips in the PM peak; however, there was a net impact of 68 trips in the AM peak hour and 73 trips in the PM peak hour.

The applicant provided a thorough review of queuing as a consequence of the proposed Automatic Parking System (APS) and suitable mitigation to ensure all queuing was kept within the site's boundaries.

Other Relevant History

- 4/02320/14/MOA: Construction Of 16-Storey And Four Basement Level Building Comprising Of Up To 208 Flats, Offices, Retail, Leisure Space And 228 Car Parking Spaces Following Demolition Of Existing Office (Class B1) Building (All Matters Reserved). This was granted planning permission in June 2015.
- 4/01044/14/OPA: Change of Use of Office Development (Class B1) To 17 Residential Units (Class C3). This was granted planning permission in July 2014.

Analysis

A Transport Letter has been prepared by Vectio Consulting on behalf of Lumiere Acquisitions in support of a planning application for the redevelopment of Symbio House at Whiteleaf Road, Hemel Hempstead. The Transport Letter states that it should be considered alongside the approved findings in the TA and subsequent Addendums provided as part of the planning application package for application reference 4/03441/15/MFA.

The policy documents reviewed as part of the TA include:

- National Planning Policy Framework (March 2012)
- Dacorum Core Strategy (September 2013)
- Dacorum Local Plan 1991-2011, Appendix 5

Trip Generation and Distribution

Trip Generation

The applicant has provided TRICS outputs as an Appendix in the Transport Letter. The TRICS outputs provided are not appropriate for the purposes of the assessment as they are not consistent with the TA submitted as part of the permitted scheme. The TRICS outputs consider trip rates which use a per bedroom rate instead of the previously agreed per dwelling rate. This results in a smaller trip generation for a higher number of dwellings as the proposals omit 3 bedroom bedrooms in favour of more one and two bedroom dwellings. Whilst it is considered appropriate to use a consistent approach, the impact of the additional dwellings is unlikely to have a negative impact on the highway network and therefore, is considered appropriate for the purposes of this assessment.

Due to the existing congestion in the area during peak hours, monitoring will be required for the revised scheme to ensure that the additional dwellings do not result in additional queuing that would impact the highway network.

Trip Distribution

Trip distribution information was not provided as part of the Transport Letter; however, the distribution information provided in the TA was considered appropriate.

Impact on the Highway

Transport Assessment

The applicant has not provided any junction assessment for consideration, as the proposed changes are likely to have a negligible impact on the operation of the local highway network, this is considered appropriate. Deductions reached as part of the original application submission are considered applicable for the revised scheme and should be carried over, including proposed mitigation measures on the local highway.

Road Safety Personal Injury Collision (PIC) data has been submitted within the TA for the permitted scheme for the five year period 1 April 2010 to 31 March 2015 for the A414 Two Waters Road and the A4251 London Road in the area of the application site. However, no updated collision data has been provided in the Transport Letter. It is considered that additional assessment of the most recent collision should be provided to demonstrate that there are no new trends for collisions along the network.

Highway Layout

Site Access

As part of the Transport Letter, no additional details have been provided for the access arrangements; however, the applicant has stated that details from the TA and subsequent addendums should be considered. Therefore, the following information from the previous submission is still considered applicable for the proposed application.

The vehicle and pedestrian access is proposed to be taken from Whiteleaf Road. The site access will be designed to achieve visibility splays of 2.4m x 43m.

The vehicle access will serve as the access to the Automatic Parking System (APS). There is an existing barrier from Whiteleaf Road to the vehicle access but this barrier does not appear to be retained in the proposed site plans. The vehicle access will be a vehicle crossover and a zebra crossing for pedestrians has been provided on the site plans. As part of the first TA Addendum, swept path assessments for the electric car parking stations were provided. HCC has reviewed these and they are deemed suitable.

Visibility Splays

As previously stated, the site access will be designed to achieve visibility splays of 2.4m x 43m which is consistent with the requirements set out in the Manual for Streets for a 30mph road speed.

Servicing Arrangements

As part of the Transport Letter, no additional details have been provided for the servicing arrangements; however, the applicant has stated that details from the TA and subsequent addendums should be considered. Therefore, the following information from the previous submission is still considered applicable for the proposed application.

The TA states that the footprint of the site is not of sufficient size to accommodate appropriate turning manoeuvres within its boundary for servicing and delivery vehicles. The TA states that the worst case scenario for servicing and delivery vehicles is that they will service the site by either backing into the site access from Whiteleaf Road or back onto Whiteleaf Road from the site access, which is the current practice of the site. However, this manoeuvre will be required more frequently with the proposed development and the LPA should assess the feasibility of this option with the waste contractor. Furthermore, to facilitate this manoeuvre the development will provide 4.0m of headroom which the TA states is sufficient to accommodate a refuse vehicle. The TA states that the manoeuvre required into and out of the site access by servicing and delivery vehicles is a low risk manoeuvre as traffic flow on Whiteleaf Road is low. However, it has not been demonstrated that this conclusion is suitable as the traffic into and out of the development will be significantly higher than the previous use and may conflict with this manoeuvring.

The TA identifies a second option which requires acquiring an existing lay-by, which has the function of a turning head, between the development site and Arriva to the south for use by servicing and delivery vehicles. The applicant has stated they would expand and adapt the lay-by to make it suitable for use by the servicing and delivery vehicles. More detail about

how the property will be accessed via the lay-by is required. As was acknowledged in the TA, S106 contributions and S278 agreement will be required for alterations and expansion of the lay-by. However, as this serves as a turning head and is the last opportunity on public highway 'Whiteleaf Road' that serves as a turning head, discussions are required to determine the feasibility of this option. Furthermore, the location of the lay-by exceeds the requirement that servicing arrangements for refuse collection are to be located within 30m from the refuse storage area.

Further information and clarification regarding servicing and delivery arrangements are required to support that servicing and deliveries can be undertaken safely and will not impact on the highway. It is considered that this can be conditioned as part of future planning permissions.

Road Safety Audit

A Stage 1 Road Safety Audit will not be required for the development site access as the site access will remain unchanged. However, if the lay-by is acquired for use by the development for servicing and delivery vehicles, as prescribed in the permitted application submission, a Stage 1 Road Safety Audit will be required for the lay-by expansion and operation.

Parking

The development proposal has specified that 323 car parking spaces would be provided for the development, 5 of which will be electric car stations on the ground level. Dacorum Borough Council's residential parking standards were used in the TA and are summarized as follows for residential use C3:

- Studio: 1.25 spaces maximum for vehicles
- 1 bedroom: 1.25 spaces maximum for vehicles
- 2 bedroom: 1.5 spaces maximum for vehicles
- 3 bedroom: 2.25 spaces maximum for vehicles

Given the specified requirements outlined above, the standards lead to a maximum of 413 car parking spaces. The application site is located in a Zone 4 Accessibility Zone and therefore a reduction to 75% - 100% of maximum permitted parking provision applies. 75% of the maximum permitted parking provision equates to a total of 310 parking spaces. The 323 proposed spaces falls within the Zone 4 accessibility zone specifications for the residential portion of the development.

The applicant has provided proposed parking provisions and requirements for the proposed development using the Dacorum Borough Council's parking standards. However, it will be up to Dacorum Borough Council to comment on the acceptability of the number of spaces. The applicant has provided support to confirm that the parking system will operate effectively and safely to avoid parking displacement onto the highway network for the permitted scheme of 272 dwellings. An approach was agreed with HCC to establish a suitable APS processing time considering the type of users and the anticipated time it will take each group to exit and enter their vehicles.

The second TA Addendum utilised the methodology suggested by HCC to establish an 87s cycle time. This is deemed suitable by HCC.

The TA predicts the queuing utilising two methods:

- 1) Average Demand Profile; and,
- 2) Normal Distribution Profile.

The average demand profile calculations demonstrate that the queuing will not queue back to Whiteleaf Road and therefore this method would demonstrate that the site can

accommodate peak hour trip demands. Due to the existing congestion in the area during peak hours, monitoring will be required for the revised scheme to ensure that the additional dwellings do not result in additional queuing that would impact the highway network.

Disabled Parking

Where communal parking is proposed for over 20 units, 6% of the total number of spaces should be provided for exclusive disabled use plus 1 space of sufficient dimensions to be used by disabled persons for every 10 units. This should be provided over and above the general parking requirements. However, the proposed development will have an Automatic Parking System which does not require the provision of disabled spaces as the bays where car drivers and passengers leave the vehicle are sufficient to accommodate the needs of individuals requiring the use of disabled car parking spaces.

Cycle Parking

Dacorum Borough Council's residential cycle parking standards were used in the TA and are summarized as follows for residential use C3:

- Minimum 1 space per residential unit for cycle parking

The standard therefore requires a minimum 323 cycle spaces. The Transport Letter did not state how many cycle parking spaces will be provided. It will be up to Dacorum Borough Council to comment on the acceptability of the number of spaces.

Accessibility

The proposed site is not considered to be entirely sustainable or accessible to alternative modes of transport. Consequently, staff and residents are likely to be heavily reliant on private vehicles to access the site.

Public Transport

The nearest bus stops to the development site are on A414 Two Waters Road, and is over 250m walking distance away from the site. Bus routes and frequencies serving these stops are set out below. Both have shelters, neither have easy access kerbing.

- Service No. 500/501: Aylesbury - Hemel Hempstead - Watford (4 per hour)
- Service No. H19: Abbots Langley - Hemel Hempstead (1 per day - Tuesdays and Thursday only)
- Service No. NHS1: Hemel Hempstead - Watford (2/3 per day)

The Transport Assessment mentions the 207 which does not stop at these stops and is only a very limited service and the NHS1 which no longer runs.

The nearest national rail station is Hemel Hempstead Station located approximately 1 km or 15 minute walk from the development site. The station is on the main line between London Euston and Birmingham New Street stations.

Walking and Cycling

Both A414 Two Waters Road and A4215 London Road have continuous footways on both sides, and the signalised junction of these two roads provides for all pedestrian movements with refuges.

There are no specific provisions for cyclists in the form of cycle lanes or advanced cycle stop lines on either the A414 Two Waters Road or A4215 London Road. There are no National Cycle Network routes or other off road routes in the vicinity of the application site.

If developer contributions are being sought from this site, these should be used towards measures to encourage the use of sustainable modes of transport to make walking, cycling and bus use more attractive. In relation to bus accessibility, neither of the nearest bus stops have easy access kerbing or departure screens. Easy access kerbing costs approx. £8000 per stop, departure screens also £8000 (including maintenance) so a contribution of £32,000

would be appropriate. We would also support measures to improve pedestrian and cycle facilities in the vicinity of the site.

Travel Plan

A Framework Travel Plan (FTP) has been provided as part of the TA for the permitted scheme, as an updated FTP was not provided, the comments on the original submission are still applicable for this application. The FTP does not contain any targets. The targets should be based on achieving a suitable mode split as suggested as part of the trip generation analysis.

A Full Travel Plan, in accordance with HCC's Travel Plan Guidance will be required and secured via a S106 Agreement. The Full Travel Plan should include the measures outlined in the FTP to encourage sustainable travel and promote the travel plan. Funding for these measures should be secured via a S106 Agreement. Following details should be considered and incorporated:

- Appropriate objectives are required for the FTP and the applicant should focus in particular on reducing single occupancy vehicle trips.
- The applicant will need to confirm support by securing budget.
- The applicant will need to confirm the full time travel plan coordinator and who they will be employed by.
- Baseline travel conditions will need to be confirmed and these would presumably be estimated pre-occupation through Census and similar data. Following part occupation, initial travel monitoring could be undertaken. This would need to include multi-modal counts conforming to Trics SAM methodology, as well as behavioral questionnaires.
- Mode share targets provided in the TP should be 'SMART'.
- Monitoring should be undertaken annually for at least five years following full occupation, and reported to HCC.
- A more comprehensive site travel plan with thorough implementation and monitoring plan will need to be developed in order to discharge planning permission condition.

Construction

The Transport Letter and original TA and Design and Access Statement submissions did not contain specific information regarding the potential impacts on the highway network during the construction of the proposed development. However, a 'Draft Construction Method Statement' was provided that highlights the various phases of construction. The 'Draft Construction Method Statement' does not contain the information required as part of a Construction Logistics Plan (CLP). The permitted scheme TA does acknowledge the need for a CLP and will provide one with the following major items:

- Programme to determine different major stages of construction such as site establishment, excavation of basements, etc.
- Quantification of daily construction vehicle trip generation for each phase.
- Identification of construction traffic routes and any temporary traffic management measures and pedestrian provisions that may be required.
- Construction site layout to include: site offices and welfare facilities, stores, wheel washing, hard standing areas, etc.
- Off-site vehicle waiting, call off, marshalling and security.

Given the significant scale of proposals and small location of the development, the applicant should prepare a CLP detailing how the potential construction impacts on pedestrians and vehicles will be managed and should be secured via a Section 106 agreement.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council has a community infrastructure levy and contributions towards local transport scheme will be sought via CIL and/or S106 contributions, if appropriate.

Conclusion

HCC recommend granting permission of the planning application subject to suitable conditions.

CRIME PREVENTION OFFICER

Thank you for sight of planning application 4/02368/17/MOA, demolition of a 4 storey residential development. Featuring 305 apartments, on-site gym and leisure facilities, on site coffee shop, roof garden and library /observatory, internal arboretum, function room and underground parking facilities for 323 cars in an automatic car parking system, with onsite electric car share. The Beacon, Whiteleaf Road, Hemel Hempstead, HP3 9PH.

I would ask that the development is built to the police preferred minimum security standard of secured by design, achieving the Secured by Design award meets the requirements of Approved Document Q (ADQ),

Car Parking

In relation to previous work undertaken , I do have concerns regarding the automatic car parking system . I have contacted the British Parking Association who inform me that there are very few of these systems in England , there are two in London however they are not open on a 24hr basis and are manned by a concierge whilst open. I have also liaised with our Traffic Management.

There is also the cube in Birmingham , please find the observations made by my professor Mike Clare listed below:

The location for the car parking system is;

The Cube,

196 Wharfside Street,

Birmingham

B1 1RN

Email info@thecube.co.uk

Telephone 0121 654 9400

It has its own website, which can be viewed at;

<http://www.thecube.co.uk/> where, in a section entitled 'The Car Park', there is a video explaining how the system works.

You can go straight to the video by following the below link;

<http://www.thecube.co.uk/the-car-park>

On a practical note I have a few observations;

There are only four boxes installed which take the vehicles and place them into the parking spaces.

There are approximately 150 spaces (CCTV controller not sure at the time of the visit).

The system is not overly quick at the number of transactions per hour that each parking box can handle, but with 4 x such boxes it is thought they may be able to handle somewhere up to 50 transactions per hour? Although this is a guesstimate

Although improved now, any failings in the system, or individual boxes, does result in a much slower service and a rise in the number of complaints.

It should be noted though that this site is very much in the centre of Birmingham and therefore the residents are part of the 'city living' section of the community that would probably need their cars less.

It is a secure system, in that there has been no crime since the site opened. Safety measures, which deactivate the automated system if the presence of a human is identified, do provide a raised level of protection against intrusion by either offender or rough sleeper (a problem in the area).

Due to the length of time some repairs took (due to the waiting time for the delivery of spare / replacement parts) some parts for the system are stored on site. I am informed that technicians are normally on site within an hour, which suggests possible a local company is involved.

It is also not cheap, I understand that the cost per space is £120 per month.

There is a very sensible policy regarding queuing to use the system, with clear designated areas to rank, including a loading / unloading layby attached to the building.

There are, obviously a number of CCTV cameras allowing staff to monitor the operation of the system and the entrances to the site.

In summary, a secure system though not overly quick in allowing cars to disgorge from the site.

This is obviously a contentious issue as car storage/ parking is a growing problem and there is a need to embrace new technology however my Concerns regarding Crime prevention and security are :

- There are 323 car parking spaces and 2 retrieval robots , this would take approximately 2 hours to retrieve all the cars , this would be fine for a car dealership , however for residential use where most people leave for school and work at about the same time , where would they queue? this could cause conflict.

- I have concerns around the car lift area , no barriers or access control ?
- Would the car lift give people enough time to load / unload their cars ,? a person on their own will be far quicker getting out of a car than a family with pushchairs and shopping.
- What happens if the machine mal functions ? where would the cars go that area already has a huge congestion problem at peak times?
- Is there 'in and out' access to and from the lift?

Other Considerations

- You may find people parking on the roads as they don't want to use or pay for the car park.
- Changing infrastructure, for example electric cars ?

STRATEGIC PLANNING

The site is located in the Two Waters General Employment Area (GEA) – see saved Local Plan Policy 31. The table in Policy 31 states that proposed employment uses in this GEA are business, industry, storage and distribution.

The Site Allocations Development Plan Document (July 2017) reduced the size of the Two Waters GEA, but the Beacon site is still within the GEA (see page 38 in the Written Statement and page 46 in the Map Book).

There have been a number of planning applications on this site since 2014, culminating in the approval of 4/03441/15/MFA for 272 flats. As a result, the principle of residential development on the site has been established, so there is no case to refuse the current planning application on Local Plan Policy 31 grounds.

305 flats are proposed in the current application, 33 more than with 4/03441/15. Also, the number of storeys proposed in the Beacon has increased from 16 to 17. However, it is relevant to note that:

- The current application proposes more studios and 1 and 2 bedroom flats than 4/03441/15 and no 3 bedroom flats (unlike 4.03441/15 which proposed 26). These changes mean that the total number of bedrooms proposed has fallen by six.

- The height of the proposed development is 0.5 metres lower than with 4/03441/15, because the void between each floor has been reduced.

323 parking spaces are proposed, 10 more than with 4/03441/15. We have no objection to the proposed parking provision, particularly given the change in the dwelling mix referred to in bullet 1 above. In addition, we welcome the proposed electric car share scheme and electric bike share scheme, which will help to reduce parking demand. We also welcome the proposal for the building to be highly sustainable.

Conclusion: we have no policy objections to this application.

ENVIRONMENT AGENCY

Thank you for consulting us on this application. We have reviewed the submitted information and have no objection to the proposal.

The applicant is looking to install deep boreholes for the heating system. It is important that these are installed in a way which protects the underlying groundwater.

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend however that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.

End 2

Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

From www.gov.uk:

Groundwater Protection: Principles and Practice (August 2013)

Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section

Use MCERTS accredited methods for testing contaminated soils at the site

From planningguidance.planningportal.gov.uk:

Land affected by contamination

British Standards when investigating potentially contaminated sites and groundwater:

- BS 5930: 1999 A2:2010 Code of practice for site investigations
- BS 10175:2011 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

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Should you have any queries please contact me.

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.

HERTS 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's 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.

THAMES WATER

Waste Comments

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'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."

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

Water Comments

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

LEAD LOCAL FLOOD AUTHORITY

Thank you for consulting us on the above application for the demolition of a 4 storey office building. Construction of 16 storey residential development featuring 305 apartments, onsite gym and leisure facilities, onsite coffee shop, roof garden and library/observatory, internal arboretum, function room and underground parking facilities for 323 cars in an automated car parking system, with onsite electric car share.

We acknowledge that this proposal is an addendum to the approved scheme 4/03441/15/MFA for the demolition and replacement of a 4 Storey Office Building. The drainage strategy is based upon attenuation and discharge into Thames surface water sewer at 5l/s. We acknowledge that rainwater harvesting will be provided within the drainage system to assist in reducing surface water run-off. We note that 105m³ attenuation volume needs to be provided for the 1:100 plus climate change event. The 105m³ includes the total attenuation require plus extra for the rainwater harvesting which will be provided with four tanks, one to be located on the roof and the other three on cvels -1, -2 and -3 of the basement car park. Surface water would discharge to the Thames Water from the lowest basement tank only when the rainwater harvesting volume is exceeded. Thames water have been contacted and confirmation has been provided that they are satisfied in principle to the proposed connection.

We understand that it is intended to continue to investigate and quantify further initiatives to reduce surface water run-off. Where the operation of these tanks would aim to maximise the use of this water providing not only water to flush toilets but use water to create hydro-electric power using the 16 storey drop to operate turbines.

We therefore recommend the following conditions to the LPA should planning permission be granted.

the proposed development will only meet the requirements of the National Planning Policy Framework if the measures detailed in the surface water drainage assessment carried out by EnviroCentre referenced 467264 dated August 2017 and drainage design carried out by Thomasons reference G21001 dated March 2016 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition 1

1. Limiting the surface water run-off to 5l/s with discharge into the Thames Water Sewer.
2. Providing a minimum of 105m³ attenuation volume (or such storage volume agreed with the LLFA) to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Undertake drainage strategy to include to the use attenuation tanks, green roofs and rainwater harvesting.

Reason

1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

Condition 2 No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include; The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features and discharge control devices including their, location, size, volume, depth and any inlet and outlet features.
2. Detailed surface water calculations and modelling for all rainfall events up to and including the 1 in 100 year + 40% climate change event supported by a clearly labelled drainage layout plan showing pipe networks. This 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.

Reason

To prevent the increased risk of flooding, both on and off site.

Condition 3

Upon completion of the drainage works an updated management and maintenance plan for the all the SuDS features and structure must be submitted and shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

To prevent the increased risk of flooding.

Informative to the LPA

The proposed drainage scheme relies on the use of pumps. The use of pumps to drain the site will significantly increase the future maintenance burden and therefore increase the risk of failure due to poor maintenance. Details of the maintenance of the pump should be provided along with an emergency plan showing how the site would respond if the pump failed. The LPA will need to be satisfied that the proposed drainage strategy will be maintained and managed for the lifetime of the development.

Please note if the LPA decide to grant planning we wished to be notified for our records.

CANAL AND RIVER TRUST

The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for household and minor scale development and a notified area for EIA and major scale development.

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

We are happy to comment on particular applications that fall outside the notified areas if you would like the Canal & River Trust's comments in specific cases, but this would be outside the statutory consultation regime and must be made clear to us in any notification letter you send. The document Development Management and British Waterways, issued to all LPAs with the changes to the notified areas in 2011, highlights some areas where specific cases may occur. This and further information on Planning and the Canal & River Trust can be found at: www.canalrivertrust.org.uk

APPENDIX 2 – CONSULTEE RESPONSES.

1 ROUGHDOWN AVENUE, HEMEL HEMPSTEAD, HP3 9BH (Neutral)

Comment submitted date: Sat 04 Nov 2017

We strongly object to the planning application 4/02368/17/MOA re London Road for the following reasons A number of properties in Standring Rise will suffer from a loss of light and overshadowing as well as a loss of privacy, and no doubt, subsequent noise disturbance from an increase in traffic and loading and unloading operations. Traffic in London Road will increase at key times throughout the day particular early morning during the school run as staff, visitors, and deliveries access the site. Taking into account the environment, this will also decrease the air quality through increased fumes of more vehicles as well as the fumes from standing vehicles in the traffic that will no doubt become more of an issues than is already apparent. In line with this, an increase in vehicles accessing to the property, air quality, environmental issues are all a concern

Puller Road (Objects)

Comment submitted date: Wed 01 Nov 2017

I am a resident of Boxmoor and I would like to know that you will support local residents in voting against the planning application for the Beacon near Aldi - 4/02368/17/MOA It would be a terrible mistake for this building to allowed to be built and overshadow one of the most special parts of Hemel Hempstead, the moor. I have objected online as follows: I object to the application for this building as it is a tall building and buildings above 4 storeys should not be built near the moor. It would be an eyesore and visible from the whole moor as far as Station moor. At the masterplan consultation and in the residents' survey people did not want tall buildings. The design is ugly, there are not enough public services to support this many new homes and the area needs houses with gardens not flats. Congestion is very bad at that junction and this would make it far worse and their plan is based on an out of date transport survey. There is not enough parking provided and parking is already terrible in the area. I do not want Hemel to be the guinea pig for untested green technology. The council should listen to residents and not allow this to be given permission. This should go to committee and not delegated to an officer.

It is also unfortunate that the council website went down yesterday and today so that some people were unable to object. Will anything be done about this?

Melsted Road (Objects)

Comment submitted date: Wed 01 Nov 2017

As my elected councillor, I would like you to object to the planning application for an extra storey & even more flats on the site behind Aldi at Two Waters. I wished to object online, but get an error message from the website. The proposed high-rise block of flats is already unwelcome ? traffic problems any weekend are abundant & a further source of traffic will make these issues worse. The environment of the area does not lead to high rise building, and I am disappointed that the council have allowed a previous application to be passed, even though there are many objections for seemingly very good reasons. Please object to the planning meeting, or to your fellow councillors who attend?

5 Green End Gardens (Objects)

Comment submitted date: Wed 01 Nov 2017

My reasons for the objection are as follows 1. The original traffic surgery is now out of date as it was taken before the new Aldi was built. 2. I do not agree the height of the development or the scale of the development, reflect the surrounding area. 3. The strategic plan reflected that any high rise buildings should be situated at the Plough roundabout. 4. There are not enough parking spaces for the number of flats and this will lead to more congestion, in an already very busy area of Hemel Hempstead. I would also request the decision go to committee rather than being delegated to officers to make the decision.

Not Available (Objects)

Comment submitted date: Wed 01 Nov 2017

I am writing to you to express my concern over the above development. Please note I was unable to access the DBC online planning portal to object despite registering twice. Also, you will see in my notes below that I undertook an online community survey in November 2016 to understand local views on planning issues. 222 people responded in 48 hours ? an indication of people's interest and concern in these matters. I submitted the survey results to DBC to help inform the debate as part of the November 2016 planning consultations. I attach it to this email too for your information. The questions were balanced and quantitative. I think the views of 222 residents are worth listening to. Some of the findings are quoted below.

I would like to object in the strongest terms to the above application for the following reasons: The height, scale and design of the building are not in keeping with the area and are detrimental to the character of Boxmoor. The height in particular would overshadow the moor and impact its beauty. An online community poll gathering the views of 222 local residents (submitted by me to the council as part of Dacorum's November 2016 planning consultations) showed that 90% of respondents want developments of FOUR storeys or less, with only 10% wanting buildings over four storeys. Only 1.8% of residents (4 people) found 15+ storeys acceptable. There are not enough parking spaces for the number of flats. Previous developments such as Apsley Lock have shown that simply saying people will not need cars is a false premise. Apsley Lock is overrun with cars. Where will the excess cars from the Beacon park in an already congested area? And what will be the impact on traffic flow and air quality? In any case the transport survey is out of date now because Aldi was not open when it was taken. The poll mentioned above showed that 81% of residents already experience congestion and delays by London Road/Aldi junction during the weekday rush hour and 71% experience congestion causing delays at the weekend. This is particularly true for people wanting to travel into Apsley on the weekends. It can easily take 40 minutes to get from Hemel station to Sainsbury's in Apsley ? less than a couple of miles. The Beacon traffic could well completely gridlock the area meaning people will struggle to access Apsley, the M25, the station and the town ? problematic for business, employers, commuters, schoolchildren and the environment. The application does not fit with strategic plan stating high rise should be confined to the plough roundabout - we need to know we can trust the plan and it will be adhered to. We have been told that the technology supporting the green credentials of the building is being used for the first time in this development, and so it remains unproven.

47 Southhill Road (Objects)

Comment submitted date: Wed 01 Nov 2017

Please accept this email as my objection to the above planning application based on the following reasons: The appearance of this building including height and scale does not fit or compliment the current landscaping Not enough parking spaces for number of flats, taking into account the increased use of roadside parking along London Road - this would only increase further and become more congested. Congestion is at a very high level already with Aldi and traffic in/out of Apsley - this would make these even worse during building and with residents in place. Aldi was not open when the Transport survey was initially completed - so information is now out of date The strategic plan state that high rise buildings would be situated nearer roundabout to compliment current buildings already there - this does not fit in with this plan There is no evidence stating that the green credentials of the development would be effective & efficient

Too close to the road & national trust land therefore impacting on the natural beauty of the area Demolishing the original building although started remains untouched and is an eye sore- is this a taste of things to come?

16 stratford way (Objects)

Comment submitted date: Wed 01 Nov 2017

I wish to register my objection to the 17-storey tower proposal near the Aldi in London Road. This is too tall for this location . Its on the edge of Hemel and spreads the urban feel well into the countryside beyond as well as the environment around Boxmoor meadows. A tower of this size would be better placed by the Magic Roundabout. The congestion on London Road since Aldi opened is very apparent and will only get worse if this is built , leading to tailbacks and jams across the traffic lights at Two Waters. Please reduce the scale of this , I would suggest around 6 stories , which is about the height of the old gas holders that once stood here.

21 standring Rise (Objects)

Comment submitted date: Wed 01 Nov 2017

Please consider the below as an objection to the latest planning application for The Beacon: The same objections apply - irresponsibility, unreasonable traffic implications and out of character with the area. Has there been confirmation that this development would have no effect on the foundations of other properties in the surrounding area? Why are Dacorum council ignoring the traffic impact this development would have? There doesn't seem to be any evidence of research on whether office space is needed The developers said Hemel will have a London style development but this is not what Hemel Hempstead needs and not what local people can afford! Why is it ok for them to be so underhand in trying to get an office block approved when the intention is to build flats? What is the underlying reason why Dacorum appear to be happy to turn a blind eye to this? Why is the Two Waters Plan so out of character with the Boxmoor area and so disjointed from the work of these developers? Why can't the developers propose something akin to 3 story brick flats rather than futuristic buildings that don't fit with the landscape / heritage of the area?

Does the lack of activity at the Aldi site for The Beacon not give Dacorum cause for concern that these developers are not a professional company? Is there any truth behind Dacorum approving this developer's plans to get funds for affordable housing, even though the developments don't include any affordable housing? I look forward to your comments and hope that this development is made into a fitting selection of houses and low rise flats, rather than their proposed awful designs which are packed into a very small space of land and overlook properties which will significantly suffer lack of privacy and lower property values.

4 SIDFORD CLOSE, HEMEL HEMPSTEAD, HP1 2LF (Objects)

Comment submitted date: Tue 31 Oct 2017

This tower block is ridiculously large. It will spoil the view of beautiful Boxmoor. The traffic is already a nightmare near Aldi. At the weekend it is almost impossible to get across the junction in the train station to Apsley direction. The automated parking facility does not have provision for electric charging of the 323 cars, only a few charging points outside it. This will force virtually all the residents of the tower block to use petrol or diesel cars. Not exactly forward thinking.

46 KINGSLAND ROAD, HEMEL HEMPSTEAD, HP1 1QD (Objects)

Comment submitted date: Tue 31 Oct 2017

I object to this development. The scale of the development will damage the local area. The scale of this building seems to be ever growing. It slipped under the radar when it first got permission and this additional planning change just makes it worse. The height and scale of the development does not reflect anything in the immediate area and will be overbearing on both residential and leisure areas surrounding it. The parking arrangements are wholly inadequate. There is already extensive on street and dangerous parking in this area during the week caused by station commuters. The road was shut only a few weeks ago due to a 3 car pile up. To add to this on a very busy junction will be foolhardy.

The Two Waters traffic junction is already beyond capacity due to the supermarket and associated shops. To add a further 300 dwellings will crucify the area. The traffic survey used for this survey is out of date and from before the Aldi had opened so wholly unrepresentative.

81 PULLER ROAD, HEMEL HEMPSTEAD, HP1 1QN (Objects)

Comment submitted date: Tue 31 Oct 2017

I object to the application for this building as it is a tall building and buildings above 4 storeys should not be built near the moor. It would be an eyesore and visible from the whole moor as far as Station moor. At the masterplan consultation and in the residents' survey people did not want tall buildings. The design is ugly, there are not enough public services to support this many new homes and the area needs houses with gardens not flats. Congestion is very bad at that junction and this would make it far worse and their plan is based on an out of date transport survey. There is not enough parking provided and parking is already terrible in the area. I do not want Hemel to be the guinea pig for untested green technology. The council should listen to residents and not allow this to be given permission. This should go to committee and not delegated to an officer.

27 STANDRING RISE, HEMEL HEMPSTEAD, HP3 9AY (Objects)

Comment submitted date: Tue 31 Oct 2017

Object - height/scale of building is not in keeping in surrounding area, it will be overbearing & far too big for the proposed site. London Rd is usually at a standstill in morning/evening commuter time and Sat/Sun - this development will only impact on that further causing chaos! 17 stories does not fit with two watersmastsr plan. Traffic survey is not accurate and does not give correct picture of area. Design is out of character and will impact on local beauty of area.

17 MOORLAND ROAD, HEMEL HEMPSTEAD, HP1 1NH (Objects)

Comment submitted date: Tue 31 Oct 2017

The plans that have been granted will have a significant detrimental effect on the area, adding further storeys apartments and cars will have an even greater impact on the local area. Although I don't feel the views of local residents were considered at all in the initial passing of the plans I still want to make my objections clear. Main points of objection are: 1. The height and scale do not reflect the buildings in the area and would overshadow everything 2. Not enough parking spaces for number of flats

3. Congestion at that road is already terrible at peak time as Aldi and the bus garage are there as well as cross town and station traffic 4. Transport survey is out of date now as Aldi was not open before 5. It does not fit with strategic plan stating high rise should be confined to plough roundabout 6. We have been told that the technology supporting the green credentials of the building is being used for the first time in this development

7 THORNE CLOSE, HEMEL HEMPSTEAD, HP1 1LY (Objects)

Comment submitted date: Tue 31 Oct 2017

Firstly, I would like to say that it amazes me that the previous application for this site was approved in the first place. The traffic congestion on London Road is so bad already. How on earth the council believe that the traffic reports carried out are adequate is beyond me! With this application adding a further flats to the proposal simply means more traffic and more congestion. The traffic surveys carried out to support the proposal are out of date and inadequate and are not carried out at peak times of day. I feel it would be irresponsible to approve even more flats, especially when there are not even enough parking spaces for the number of flats! Finally, this proposal goes against the Two Waters Masterplan where high rise buildings are proposed to be confined to the areas around the plough roundabout. The scale and height of this building are completely out of keeping with the other buildings in the surrounding area and would scar the views from the moor.

28 STRATFORD WAY, HEMEL HEMPSTEAD, HP3 9AS (Objects)

Comment submitted date: Tue 31 Oct 2017

The height and scale do not reflect the buildings in the area and would overshadow everything Not enough parking spaces for number of flats Congestion at that road is already horrendous as Aldi and bus garage are there Transport survey is out of date now as Aldi was not open before It does not fit with strategic plan stating high rise should be confined to plough roundabout We have been told that the technology supporting the green credentials of the building is being used for the first time in this development, and so it remains unproven.

7 CAMPION ROAD, HEMEL HEMPSTEAD, HP1 2DN (Objects)

Comment submitted date: Tue 31 Oct 2017

I object to the proposed 17 storey block as it is totally out of character with the town. We are a semi rural town not a city where high rises sit more comfortably in the landscape. It is far too tall and will ,as it is built on a higher elevation ,appear taller than the awful KD tower. I disagree with anything in Boxmoor/ Two Waters area over 4 to 5 stories. The traffic at that junction and within the vicinity will not cope with all the extra cars. There is not enough parking available and will only get worse once the housing is built on the old gas works site. I appreciate the need for more housing but who are we catering for by building this. It most definitely is not the young of this town who need affordable housing or for local needs .

132 ANCHOR LANE, HEMEL HEMPSTEAD, HP1 1NS (Objects)

Comment submitted date: Tue 31 Oct 2017

I object this building on a number of grounds: - The size of this building will overshadow the whole area & is not in keeping with the surroundings. A similar sized building to that which exists is appropriate. - the proposed number of parking spaces is insufficient. Parking on the nearby roads already causes traffic flow problems - congestion at this road junction already causes the nearby traffic lights to be gridlocked . Traffic from Aldi & the bus garage mean this road is already very busy & over capacity. - this building is not in line with the strategic plan which states high rise should be confined to plough roundabout

29 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PE (Objects)

Comment submitted date: Tue 31 Oct 2017

The roads are already struggling with the volume of traffic in the area due to Aldi - cars frequently queue down to London Road to join the carpark. Additional traffic and residents cannot be supported in such a concentrated way. A high rise building of such magnitude is out of keeping with the local area. the environmental credentials of this proposed building are unproven

DERWENT, FELDEN LANE, HEMEL HEMPSTEAD, HP3 0BA (Objects)

Comment submitted date: Tue 31 Oct 2017

I Object to this development which: has added more floors, bedsitters and single bedrooms, no 3- bedroomed flats.

does not provide much-needed housing for families, only investment opportunities. Presumably a financial arrangement needed with Dacorum to compensate. focuses on the maximum development per footprint and tries to convince that this will make HH less ugly. The KD Tower is ugly, Box Moor is lovely. keeps emphasising no adverse effect on traffic flow whereas anyone living in the area knows that it will. emphasises its 'green' credentials which are lacking in real proof. Corona Properties Ltd (The Beacon 2014) then had a website lauding the green and sustainable office building called Symbio House, now demolished. specifies an APS that cannot charge parked cars overnight. does not fit in with the Two Waters Regeneration Plan or any Transport plan. They have set up 7 more companies for London Road addresses. That means more Tower blocks if this succeeds. An invasion.

24 KINGSLAND ROAD, HEMEL HEMPSTEAD, HP1 1QE (Objects)

Comment submitted date: Tue 31 Oct 2017

I object to this development because the roads in the immediate area do not have the capacity to accommodate more traffic: there are already frequently long queues at the junction with Two Waters Road, particularly at peak times and on Saturdays. This would be exacerbated by extra traffic associated with the new residential development, particularly at peak times when the automatic parking system is unlikely to be able to keep up with demand. The proposed building is also not in keeping with the surrounding area; there are no buildings of this height in the immediate area and it will spoil the Boxmoor Trust land nearby.

485 LONDON ROAD, HEMEL HEMPSTEAD, HP3 9BE (Objects)

Comment submitted date: Mon 30 Oct 2017

I object to this latest application:- Parking is inadequate - an increase of 33 units but only 10 extra car spaces. Lack of parking won't stop people having cars... they are used to the independence of their own transport. It's simply a feeble excuse to justify minimum parking to facilitate additional highly profitable units. This issue needs to be addressed, as it's resulting in over development of sites and is already evidenced by the overflow of cars in roads surrounding the various nearby new developments. Traffic problems are notorious in that area and the traffic assessment is flawed given it doesn't demonstrate the additional burden of the Aldi store, or even weekend traffic!

The height and scale are disproportionate to the locale and not sympathetic to the Moors area. It will not provide the much needed affordable housing and the CIL levy will be factored into selling prices to pass onto purchasers, resulting in even higher housing costs... somewhat defeating the object.

7 ORCHARD STREET, HEMEL HEMPSTEAD, HP3 9DT (Objects)

Comment submitted date: Mon 30 Oct 2017

Visual Intrusion: A 17 Storey development at this location will be devastating to the local landscape. No other building stands above the top of the West Valley skyline, it will 'stick out like a sore thumb'. It will ruin the view of the natural horizon. Inadequate parking facilities: 1.06 cars per apartment is nowhere near enough. What if only 10% have a visitor - that is 30.5 more cars to go somewhere...; ' Automatic Car Parking System' will take ages to operate, and will discourage residents to use it, they WILL park elsewhere. Just along the road in Orchard/Henry St/Manor Ave we already struggle to park. Especially at night, the roads are at bursting point. Inadequate turning: The local roads are very busy, accidents frequently happen at the junction of Whiteleaf Road and the Rain Road. Cars often queue into the Aldi Car Park, that junction is not safe. Apsley High St is often gridlocked, particularly at weekends, additional residents can only make that worse.

5a bargrove avenue (Objects)

Comment submitted date: Mon 30 Oct 2017

object

5a catlin street (Objects)

Comment submitted date: Mon 30 Oct 2017

OBJECT

4 THE FARTHINGS, HEMEL HEMPSTEAD, HP1 1XD (Objects)

Comment submitted date: Sun 29 Oct 2017

I object to this development. The scale of the development will damage the local area. 1. The height and scale of the development does not reflect anything in the immediate area. 2. The parking arrangements are wholly inadequate. 3. There is already extensive on street and dangerous parking in this area during the week caused by station commuters. To add to this on a very busy junction will be foolhardy. 4. The Two Waters traffic junction is already beyond capacity due to the supermarket and associated shops. To add a further 300 dwellings to this is silly. I object to the application and request that the Planning Committee fully consider the issues.

131 RIVER PARK, HEMEL HEMPSTEAD, HP1 1QZ (Objects)

Comment submitted date: Sat 28 Oct 2017

The size of this development is too high for the area. It is not in keeping with the surrounding buildings & countryside. It should be a low rise development. Currently at the weekends this gateway into and out of Apsley is congested due to the Aldi store. This will only exacerbate the traffic congestion. Rail commuters are increasingly parking their cars along this section of the London Road. With the increased traffic from this development it will cause major delays with bus traffic not able to exit from the bus garage.

High rise developments should be showcased on the Maylands industrial estate and not impacting the beautiful views of Boxmoor.

22 chancerygate, HP3 9HD (Objects)

Comment submitted date: Thu 26 Oct 2017

We continue to object to the application above, principally on the basis that the local road infrastructure is wholly unsuitable for a further 323 + residents vehicles. The immediate local junctions are already subject to severe overload and delays at peak times and at week ends the local Aldi store is very busy and results in over spill parking onto the local business estates. A recent road traffic accident blocked the area completely for several hours, with substantially more inbound or out bound traffic at the local junctions, this would have been even worse. Without significant road revisions and junction capacity improvements this development would have a significant negative impact on the local area.

12 CAMPION ROAD, HEMEL HEMPSTEAD, HP1 2DN (Objects)

Comment submitted date: Wed 25 Oct 2017

I object to this application. 1. The height and scale of this building are inappropriate. It would overshadow all surrounding buildings and be detrimental to the vital green space of Box Moor. The previously proposed building was already too tall and this new application adds extra floors and flats. It does not fit in with the strategic plan which places the higher rise buildings nearer the town centre 2. It offers insufficient parking spaces for the proposed number of flats. Parking is already a problem here. The proposed automatic parking system will not work. 3. It is situated at one of the busiest interchanges in Dacorum. Traffic from other developments nearby, plus Aldi and the bus garage, have added to the congestion at an already very busy junction. This can only get worse. The transport survey used is completely out of date. 4. This block is being built to bring outsiders into the town, not to provide for local housing needs.

19 GLENDALE, HEMEL HEMPSTEAD, HP1 1TG (Objects)

Comment submitted date: Tue 24 Oct 2017

I continue to object to this development The location is already a traffic bottleneck, caused by customers accessing/leaving the Aldi

store. Residents would exacerbate the problem getting in and out of the relief road onto London road near the traffic lights. There is an insufficient ratio of parking spaces to the number of potential residents in the apartments. Parking in/around Boxmoor is a significant and increasing problem, with rail passengers choosing to park on local roads, including London Road. This building out of keeping with the local area & would be a blight on the landscape, setting a negative precedent for further high rise developments in this area. New builds of this design are more appropriate for the Maylands Business Park. Low rise, low density residential developments are more appropriate for this area. The developers are attempting to squeeze as much revenue out of the site as possible by squeezing in more units.

12 ROUGHDOWN ROAD, HEMEL HEMPSTEAD, HP3 9BJ (Objects)

Comment submitted date: Tue 24 Oct 2017

I object to this development. The plan for 305 apartments and parking for 323 cars would have an even greater impact on the local area than the plan that has already been agreed. 1. The height and scale do not reflect the buildings in the area. They are out of character and would overshadow everything 2. There is not enough parking spaces for number of flats 3. Congestion at that road on the Two Water Junction is already horrendous as Aldi and bus garage are there, and this is only going to worsen the situation. 4. The Transport survey is out of date now as Aldi was not open before. 5. It does not fit with strategic plan stating high rise should be confined to plough roundabout 6. The technology supporting the green credentials of the building is being used for the first time in this development, and so it remains unproven. I object to the application and would ask for it to go to committee rather than being delegated to officers to make the decision.

29 RIVER PARK, HEMEL HEMPSTEAD, HP1 1RB (Objects)

Comment submitted date: Tue 24 Oct 2017

This proposed building is too high. It is not in keeping with the Dacorum Strategic Plan. The traffic congestion at the Junction with Aldi and London Road is already dangerous. Air pollution is above recommended levels. An additional 300+ cars using this access would be untenable.

17 HEATH CLOSE, HEMEL HEMPSTEAD, HP1 1TU (Objects)

Comment submitted date: Sun 22 Oct 2017

I strongly object for the following reasons: There is already so much congestion on Whiteleaf road with Aldi and the bus station traffic, at times the traffic jams are horrendous. The original traffic survey is flawed and no account is taken for weekend traffic. There is less than one parking space per apartment. There are already issues with parking in the area. The automated parking is flawed as has been pointed out before, this technology does not support electric car charging and it cannot be retrofitted. The building is far too high and intrudes on the visual impact of the whole. It does not comply with the strategic plan which states that the gateway should be at the plough roundabout. The shape and size does not blend in with the surrounding structures. The building is being built to bring new people into the area, not serve those already here.

66 BEECHFIELD ROAD, HEMEL HEMPSTEAD, HP1 1PL (Objects)

Comment submitted date: Sun 22 Oct 2017

I strongly object to this planning permission application. It's like some sort of joke! Hemel Hempstead is not suitable for this size of development, it is unmanageable and extremely detrimental to the local area. The congestion already suffered by local residents is beyond breaking point, particularly more and more people parking on that stretch of road in order to commute in to London and not pay for parking. Traffic moving up and down Two Waters Road and towards Apsley regularly backs up and causes long delays and issues - how would adding 305 apartments help this? The building itself, at 17 storeys, is a monstrosity and an outrageous suggestion. It is far too big for the area and far too imposing. Similarly, it sets a terrible precedent for future planning permission and would erode the beauty of the area. It does not fit in and goes completely against the ethos of Boxmoor/HH. The KD Tower was a poor exception and should never have happened. Do not ruin Boxmoor & HH any more.

40 KINGSLAND ROAD, HEMEL HEMPSTEAD, HP1 1QD (Objects)

Comment submitted date: Sun 22 Oct 2017

will ruin boxmoor. There is already no space for parking as it is and roads are so dangerous with the amount of traffic, this will completely push it over the edge. It will ruin boxmoor for everyone living here.

10 ROUGHDOWN ROAD, HEMEL HEMPSTEAD, HP3 9BJ (Objects)

Comment submitted date: Sun 22 Oct 2017

Having objected on a previous occasion I feel that I need to also object to this application, for the same reasons as before. Considering access and current traffic conditions I feel that the specifications of this particular development are wholly inappropriate both during construction and once it has been completed. Surrounding roads are subject to congestion already and a development of this size will only make this worse. The proposed design is not in keeping with, or sympathetic to the surrounding area.

DERWENT, FELDEN LANE, HEMEL HEMPSTEAD, HP3 0BA (Objects)

Comment submitted date: Sun 22 Oct 2017

I strongly object for the following reasons. There is already so much congestion on Whiteleaf road with Aldi and the bus station traffic, at times the traffic jams are horrendous The original traffic survey is flawed and no account is taken for weekend traffic There is less than one parking space per apartment. There are already issues with parking in the area. The automated parking is flawed as I have pointed out before, this technology does not support electric car charging and it cannot be retrofitted. The building is far too high and intrudes on the visual impact of the whole. It does not comply with the strategic plan which states that the gateway should be at the plough roundabout he shape and size does not blend in with the surrounding structures. The building is being built to bring people into the area instead of providing for the needs of people already here.

6 Chaulden Terrace (Objects)

Comment submitted date: Sun 22 Oct 2017

I wish to object to this planning application. It has been called 'the gateway to Hemel Hempstead ' but I do not think this looming edifice fits our town at all. It is too high and not in keeping with the area, more like a big city, London, Birmingham and so on. It does not represent the type of neighbourhoods found here. As such, it comes under the heading 'visual intrusion ' of 'material planning considerations.' The site is opposite an area of green land, where it is a pleasure to enjoy the scenery and wildlife, which would be adversely affected and cannot be replaced once disturbed. The increase in traffic on the London Road as an extra 323 cars (minimum) try to enter and exit Whiteleaf Road will make having to use the route more difficult than it already is at certain times of the day and at weekends. The area is already under pressure, with cars parked along the pavements of parts of London Road because of inadequate parking provisions. I am aware that the applicant has previously commissioned a traffic survey. I can only assume that the timing of the survey avoided the peak times. I understand the need for new housing, but the advertisements for properties on the development put them out of reach for the lower paid and there does not appear to be any provision for social housing. Is there sufficient places at local doctors' surgeries to cope with the extra patients?

THE COPIARY, 5C CATLIN STREET, HEMEL HEMPSTEAD, HP3 9AU (Objects)

Comment submitted date: Sat 21 Oct 2017

I cannot object to this strongly enough. Firstly on the grounds of design and appearance. This is completely not in keeping with anything else in the local area and looks completely out of place. No attempt had been made with the design to be sympathetic to the local surroundings, buildings or area. The sheer size and scale of the building is ridiculous in comparison to anything else around it and the fact that the developers are proposing to add another floor from the original application is unbelievable. The local residents do not want a high rise building of this scale in this area. My second objection is adequacy of parking/turning. There are simply not enough spaces proposed in the development and there is nowhere else to park in the area. Finally the traffic and congestion is already intense along the London road. The traffic already spills out from the Aldi car park right up to the lights. The traffic assessment done previously for the original application is out of date now.

113 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PF (Objects)

Comment submitted date: Sat 21 Oct 2017

I object to this development on the grounds of: 1. Traffic, access & parking. Should the automated parking fail or prove slow, unreliable, or inconvenient, where will residents park? This junction is already congested.

2. Increased density, with more residents placing further strain on the infrastructure. 3. Out of keeping with the neighbourhood; a tower of residential properties in an area of fairly low-rise commercial properties. 4. Lack of social housing. This development is not designed to enrich the Hemel environment, it does not meet local needs. Many thanks for your consideration.

113 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PF (Objects)

Comment submitted date: Fri 20 Oct 2017

Objection on the grounds: Access, traffic. Site is located on a busy junction already with major problems. Often the London Rd traffic is at a standstill restricting Whiteleaf road access. The council should undertake its own traffic analysis and not use that provided by the developer. Insufficient parking provision. The underground parking is not available for casual & visitors, & with no evidence from the developers of a maintenance plan, it may regularly fail. Not in keeping. This building is not in character for HH, nor does it supply the dwellings required by this town. I believe that the dwellings are marketed off plan to foreign investors (as per many London developments), and that if the Beacon is ever completed, occupancy will be low, and it will become a large slum. Social housing. This re-application is an opportunity for the council to take a strong position regarding provision of social housing. There is no excuse to exclude social housing from this development.

101 Widmore Drive, HP2 5 ND (Supports)

Comment submitted date: Mon 16 Oct 2017

I would like to express my opinion in favour of this unique development of the Beacon. In a time when we are all striving to reduce our carbon footprint, this development with its unique sustainability characteristics is a world beater and I for one am proud they have chosen Hemel Hempstead to showcase this example of modern architecture.

THE FORUM, MARLOWES, HEMEL HEMPSTEAD, HP1 1DN (Supports)

Comment submitted date: Mon 16 Oct 2017

No comments.

136 LONDON ROAD, HEMEL HEMPSTEAD, HP3 9AP (Objects)

Comment submitted date: Fri 13 Oct 2017

MY objection still stands with the same reasons as before. There isn't enough parking for the number of residents that could potentially live in the building. This is already a bottle neck for traffic and customers using the Aldi store and residents would find it extremely busy getting in and out of the relief road onto London road near the traffic lights. The developers ideas that their residents wont have cars and will use public transport is unrealistic, which has been proven in other new developments in HH where there isn't enough parking allocated. This building is a monstrosity and should have never been given the green light. It doesn't suit the area, it may suit a large City, London or the docklands but not HH. The developers in their aggressive approach are just interested in money and profit and not the area, the residents or the impact it will have on the local population. The fact that they want to increase the number of story's and flats is a joke.

20 ASHTREE WAY, HEMEL HEMPSTEAD, HP1 1QS (Objects)

Comment submitted date: Tue 10 Oct 2017

High rise residential blocks are out of keeping with the local area, particularly affecting neighbouring boxmoor trust land. The proposal would negative impact on the local environment. At all costs the council should avoid setting the precedent for high rise residential/commercial new builds in this part of Hemel Hempstead. Such new builds are appropriate for Maylands where they would out be out of place. I recognise the need for more housing but low rise residential blocks are appropriate for this area - not developers getting as many £ per square meter by building upwards. The pressure of the high number of apartments on such a small footprint on local infrastructure is unsustainable. Traffic along London Road & Two Waters Road is already problematic, exacerbated by recent commercial developments such as Aldi. Community consultation on this type of development should be wide ranging - it has the potential to impact on many local residents across Dacorum - who are currently unaware

93 GREEN END ROAD, HEMEL HEMPSTEAD, HP1 1QR (Objects)

Comment submitted date: Tue 10 Oct 2017

I object to high rise flats being built directly alongside one of apx.200 RARE CHALK STREAMS in the world. Underground parking construction should have comprehensive, independent environmental impact assessments, not paid for by the taxpayer. Speculators should bear the cost but the council need to run this independently to ensure no conflict of interest.

TRAFFIC along London Road is regularly congested throughout the day negatively impacting our quality of life and the local economy. PARKING in Boxmoor is a significant and longstanding problem with huge amounts of taxpayers money spent on consultations and parking proposals. Parking on pavements is a serious and common problem. It is dangerous for local residents, small children, people with disabilities. Fire Engines and Ambulances have been unable to get down certain roads. This development will compound the parking issue. Flats in this development were listed on RIGHTMOVE for £500k which does not fulfil our local housing needs.

44 HIGH RIDGE ROAD, HEMEL HEMPSTEAD, HP3 0AG (Objects)

Comment submitted date: Tue 10 Oct 2017

The impact that a building of this size and occupancy will have on this area will be irretrievably bad. The junction on which it is proposed is already struggling to cope with the volume of traffic. Vehicles can often be backed up along and onto the carriage way of the A41 due to the number of vehicles coming up the hill and the construction of the Aldi supermarket has added to the numbers hugely. Their car park cannot satisfy the demand at peak times, which along with the bus garage and trading estates mean this junction will be incredibly difficult to traverse. 323 car parking spaces is simply not enough for 305 flats! Very few of those premises will own a single car, and councils/Police are unlikely to enforce any form of parking regulation. Schools and services are also already over subscribed, and the builders and profiteers from this venture are highly unlikely to be required to put any money towards local services. I cannot object to this strongly enough.

477 LONDON ROAD, HEMEL HEMPSTEAD, HP3 9BE (Objects)

Comment submitted date: Tue 10 Oct 2017

We strongly object to planning application 4/02368/17/MOA for the below reasons. How on earth can the applicant half demolish a building then apply for planning permission ??? , the applicant would appear very confident of being granted permission by DBC !!

London Road is already severely congested so any added traffic will only add to the existing problems. The building is far too large and not in keeping with the area. The area would benefit more if a new school or a doctors surgery was built rather than a coffee shop or function room !!

11 featherbed lane (Objects)

Comment submitted date: Mon 09 Oct 2017

I object to the Planning Application due to the following reasons. Adequacy of parking/turning - There is so much congestion on that road with Aldi and the bus station that it intrudes onto London Road and no one can move along there. Its not just at rush hour either its all times of the day. They are allowing less than one parking space per apartment. There are already issues with parking in Apsley and that area of Boxmoor. Noise and disturbance resulting from use - as above. Visual intrusion - the building is too high and intrudes on the visual impact of the whole area which also includes the comments below. If it goes ahead it should be less stories. Suggested 8 stories or less. Design, appearance and type of materials - it is a complete eye sore the colour of the glass (green) the fact that it is ultra modern the shape and size does not blend in with the surrounding structures. It will be visible from my residence. On top of the above objections, whilst I agree we need more places for people to live this is not suitable for the people that actually need housing in Hemel Hempstead. Any structures for housing should be in keeping with the local areas and similar to the existing buildings that have already been built along London Road and the rest of Apsley. At present Apsley (and Hemel Hempstead) do not have the infrastructure to sustain this type of residence. We have inadequate school places in the local schools, the local doctors surgeries are already oversubscribed and we have no suitable emergency hospital services. The bus services leave a lot to be desired, to get from one side of town to another you have to get two or three buses. There are already implications with the amount of housing on the new estate over the railway and the visual implications of the new bridge, the constant construction traffic and the extra width of the road immediately outside my own premises.

11 heath close (Objects)

Comment submitted date: Mon 09 Oct 2017

I would like to object to this planning application. I think it would completely spoil the natural beauty of the moor and as traffic in this area is already grid locked on a daily basis. There is no infrastructure to support the huge amount of new homes built already. There is no proper hospital or A&E facilities as well as the lack of school, GPs, dentists etc. The Box moor was given to the local people to enjoy but the constant traffic and over development of the area is killing this area.

24 PULLER ROAD, HEMEL HEMPSTEAD, HP1 1QN (Objects)

Comment submitted date: Mon 09 Oct 2017

Congestion - the area is horrendous already for congestion at all times. Parking - there isn't enough parking in Apsley and Boxmoor and the commuters that park on the London Road already make this a dangerous zone - more residents and less parking will be hazardous. A complete eyesore; the design is not in keeping with the historical area and the natural beauty of the moor - 17 story's high....why?!?! Traffic/Logistics of entering and exiting that junction prove difficult just with the addition of Aldi. What about the insufficient amount of GP places, the schools etc....

27 BARGROVE AVENUE, HEMEL HEMPSTEAD, HP1 1QP (Objects)

Comment submitted date: Mon 09 Oct 2017

The streets in this vicinity are already congested and the traffic management is very lacking and dangerous even without this amount of cars adding to the problems at the junctions throughout the day but especially at rush hours. I believe there is not enough parking to be provided for this high rise building.

It is too high and does not fit in with the older buildings in Boxmoor.

42 BEECHFIELD ROAD, HEMEL HEMPSTEAD, HP1 1PP (Objects)

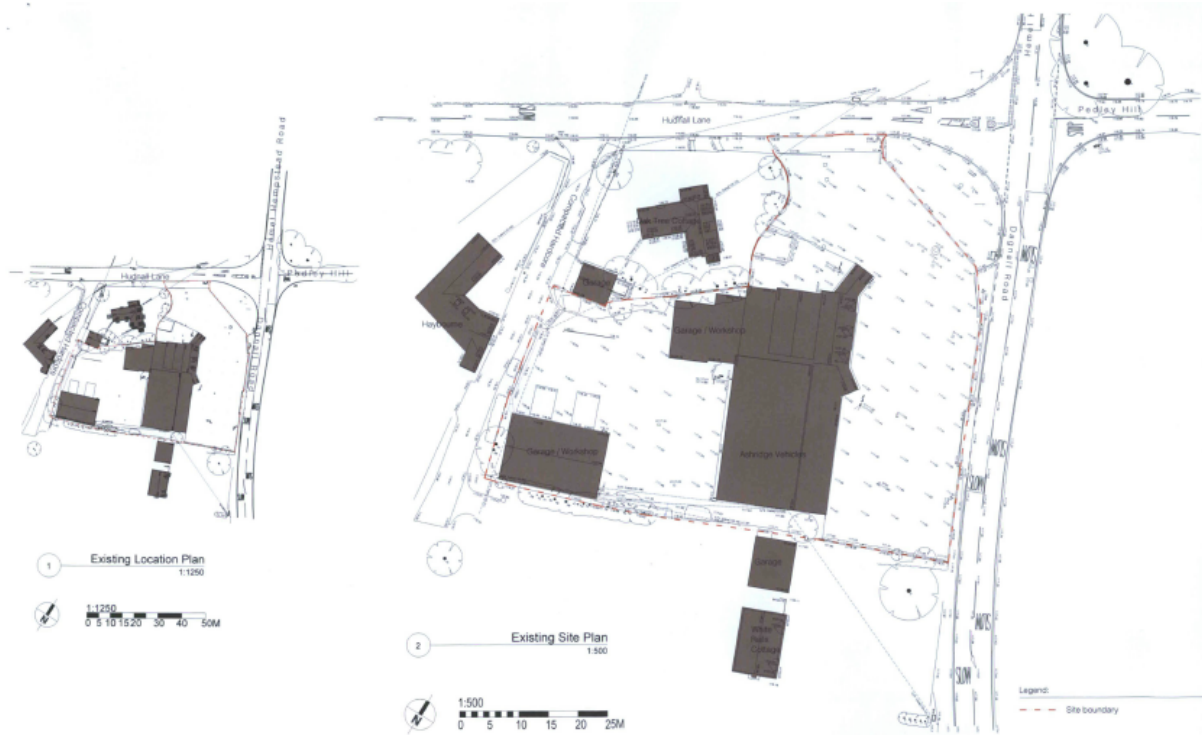
Comment submitted date: Mon 09 Oct 2017

Traffic congestion - existing road cannot cope with existing traffic, whichever way the developers manipulate car numbers, there will be a significant detrimental impact to the surrounding roads Parking - there are scant parking allocations given the number of flats, and where is there a mention of visitors parking? How many cars with NO parking spaces allocated will be visiting the properties proposed? and where will visitors be parking? Out of keeping with the local area - there are far too many proposed stories, especially given its proximity to the scenic Boxmoor Trust land. No. of stories proposed needs to be significantly reduced. No social housing element proposed - I was under the impression that developments over a certain size had to have a percentage of social housing? These are all private properties No proposal or funding for local amenities - where are the doctors/schools etc to service such a large development? local services are already at breaking point

Agenda Item 5b

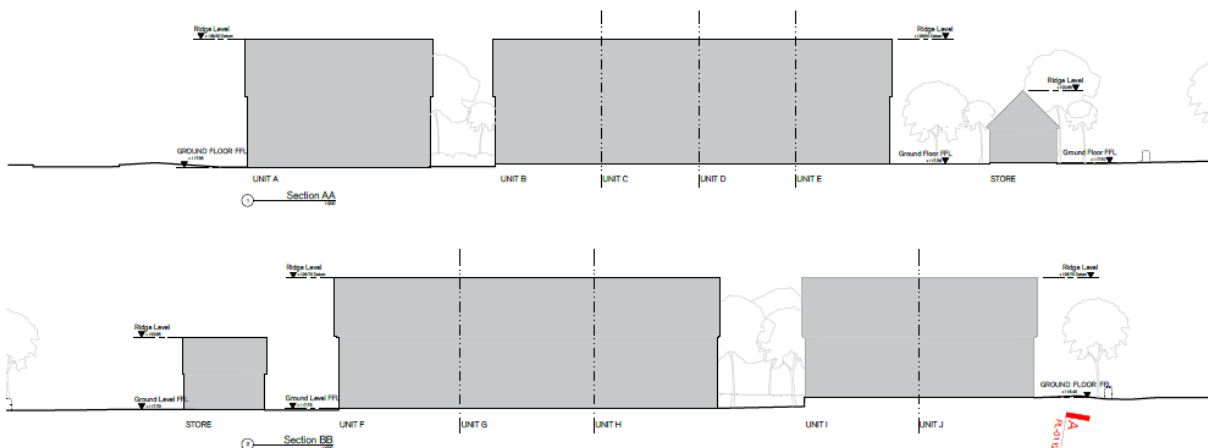
4/02402/17/MOA DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO CREATE 10 DWELLINGS (CLASS C3) WITH ACCESS OFF HUDNALL LANE (OUTLINE APPLICATION WITH ACCESS, LAYOUT AND SCALE SOUGHT)

FOURWAYS CAR SALES, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QP



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FOURWAYS CAR SALES, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QP



4/02402/17/MOA	DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO CREATE 10 DWELLINGS (CLASS C3) WITH ACCESS OFF HUDNALL LANE (OUTLINE APPLICATION WITH ACCESS, LAYOUT AND SCALE SOUGHT)
Site Address	FOURWAYS CAR SALES, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QP
Applicant	DELVES BROUGHTON LTD, C/O AGENT
Case Officer	Intan Keen
Referral to Committee	Contrary views of Little Gaddesden Parish Council

1. Recommendation

1.1 That planning permission be delegated with a view to **APPROVAL** subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and the conditions set out below.

2. Summary

2.1 The proposal for residential development is acceptable in principle as the site is considered to represent previously developed land in the Rural Area, noting there are no policy restrictions seeking the retention of the existing car sales and related businesses on the site and the policy support for additional housing. The proposed traffic generation, access and on-site parking arrangements would be satisfactory. The development would represent a visual improvement to the prominent gateway location of the site and the wider countryside which lies within the Chilterns Area of Outstanding Natural Beauty above existing conditions. The proposal would be acceptable with respect to the impact on neighbouring properties. Ecology and flood risk matters have been adequately addressed through the application submission.

2.2 The proposal is therefore in accordance with the aims of Policies CS1, CS7, CS8, CS10, CS11, CS12, CS15, CS17, CS18, CS19, CS24, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 10, 18, 21, 34, 51, 54, 58, 97, 99, 111 and 129 of the Dacorum Borough Local Plan 1991-2011.

3. Site Description

3.1 The application site is currently occupied by a car dealership with associated general industrial workshops (Class B2) within the Rural Area and the Chilterns Area of Outstanding Natural Beauty. The site is located on a prominent corner location to the south of the intersection of Dagnall Road (A4146) and Hudnall Lane which is considered as one of the gateways into the Borough. This stretch of Dagnall Road runs along the valley floor parallel with the River Gade on its far side and is open in character, providing extensive attractive views of the surrounding countryside, and includes some areas of large tree coverage (either side of Hudnall Lane). Buildings along Dagnall Road have typically limited presence.

3.2 The majority of the site is currently hard surfaced with little soft landscaping limited to boundary vegetation along its two street frontages to Dagnall Road and Hudnall Lane. The approach to the site along Dagnall Road however is dominated by cars associated with the current operation on the site, as well as multiple flag advertisements and external lighting, the latter particularly in hours of darkness. The neighbouring garage structure at White Rails Cottage adjoining the site is also visible on the approach to the junction from the north (traveling in the direction of Hemel Hempstead).

3.3 Buildings on site are single to two-storey in scale and set back from both road frontages either in line with or behind neighbouring properties.

3.4 Four accesses currently serve the site including two directly off Dagnall Road and a principal crossover to Hudnall Lane, all three of which it is understood serve the car sales business currently in operation. Workshops to the rear currently utilise the fourth access off a drive off Hudnall Lane running immediately west of the site.

3.5 Land uses in the vicinity are predominantly agricultural however surrounding the Hudnall Corner junction are residential (three properties directly adjoin the application site) with a garden nursery centre to the north of the site beyond Hudnall Lane.

4. Proposal

4.1 The application seeks outline planning permission (access, layout and scale sought) for the demolition of existing buildings and redevelopment to create 10 dwellings (Class C3) with access off Hudnall Lane. As such, appearance and landscaping are reserved matters.

4.2 The proposal seeks permission for the construction of 10 new dwellings consisting of five three-bedroom dwellings and five four-bedroom dwellings. The layout is proposed to reflect a typical farm courtyard arrangement with two-storey scale buildings grouped on each side.

4.3 The principal access point serving the development would be located off Hudnall Lane on the site's north-western boundary one off the track from Hudnall Lane to the west.

4.4 21 spaces car parking spaces would be provided on-site (including a six-bay car port). Storage for 10 cycle spaces would also be accommodated within the site.

4.5 Private amenity areas would be incorporated between the dwellings and the site boundaries, including an open landscaped strip up to Dagnall Road.

5. Relevant Planning History

5.1 Of most relevance is application 4/00668/03/FUL for six dwellings, access road and associated landscaping which was granted on 11 February 2004.

5.2 The site has been subject to various applications for alternative uses and development proposals, including the following:

- 4/02911/15/FUL for change of use of existing vehicles premises to health studio, granted on 3 November 2015;
- 4/02577/07/FUL for change of use from sale of agricultural equipment to cafe, car sales and car valeting, granted on 10 March 2008;
- 4/01452/96/RET for retention of use for sale, repair and maintenance of gardening, horticultural, groundcare products and equipment (with ancillary offices and stores) retrospective application was granted on 13 February 1997.

6. Policies

6.1 National Policy Guidance

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

6.2 Dacorum Core Strategy

- Policy NP1 - Supporting Development
- Policy CS1 - Distribution of Development
- Policy CS7 - Rural Area

- Policy CS8 - Sustainable Transport
- Policy CS10 - Quality of Settlement Design
- Policy CS11 - Quality of Neighbourhood Design
- Policy CS12 - Quality of Site Design
- Policy CS15 - Offices, Industry, Storage and Distribution
- Policy CS17 - New Housing
- Policy CS18 - Mix of Housing
- Policy CS19 - Affordable Housing
- Policy CS24 - Chilterns Area of Outstanding Natural Beauty
- Policy CS29 - Sustainable Design and Construction
- Policy CS31 - Water Management
- Policy CS32 - Air, Soil and Water Quality
- Policy CS35 - Infrastructure and Developer Contribution

6.3 Dacorum Borough Local Plan

Saved Policies:

- Policy 10 - Optimising the Use of Urban Land
- Policy 13 - Planning Conditions and Planning Obligations
- Policy 18 - The Size of New Dwellings
- Policy 21 - Density of Residential Development
- Policy 34 - Other Land with Established Employment Generating Uses
- Policy 58 - Private Parking Provision
- Policy 97 - Chilterns Area of Outstanding Natural Beauty
- Policy 99 - Preservation of Trees, Hedgerows and Woodlands
- Policy 100 - Tree and Woodland Planting
- Policy 101 - Tree and Woodland Management
- Policy 111 - Height of Buildings
- Policy 129 - Storage and Recycling of Waste on Development Sites

Saved Appendices:

- Appendix 3 - Layout and Design of Residential Areas
- Appendix 5 - Parking Provision

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)
- Affordable Housing (Jan 2013)

7. Constraints

Rural Area
 Chilterns Area of Outstanding Natural Beauty
 Former land use
 CIL Zone 1

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

8.3 Comments received in relation to the originally submitted plans following neighbour notification and the site notice have been summarised at Appendix C.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Quantum of development, layout and density
- Traffic, access and parking
- Impact on appearance of street scene and countryside
- Impact on neighbouring properties
- Flood risk and drainage
- Ecology
- Affordable housing
- Community Infrastructure Levy (CIL)

Policy and principle

9.1 The site is located within the Rural Area where the provisions of Policy CS7 of the Core Strategy apply. This policy permits small-scale development including the redevelopment of previously developed sites and no objection is raised to the proposed residential scheme on the site in principle.

9.2 Further, paragraph 111 of the NPPF states that planning policies and decisions should encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.

9.3 The proposal would result in the loss of an established employment site in the Rural Area which appears to have had a regularised lawful use from 1997 based on the above planning history. While saved Policy 34 of the Local Plan seeks retention of such businesses (or satisfactory replacement) the employment density may in reality be low and there may be environmental advantages in an alternative non-commercial use(s) (such as removal of noise and smells, reduction in traffic generation and visual benefits associated with a land use of lesser intensity and activity).

9.4 Paragraph 51 of the NPPF states that local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

9.5 Also of relevance is paragraph 55 which seeks to promote sustainable development in rural areas, stating housing should be located where it will enhance or maintain the vitality of rural communities. Although the application site is not located within an established village or local centre, it is not isolated and would support rural communities and the local economy.

9.6 A previous application (reference 4/00668/03/FUL) for the redevelopment of the site for six

dwelling was granted in 2003 (four detached market dwellings and two semi-detached affordable housing units) served by the existing access off Hudnall Lane. This approval establishes the principle of redeveloping the site for residential purposes.

9.7 With respect to residential land use, there is policy support for the provision of housing contained within the NPPF where paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

9.8 Further, Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the Borough. The provision of new dwellings is also supported in principle under Policy CS18.

9.9 As such, the development of the site for residential dwellings would be acceptable in principle and would not conflict with the aims of Policies CS1, CS7, CS15, CS17 or CS18 of the Core Strategy or saved Policy 34 of the Local Plan.

Quantum of development, layout and density

Policy context

9.10 Reference should be made to the policy support for housing outlined above, and regard should also be given to the provisions of saved Policy 10 of the Local Plan (together with other relevant policies guiding development, including Policies CS11 and CS12 for instance). Saved Policy 10 states that vacant or underused land and buildings should be brought into the appropriate use(s) as soon as practicable through new building, conversion, adaptation or other alteration. Importantly, the saved policy goes on to state (where relevant) general building development should be designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies in the plan. In particular, building development will be permitted if it makes optimum use of the land available, whether in terms of site coverage or height.

Dwelling density and quantum of development

9.11 The redevelopment of the site with ten dwellings would result in a numerical density of 27 dwellings per hectare. Whilst the site lies within an open and rural location, the proposed residential density would not be considered excessive. The quantum of development in such a location would need to be considered in light of the existing conditions, where the following planning benefits have been identified:

- Redevelopment of the site for residential which would be a less intrusive use on the countryside by reducing the amount of pollutants through noise and other emissions and servicing and delivery requirements;
- Residential use on a site that is surrounded by (three) neighbouring properties on all sides excluding its road frontages and would therefore represent a compatible land use in the immediate area;
- Visual benefits to the Chilterns Area of Outstanding Natural Beauty through removal of the car-dominated frontage together with signage and external lighting on the road frontage associated with the existing car sales use;
- Removal of the two vehicle access off Dagnall Road which were considered dangerous
- Increase in soft landscaping across the site;
- Contribution towards meeting identified housing need within the Borough.

9.12 It follows that the quantum and density of residential development on the site would be appropriate.

Site layout

9.13 As described above, the site layout would take the formation of a courtyard with the dwellings fronting onto it. This adopts a similar approach to the previous approval for residential development. The visual benefits of replacing the car-dominated frontage (parking of up to 50 cars within the forecourt) together with flag signage and external lighting, with a high quality residential development have been outlined above.

9.14 Street frontages to Dagnall Road and Hudnall Lane, including the corner of the two with Pedley Hill, would be appropriately addressed through the orientation of buildings and would enhance this particular prominent gateway location into the Borough.

9.15 Consequently the principal access serving the site would be limited to Hudnall Lane with the two existing accesses closed to Dagnall Road to enable a potentially unbroken soft landscaped frontage would also weigh in favour of the development, noting detailed landscape proposals shall be considered at reserved matters stage if outline permission is granted.

9.16 It is important to set out the improvements that the current scheme would incorporate above the previous approval on the site for six residential units (referenced above):

- Greater number of south-facing oriented dwellings;
- Arrangement based on clear straight lines taking references from agricultural building layout to suit the locality as opposed to a suburban layout;
- Angled building (Unit A on the submitted layout plan) appropriately addressing the intersection facing north;
- Section 106 agreement requiring grassland between front units and Dagnall Road frontage to remain largely open, with minimal fencing and no play equipment responding to the open fields to the eastern side of the road.

9.17 In floor area terms the proposal is commensurate with the existing level of development on the site, proposing 1,032m² gross internal area (excluding single storey non-habitable car port and refuse and cycle storage) compared with the existing 1,028m² of general industrial (Class B2) floor space. For reference the approved six-dwelling scheme proposed a gross internal area of 833m².

9.18 Residential amenity within the development would be satisfactory noting an acceptable level of spacing between the dwellings to avoid unreasonable levels of overlooking between them.

9.19 Private gardens to dwellings would be regularly shaped with the exception of Unit A, with the smallest area of 47.3m² (dimensions 5.5m deep by 9.2m wide to Unit G). All other nine gardens within the development would have garden sizes with a length of 11.5m (whether width or depth).

9.20 The site layout incorporates a drainage area and reed bed to the site's eastern corner.

9.21 Car parking on the site would be completely contained within the courtyard area which would be considered acceptable.

9.22 When considering the appropriateness of the quantum of development on the application site it is important to note the Council's aspirations for its redevelopment for residential purposes (Strategic Planning and Regeneration comments below). The proposal to create ten dwellings incorporating an agricultural building layout and achieving a balance between the number of units, hard and soft landscaping, open space and parking in a prominent location would represent good, efficient use of the land, as encouraged and supported under Policies CS17 and

CS18 of the Core Strategy and saved Policies 10, 18 and 21 of the Local Plan.

Removal of permitted development rights

9.23 If planning permission is granted it would be reasonable to remove permitted development rights relating to Classes A, B, C, D, E and F (extensions and alterations, roof additions, roof lights, porches, outbuildings and hard surfaces respectively) as well as fencing to ensure sufficient functional garden spaces and parking areas to the properties are retained and in the interests of residential amenity within the development to accord with the aims of Policies CS11 and CS12 of the Core Strategy.

Traffic, access and parking

9.24 Hertfordshire Highways has considered the proposed traffic generation and access arrangements as set out in the submitted Transport Statement and found these to be satisfactory.

9.25 Furthermore, the proposal includes the closing off of two of the existing vehicular accesses fronting Dagnall Road which is welcomed by the highway authority. This would leave the existing crossover off Hudnall Lane as the primary access to the site. A secondary access point would be retained on the track to the rear of the site (served also by Hudnall Lane).

9.26 Residential car parking provision is set out under saved Appendix 5 of the Local Plan which provides maximum standards based on the number of bedrooms. The proposal would require the following:

- Three-bedroom dwellings - 2.25 spaces each (five units - 11.25 spaces)
- Four-bedroom dwellings - 3 spaces each (five units - 15 spaces)

9.27 The proposal would provide for 21 off-street parking spaces, located within the courtyard and the car port.

9.28 As such, the development would result in a technical shortfall of 5.25 spaces. However it is important to note the development would provide on-site parking at a rate of at least two spaces per dwelling. Each dwelling would also have access to one long-term (secure) cycle storage space within the development to make up for any shortfall.

9.29 Given the practicality of on-street parking, which would be limited to the east of the site (south-eastern side of Hudnall Lane), it is not considered that such a shortfall would result in significant highway safety issues.

9.30 When considering the proposed parking provision it is important to note benefits to the local highway network including the closure of two accesses off the high-speed section of Dagnall Road.

9.31 For information it is noted that bus services are located within walking distance to the north of the site.

9.32 It follows that the proposal would accord with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Impact on appearance of street scene and countryside

9.33 The site's frontage to Dagnall Road is particularly prominent from several directions and as such the amended plans have incorporated suggestions made by the Council's Conservation and Design department to appropriately address this interface and the surrounding area. This

has included the setting back of the front units (Units B to E inclusive) further from Dagnall Road to enable a wider open landscaped strip, therefore achieving a satisfactory balance between built form at the gateway site and soft landscaping to respond to the Chilterns Area of Outstanding Natural Beauty.

9.34 The submitted floor plans would indicate that the proposed buildings would adopt a barn-like appearance with straight building lines and limited projections which would be acceptable in the site's rural context. Unit F would appropriately terminate the view down the main access off Hudnall Lane.

9.35 It is considered the two-storey scale of development across the majority of the site's principal road frontage would be acceptable and commensurate with existing surrounding development. It is acknowledged that the ridge heights would not exceed those previously approved for the six units (under 4/00668/03/FUL).

9.36 Samples and details of materials shall be conditioned if planning permission is granted.

Impact on neighbouring properties

9.37 There are three residential properties adjoining the application site. These include White Rails Cottage to the south-east, Oak Tree Cottage immediately north-west and Haybourne opposite the drive to the west. Each shall be discussed in turn.

White Rails Cottage

9.38 White Rails Cottage is occupied by a large two-storey detached dwelling which is currently undergoing works to extend up to the original garage footprint proximate to the boundary with the application site. As such, the principal elevations of this property face east and west, particularly to the west where its main area of private open space is located. The application site is located due north of this property and therefore the resultant dwelling at White Rails Cottage would not directly face the proposed development.

9.39 Running parallel with the common boundary between White Rails Cottage and the application site is the long driveway serving White Rails Cottage. Further south of the drive is the enclosed main private garden area (including a paved terrace immediately west of the main dwelling).

9.40 The development would extend approximately 19.7m beyond the rear wall of the proposed development and located a minimum of 6.8m from the extension at White Rails Cottage. The main outlook of the nearest ground floor window at White Rails Cottage would be down its own driveway and to the south-west towards its main area of private open space. As such the proposal would not compromise the residential amenity of this property with respect to visual intrusion or loss of light.

9.41 With respect to overlooking it is noted that there would be five properties facing towards White Rails Cottage (labelled Units F to J inclusive). The perpendicular arrangement of windows and the distance of the proposed dwellings from the boundary would ensure there would be no unreasonable overlooking between the development and this neighbouring property. It is noted that the main area of private open space serving White Rails Cottage is a substantial garden area (minimum 19m by 55m) immediately west of the main dwelling and located south of the site beyond the neighbouring private drive. As such, windows to the nearest units would be located 10.8m from the edge of the neighbouring garden.

9.42 Of the five units facing White Rails Cottage, only Units G and H (two dwellings) would be perceived within the main area of private open space to this neighbour. (Units I and J located behind a retained tree line along the boundary and Unit F in line with the two-storey addition

proposed proximate to the boundary.) These two dwellings could feature up to five windows at first floor level based on the indicative floor plans submitted. It is noted that appearance is a reserved matter and the internal arrangement could be reconfigured so that windows would be obscure-glazed or internal areas relying on roof lights. First floor windows shall be conditioned as such and levels of the development relative to this neighbouring property shall also be conditioned if planning permission is granted.

Oak Tree Cottage

9.43 The proposed development would feature a single-storey car port proximate to the shared boundary with Oak Tree Cottage and would not comprise habitable accommodation. It would feature a pitched roof sloping up and away from the common boundary located 6.8m from the nearest window of the neighbouring property. Given this relationship the development would not give rise to concerns relating to visual intrusion or loss of light.

9.44 The proposed car port would be located upon an existing workshop and parking area and the development is considered to represent an improvement above existing conditions.

9.45 The nearest first floor windows within the development would be located 23m from this neighbour from Unit A however this would not be a direct relationship. Windows within Unit B that would partially face the dwelling at Oak Tree Cottage at a distance of 24m which would be acceptable.

Haybourne

9.46 This property is located to the west of the application site opposite the drive and its principal elevations face north and south (primarily the latter). The proposed development due to building siting and orientation would not give rise to issues of visual intrusion, loss of light or overlooking between main habitable room windows.

9.47 It follows the development would accord with the aims of Policy CS12 of the Core Strategy in this regard subject to the control of detailed design at the reserved matters stage.

Flood risk and drainage

9.48 The flooding authority has stated in their comments that a Flood Risk Assessment is not required however would wish to see a drainage assessment. As the application has been submitted at outline stage and the site has previously been subject to an approval for six residential units, it would be considered reasonable and necessary to condition the submission of a drainage assessment and strategy for approval in accordance with the aims of Policies CS31 and CS32 of the Core Strategy.

Ecology

9.49 Hertfordshire Environmental Records Centre is satisfied with the submitted assessment and proposal with respect to protected species and mitigation measures outlined in the Bat Dusk Surveys report. The proposal would therefore accord with Policy CS29 of the Core Strategy in this regard.

Affordable housing

9.50 The application has been submitted in outline form and therefore seeks largely to establish the principle of development for ten units on the site. Of relevance is the Affordable Housing Supplementary Planning Document Clarification Note (Version 2: July 2016) which reflects the planning position on affordable housing and the implementation of Policy CS19 and triggers for contribution.

9.51 The relevant section of the Clarification Note reads as follows: The PPG specifies that contributions from developments of 6-10 units within designated rural areas [as described under section 157(1) of the Housing Act 1985] should be in the form of commuted sums, payable on completion of the development. The Clarification Note further advises that the 'rural area' covers all land within the Chilterns Area of Outstanding Natural Beauty where the application site lies.

9.52 The development would therefore require a commuted sum payment, calculated in accordance with the Council's Affordable Housing SPD (2013). Section 7.7 of the SPD states that in cases where the applicant considers that the site cannot viably support the Council's affordable housing policy requirements the Council will require the applicant to submit a financial appraisal and supporting evidence at pre-application stage. This will enable the Council to assess at the earliest opportunity, the optimum affordable housing mix which is economically viable on the site. Whilst affordable housing would be sought for a development of this scale, considering the advice within the Clarification Note, any viability assessment would identify whether a contribution for off-site affordable housing provision could be made.

9.53 As noted above, the existing businesses and operations on the site and likely anticipated remediation works and the construction details and costs associated with those elements has not been finalised under this outline scheme. On this basis it is considered acceptable that a Section 106 agreement is completed to require a viability assessment to be submitted. This shall be reviewed by consultants appointed by the Council to identify any surplus that could go towards off-site provision for the development. This approach has been agreed with the Council's Strategic Housing department and would accord with the aims of Policy CS19 of the Core Strategy and above-referenced guidance.

Community Infrastructure Levy (CIL)

9.54 The development will be CIL liable at a rate of £250 per square metre with applicable exemptions.

10. Conclusions

10.1 Based on the assessment above it is considered that the development would be acceptable, satisfying the objections of Policies CS1, CS7, CS8, CS10, CS11, CS12, CS15, CS17, CS18, CS19, CS24, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 10, 18, 21, 34, 51, 54, 58, 97, 99, 111 and 129 of the Dacorum Borough Local Plan 1991-2011.

11. RECOMMENDATION

11.1 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 an agreement under Section 106 of the Town and Country Planning Act 1990.

11.2 That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

- Requirement for a financial viability appraisal exercise to be undertaken at reserved matters stage to demonstrate whether or not the scheme would be viable if a contribution could be made for off-site affordable housing, and if so, the level of contribution that would be viable and would be reviewed by consultants appointed by the Council with costs met by the owner or developer; and
- Requirement for land between Units A to E inclusive fronting Dagnall Road A4145 to be

maintained as open grassland and restriction on no children's play equipment or other structures to be allowed at any time on that strip of land.

11.3 Additionally, subject to the following conditions:

- 1 **Approval of the details of the external appearance of the building and the landscaping of the site, including details of tree protection during construction works (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

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

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

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

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

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

- 4 **Construction of the dwellings hereby permitted shall not 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.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual amenity of the locality in accordance with Policies CS7, CS12 and CS24 of the Dacorum Core Strategy 2013 and saved Policy 97 of the Dacorum Borough Local Plan 1991-2011.

- 5 **No development (excluding demolition and ground works) 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;
- 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;

- proposed finished levels or contours relative to adjoining properties;
- car parking layouts and other vehicle and pedestrian access and circulation areas.

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 Policies CS7 and CS12 of the Dacorum Core Strategy 2013.

- 6 **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 Policies CS7 and CS12 of the Dacorum Core Strategy 2013.

- 7 **The development hereby permitted shall not commence until details of the layout and construction of the altered accesses have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the access has been laid out and constructed in accordance with the approved details.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 8 **Construction of the development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by 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:**

- Construction vehicle numbers, type, routing;**
- Traffic management requirements;**
- Construction and storage compounds (including areas designated for car parking);**
- Siting and details of wheel washing facilities;**
- Cleaning of site entrances, site tracks and the adjacent public highway;**
- Provision of sufficient on-site parking prior to commencement of construction activities;**
- 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 Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 9 **Prior to the commencement of the development hereby permitted, a Surface Water Drainage Scheme shall be submitted to and approved in writing by the**

local planning authority. The scheme shall include:

- A Drainage Strategy which includes providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS;
- Drainage plan including location of all the drainage features and feasible discharge mechanism for surface water off the site;
- Details of the disposal of surface water from the approved vehicular access to Hudnall Lane;
- Calculations of existing/proposed surface water storage volumes and flows with Initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an 40% allowance for climate change; and
- Details of how the scheme shall be maintained and managed after completion.

The mitigation measures shall be fully implemented prior to occupation of the development hereby permitted and subsequently in accordance with the timing / phasing arrangements embodied within the approved scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013, and in the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 10 **Prior to the commencement of the development hereby permitted, a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the local planning authority.**

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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.

- 11 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 11 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.

- 12 **The development hereby permitted shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. This shall include information on the types of waste removed from the site and the location of its disposal. The development shall be carried out in accordance with the approved details.**

Reason: To reduce the amount of waste produced on the site in accordance with Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan.

- 13 **Prior to first occupation of the development hereby permitted, a scheme for the additional refuse collection shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate the arrangements for refuse collection for the dwellings, areas within the site to be used for any loading and manoeuvring of refuse vehicles, and to ensure that there will be no conflict between parked vehicles and arriving or departing refuse vehicles. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: In the interests of maintaining highway efficiency and safety and to ensure the provision of adequate refuse collection that meets the needs of occupiers in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.

- 14 **The windows at first floor level in the southern elevations of the dwellings Unit G and Unit H identified on Drawing No. 10.338 PL.0107 Rev D (proposed layout and roof plan) hereby permitted shall be non-opening below a height of 1.7m from finished floor level 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.

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

**Schedule 2 Part 1 Classes A, B, C, D, E and F
Part 2 Class A**

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 Policies CS7 and CS12 of the Dacorum Core Strategy 2013.

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

**10.338 PL.0101 (site location plan)
10.338 PL.0105 Rev A (proposed site layout with indicative ground floor plans)
10.338 PL.0106 Rev A (proposed site layout with indicative first floor plans)
10.338 PL.0107 Rev D (proposed roof plans)
PL.0112 (building outline sections)
Bat Dusk Surveys (reference 0112.0002)**

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.

Highways Informatives

1. Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

2. Storage of materials, site parking and deliveries: 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. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the 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.

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 membership of a relevant professional organisation.'

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

Appendix A - Consultation responses

Dacorum Strategic Planning and Regeneration

Application comments

The site is located in the Rural Area and the Chilterns Area of Outstanding Natural Beauty (CAONB).

Pre-application scheme

- This application follows on from pre-application scheme 4/00794/16/PRE. Our policy comments of 9 May 2016 on 4/00794/16/PRE (attached) advised that:
- We have no objection in principle to redevelopment for housing of this relatively unattractive previously developed commercial site (Policy CS7). The site is in a "gateway" and the CAONB (saved Policy 97/Policy CS24). Redevelopment could secure visual improvements.
- There is no objection on saved Local Plan Policy 34 grounds to the loss of the existing employment use. The suggested inclusion of a small element of B1 floorspace is welcome.
- The layout seems reasonable, but information on the floorspace / volume / height change between the existing and new scheme would be helpful. The Chilterns Buildings Design Guide and associated technical notes should be taken into account (Policy CS24).
- 35% affordable housing is justified, subject to viability.
- Adequate amenity space, parking and road access should be provided.

Current application

The scale and nature of development now proposed is very similar to the pre-application scheme and appears to be acceptable in policy terms.

Paragraphs 4.36-4.38 in the Design and Access Statement deal with affordable housing. These paragraphs state that a viability appraisal has not been carried out, but the applicant is prepared to enter a Section 106 agreement to undertake such an appraisal once the Council has reached a conclusion on the principle, scale and mix of the proposed development. Views on the acceptability of otherwise of this approach should be sought from the Strategic Housing team.

Amended plans comments

[We] are not opposed to the office element of this scheme being dropped. We don't think that refusal on the basis of saved Local Plan Policy 34 (other land with established employment generating uses) would be justified.

It's a shame the replacement office use is proposed to be lost, but this is pretty marginal in reality. The office floorspace proposed when this application was first submitted was 47 sq m, which would result in only about three jobs. The original garages wouldn't have necessarily generated many jobs in the first place and the loss of employment should be balanced against the environmental gains that can be achieved through redevelopment for housing in this sensitive/gateway location in the AONB.

Pre-application comments (referred to above)

We have no objection to the principle of the redevelopment of this previously developed site (Policy CS7) to housing. This is a relatively unattractive commercial site in a "gateway" position into the Borough. It also falls within the CAONB (saved Policy 97/Policy CS24). Therefore the redevelopment of the site is an opportunity to secure improvements to the visual appearance of the land.

The proposal will result in the loss of an established employment site in the Rural Area. While saved Policy 34 seeks their retention (or satisfactory replacement) the employment density may in reality be low and there may be environmental advantages in an alternative non-commercial use(s) (e.g. removal of noise and smells and reduction in traffic generation, etc.). Furthermore, the applicant has suggested the scheme could include a small element of B1 floorspace which is welcomed subject to understanding how this would be managed. Therefore, we would not object in policy terms to the loss of the current mix of commercial uses.

The courtyard/farmstead layout seems a reasonable approach to the site's rural location. However, it would also be helpful to gauge the floorspace / volume / height change between the existing and new scheme as part of understanding the proposed quantum of development on the site. Policy CS24 refers to new development having regards to the Chilterns Buildings Design Guide and associated technical notes.

The level of housing proposed would justify an on-site affordable housing contribution at 35% (c.3 units) (Policy CS19). We understand from the applicant's statement that there may be costs to dealing with site contamination which could impact on this and other contributions. Point (c) under Policy CS19 does allow some flexibility over viability / abnormal costs but these will need to be justified by the applicant. The views of the Strategic Housing team should be sought on this matter.

Adequate amenity space should be provided (saved DBLP Appendix 3) for the development. Ideally each unit should be provided with its own private garden at 11.5m depth. However, it would be reasonable to be flexible over this in order to achieve an overall sympathetic scheme and given that some (reduced) private space can be provided. Adequate parking (Policies

CS8(h) and CS12b) should be secured for the scheme in accordance with saved DBLP Appendix 5. In principle we support the alternative access arrangement from Hudnall Lane in terms of highways safety. However, the views of the local Highways Authority should be sought on this and the parking standards.

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 subject to the following conditions:

Hertfordshire County Council has no objection to this outline application for 10 new dwellings and office at Fourways Car sales, Hudnall Corner, Berkhamsted with vehicular access and parking, subject to a S278 Agreement and the following conditions/informatives.

S278 Agreement Any works within the highway boundary and any remedial works required to the existing accesses will need to be secured and approved via a S278 Agreement with the HCC.

01: The development shall not begin until details of the layout and construction of the altered accesses have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access has been laid out and constructed in accordance with the approved details. Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access.

02: The development shall not begin until details of the disposal of surface water from the Private access have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details. Reason: To minimise danger, obstruction and inconvenience to highway users.

03: No works shall commence on site until a scheme for the additional refuse collection has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate refuse collection that meets the needs of occupiers.

4: Construction of the development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Provision of sufficient on-site parking prior to commencement of construction activities;
- g. 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.

The Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) Storage of materials, site parking and deliveries: 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. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the 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.

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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Description of the Proposal

Demolition of former garage/workshop buildings and replace it with 10 new C3 residential homes and an office building with access off Hudnall Lane with off street parking at Fourways car sales, Hudnall Lane, Berkhamsted. This is an outline planning application.

Hudnall Lane

This is a classified road, Local access L2 C151/20 and is maintained by HCC as the highway authority. The speed limit is recorded as 50 mph. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

The rolling 5year RTC data held by HCC states that there has been one slight RTC in February 2013 but this has been plotted a little bit away from this site to have a concern on this site or the proposed planning application.

Leighton Buzzard Road/ Dagnall Road (formally the A4146)

This is a classified road but has recently be changed from a main distributor to a classified secondary distributor road with a 60 mph speed limit on it now B440. The rolling 5year RTC data held by HCC states that there has been 1 slight RTC, 2 serious and 1 fatal (this was in April 2012). All would appear to be with turning in and out of the minor roads at the crossroads with Leighton Buzzard Road and not directly associated with the garage in terms of their staff or customers. The applicants Transport Statement has looked into these RTC's and App'x D has all of this data recorded.

Analysis

As part of a Design and Access statement, the application should take account of the following policy documents;

- National Planning Policy Framework (March 2012);
- Hertfordshire County Council (HCC) Local Transport Plan 3-2011-2031
- Roads in Hertfordshire Design Guide 3rd Edition
- The LPA's parking policy.

Trip generation and distribution

As stated above the applicant has submitted a Transport Statement (TS). The Highway Authority (HA) has considered the data supplied and analysed the TRIC'S findings (Appx e) which is used to establish what the current permitted use as a garage car sales generates in terms of two way peak hour movement against what the proposed residential use would generate. The highway authority (HA) agrees that that this level of proposed development is unlikely to generate significantly high levels of movements and in fact which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity. This conclusion is based on traffic volume data, speed of traffic (speed limit) and known RTC information.

Impact on Highway Network

The proposed development will only impact on the highway if the development fails to provide sufficient off street parking space. This includes visitor parking too. Two way trips for this type of residential use are unlikely to add to the sites overall two way trip generations. However, there may be a slight increase in peak hour movements when compared to the sites former uses but overall the net impact would see a reduced number onto the highway network

Highway Layout

The only changes to the highway will be the closing off of the accesses onto the B440 leaving just the one access off Hudnall lane to service the site. This detail is shown on the submitted plan. However, there the applicant will need to confirm that minimum 2.4m by 43m vision splays can be achieved and maintained from this single point of vehicular access and this can be secured by condition. The submitted drawing also shows the off street car parking spaces and a parking/turning area for service/delivery vehicles can be provided within the site. Any works to the VXO that are off site ie on the public highway will need to meet the requirements of Roads in Hertfordshire (RiH) and/or the Design Manual for Roads and Bridges (<http://www.dft.gov.uk/ha/standards/dmrb/>).

The National Planning Policy Framework (NPPF), states that "developments should be located and designed where practical to:

- Accommodate the efficient delivery of goods and supplies
- Give priority to pedestrian and cycle movements, and have access to high-quality public transport facilities;
- Create safe and secure layouts which minimise conflicts between traffic & cyclists or pedestrians, avoiding street clutter and where appropriate
- Establishing home zones
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- Consider the needs of people with disabilities by all modes of transport."

Parking

Although parking is a matter for the Local Planning Authority (LPA), the applicant should provide details of parking provision and whether or not there will be any impact on the highway. In this case the applicant is providing 26 off street parking spaces per dwelling with 14 cycle spaces

being provided. It is unclear whether any DDA compliant parking space will be offered or EV charging points. Roads in Hertfordshire highway design guide 3rd edition states that the dimension and location requirements for parking bays, driveways and turning areas shall be in accordance with the guidance in DfT Manual for Streets.

Accessibility

Forward Planning Officers (Passenger Transport Unit) have not supplied any details of bus services and bus infrastructure to identify gaps in the service. Refer to HCC's Bus strategy (<http://www.hertsdirect.org/docs/pdf/b/busstrategy.pdf>).

Public Rights of Way (PRoW) there appears to be no Public Rights of Way affected by this proposal. If this is incorrect then feedback from Right of Way Officer should be requested. Note that the granting of planning permission does not entitle the developer to obstruct the Public Right of Way and permission would need to be granted to temporarily close the route if required. The applicant must ensure all necessary legal procedures for any diversions are implemented. Enforcement action may be taken against any person who obstructs or damages a Public Right of Way.

Servicing Arrangements

Refuse and recycling receptacle storage will need to be provided and track runs for a large vehicle entering and leaving the site in a forwards gear (vehicle type, weight etc unknown and further details should be requested by contacting the refuse collection officer based at Cupid Green Depot for clarification)

Travel Plans

The applicant has not submitted a travel plan as part of this application. The scale of the development falls below the threshold that requires either a Travel Plan or a Travel Plan Statement

Conclusion

The assessment does not indicate any significant issues with the proposal. The closing off of the vehicular accesses onto the Leighton Buzzard/ Dagnall Road is welcomed by the highway authority. The level of two trips overall would also be lower as demonstrated by the accompanying TS. The highway authority would not wish to restrict the grant of planning permission subject to the above conditions and informatives.

Dacorum Conservation and Design current plans comments

The site is located adjacent to a crossroads on the main road between Hemel Hempstead and Leighton Buzzard. The site forms a small area of flat land at the bottom of a hill. To the north is an area of woodland and to the east are a number of open fields in the valley bottom. Generally the road is bordered by hedges giving a strong sense of enclosure. The existing dwellings are set back from the road. The site itself is a garage/ car sales. The buildings on the site are of lesser interest and appear to date to the post WW2 period and upsurge in private transport. As such it may be useful to photographically record them if they are to be replaced.

We would not object to the demolition of the existing buildings and the replacement of the site with dwellings. In principle this would enhance the appearance of the area introduce a more green landscape and appear more appropriate within the AONB. We believe that this would have a positive impact

Amended Proposals

In relation to our initial concerns it is welcomed that the housing to the road frontage has been pulled back to create a more open aspect to the main road. In conjunction with the planting this should allow the impact of the building upon the landscape to be reduced to an acceptable level. The materials noted would also be appropriate for both the "barn" and the "house" to ensure that the structures most visible in the wider area would be in keeping with the wider landscape. We would also note that the revised landscaping scheme seems to be a more appropriate layout and provide a layout that we would be more comfortable supporting. Therefore we would not object to this element of the scheme.

The other concern raised previously was in relation to the mixture of heights and the need to perhaps have a 2 storey barn type elements but some other 1 ½ storeys for other parts of the proposed scheme. If some revised elevations are provided we would comment further.

Recommendation The issues in concern of the layout/ landscaping have been addressed and are now acceptable. It would be helpful to receive revised submissions of the elevations. In general the materials described seems appropriate for the area.

Dacorum Conservation and Design original plans comments

The site is located adjacent to a crossroads on the main road between Hemel Hempstead and Leighton Buzzard. The site forms a small area of flat land at the bottom of a hill. To the north is an area of woodland and to the east are a number of open fields in the valley bottom. Generally the road is bordered by hedges giving a strong sense of enclosure. The existing dwellings are set back from the road. The site its self is a garage/ car sales. The buildings on the site are of lesser interest and appear to date to the post WW2 period and upsurge in private transport. As such it may be useful to photographically record them if they are to be replaced.

We would not object to the demolition of the existing buildings and the replacement of the site with dwellings. In principle this would enhance the appearance of the area introduce a more green landscape and appear more appropriate within the AONB. We believe that this would have a positive impact

Proposals

We note that the proposals aim to reflect the character of a farm complex. This would appear to be challenging given the character and layout of the site and the position of oak tree cottage which makes the creation of a courtyard somewhat challenging.

We would have a number of concerns about the proposed development. The proposed buildings would bring the building line forward to the road. This would appear to be out of character with the immediate area and add to the visual impact of the site. In particular the set back (despite the cars to the frontage) does limit the impact of the site. It would therefore be recommended that the building line be pushed back closer to what is currently on the site. In effect this may mean that building B-E be attached to F-H. It may be the case that too much development is proposed for the site and the number of units have to be reduced to allow this to work in practice. In relation to the form of the barn style the heights and areas of the roof are of particular interest in relation to preserving the character of the AONB. 2 storey barns are seen but these tend to be mixed with single and 1 ½ storeys. Given the character of the landscape with generally lower farm complexes when compared to other areas of the country this could appear somewhat out of place and therefore harmful to the AONB. In addition we are concerned that the buildings appear to be attempting to do too much in relation to the height variation and stepping to the facades. Structures which are divided but appear to as larger barns may work better. To provide variety different styles could be used. One could also consider the possibility of worker inspired cottages to break up this form. A substantial portion of the site appears to be hard standing. This may suggest that the proposed site is over developed. We would therefore question this and

recommended that it be reduced.

We note that although design matters are reserved that the style adopted appears to be a mixture of contemporary barn style. We would question this approach as it is very challenging to provide an acceptable design given the form chosen and the need to reduce the window to void ratio to provide a complex that reflects the rural character. Perhaps it may be best to have a more mixed approach with traditional style buildings. If one were wanting something more contemporary one could have as 1 or 2 dwellings a dutch barn style conversion which would sit more comfortably with larger glazed elements.

Overall we would be concerned that at present the benefits of the proposed scheme do not outweigh the current harm caused by the existing garage site. As such we would be concerned that the proposal would have a more detrimental impact on the area and therefore we could not support it in its current form.

Recommendation We would support the principle of redeveloping the site but would be most concerned that the proposals would not be in keeping with the character of the area and could cause more harm to the AONB than the current use of the site.

Environment Agency

Thank you for consulting us on the above applications. We have no objections to the application.

Advice to applicant

Foul Drainage – Environmental Permit

Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply, spring or borehole.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit

Further advice is available at:

Septic tanks and treatment plants: permits and general binding rules

Groundwater and Contaminated Land

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend however that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- Decommission of investigative boreholes 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.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From www.gov.uk:
 - The Environment Agency's approach to groundwater protection (2017)
 - Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
 - Use MCERTS accredited methods for testing contaminated soils at the site
- From the National Planning Practice Guidance:
 - Land affected by contamination

- British Standards when investigating potentially contaminated sites and groundwater:
- 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.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

You may wish to 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.

Hertfordshire Lead Local Flood Authority

No detailed information has been submitted in relation to surface water management. Without this information, the flood risks resulting from the proposed development are unknown. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site is not increasing flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as a minimum as part of the surface water drainage assessment;

- An drainage strategy which includes providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.
- Drainage plan including location of all the drainage features and feasible discharge mechanism for surface water off the site.
- Calculations of existing/proposed surface water storage volumes and flows with Initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an 40% allowance for climate change.

Overcoming our objection

We acknowledge that the current planning application is for Outline permission with all other matters reserved. However it is important that certain details are confirmed to ensure that the most appropriate drainage scheme can be implemented to ensure there will be no flood risk to the site and the surrounding area and to demonstrate that an appropriate scheme using the key principles of SuDS are feasible.

It is acknowledged within the FRA that the site is located in Flood Zone 1 and is less than a hectare; therefore a Flood Risk Assessment is not required. However a drainage assessment is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. A surface water drainage assessment is vital if the local planning authority is to make informed planning decisions. In the absence of a surface water drainage assessment, the flood risks resulting from the proposed development are unknown. We are also concerned that the Environment Agency's maps showing the risk of flooding from surface water indicate that there is a predicted risk of flooding from surface water both on the site and in the vicinity of the

site for the 1 in 30 year return period and the 1 in 100 year return period.

The drainage strategy should include details of how the on-site surface water will be managed by provide appropriate sustainable drainage techniques and the location of discharge off the site (utilising the SuDS hierarchy), along with supporting calculations. Previously developed sites should aim to discharge at the pre-development greenfield rate for the whole site area where possible. If not, a significant reduction in the current rate of discharge should be achieved and evidence provided as to why greenfield rates are not viable.

For further advice on what we expect to be contained within the FRA to support an outline planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#>

Informative to the LPA

The applicant can overcome our objection by submitting a surface water assessment which covers the deficiencies highlighted above and demonstrates that the development does not increase risk elsewhere and where possible reduces flood risk overall, and gives priority to the use of sustainable drainage methods. If this cannot be achieved we are likely to maintain our objection to the application.

We ask to be re-consulted with the results of the surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate surface water drainage assessment has been submitted.

Hertfordshire Gardens Trust

Thank you for consulting the Hertfordshire Gardens Trust. We have considered it in relation to Ashridge, Grade II* on the HE Register.

On the basis of the information included in the planning application we do not wish to comment, but we would emphasize that this does not in any way signify either our approval or our disapproval of these proposals.

Strategic Housing

Reference made to comments provided on similar rural site application and suggested following approach is taken:

The site has been considered against the Affordable Housing SPD and falls within a defined rural area. On this basis, a commuted sum would be sought (see Figure 2a). Below is the methodology for calculating the financial contribution, which we send to any applicant who is looking at providing an off-site provision for a scheme:

1. The land value is divided by the total number of dwellings proposed; this will provide the land value per unit.
2. The affordable housing contribution applicable on this site is calculated by applying the affordable housing percentage to the total number of units proposed (I assume we will use the standard 35% for this).
3. The financial contribution is arrived at by multiplying the land value per unit by the number of affordable units that would have been required.

(Land value / No. of units) x (No. of units x AH percentage) = financial contribution required.

As any commuted sum would be paid either at or after completion, I believe we would need to request an independent red book site valuation if planning is achieved, in order to confirm an accurate land value.

Strategic Housing further comments

Applicant suggested approach would be acceptable with respect to preparing draft Section 106 agreement by Unilateral Undertaking with respect to possible affordable housing contribution related to the scheme. Under the outline application where full details are not considered the applicant is unable to agree exactly what level if any such a contribution would be, until a detailed financial viability appraisal has been undertaken and costs known. The Unilateral Undertaking would offer to agree that the applicant, future owner or developer would have to undertake such a financial viability appraisal based on an agreed form of residual valuation, cost plan and the average of three valuations of the proposed mix of units, before any reserved matters applications are approved by the Council. The Unilateral Undertaking would also agree to the local planning authority taking independent advice on the outcome of the appraisal from its own advisors in that field and to sharing all the information that has been the basis of the appraisal with the local planning authority.

Contaminated Land

Air Quality:

The application site is not located within (or in close proximity to) an Air Quality Management Areas (AQMA). However, current industry guidance states that even where developments are proposed outside of Air Quality Management Areas (AQMA), and where pollutant concentrations are predicted to be below the objectives/limit values, it remains important that the proposed development incorporates good design principles and best practice measures, as outlined in Chapter 5, and that emissions are fully minimised. Examples of good design principles and best practice measures include:

- The provision of at least 1 Electric Vehicle (EV) “rapid charge” point per 10 residential dwellings and/or 1000m² of commercial floorspace, and;
- Where development generates significant additional traffic, provision of a detailed travel plan (with provision to measure its implementation and effect) which sets out measures to encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing, improved links to bus stops, improved infrastructure and layouts to improve accessibility and safety.

With regards to the current proposed development, where possible, I recommend the incorporation of good design principles and best practice measures as detailed in Chapter 5 of the following industry guidance document entitled ‘*EPUK & IAQM Land-Use Planning & Development Control: Planning For Air Quality - January 2017*’ to minimise emissions.

Contaminated Land:

Records held by this department indicate the following potentially contaminative former land uses of the site itself:

- Former garage
- 2no. infilled ponds

The site is also located within the vicinity of old chalk pits (quarry/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).

Hertfordshire Minerals and Waste

I am writing in response to the above planning application insofar as it raises issues in connection with waste matters. Should the district council be mindful of permitting this application, a number of detailed matters should be given careful consideration.

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 borough council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. 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 county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the borough council.

Hertfordshire Environmental Records Centre

Thank you for consulting Hertfordshire Ecology on this application, which is accompanied by a Bat Dusk Surveys report. This report makes reference to a Protected Species Assessment Report that could not be found on the planning website. Given the current use of the site and the limited extent of semi-natural habitat present, the presence of protected or otherwise significant species other than bats is considered unlikely and so it can be assumed that no other ecological constraints have been identified, but sight of the report to verify this would be preferred.

The Bat Dusk Surveys report reveals the presence of single roosting Soprano and Common Pipistrelle bats in the main garage building. The survey methodology and effort is considered appropriate to the purpose of the survey and the conclusions are agreed. The report includes an outline mitigation strategy that involves the creation of replacement roosting opportunities in one of the retained buildings and supervised soft stripping of the main garage building's roof. This is appropriate to the results of the survey. The Council can be satisfied that the impacts of the development can be adequately mitigated and so the application can be determined accordingly, although it will still be subject to the satisfaction of Natural England through an appropriate licensing arrangement.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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

Water Comments

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

Little Gaddesden Parish Council amended plans comments

Little Gaddesden Parish Council OBJECTS to the above amended planning application for the following reasons:

- 1) As in the previous application, the Council consider ten units on the site to be over development. The density of units is very high compared with the surrounding areas. The original application for the site in 2003 (4/00668/03/FUL) was for six dwellings on the same site. At this time, six units was considered an excessive number for a rural ANOB.
- 2) The Council still maintains its view that the eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a one and a half storey house of low eaves to two storey houses. The Chiltern Design Guide highlights this design aspect of the Chilterns ANOB.

Little Gaddesden Parish Council original plans comments

1. 10 units is over development, the density is very high compared with the surrounding areas. The lapsed planning application for the site 4/00668/03/FUL in 2003 was for six dwelling on the same site. At the time, six units this was considered a controversial application for a rural ANOB.
2. The layout of the new units on the site is too overbearing for an ANOB. The housing has moved forward significantly from the existing building line towards the Leighton Buzzard road and Hudnall lane. Visually, the new building will have a significant negative visual impact from both the Leighton Buzzard road and Hudnall lane.
3. The eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a 1 ½ story house of low eaves to a 2 storey houses. The Chiltern Design Guild highlights this design aspect of the Chilterns ANOB.
4. There is not enough parking for a rural location where a car use is essential.
5. Accessway problem

Appendix B - Responses to neighbour notification and site notice

White Rails, Hudnall Corner

- The scheme remains an overbearing blot on the ANOB landscape and completely out of character with its surroundings (surrounded by 4 uniquely designed homes on generous plots)
- The scheme includes 5 units along our boundary that completely overlook us (compared with there being no such buildings that currently overlook us, and, in any case, those existing buildings are single story in height)
- Half of the proposed 10 units are orientated perpendicular to the front/back layout of our property, thereby creating a significant overlooking position (the scheme is insensitively designed)
- It is not reasonable to create a new building line of terraced houses more akin to a housing estate usually found in the middle of a town
- Our garage (marked on plan) is in the process of being developed into habitable space and the proposed scheme's proximity is excessively and unreasonably close
- The scheme is now larger than the original design (GIA vs GIA)

- The scheme still only provides 0.6 car parking spaces per person (at maximum occupancy of the units)
- The scheme, even factoring a "best case" scenario of 2 cars per unit, still only provides 1 additional/spare car parking space (no allocation included for visitors or deliveries, let alone those with children with their own cars)
- The scheme is dangerous as the overspill of vehicles will be on to the Hudnall Lane / Pedley Hill junction (foot traffic from vehicles may attempt crossing the junction)
- The scheme is unsympathetic in design/appearance and attempts to disguise / misguide what is mass-development of terraced housing by using the terms "farm buildings" and "barn type buildings"
- The scheme omits to recognise its importance as a "gateway site" into Little Gaddesden and Ashridge, i.e. an entrance into an historic National Trust site

If the insensitive scheme layout design is not changed in terms of layout, then alternative measure to address the foregoing must be considered, including reducing the ground levels so that the proposed 2 story scheme is only equal to single story height when viewed from our ground level on our property (as currently is the case), along with a departure from terraced style housing to detached homes.

White Rails further comments

I write further to the below to also note, again, that the boundary line between White Rails Cottage and the Fourways site has been recorded incorrectly on the plan. Whilst our newly installed fence gives the impression of a "wavy line," this is, in fact, not the line of the boundary, rather our land extends beyond the fence and is straight in line (the fence has been installed in this manner due to the slope / change in levels that made it impossible to install in a straight line). The Land Registry will refer.

Haybourne, Hudnall Corner

These comments are in response to the amended plans and add to those previously submitted. We have 3 primary objections;

1. We appreciate the efforts the developer has made in removing the commercial premise from the scheme - this will reduce but not eradicate the overflow of parked cars onto Hudnall lane. However, parking spaces have been reduced by circa 20% from 26 to 21 - as a hamlet over 1 mile from the centre of the village, without pavements, car ownership is extremely high and we still consider parking to be an issue that will overspill the site creating an adverse impact on the character and appearance of the area.
2. We also note the replacement of Two 2 bedroom houses with Two 3 & 4 bedroom houses. The number of domestic properties proposed has not been reduced and bedroom density of the development has INCREASED from 31 to 35. The density of the properties relative to the size of the area to be developed is still significant - above any other development in Little Gaddesden and without precedent. We consider this detrimental to the character of the local area through over-development
3. The rotation of the car port in the development has opened a through route for vehicles via the farm track on the west side of the development. In addition to previous objections about access rights and maintenance issues we do not believe there is sufficient space for service vehicles to safely access via this route without crossing the boundaries of Oak Tree Cottage and Haybourne.

The developed area of unit 11 is further north than today's garage and has 2 parking spaces in front of it. Today, vehicle movements through this entrance often rely on cutting across the boundaries of one or both neighbouring houses. We believe that service vehicles for refuse or fire would be unable to access via this route safely despite the access statement.

This position is exacerbated by the western boundary of the site being shown in an incorrect position. The line of current fencing is outside the boundary with the actual line being about 1 metre further inside the red line as I am sure the landowner will confirm and has been agreed in writing with the owner of the site - the site boundary does not include both the electrical pole and tree line. It is our belief the western access on to the private track should be removed and the site accessed exclusively from the northern point as per previous planning permission.

We believe that reasonable solution to the proposed development is twofold

1. Reduce the number of residential properties
2. Remove access onto the private farm track on western boundary.

Oak Tree Cottage, Hudnall Corner

These comments are in response to the revised outline plans for the redevelopment of the site at Fourways. We wish to object to the proposal for reasons outlined below.

Although the number of properties has been reduced, the smaller two bedroom houses replaced with larger dwellings and the office omitted, we still consider the proposed ten properties to be overcrowded. The overdevelopment of the site is not sensitive to the defining characteristics of the existing rural settlement.

Our concerns over parking were mentioned in our previous letter, this does not appear to have been addressed in the revised plans. In the transport statement it states that the parking standards set out within the Dacorum Borough Local Plan are 2.25 spaces per 3 bedroom dwelling and 3 spaces per 4 bedroom dwelling. This equates to 26.25, the proposed plans make provision for only 21 parking spaces.

The carport, now running parallel to our boundary, will provide us with the desired privacy and prevent us from being overlooked, we support this proposal. However, the drawing is misleading in that it signifies trees and bushes within our property that are not present. A building of this proportion on the boundary line would be obtrusive and we would want to see planting to soften the visual appearance.

We object to the development having access via the farm track and thus becoming a through road. It is a quiet, narrow, un-made track, regularly used by agricultural vehicles all of which contribute to the rural setting. A through road would traffic vehicles around our property unnecessarily, our property in the centre would effectively become a roundabout. Additionally, with large vehicles attempting to manoeuvre off a single track there would be increased potential to cause damage to surrounding properties and to cut across existing driveways. Large vehicles such as refuse collection and delivery vans are currently limited to forward and backward movement in a straight line.

Although the amended outline plan is an improvement on the initial plan submitted, in our opinion it is not enough and the number of properties should be reduced.

St Margarets Farm (Blain Farming) Great Gaddesden

I wish to raise my objections in regards to the amended plans to the redevelopment of Fourways car garage and the surrounding units to residential buildings. Below I will write out my objections

and reasons for doing so.

1. The first issue is in regards to the development having too many proposed dwellings and its ability (or lack of) to accommodate enough parking spaces for the residents. With the possibility of up to 35 permanent residents residing in this development it is clear to me that with there only being 21 allocated parking spaces there is inadequate parking spaces available, and this is not even including any guests that might be visiting, where will these park under these new amendments?

Under the current plans residents and guests would be forced to use Hudnall Lane as a overflow car park effectively, as there would be no alternative. Hudnall Lane is subject to a national speed limit, cars driving towards the B440 from Little Gaddesden approach a sharp left hand corner. My concern is that a build up of parked cars on the carriageway leading from the B440 to Little Gaddesden would cause road users heading to Little Gaddesden to pull into the oncoming carriageway to pass parked cars. Some of these vehicles being agricultural, wide and slow, and also vulnerable road users e.g cyclists. The council and planning office have a duty of care to the general public in regards to keeping the highway safe by reducing risk of a buildup of parked cars on a fast road.

2. Also of concern is the use of the farm track as access for the residents of this new development. The use of the farm track for residential access is a change of use to the easement of which it was granted for commercial access. With the exception being to White Rails Cottage, Haybourne and Oak Tree Cottage. Access to a further 10 residential buildings is clearly a change of use under which the easement is granted. The farm track is still used regularly for agricultural use and must be accessible at all times.

If there was more available parking, without the use of Hudnall Lane and access to the development was not being used through the farm track, it would ease my concerns to this development.

Appendix C - Neighbour notification and site notice responses to original plans

Items of correspondence have been received from Haybourne, Oak Tree Cottage, White Rails Cottage and Gade Lodge all on Hudnall Corner as well as St Margarets Farm in Great Gaddesden, objecting to the proposal on the following grounds:

- Note site location within AONB and High Gade Valley Landscape character area and entrance position to Chiltern village of Little Gaddesden and National Trust woodland and historic Ashridge Estate where current design would not reflect development within the Parish;
- Maximised development on site;
- Adverse visual impact on surrounding area;
- Overdevelopment of site;
- Urbanisation of site;
- Crowded terrace-style housing not compatible with existing low density detached character;
- 11 units would represent overcrowding on the site and inappropriate in rural context;
- Gateway site would not justify type and amount of development;
- Excessive density and building footprint within immediate context;
- Height excessive including compared with existing buildings on site;
- Insufficient parking provision including visitor spaces;
- Development would block long and attractive countryside views;
- Parking provision to be provided at a higher rate;
- Impact on highway safety surrounding Hudnall Lane / Leighton Buzzard Road junction including due to parked cars around access point;

- Development would generate significant traffic movements;
- Stress on roads from staff and visitors to office;
- Desire to avoid parking along Hudnall Lane and along farm track;
- Suitability of farm track as access noting it is used by farm vehicles and machinery providing access to a number of fields;
- Impact on agricultural operation with use and potential parking on track;
- Rural location to be taken into consideration noting limited bus service and local facilities have limited or inadequate pedestrian links from the site;
- Development to take into account that car use is essential and ownership levels therefore high;
- Increased overlooking to neighbouring properties above existing conditions in terms of number of openings and number of different occupants;
- Car sharing and cycling as a transport mode to the site would be unrealistic;
- Fire and lorry access if required would be inadequate;
- Parking along Hudnall Lane and around junction would detract from character of surrounding area and AONB;
- Reliance on access from farm track would require upgrading;
- Added vehicles utilising track would result in its deterioration and query management of its maintenance;
- Impact of construction vehicles on building foundations of neighbouring development;
- Provision of office space unnecessary and duplicating facilities on many farms and industrial parks;
- Request provision of hedge boundary treatment;
- Number of roof lights excessive;
- Question viability of offices in this location;
- Query sewerage arrangements with neighbouring property;
- Details of existing disused fuel tanks and method for removal not considered and could require excavation having an impact on structural quality of neighbouring buildings;
- Root disturbance to surrounding trees through construction and development;
- Management of asbestos removal to be considered;
- Transfer of land or easement to allow access from farm track;
- Pressure of development on water and sewage services;
- Reference to sympathetic development at 'The Lye' on Hudnall Lane

Objections

Address	Comments
HAYBOURNE, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMS TED, HP4 1QP	We have written a detailed objection letter to the case officer for the above site. We would like to see the development proceed but are unable to support the application as currently proposed for the below reasons: 1. Visual Impact / adverse effect of the development on the character and appearance of the area 2. Detrimental effect of proposed development on the character of the local area through over-development 3. Lack of adequate parking driven by over development that will lead to adverse effect on the character and appearance of the area
OAK TREE	We have written directly to Intan Keen, Planning Case Officer

<p>COTTAGE,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>objecting to the current outline planning proposal.</p> <p>Our reasons for objection are; Adverse effect on the character of the area. Over Crowding/Density of housing having an adverse effect on surrounding properties. Parking issues arising from over development.</p> <p>We would like to support the redevelopment of the site for residential purposes providing it preserves the character of the area. The development should be sympathetic in design and density with realistic parking provision for the volume of properties.</p>
<p>WHITE RAILS,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>We have emailed the Planning Case Office our letter of objection in relation to the current proposed scheme.</p> <p>Whilst we would support the site's development, the current scheme is insensitive and not capable of our support, all for the following main reasons:</p> <ol style="list-style-type: none"> 1. Overlooking, overbearing and over-developed 2. Adverse effect on the character of the area 3. Effect on road safety due to lack of parking through over-development
<p>1 POND LANE,HUDNALL COMMON,LITTLE GADDESSEN,BERKHAMS TED,HP4 1UB</p>	<ol style="list-style-type: none"> 1. 10 units is over development, the density is very high compared with the surrounding areas. The lapsed planning application for the site 4/00668/03/FUL in 2003 was for six dwelling on the same site. At the time, six units this was considered a controversial application for a rural ANOB. 2. The layout of the new units on the site is to overbearing for an ANOB. The housing has moved forward significantly from the existing building line towards the Leighton Buzzard road and Hudnall lane. Visually, the new building will have a significant negative visual impact from both the Leighton Buzzard road and Hudnall lane. 3. The eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a 1 ½ story house of low eaves to a 2 storey houses. The Chiltern Design Guild highlights this design aspect of the Chilterns ANOB. 4. There is not enough parking for a rural location where a car use is essential. 5. Accessway problem
<p>WHITE RAILS,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>- The scheme remains an overbearing blot on the AONB landscape and completely out of character with its surroundings (surrounded by 4 uniquely designed homes on generous plots)</p> <p>- The scheme includes 5 units along our boundary that completely overlook us (compared with there being no such buildings that currently overlook us, and, in any case, those existing buildings are single story in height)</p>

	<ul style="list-style-type: none"> - Half of the proposed 10 units are orientated perpendicular to the front/back layout of our property, thereby creating a significant overlooking position (the scheme is insensitively designed) - It is not reasonable to create a new building line of terraced houses more akin to a housing estate usually found in the middle of a town - Our garage (marked on plan) is in the process of being developed into habitable space and the proposed scheme's proximity is excessively and unreasonably close - The scheme is now larger than the original design (GIA vs GIA)
<p>WHITE RAILS,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>Cont...</p> <ul style="list-style-type: none"> - The scheme still only provides 0.6 car parking spaces per person (at maximum occupancy of the units) - The scheme, even factoring a "best case" scenario of 2 cars per unit, still only provides 1 additional/spare car parking space (no allocation included for visitors or deliveries, let alone those with children with their own cars) - The scheme is dangerous as the overspill of vehicles will be on to the Hudnall Lane / Pedley Hill junction (foot traffic from vehicles may attempt crossing the junction) - The scheme is unsympathetic in design/appearance and attempts to disguise / misguide what is mass-development of terraced housing by using the terms "farm buildings" and "barn type buildings" - The scheme omits to recognise its importance as a "gateway site" into Little Gaddesden and Ashridge, i.e. an entrance into an historic National Trust site
<p>HAYBOURNE,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<ol style="list-style-type: none"> 1. Parking reduced 20% (26 to 21) will overspill Hudnall lane creating adverse impact on character / appearance of area. 2. 2 bed houses replaced with 3/4 bed houses - not reduced residential density - bedrooms INCREASED from 31 to 35. Density is without village precedent - detrimental to character of local area through over-development 3. Carport rotation opened through route via farm track on development west side. Insufficient space for service vehicles to safely access without crossing neighbours boundaries despite access statement. <p>Unit 11 north of today, vehicle movements through this entrance often rely on cutting across boundaries of neighbouring houses.</p>

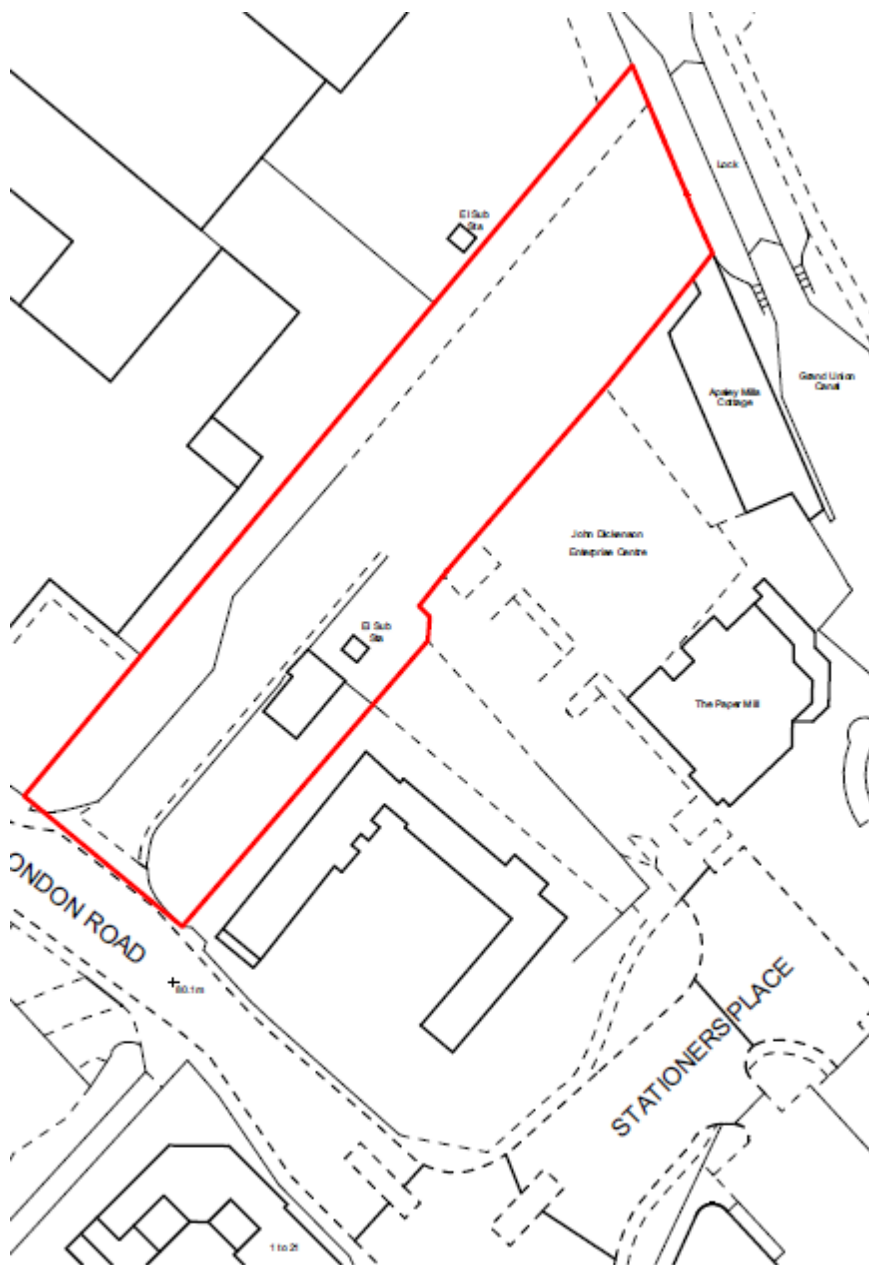
	<p>Western boundary shown in incorrect position. The line of current fencing is outside the boundary with actual line about 1 metre inside the red line - boundary does not include the electrical pole and trees.</p> <p>The solution</p> <ol style="list-style-type: none"> 1. Reduce property numbers 2. Remove access via private farm track per previous planning permission.
<p>OAK TREE COTTAGE,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>Although the number of properties has been reduced, the smaller two bedroom houses replaced with larger dwellings and the office omitted, we still consider the proposed ten properties to be overcrowded. The overdevelopment of the site is not sensitive to the defining characteristics of the existing rural settlement.</p> <p>Our concerns over parking were mentioned in our previous letter, this does not appear to have been addressed in the revised plans. In the transport statement it states that the parking standards set out within the Dacorum Borough Local Plan are 2.25 spaces per 3 bedroom dwelling and 3 spaces per 4 bedroom dwelling. This equates to 26.25, the proposed plans make provision for only 21 parking spaces.</p> <p>The carport, now running parallel to our boundary, will provide us with the desired privacy and prevent us from being overlooked, we support this proposal. However, the drawing is misleading in that it signifies trees and bushes within our property that are not present. A building of this proportion on the boundary line would be obtrusive and we would want to see planting to soften the visual appearance.</p> <p>We object to the development having access via the farm track and thus becoming a through road. It is a quiet, narrow, un-made track, regularly used by agricultural vehicles all of which contribute to the rural setting. A through road would traffic vehicles around our property unnecessarily, our property in the centre would effectively become a roundabout. Additionally, with large vehicles attempting to manoeuvre off a single track there would be increased potential to cause damage to surrounding properties and to cut across existing driveways. Large vehicles such as refuse collection and delivery vans are currently limited to forward and backward movement in a straight line.</p> <p>Although the amended outline plan is an improvement on the initial plan submitted, in our opinion it is not enough and the number of properties should be reduced.</p>
<p>1 POND LANE,HUDNALL COMMON,LITTLE GADDESSEN,BERKHAMS TED,HP4 1UB</p>	<p>Little Gaddesden Parish Council OBJECTS to the above amended planning application for the following reasons:</p> <ol style="list-style-type: none"> 1) As in the previous application, the Council consider ten units on the site to be over development. The density of units is very high compared with the surrounding areas. The original application for the site in 2003 (4/00668/03/FUI) was for six dwellings on the same site. At this time, six units was

	<p>considered an excessive number for a rural ANOB.</p> <p>2) The Council still maintains its view that the eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a one and a half storey house of low eaves to two storey houses. The Chiltern Design Guide highlights this design aspect of the Chilterns AONB.</p>
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Agenda Item 5c

4/01198/18/MFA DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF FOUR RESIDENTIAL BUILDINGS TO PROVIDE 29 FLATS (12 X 1BED, 17 X 2BED), PUBLIC OPEN SPACE, RESIDENTIAL AND VISITOR PARKING AND ASSOCIATED AMENITY SPACE.

LAND AT APSLEY MILLS ADJ. THE COTTAGE, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD



4/01198/18/MFA DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF FOUR RESIDENTIAL BUILDINGS TO PROVIDE 29 FLATS (12 X 1BED, 17 X 2BED), PUBLIC OPEN SPACE, RESIDENTIAL AND VISITOR PARKING AND ASSOCIATED AMENITY SPACE.

LAND AT APSLEY MILLS ADJ. THE COTTAGE, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD



4/01198/18/MFA	DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF FOUR RESIDENTIAL BUILDINGS TO PROVIDE 29 FLATS (12 X 1BED, 17 X 2BED), PUBLIC OPEN SPACE, RESIDENTIAL AND VISITOR PARKING AND ASSOCIATED AMENITY SPACE.
Site Address	LAND AT APSLEY MILLS ADJ. THE COTTAGE, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD
Applicant	Dacorum Borough Council, The Forum
Case Officer	Joan Reid
Referral to Committee	The application is referred to the Development Control Committee as Dacorum Borough Council is both the land owner and the applicant.

1. Recommendation

1.1 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 an agreement under Section 106 of the Town and Country Planning Act 1990 for;

- 100% social rented accommodation; and
- Submission of amended plans detailing the changes proposed by the Conservation and Design Officer or otherwise scheme to be agreed by the Conservation Officer;
- Submission and approval of Hertfordshire County Council of swept path assessments to demonstrate that servicing and emergency vehicles can safely enter and manoeuvre within the site. Imposition of recommended conditions as advised by Hertfordshire County Council; and imposition of the conditions listed.

2. Summary

2.1 The application is recommended for approval. The principle of development is considered acceptable on the site in accordance with Site Allocation TWA7 both in terms of use for affordable homes and density. The site is located within Flood zones 1, 2 and 3 and the proposal is identified as being more vulnerable in the NPPF. As such the Environment Agency have not objected to the scheme on the basis of flooding and are satisfied that the scheme achieves sufficient spacing/buffer zone surrounding the River Gade. The scheme offers a suitable density of affordable housing which is supported and addresses the constraints on the site through careful design. There are satisfactory distances between buildings to maintain sufficient privacy and spacing. The design of the development is such that it relates well to the surrounding character and is not harmful to the adjacent Grade II listed building. The scheme provides sufficient parking at a ratio of 1 space per unit which is considered acceptable for the tenure of the units and the location of the site near to a local centre, train station and bus routes

3. Site Description

3.1 The application site comprises a long strip of land extending from the London Road, Apsley to the canal, adjacent to Home Base and the Apsley Paper Mill Pub. The site lies adjacent to a Grade II listed building and previously was a key site originally forming part of the John Dickinson printing works. The site has laid vacant for some time since the redevelopment for the adjacent land for housing and has recently been cleared. The site is located within Flood Risk Zones 1, 2 and 3 and two culverts lie horizontally across the site which have been filled in. The surrounding area comprises a range of mixed uses including recent residential buildings, retail and employment uses.

4. Proposal

4.1 The application seeks full planning permission for 29 one and two bedroom residential units all to be affordable units (social rented). The development comprises four separate blocks; two three storey buildings fronting onto the London Road (Buildings A) and the middle building (Buildings B) and canal side building (Building C) comprise a 4 storey warehouse style buildings. The development is to be served with an access off an existing vehicular access from the London Road. 31 car parking spaces (including disabled spaces) are provided to serve the development along with communal amenity space, cycle and bin storage. This is an amended scheme following approval in 2015 which has changed in order to overcome issues relating to deculverting of the site. The main revisions are removal of two units, building C is closer to the canal and building B in the middle is half width and no longer requires the undercroft.

The scheme forms part of the Council's New Homes programme which seeks to deliver affordable homes in sustainable locations.

5. Relevant Planning History

4/03344/15/MFA DEMOLITION OF DISUSED OFFICE BUILDING AND CONSTRUCTION OF FOUR BUILDINGS WITH 31 FLATS IN TOTAL, PUBLIC OPEN SPACE, RESIDENTIAL AND VISITOR CAR PARKING AND ASSOCIATED AMENITY SPACE
Granted
26/04/2016

4/03042/15/MO A OUTLINE APPLICATION OF A RESIDENTIAL SCHEME OF UP TO 50 ONE BEDROOM FLATS WITH PARKING (REVISED SCHEME)
Granted
23/12/2015

4/03584/14/MO A OUTLINE APPLICATION FOR THE CONSTRUCTION OF 50 ONE BEDROOM FLATS WITH CAR PARKING AND VEHICULAR ACCESS.
Refused
10/06/2015

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

Policies CS1, CS2, CS3, CS4, CS8, CS9, CS10, CS11, CS12, CS14, CS17, CS19, CS27, CS28, CS29, CS30, CS31, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 21, 31, 33, 58, 106, 111, 119, 129
Appendices 3, 5 and 6

6.4 Supplementary Planning Guidance

7. Constraints

- Former Land Use
- GENERAL EMPLOYMENT AREA
- TWO WATERS AREA

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 1

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Design and Impact to listed building
- Quality of Accommodation
- Flooding and Deculverting

Policy and Principle

9.2 Land Use

The site falls within a general employment area as covered by saved Policy 31 of the local plan, but also within the specific proposal site TWA7. Policy 31 seeks to prevent the loss of employment floorspace within GEAs. Under site allocation TWA7, the wider site was identified for visitor centre and related development for a mix of uses creating local employment. It continues that the mix of uses could include offices, hotel, restaurant with a small number of residential units. A Masterplan was also produced (September 1999) which stated that there should be a "limited" amount of residential on the site.

Spatial planning, in its consultation response, has indicated that some elements of the policy have moved on since its allocation by Policy 31 and TWA7. The site has now been formally identified as a housing allocation (Proposal H/10) in the Pre-Submission Site Allocations DPD (September 2014). The site is seen as delivering between 25-35 units and the planning requirements refer to:

“High density housing acceptable. Access from London Road. Careful design and landscaping required to ensure a satisfactory relationship with adjoining commercial uses. Flood risk assessment required.”

It should be noted that the principle of redeveloping the site with up to 50 one bed flats was approved by the Council (Ref 4/03042/15/MOA) and more recently, a full planning permission

was granted for 31 units.

Given the above, the broad principle of delivering affordable housing through a proposal on this site is now supported and is broadly in line with the original densities envisaged.

Layout, Design, Scale, etc.

9.3 The proposed density for 29 units is considered acceptable and in line with the Site Allocations DDP. This is a lower density than that previously approved on the site and this scheme comprises a mix of one and two bedroom units which is considered a good mix of housing for the area than that approved in the outline scheme. The layout has broadly been set from the constraints on the site including the location of culverts and is similar to the approved scheme, however is now considered to allow for better circulation within the site. The layout allows good circulation throughout the site and makes good use of the levels as you move from the London Road towards the canal. The scheme represents a good quality development affording sufficient parking provision and residential amenities, whilst overcoming a very constrained redundant site to provide affordable housing units.

The buildings comprise the following mix:

Buildings A - 4 x one bedroom and 2 x two bedroom units
Building B - 5 x one bedroom and 7 x two bedroom units
Building C - 3 x one bedroom units and 8 two bedroom units

Design and Impact to Historic Assets

9.4 The site lies adjacent to a Grade II listed building and as such specific consideration is given to how the development impacts on its setting. The scheme proposes four distinct blocks, those fronting the London Road and two warehouse style buildings further within the site. In part, the style, bulk and form of the development is largely similar to that already granted planning permission however offers better design and spacing within the development due to the lower density proposed. The London Road frontage is formed by two book end buildings. These have been designed having regard to more simple buildings evident in the area and are of a scale, height and distance from the Listed building which conserves its character. Whilst the buildings appear to be somewhat disjointed, it is not considered that they would appear out of the context with the streetscene and are of a size and form more domestic in scale to the listed building adjacent. The conservation and design officer has raised no objection to the scheme and considers that the current proposals would be acceptable and in keeping with the general character of the redeveloped site, drawing on features of 18th and 19th century mill developments whilst ensuring that the structures can be read as dating from the 21st century. However, the Conservation Officer has requested that some minor changes be made to help improved the overall design. In terms of the buildings A (fronting London Road), the Conservation Officer considers that improvements could be made if these buildings could be lifted by having more of a feature such as a larger recess to the structure or having a glazed box section. Also features within the gables are recommended. Similarly, in terms of buildings B and C, the Conservation officer has requested more detail in terms of the entrance feature and stair tower and other minor alterations to these buildings.

The Canal and River Trust have raised no objection to the scheme and consider that retention of the wall nearest the canal is supported. They consider that the gable wall of Block C could be improved by further detailing which is also requested by the Conservation and design officer.

Overall, the scheme is considered to be a well-designed proposal making the best use of a very constrained and restricted site, which has regard and respects the setting of the listed building. Subject to the changes suggested, it is considered that the proposal is acceptable.

Impact on Trees and Landscaping

9.5 No objection is raised with regard to any important trees or landscaping. Should permission be granted, a condition would be imposed requiring full details of landscaping proposals.

Impact on Highway Safety and Parking

9.6 Provision is made for 30 car parking spaces. The provision of 31 car parking spaces serving 29 units equates to a ratio of just over 1:1 spaces. Appendix 5 of the local plan sets out a maximum car parking standard of 1.25 spaces for a one bedroom unit and 1.5 spaces for a two bedroom unit. As such the amount of car parking proposed is considered slightly under the maximums set out in appendix 5 of the local plan (setting a maximum of 40 spaces). Having regard to the location of the site, close to the train station, together with the proposal comprising small affordable units, it is considered that 1 space per unit would be an acceptable and appropriate provision of parking. A similar provision ratio was recently accepted for the more dense development of 50 units on the site and indeed the scheme for 31 units.

Although it is acknowledged that there are wider concerns over parking provision within the immediate area, taking account of the above and the lack of any adopted minimum parking guidelines it is considered that the LPA would not be able to substantiate an argument for refusal based on inadequate parking provision.

Access is proposed via the existing vehicular access from London Road and through the middle building from an undercroft arrangement. Hertfordshire Highways have been consulted and are largely satisfied with the proposals although it is noted that they seek some further details of swept path assessments before they agree the scheme. The proposals will also involve off site works which will be subject to a S278 agreement.

Affordable Housing

9.7 Policy CS19 of the adopted Core Strategy states that affordable homes will be provided: on sites of a minimum size 0.3ha or 10 dwellings (and larger) in Hemel Hempstead. 35% of the new dwellings should be affordable homes. Higher levels may be sought on sites which are specified by the Council in a development plan document, provided development would be viable and need is evident.

A minimum of 75% of the affordable housing units provided should be for rent. Judgements about the level, mix and tenure of affordable homes will have regard to: (a) the Council's Housing Strategy, identified housing need and other relevant evidence (see Policy CS18); (b) the potential to enlarge the site; (c) the overall viability of the scheme and any abnormal costs; and (d) arrangements to ensure that the benefit of all affordable housing units passes from the initial occupiers of the property to successive occupiers.

The scheme proposes 100% affordable housing provision and as such the Council is supportive of this approach. If permission were to be granted, a suitably worded S106 will need to be entered into to ensure delivery of the level, and tenure of the affordable housing provision.

9.8 Flooding and Deculverting of the Site

The previous scheme requested that the developer deculvert the section of river nearest the canal, however over time, it is now apparent that this is not feasible and as such this scheme proposes to retain the culvert in its existing state but offers to repair. The Environment Agency have been heavily involved with the site for a number of years and have had extensive

discussions over the revised proposals and are now satisfied with the scheme. The layout has been designed to leave free both culverts that cut across the site in order to allow for repairs/changes and for structural reasons. The Lead Local Flood Authority has also considered the scheme and have no objection in principle on flood risk grounds. The LLFA have advised 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 and has such asked for specific conditions in line with the recommendations of the drainage strategy.

Other Material Planning Considerations

9.9 Policy CS12 of the adopted Core Strategy states that "On each site development should: a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; d) retain important trees or replace them with suitable species if their loss is justified; e) plant trees and shrubs to help assimilate development and softly screen settlement edges; f) integrate with the streetscape character; and g) respect adjoining properties in terms of: i. layout; ii. security; iii. site coverage; iv. scale; v. height; vi. bulk; vii. materials; and viii. landscaping and amenity space".

Quality of Accommodation

i) Spacing of Dwellings - There should be sufficient space around residential buildings to avoid a cramped layout and maintain residential character, to ensure privacy and to enable movement around the building for maintenance and other purposes. The minimum distances of 23 m between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. This distance may be increased depending on character, level and other factors. The layout of the scheme allows for spacing in accordance with 23m minimum distances required between habitable windows. It is noted that a shorter distance exists in part between buildings B and C due to the staggered orientation but where this shorter distance exists it is at an obscure angle or primarily affecting the communal hallway and as such it is considered that sufficient distances exist between habitable windows in order to ensure privacy for future residents.

ii) Noise and Nuisance - An Acoustic Assessment has been commissioned which considers the noise climate at the site and that noise mitigation will be required due to the road traffic noise as well as the potential impacts from the adjacent delivery yard. The report finds that external noise levels to communal garden and balconies have been found to be in line with building regulation standards. The environmental health officer has considered the scheme acceptable in principle and requested specific measures as outlined in the supporting documents to be secured by condition.

iii) Air Quality - The site is located within 0.6miles of two of the Council's AQMA. The environmental health officer has requested that an Air quality report be submitted by condition which has regard to the guidance and Act . The report should indicate areas where there are, or likely to be, breaches of an air quality objective. If there are predicted exceedances in exposure to levels above the Air Quality Objectives, then a proposal for possible mitigation measures should be included.

iv) Small areas of private amenity is provided within the site. Due to the constrained nature of the site, it is difficult to provide larger areas of amenity space however the surrounding area provides good levels of public open space within a short distance. No objection is raised on this basis.

Impact on surrounding properties/Infrastructure

The site abuts the boundary with Home Base and its service yard and consideration is therefore given to ensuring that the proposal for residential units in close proximity to an existing retail use would not give rise to an unsatisfactory relationship. The plans show that no habitable windows would face onto the yard and a noise survey has been submitted. In principle, the scheme has demonstrated that the orientation and layout of the development can achieve satisfactory relationship to the adjacent noisy uses. Environmental Health has raised no objection in principle however have requested a specific condition seeking measures to demonstrate how the development can achieve adequate noise insulation.

The windows of the proposed development would be located sufficient distance across the other side of the canal to ensure privacy is maintained to properties along Mulready Walk. The properties along Mulready Walk are in excess of 23m away and indeed the frontages are currently within open view to the canal and the pub, wherein it is not considered that the development would result in significant loss of privacy over and above the existing situation. In terms of noise, again, it is not considered that issues would arise in terms of noise to other residential properties considering the existing relationship between dwellings and public space, together with the intervening distances between the proposal and existing residential units. Due to the location of the site adjacent to Homebase, the car park to the pub and the Enterprise building, the proposals wouldn't result in visual intrusion to residential properties or indeed light.

Network Rail have responded to the application and requested that if vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.

Secure by Design

A number of objectives have been set out by the secure by design officer of which most of these will be covered by building regulations however it is considered good practice and in accordance with the NPPF to include a condition requiring how the development will integrate methods to reduce crime.

Refuse

The scheme provides for onsite refuse storage which is considered to be adequate and meets the requirements set out in guidance. No specific comments have been received by the refuse team however.

Ecology and Habitats

The application is accompanied by an Ecological report which concludes that there are no ecological implications as a result of the proposal. The ecology officer had no other evidence to suggest otherwise and the site has now been cleared. Herts and Middlesex Wildlife Trust have commented on the application and requested that integrated bat and bird boxes be installed in order to provide a net gain in biodiversity. A condition shall be imposed requesting details of such boxes.

S106 and CIL

The application is for 29 affordable housing units and as such this will need to be secured through a S106 agreement. The scheme is for 100% affordable housing units and as such would not be CIL liable. It is noted that the Canal and River Trust have sought clarification whether CIL monies could be sought for towpath improvements, however it is not possible for affordable housing schemes.

Response to Neighbour comments

9.10 Four neighbours wrote to raise objection over density and parking. These points have been addressed in the report.

10. Conclusions

10.1 The scheme accords with the principles set out policies CS1, CS2, CS3, CS4, CS8, CS9, CS10, CS11, CS12, CS14, CS17, CS19, CS27, CS28, CS29, CS30, CS31, CS35 subject to minor amendments.

11. RECOMMENDATION – 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 an agreement under Section 106 of the Town and Country Planning Act 1990 for;

- 100% social rented accommodation; and
- Submission of amended plans detailing the changes proposed by the Conservation and Design Officer or otherwise scheme to be agreed by the Conservation Officer;
- Submission and approval of Hertfordshire County Council of swept path assessments to demonstrate that servicing and emergency vehicles can safely enter and manoeuvre within the site. Imposition of recommended conditions as advised by Hertfordshire County Council; and imposition of the conditions below:
- Amendment of approved plan condition to reflect changes.

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until details of the materials and finishes to be used in the construction of the external surfaces of the development together with details of the windows and exterior doors hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy</p>
3	<p>Prior to the commencement of development, details of landscaping shall be submitted for the approval to the local planning authority and 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; external lighting; minor artefacts and structures (e.g. furniture, storage units, signs etc.); arrangements for the long term management and maintenance of the on-site open</p>

	<p>spaces including de-culverted areas; programme of implementation bin storage details maintenance and management of Suds</p> <p>The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.</p> <p>Reason: To ensure adequate management and provision of services to serve the development and to ensure that it integrates well within the wider character of the area and the canal in accordance with policy 12 of the adopted Core Strategy.</p>
4	<p>No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p>
5	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 4 above 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.</p> <p>For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p>

	<p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).</p>
6	<p>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.</p> <p>Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:</p> <ul style="list-style-type: none"> 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. i) Construction or Demolition Hours of Operation j) Dust and Noise control measure k) Asbestos control measure where applicable <p>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</p>
7	<p>Prior to development, an air quality report assessing the impacts of the proposed development shall be submitted to the Local Planning Authority having regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.</p> <p>The report should indicate areas where there are, or likely to be, breaches of an air quality objective. If there are predicted exceedances in exposure to levels above the Air Quality Objectives then a proposal for possible mitigation measures should be included.</p> <p>The source of energy among others such as impact of the construction vehicles and machinery to the proposed development must be considered in the air quality assessment report to be submitted. The post construction impact of the development to the existing development will also need to be considered in the report to be submitted. The development shall be implemented in accordance with the agreed report and mitigation strategy.</p> <p>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).</p>
8	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy carried out by Waterco reference W10602-180420-FRA dated April 2018. The surface water drainage scheme should include;</p> <p>Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.</p> <p>2. Limiting the surface water run-off to 5l/s generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.</p>

	<p>3. Implementing the appropriate drainage strategy based on attenuation and discharge into the Grand Union Canal via an existing 900mm culvert and provide appropriate storage within permeable paving.</p> <p>Reason: In order to provide for adequate on site drainage in accordance with policy CS32.</p>
9	<p>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 Flood Risk Assessment and Drainage Strategy carried out by Waterco reference W10602-180420-FRA dated April 2018. The scheme shall also include:</p> <ol style="list-style-type: none"> 1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. 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. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage. 3. Silt traps for protection for any residual tanked elements. 4. 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. 5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event <p>Reason :To prevent the increased risk of flooding, both on and off site.</p>
10	<p>Details of the proposed boundary treatment adjacent to the canal (showing any repairs needed to the existing wall, and /or the height, specification and materials of a replacement and/or planting) shall be submitted to and agreed in writing by Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.</p> <p>Reason: To ensure that the external appearance of the development is satisfactory in accordance with policy CS11 and CS12.</p>
11	<p>If surface/ground water run-off is proposed to drain into the waterway or to a soak away, full details shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.</p> <p>Reason: To comply with paragraph 120 of the National Planning Policy Framework and given the proposed use there is the potential for pollution of the waterway and the Canal & River Trust will need reassurance that only clean surface water run-off will be allowed to discharge into the waterway, and, if necessary, that interceptors and other measures will be included to prevent pollution</p>
12	<p>Prior to the commencement of development details of the proposed lighting for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.</p> <p>Reason: To comply with paragraph 125 of the National planning policy Framework as lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect</p>

13	<p>Prior to the commencement of development, a plan detailing the model and location of 10 integrated bat boxes and 10 integrated bird boxes (swift) must be supplied to the LPA. These features must be installed before occupation and retained thereafter.</p> <p>Reason: To improve the ecological value of the site in accordance with policy CS27.</p>
14	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>L4077/106C L4077/108D L4077/101A L4077/110D L4077/102C L4077/100A L4077/107D L4077/112D L4077/111D L4077/109D L4077/103C L4077/104D</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Informatives</p> <p>Affinity Water</p> <p>You should be aware that the proposed development site is located close to or within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> <p>Environment Agency Environmental Permit Flood defence consents transferred into the Environmental Permitting Regulations (EPR) on 6 April 2016. You may need an environmental permit for flood risk activities if you want to do work: ? in, under, over or near a main river (including where the river is in a culvert) ? on or near a flood defence on a main river ? in the flood plain of a main river</p> <p>You're breaking the law if you carry out these activities without a permit if you should have one. For further details of environmental permits for flood risk activities please see https://www.gov.uk/guidance/flood-risk-activities-environmental-permits</p>

	<p>Ecology</p> <p>No removal of trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless an ecologist has undertaken a check of vegetation for active birds' nests prior to clearance and provided written confirmation to the LPA that no birds will be harmed</p> <p>Canal and River Trust</p> <p>'The applicant/developer is advised to contact Osi Ivowi on 01908 301 591 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust'. In addition, in order for the Canal & River Trust to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.</p> <p>Water</p> <p>You should be aware that the proposed development site is located close to or within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p>
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Appendix 1

Consultation responses

Hertfordshire Highways	<p>Decision</p> <p>Hertfordshire County Council as Highway Authority wish to request additional information to demonstrate that the proposed access arrangements would be safe and suitable for the purposes of the development. Swept path assessments are required to demonstrate that servicing and emergency vehicles can safely enter the site in a forward gear and manoeuvre within to depart in a forward gear. The applicant should also remove the kerb radii from the drawings as these may change as part of the detailed design stage linked to the Section 278 Agreement stage.</p> <p>Description of the Proposal</p> <p>The proposals are for a residential development consisting of 29 flats, all of which will be 'affordable' housing units. The proposed flats would comprise 12 x one-bedroom units and 17 x two-bedroom units. Vehicle access to the site would be gained from the A4251 London Road.</p> <p>Site Description</p> <p>The proposed development site currently consists of a vacant plot of land</p>
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owned by Dacorum Borough Council (DBC). The site has historically been accessed from London Road and from Stationers Place. The London Road access has been reinstated to a footway with kerbing. The Stationers Place access is through an adjacent car park.

The site is bordered by Apsley Grand Union Canal to the north, The Paper Mill pub and Hemel Hempstead Community Church to the east, the A4251 and a Mercedes-Benz car dealership to the south and Apsley Mills Retail Park to the west. Hemel Hempstead town centre is located approximately 2km to the north, and Apsley Railway Station is located approximately 100m to the south of the site. The A4251 London Road is a Principal A Main Distributor Road with a speed limit of 30mph.

Analysis

A Design and Access Statement (DAS) is required for all planning applications that have an impact on the highway, as outlined in Roads in Hertfordshire: Highway Design Guide (3rd Edition) and this has been provided by the applicant.

The applicant has submitted a Transport Assessment (TA) for review as part of the application submission, this exceeds the requirements set out in Roads in Hertfordshire: Highway Design Guide (3rd Edition) guidance.

Policy Review

The applicant has provided evidence of consideration of the following policy documents in their submission:

- National Planning Policy Framework (NPPF);
- Hertfordshire County Council's (HCC) 'Local Transport Plan 3 2011- 2031' (LTP3);
- Dacorum Borough Council Core Strategy (September 2013);
- Dacorum Borough Council Local Plan 1991-2011.

HCC typically also requires evidence of the following relevant policy documents:

- Planning Practice Guidance (PPG);
- Hertfordshire County Council's Roads in Hertfordshire Highway Design Guide 3rd edition;
- The Hertsmere Local Plan (2012-2027).

However, due to the scale of the development, this is considered acceptable.

Trip Generation

The applicant has utilised the TRICS online database (version 7.4.4) to obtain trip rates to establish a trip generation profile for the proposed development. The trip rates have been determined by considering multi-modal trip surveys and the following parameters were utilised for the interrogation of TRICS:

- Land use - Residential;
- Sub-category - Affordable/Local Authority Flats;
- Sites within England, excluding Greater London;
- Excluding sites over 100 units; and,
- Excluding town centre and edge of town centre locations.

The TRICS trip rates and associated trip generation profile were summarised in the TA. The AM peak hour was identified as 0800-0900 and the PM peak hour was identified as 1600-1700. The following trip rates and associated trip generation, based on 29 units, were provided in the TA:

- AM Peak: 0.100 arrivals, 0.110 departures
: 3 arrivals, 3 departures for a total of 6 two-way trips
- PM Peak: 0.165 arrivals, 0.110 departures
: 5 arrivals, 3 departures for a total of 8 two-way trips

HCC has carried out an independent assessment of the TRICS database (version 7.5.1) to confirm the suitability of the above trip rates and associated trip generation. It is considered that the trip generation forecast is acceptable. An analysis of multi-modal trip generation was also included in the TA, and

was provided by considering the multi-modal trip rates resulting from the above TRICS interrogation. The multi-modal trip generation profile is considered acceptable. It is considered that the increase in multi-modal trips can be accommodated on the existing highways and public transport infrastructure.

Impact on the Highway Network

According to the trip generation profile, the proposed development is expected to generate 6 two-way vehicular trips in the AM peak and 8 two-way vehicular trips in the PM peak. The NPPF Guidance on Transport Assessments states that proposed developments with less than 30 two-way trips per hour can be considered insignificant and would not have a severe impact on the local highway network.

Despite this, the client has carried out capacity assessments at the proposed site access from the A4251 London Road and at the nearby London Road/Stationers Place junction. The assessment for the proposed site access junction was undertaken using Junctions9 and the assessment for the London Road/Stationers Place junction was undertaken using LinSig.

The Junctions9 results demonstrate that the site access/London Road junction will operate comfortably within capacity during each of the peak hour periods. The LinSig results demonstrate that the existing junction layout will accommodate the future year traffic flows generated by the proposed development. Therefore, mitigation measures at the junctions would not be required.

HCC concludes that the approach taken towards assessing the impact on the highway network is acceptable and is satisfied that the proposed development would not have a severe impact on the local highway network.

Highway Safety

Personal Injury Collision (PIC) data has been assessed as part of the submitted TA. It is stated that there are no significant clusters of accidents reported and that the development proposals are not expected to have a severe impact on the safety of the local highway network.

HCC has carried out an independent review of the PIC data using the crash map online resource. One serious incident was reported at the proposed site access junction, the incident occurred on 14/08/2015 and involved three vehicles with one casualty. No fatal incidents have been reported near the site within the last five years. There are no obvious clusters of serious incidents that would suggest an underlying issue with the safety of the highway network. Therefore, HCC considers that the proposed development is not likely to exacerbate any existing collision trends on the local highway network.

Highway Layout

Vehicle Access

As part of the development, it is proposed that the former access from London Road be reopened. As a result of the access being reopened, the existing lay-by located adjacent to the site frontage would be removed.

The proposed access road would be 4.8m wide with 1.8m wide footways on both sides. A pedestrian crossing is proposed at the site access for pedestrians utilising the footway north of the A4251 London Road. The pedestrian crossing will include dropped kerbs and tactile paving. A second pedestrian crossing is proposed west of the site for pedestrians crossing the A4251 London Road, this crossing will also be equipped with dropped kerbs and tactile paving.

It is also proposed that a right turn lane is provided by removing four of the existing hatch markings in the centre of the highway. A visibility splay of 4.5m x 66m is demonstrated from the proposed site access.

The following comments require consideration as part of any future

application submission:

- The applicant should remove the kerb radii dimensions from the proposed access drawing as these may require amendment as part of the detailed design stage linked to the S278 Agreement stage.
- 1.8m wide footway is not considered acceptable at this location and the applicant should consider a footway width of 2m
- Clear footway connection with exiting footway networks is required (as shown on drawing 14365-001)
- Proposed pedestrian crossing and central refuge island should have minimum 2m width
- Buff coloured tactile paving should be 3x3 full rows
- Carriageway Lane Width should be 3.65m and right turn lane width should be 3.5m
- Retaining structure -details of retaining structure should be provided (purpose, size and will not limit the visibility)
- Visibility splay of 4.5m x 66m would be acceptable
- Swept Path analysis for a refuse vehicle (12.1m long) is required as part of any future submission

Pedestrian Access

The pedestrian access point is the same as the vehicle access point. Pedestrian access to the site will be provided directly from London Road through the creation of 1.8m wide footways on both sides of the site access road. Note above that the applicant should consider provision of 2m wide footways.

Road Safety Audit

The applicant has submitted a Stage 1 Road Safety Audit, along with a Designer's Response and evidence of HCC's review of the documents. HCC were satisfied with the Designer's Response to the issues raised in the Road Safety Audit and required provision of an updated drawing to reflect the changes.

Delivery, Servicing and Refuse Vehicles

The submitted TA states that all service vehicles will access the site via the access from London Road. The internal site layout will be designed in accordance with the 'Manual for Streets' to ensure that service and emergency vehicles will be able to safely access, manoeuvre within, and egress from, the proposed development.

HCC notes that the applicant should have provided swept path assessments demonstrating that service vehicles and emergency vehicles are able to access, manoeuvre within, and egress from the proposed development in a forward gear.

Swept Path Assessments

Swept path assessments have not been provided and are required to demonstrate that service vehicles and emergency vehicles can safely access/egress the site.

Parking

The development proposals include a car parking provision of 31 spaces, inclusive of 6 disabled spaces and 2 visitor spaces located in a communal car parking area.

HCC has carried out an assessment of DBC Local Plan Parking Standards.

The standards state that the site is located within Accessibility Zone 3; therefore, the following maximum standards are applicable:

- 1.25 spaces per 1 bed unit; and,
- 1.5 spaces per 2 bed unit.

Based on the above, the maximum number of car parking spaces is 40 (1.25 x 14 + 1.5 x 15). Therefore, the proposed number of 31 spaces is considered acceptable by HCC as it is 75% of the maximum provision. However, it is

ultimately the decision of the LPA to determine the suitability of car parking.

Cycle Parking Provision

Secure, covered cycle storage will be provided for 27 bicycles, and private lock ups are to be provided for 2 bicycles. The DBC Local Plan Parking Standards state that one cycle parking space should be provided per unit; therefore, the proposed 29 spaces is in keeping with the standards.

HCC considers that the proposed cycle parking provision is acceptable for the proposed development. However, it is ultimately the decision of the LPA to determine the suitability of cycle parking.

Accessibility

Public Transport

The closest bus stops to the site are located on the A4251 London Road. The westbound stop is approximately 70m east of the site access and the eastbound stop is approximately 130m east of the site access. Both stops consist of a flagpole, timetable and easy access kerbing. These stops provide access to the following services:

- 500 - Aylesbury to Watford (4 per hour);
- H19 - Kings Langley Station to Hemel Hempstead (1 per day - Tues & Thurs only).

HCC notes that the site is well served by the 500 service which provide access throughout Hemel Hempstead and the neighbouring residential areas, as well as to Aylesbury and Watford. The bus stops located on the A4251 London Road are less than a minute walk from the site, making buses a viable method of travel for potential future residents of the development. Apsley Station is located approximately 100m south of the site and can be accessed via the A4251 London Road. The journey is less than a minute walk.

The station is managed by London Northwestern Railway and includes facilities such as toilets, a waiting room and cycle parking. The station provides regular direct services to a variety of popular destinations, including London. There are approximately 2 services per hour to London Euston.

HCC concludes that the development site is in a sustainable location. There are good opportunities for future residents to utilise sustainable modes of transport to access the site.

Walking and Cycling

The local area has a relatively flat gradient which is conducive to both walking and cycling. Hemel Hempstead town centre is located approximately 2km north of the site (29-minute walk or 10-min

cycle) and provides access to local services and facilities such as Hemel Hempstead Hospital and The Marlowes Shopping Centre.

There is footway provision on both sides of the A4251 London Road. There are also dropped kerbs and tactile paving at crossing points in the area. Footway widths in the vicinity of the site appear acceptable and street lighting is provided. Signalised pedestrian crossing facilities are located approximately 70m southeast of the site on the A4251 London Road.

The closest National Cycle Network path is Route 57 which, once complete, will run from west to east from Cricklade in Wiltshire to Welwyn Garden City in Hertfordshire. The route includes a mixture of traffic free sections and quiet roads.

The A4251 London Road is considered suitable for cyclists due to the acceptable road width and surface quality. London Road is also subject to a speed limit of 30mph, which makes on-road cycling more attractive.

HCC concludes that walking and cycling are viable travel options for future residents of the development and that the local area is conducive to both travel methods. The accessibility of the area is deemed suitable for the proposed level of development.

	<p>Travel Plan HCC's guidance on Travel Plans states that a Travel Plan Statement is not required for residential developments of less than 50 units. Therefore, no Travel Plan or Travel Plan Statement is required for the proposed development.</p> <p>Construction A Construction Traffic Management Plan would be required to ensure construction vehicles would not have a detrimental impact in the vicinity of the site and a condition would be required to provide adequate parking for demolition and construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. A Construction Traffic Management Plan would be required for all phases of the construction, including demolition, excavation and construction of all elements of the development.</p> <p>Planning Obligations / Community Infrastructure Levy (CIL) Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes would be sought via CIL if appropriate.</p> <p>The nearest bus stops are accurately identified in the TA and the frequency of services is acceptable. The stops have a flagpole, timetable and easy access kerbing, but do not have a shelter or live timetable. This money could be used towards the provision of a shelter and/or a live timetable at the bus stops located on the A4251 London Road.</p> <p>Summary HCC has reviewed the TS and other relevant documents to assess the impact of the proposals on the local highway network's operation and safety. The trip generation rates were reviewed and are considered appropriate for the proposals. The collision data was reviewed and it was found that there were no clusters of collisions near the site that would likely be exacerbated by the proposed development traffic. However, HCC require further information to support that the access arrangements are safe and suitable</p>
HERTS PROPERTY SERVICES	<p>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's 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.</p>
DBC Conservation	<p>This is a site near the centre of Apsley and has been cleared to leave a brownfield site. The surrounding area has been redeveloped from formal industrial uses to housing and adjacent to the development there is a 2 storey public house. There are also some large retail units. Adjacent is the grade II listed Cottage buildings and within the garden of this U shaped development is the war memorial also grade II listed. To the rear is the canal and a lock. These are located beyond a high wall of the former factory site.</p> <p>The proposal involves redeveloping the site for housing. A number of proposals have been discussed over time and it has been deemed acceptable in principle. Overall we believe that the current proposals would be acceptable and in keeping with the general character of the redeveloped site. This draws on features of 18th and 19th century mill developments whilst ensuring that the structures can be read as dating from the 21st century. However it would be recommended that there are minor changes to the design of the proposal.</p> <p>Buildings A The two entrance blocks appear to have been designed to in effect form gate</p>

symmetrical gate lodges to the site entrance. We do not object to the form or layout however it may be useful to consider some minor changes. We are concerned that the symmetrical off set full height features to the sides of the facades of both blocks appears to neither highlight the contemporary nature of the buildings and yet fails to result in an appropriate facsimile. It may be better to consider making more of a feature and either having a larger recess to the structure or perhaps an extension of a glazed box. It would be recommended that the glazing differs from the other windows and removes the glazing bars. It would also be advantageous to have a feature within the gables. This could be undertaken in either brickwork or perhaps another material. It would also be recommended that the eaves details be conditioned to ensure a suitable overhang and shadow line. The traditional windows need to be recessed rather than flush to ensure an appropriate appearance and provide visual interest by creating shadow lines.

Building B Central Block

Ideally more detail could be provided for the entrance feature and stair tower. This would be to ensure that the detailing enhances the appearance of the building. It may also be useful to consider having a dental course to the eaves and have a different brick to perhaps the ramped/ plinth element. To help break up the gables it would be advantageous to reinstate the Oculus feature as shown in the previous drawings. This would enhance the overall appearance of the structure. As noted above the traditional windows need to be recessed rather than flush to ensure an appropriate appearance and provide visual interest by creating shadow lines.

Building to the canal. (Building C)

When travelling on the canal, tow path or from the bridge there would be views of the new building. Whilst this would not be harmful to the wider context of the canal zone it would be recommended that the some interest be added to the brickwork to ensure that in particular the gables had some visual interest and were not simply 4 storeys plus the gable of flat brickwork. To give the building a firm plinth one could add a robust string course between the ground and first floor above the ground floor window heads. This could be simply of say 2-3 courses of a dark brick. Within the gables one could provide a similar feature to those shown on page 13 of the design and access statement which shows a British Waterways building with panelled brickwork to the gable. This feature has been somewhat copied to the new build block of flats in the central picture. A further addition could be a string course or dental course to the gables to provide visual interest and add to the shadow line. We would recommend that the eaves details either be conditioned or submitted to ensure that there is a sufficient overhang to the facades and that the downpipes and guttering be pressed aluminium. Further detailing could be submitted at this time for the central atrium/ stairwell feature and canopy. The canopy could benefit from being a lighter weight glazed structure perhaps slightly covered to provide a counter point to the strong angular forms of the building. As noted above the traditional windows need to be recessed rather than flush to ensure an appropriate appearance and provide visual interest by creating shadow lines.

Landscaping.

We believe that in general the landscaping proposals are acceptable. However it would be useful to contemplate re-ordering the parking to allow a pedestrian/ cycle entrance to the road of the adjacent housing/ pub site. This would improve pedestrian access to the canal route to Hemel/ Kings Langley and allow these groups to avoid the busy main road.

STRATEGIC PLANNING	We do not wish to comment on this application as the principle of development is already firmly established on the site given the extant planning permission for 31 homes. Please refer to policy/standards in the DBLP/Core Strategy/Site Allocations DPD.
LEAD LOCAL FLOOD AUTHORITY	<p>Following a review of the Flood Risk Assessment and Drainage Strategy carried out by Waterco reference W10602-180420-FRA dated April 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.</p> <p>The drainage strategy is based upon based on attenuation and discharge into the Grand Union Canal via an existing 900mm culvert. We acknowledge that the discharge rate will be limited to the 5 l/s and 120m³ attenuation volume is required to manage runoff for a 1 in 100 year (+40%) event. A total attenuation volume of 120m³ will be required to achieve the discharge rate and will be provided within the permeable paving sub-grade material. We therefore recommend the following conditions to the LPA should planning permission be granted.</p> <p>LLFA position Condition 1 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy carried out by Waterco reference W10602-180420-FRA dated April 2018. The surface water drainage scheme should include;</p> <ol style="list-style-type: none"> 1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. 2. Limiting the surface water run-off to 5l/s generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. 3. Implementing the appropriate drainage strategy based on attenuation and discharge into the Grand Union Canal via an existing 900mm culvert and provide appropriate storage within permeable paving. <p>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 Flood Risk Assessment and Drainage Strategy carried out by Waterco reference W10602-180420-FRA dated April 2018. The scheme shall also include:</p> <ol style="list-style-type: none"> 1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. 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. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage. 3. Silt traps for protection for any residual tanked elements.

	<p>4. 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.</p> <p>5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event</p> <p>Reason To prevent the increased risk of flooding, both on and off site.</p>
NETWORK RAIL	<p>Network Rail would comment:</p> <p>(1) If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement. All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling. The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement. Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.</p> <p>(2) Access and egress from the railway station must remain open and unblocked around the clock both during construction and as a permanent arrangement.</p>
EA	<p>We have no objection to the proposals and no conditions to request. Environmental Permit Flood defence consents transferred into the Environmental Permitting Regulations (EPR) on 6 April 2016. You may need an environmental permit for flood risk activities if you want to do work: in, under, over or near a main river (including where the river is in a culvert) on or near a flood defence on a main river in the flood plain of a main river</p> <p>You're breaking the law if you carry out these activities without a permit if you should have one. For further details of environmental permits for flood risk activities please see https://www.gov.uk/guidance/flood-risk-activities-environmental-permits</p>
Thames Water	<p>No Objection Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p>

	<p>You should be aware that the proposed development site is located close to or within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p>
Affinity Water	<p>Waste Comments</p> <p>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</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p> <p>Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>'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 wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."</p>

	<p>The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p> <p>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.</p>
Canal and River Trust	<p>The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that "living waterways transform places and enrich lives". We are a statutory consultee in the development management process. The Trust has reviewed the application. This is our substantive response under the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>The main issues relevant to the Trust as statutory consultee on this application are:</p> <ul style="list-style-type: none"> a) Impact on the character and appearance of the waterway corridor. b) Impact on the structural integrity of the canal due to the proximity of the building to the canal. c) Impact on the structural integrity of the canal due to the drainage proposals. d) Accessibility. <p>Character and appearance of the waterway corridor</p> <p>Design and layout The proposal is located adjacent to the lock and the drawings show the retention of a boundary wall. It is not clear if the existing wall is to be retained, or a new replacement wall added. The Trust would oppose the removal of the existing wall unless further details prove that it is beyond repair or the erection of a higher wall in this location as not only will this prevent many of the future</p>

occupiers taking advantage of the waterside location but will present an unsatisfactory backdrop to the lock structure. However, the lock landing adjacent to the site should remain inaccessible to occupiers however to prevent the lock gates being used as a shortcut from the site onto the towpath. The Trust do not encourage lock gates crossings to be used by the general public for safety reasons and these are only provided to allow operation of the lock gates by boaters.

Block C is closest to the canal, but it is set reasonably far back due to the presence of the culverts. When viewed from the canal corridor from the north the gable elevation appears as very bland and could be improved by the addition of some fenestration to improve the overall appearance of this elevation.

Impact on the structural integrity of the canal due to the proximity of the building to the canal

The applicants should discuss the proposal further with Osi Ivowi, Waterway Engineer with the Trust, on 01908 302 591 to establish whether further information regarding the impact of the proposal on the lock structure is needed.

Impact on the structural integrity of the canal due to the drainage proposals

The proposal indicated that Surface water discharge should be directed into the Grand Union canal via the pipe/culvert which crosses through the site. This will need further discussion with the Canal & River Trust to ensure that the quality and quantity of the proposed drainage are acceptable in this location and any agreement may be subject to a commercial agreement.

Accessibility

The site is located adjacent to the Grand Union Canal, with the nearest towpath access point approximately 100 metres away. The canal towpath provides a sustainable transport link between the site and other facilities within the town as well as proving a quiet and safe off-road walking and cycling route for recreational purposes. The towpath is a recognised Sustrans cycle route.

The value of the towpath in improving the connectivity and accessibility in the area has been recognised by Dacorum Council. The Canal & River Trust support the Hemel Hempstead Urban Transport Plan which has identified the need for wide ranging improvements such as improved signage and seating, and improvements particularly for cyclists such as widening the towpath and providing access points at certain locations. The nearest access point to the towpath is close to the site where an iconic bridge provides access onto the towpath to the east of the site.

The Trust feels that the provision of housing on this site will result the possible increased usage of the canal towpath as a sustainable transport route.

Without suitable mitigation measures this could result in increased degradation of the towpath surface, not just in the immediate location of the site but also elsewhere in Hemel Hempstead. General canal towpath improvements such as widening and resurfacing, are needed to cope with additional usage and to ensure that the Councils aspirations for improving cycling throughout the town are met.

The Trust can provide numerous examples of similar situations where developers have made accessibility improvements as a form of mitigation to

offset additional usage of the towpath to reach a site, or to link from a site to other facilities as a sustainable, traffic-free green transport route.

With reference to the approach to developer contributions contained in the Community Infrastructure Levy Regulations 2010 (CIL), we consider that a case can be made that a contribution is both necessary and directly related to the proposed development. The nature of the works to be covered by the contribution is improvements to allow safer, more sustainable access to the site for the additional users likely to be attracted by the proposal, and therefore we believe it is appropriate in kind.

We understand that there are particular circumstances relating to this application and therefore it may not be appropriate to request that the proposal makes a contribution towards the upgrading of the Grand Union Canal Towpath as it runs through Hemel Hempstead. We would request that the Case Officer confirms whether there is support for such a request in this instance.

If the council are minded to grant permission we would request that the following conditions and informative are imposed.

Conditions

1. Details of the proposed boundary treatment adjacent to the canal (showing any repairs needed to the existing wall, and /or the height, specification and materials of a replacement and/or planting) shall be submitted to and agreed in writing by Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To ensure that the external appearance of the development is satisfactory. The boundaries adjacent waterside developments should provide an attractive façade and poor design can affect how the waterway is perceived. The construction of foundations for walling or fencing has the potential to impact on the integrity of the waterway therefore development approved should prevent damage to the waterway structure and protect users on the towpath.

2. If surface/ground water run-off is proposed to drain into the waterway or to a soakaway, full details shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To comply with paragraph 120 of the National Planning Policy Framework and given the proposed use there is the potential for pollution of the waterway and the Canal & River Trust will need reassurance that only clean surface water run-off will be allowed to discharge into the waterway, and, if necessary, that interceptors and other measures will be included to prevent pollution.

3. prior to the commencement of development details of the proposed lighting for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To comply with paragraph 125 of the National planning policy Framework as lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect

Informative

	<p>If the Council is minded to grant planning permission, it is requested that the following informative is attached to the decision notice: “The applicant/developer is advised to contact Osi Ivowi on 01908 301 591 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.</p> <p>In addition, in order for the Canal & River Trust to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.</p>
<p>Herts and Middlesex WildlifeTrust</p>	<p>In accordance with the ecological report, integrated bat and bird boxes should be installed in order to deliver a net gain to biodiversity, in accordance with NPPF. Integrated boxes are incorporated into the brickwork. A condition should also be applied to ensure that nesting birds are protected during development, as directed by the ecological report. The following conditions (adapted from BS 42020) should be added to the decision:</p> <p>'Prior to the commencement of development, a plan detailing the model and location of 10 integrated bat boxes and 10 integrated bird boxes (swift) must be supplied to the LPA. These features must be installed before occupation and retained thereafter.'</p> <p>'No removal of trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless an ecologist has undertaken a check of vegetation for active birds' nests prior to clearance and provided written confirmation to the LPA that no birds will be harmed.'</p>
<p>Environmental Health</p>	<p>Please be advise that we have no objection to the proposed development in relation to Noise, Air Quality and land contamination.</p> <p>However, with the proposed development located on an historic and former contaminated land use i.e. factory or unspecified works site of medium risk, former paper mill, within a very close proximity of a railway station of medium risk as well as in an affected area for Radon where 1.3% of homes are above the action level, the following planning conditions and informative are recommend should planning permission be granted.</p> <p>1a). Contaminated Land Condition No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p>

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above 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).

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 membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). 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.

Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which 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.
- i) Construction or Demolition Hours of Operation
- j) Dust and Noise control measure
- k) Asbestos control measure where applicable

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.

3). Air Quality Assessment condition

With the proposed development within 0.6 miles of two of the council AQMA and couple of our passive monitoring locations of which the previous and current NO₂ concentration is exceeding the AQ objective with the size of the proposed development and number of car parking spaces, An air quality report assessing the impacts of the proposed development will need to be submitted to the Local Planning Authority having regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.

The report should indicate areas where there are, or likely to be, breaches of an air quality objective. If there are predicted exceedances in exposure to levels above the Air Quality Objectives then a proposal for possible mitigation measures should be included.

The source of energy among others such as impact of the construction vehicles and machinery to the proposed development must be consider in the air quality assessment report to be submitted. The post construction impact of the development to the existing development will also need to be consider in the report to be submitted.

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).

4). Energy Source Condition

With the applicant failing to reference the site energy source in any of the submitted supportive information; should the development have CHP or biomass, the CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the development commencing, evidence to demonstrate compliance with these emission limits will be submitted to the Local Planning Authority for approval.

b. Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NO_x emissions not exceeding 40 mg/kWh (0%).

c. The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5Um. Details to demonstrate compliance with this condition must be submitted to the local authority for approval prior to works commencing.

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).

	<p>5a). Noise Assessment Condition Before any of the residential units hereby permitted are occupied, noise control measures shall be carried out in accordance with the applicant submission in Sections 6.3, 6.6 and 6.9 of the submitted Acoustic Assessment of Noise Report prepared by Ned Johnson Acoustic Consultants Limited with the believes that the raw monitoring data which has now been requested to be submitted by the consultant; having not reference this in his report, is in line with the submitted background noise and overall noise measurement in the report.</p> <p>Any amendment to these proposals shall be submitted to the Local Planning Authority for prior approval in writing.</p> <p>5b). Noise mitigation measures should produce internal and external noise levels specified in table 4 section 7.7.2 of BS8233 (2014) and reiterated in Sections 3.16 (Internal Noise Level) and 3.14 (Area of External Amenity) of the submitted noise report. The mechanical ventilation system where applicable as submitted in section 6.6 of the report shall meet or exceed the specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance and airflow rates. Alternative schemes that meet the above noise and ventilation standards can be considered. The approved scheme is to be completed prior to the occupation of the development and shall be permanently maintained thereafter. The developer shall certify to the local planning authority that the noise mitigation measures agreed have been installed.</p> <p>Reason: In the interests of future residents. To ensure that adequate precautions are implemented to avoid noise nuisance, in accordance with Policies and procedures of Dacorum Borough Council</p> <p>6). Demolition Method Statement Prior to demolition works commencing a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.</p> <p>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.</p> <p>7). 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.</p>
Housing Team	Strategic Housing comments are as follows in response to the proposal below:

	<p>To meet the affordable housing policy requirements 35% of the dwellings should be agreed for affordable housing.</p> <p>Therefore, 11 units should be provided for affordable housing. We would specify that the tenure mix of the affordable housing provision is 75% affordable rented and 25% shared ownership in line with our Affordable housing SPD.</p>
<p>Herts Minerals and Waste Team</p>	<p>Should the council be mindful of permitting this application, a number of detailed matters should be given careful consideration.</p> <p>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.</p> <p>Most recently, the Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which sets out the following:</p> <p>'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 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; <input type="checkbox"/> 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; <input type="checkbox"/> the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.' <p>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:</p> <p>Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;</p> <p>Policy 2: Waste Prevention and Reduction: &</p> <p>Policy 12: Sustainable Design, Construction and Demolition.</p> <p>In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.</p> <p>The county council would expect detailed information to be provided separately for the demolition, site preparation and construction phases of development The waste arising will be of a different composition from each of these phases. Good practice templates for producing SWMPs can be found at:</p>

	<p>http://www.smartwaste.co.uk/ or http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html</p> <p>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.</p> <p>The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted and provide comments to the two councils</p>
<p>Crime Prevention Officer</p>	<p>My comments are made from a crime prevention perspective only, however taking into consideration the crime figures for the area and previous comments relating to this application.</p> <p>Car Parking Area</p> <p>Previous comments have been made regarding the layout and the area becoming a crime hot spot, I can see that the car park area will be a brick surface to identify the boundary into the site. However I would ask that some form of access control is included as parking is a problem in that area and conflict could occur with inappropriate parking.</p> <p>I am content with the surveillance, I would ask that the car park area is well lit however no bollard lighting used as this is not fit for purpose it will increase the fear of crime and is easily damaged intentionally or unintentionally.</p> <p>Secured by Design</p> <p>Achieving the Police minimum security standard for this development would mitigate the majority of my concerns regarding this development and would meet the requirements of building regulations approved document Q, this would involve:</p> <p>Physical Security (SBD)</p> <p>Communal door sets: Certificated to BS PAS 24: 2016, or LPS.1175 (SR2)</p> <p>Access Control to block of flats: Audio Visual. Access control Tradespersons release buttons are not permitted.</p> <p>Postal delivery for communal dwellings (flats): Communal postal boxes within the communal entrances, covered by the CCTV or each flat will have post delivered to it via a letter plate fitted in each flat's door., with the local Posta Officer being given an access fob.</p> <p>Individual front entrance doors of flats Certificated to BS PAS 24:2016</p> <p>Windows: Flats Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175 French doors for balconies:</p> <p>Dwelling security lighting (flats): Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points..</p> <p>Bin stores /Cycle Stores : The access doors to these should be to LPS.1175, or BS PAS 24: 2016.</p>

Appendix 2

Neighbour notification/site notice responses

Objections

Address	Comments
21 CROWN WALK,HEMEL HEMPSTEAD,,,HP3 9WS	<p>Parking on Stationers PI is already leading people to park down the middle of the road causing a hazard. 29 flats plus visitors will undoubtedly lead to more cars than spaces (31 total and 2 visitor spaces is nowhere near enough) so I object on the basis that parking will be completely insufficient and there is a significant risk emergency vehicles will not be able to turn around due to inconsiderate parking as well as parking spilling onto the main road and/or parking spilling onto the Belswains Lane side of the canal which is already struggling. In addition, I am concerned about a significant reduction in light due to the size of the building and the significant shadowing it will cause.</p> <p>Lastly, what auditing is in place to ensure that an application from DBC, which is assessed by DBC planners, is assessed in a truly independent fashion please?</p>
10 MILLBANK,HEMEL HEMPSTEAD,,,HP3 9RN	<p>No more properties in this area please it is a nightmare getting anywhere through I around Apsley. Infrastructure does not support any more residential building</p>
1 ORCHARD STREET,HEMEL HEMPSTEAD,,,HP3 9DT	<p>Apsley cannot take any more developments. The infrastructure is not in place. Stop ruining this area for everyone that lives in it already.</p> <p>The roads are jammed; the parking is awful. It can't support more buildings/people/cars.</p> <p>Why not improve the area for the current residents instead.</p>
6 KENTS AVENUE,HEMEL HEMPSTEAD,,,HP3 9SW	<p>This will cause more traffic and parking issues in Apsley which is already horrendous so I object to this happening!</p>

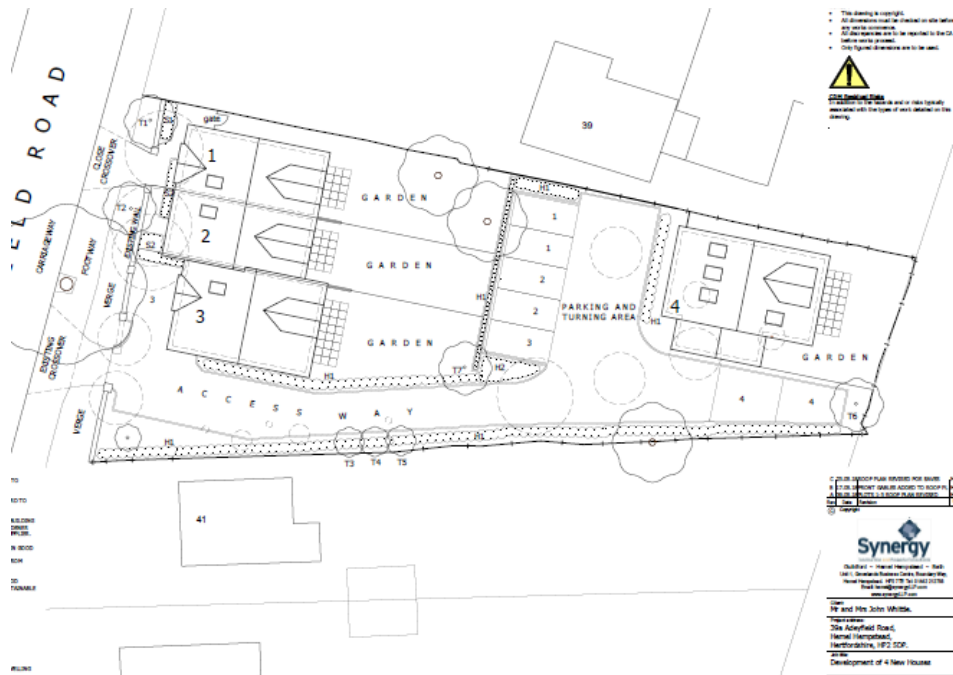
Agenda Item 5d

4/00367/18/FUL DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING

39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP

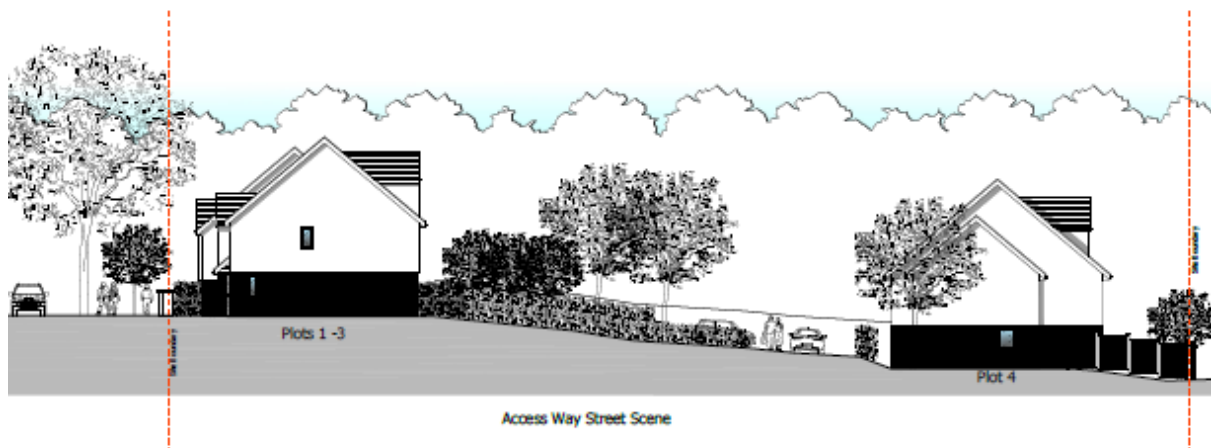


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4/00367/18/FUL DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING

39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP



4/00367/18/FUL	DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING
Site Address	39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP
Applicant	Mr & Mrs Whittle, 39a
Case Officer	Briony Curtain
Referral to Committee	Called in by Ward Councillor

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The site is situated within the urban area of Hemel Hempstead wherein the principle of housing development is acceptable in line with Policies CS1 and CS4 of the Core Strategy 2013. Policy 10 of the DBLP promotes the effective and efficient use of urban land. Therefore consideration of this application rests upon density, type of dwellings, appearance, impact on neighbouring properties and highway safety.

The proposed development would successfully integrate with its surroundings. The height, size and siting of the three properties facing Adeyfield Road respect adjacent buildings and the design replicates common features of the existing street scene such as the small gabled roofs and bay windows. The additional dwelling to the rear would be simple in its design and form and relate well to adjacent recent developments.

The proposal would not result in any material detriment to adjoining residential amenities, especially when compared to existing circumstances or have an adverse effect on highway safety.

There are similar recent developments in the immediate area.

The proposal complies with Policies CS4, CS8, CS11, and CS12.

3. Site Description

3.1 The site is located to the east of the town centre on the northern side of Adeyfield Road and currently comprises a two storey dwelling set on a generous sized plot.

The topography of the site slopes from the front to the back and overlooks Keen Fields which is designated as open land and has a dramatic slope down and away from the application site with far reaching views both to and from the site. In addition the area slopes up to the east such that No. 41 occupies an elevated position above the application site.

4. Proposal

4.1 Full planning permission is sought for the demolition of the existing building and the construction of 4 dwellings. A staggered terrace of three dwellings would be sited to the front of the plot (2xthree-bed and 1x4bed) in place of the existing and a single five-bedroom dwelling would be constructed at the rear of the site. The existing site access would be maintained and an access road along the eastern boundary would serve the parking of all the dwellings and allow access to the rear plot. Each dwelling would be served by two-off street parking spaces and a private garden.

5. Relevant Planning History

4/01715/99/FHA	VEHICULAR CROSSOVER Granted 03/11/1999
4/01743/98/4	TWO STOREY SIDE EXTENSION Granted 23/12/1998
4/00952/98/4	TWO STOREY SIDE EXTENSION Refused 09/09/1998

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, CS10, CS11, CS12, CS13, CS17, CS18, CS19, CS23, CS28, CS29, CS30, CS31, CS32 and CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10,13, 18, 21, 51, 58,111
Appendices 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 23 Adeyfield North.
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013)

7. Constraints

- 15.2M AIR DIR LIMIT
- OPEN LAND
- Former Land Use
- CIL3

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Layout, density, design and scale
- Impact on surrounding properties and amenity of future residents
- Impact on Highway Safety / Parking
- Contamination

Policy and Principle

9.2 The site is situated within the urban area of Hemel Hempstead wherein the principle of housing development is acceptable in line with Policies CS1 and CS4 of the Core Strategy 2013. Policy 10 of the DBLP promotes the effective and efficient use of urban land. The re-development of the site is therefore acceptable in principle and the proposal for 4 dwellings in place of the existing single dwelling would represent a more efficient use of the land.

9.3 The site is situated within Adeyfield North (HCA23) wherein redevelopment and infilling opportunities are identified as limited but may be acceptable according to the development Principles. Within this area the principles are defined as;

Design; No special requirements
Type; Overall no special requirements, but should pay respect to the type, style, size and mass of nearby adjoining development
Size; should not normally exceed two storeys
Layout; New development should follow the building line where this is clearly present.
Spacing should respect that of nearby and adjacent development
and should normally be provided in the medium range (2m to 5m)
Density; should normally be provided in the medium range (30-50 dwellings/ha)

Layout, density Design, Scale, impact on street scene.

9.4 The proposal is acceptable. In density terms the site area is 0.1 hectares in size, and the proposal therefore equates to a density of 34 dwellings per hectare. This is within the lower end of the 30-50 density pre-scribed in the development principles for the area and is thus favourable. The layout proposed is also acceptable. Whilst the terraced properties proposed for the front of the site, are set further forward than the existing dwelling (and immediately adjacent properties), they follow the general well established building line along this main road frontage and would not therefore appear unduly prominent or dominate the area in any significant way. Further to the east the properties all step forward such that those proposed would be viewed against their backdrop. There is sufficient space between the buildings and the common boundaries to avoid a cramped appearance and to respect the existing spacing. The dwelling proposed to the rear is set in excess of 23m from the front dwellings and has been aligned with those recently constructed to the rear of No.s 35 & 37. The layout is considered logically, optimises the use of the site, whilst not preventing the development of adjacent sites in the future.

9.5 Turning to design, the existing street is very mixed in appearance with plain simple designs of no specific architectural merit. The street has a suburban quality being characterised by buildings with traditional proportions set in well landscaped generous rear gardens and a

medium set back from the road. The scheme has been amended during the course of the application. Initially the front three units were designed to replicate the new units recently constructed to the rear of No. 35 & 37, which are modern looking, three storey, blue/grey clad properties. These were considered to be out of keeping with the existing properties fronting Adeyfield Road. The design of these units have now been amended to appear as two storeys to the front and have replicated common design features of the area (small front gables and bay windows). A street scene elevation has been submitted and demonstrates that the development would integrate well. Whilst this side of the road is characterised by detached and semi-detached dwellings, the terrace of three being proposed is stepped and designed in such a way as not to appear as a terrace. The additional dwelling to the rear would be simple in its design and form. Given its position to the west of the plot, to the side of the access road and behind those properties at the front it would not be readily visible and would not have a significant impact on the overall character and appearance of the Adeyfield Road street scene. This unit would be highly visible from the open Keen Fields to the rear but no more so than the recently constructed dwellings at the rear of No.s 35 and 37.

9.6 The proposal is considered to comply with Policies CS11, and CS12 of the Core Strategy 2013 and Policy 10 of the DBLP.

Impact on surrounding properties and amenity of future residents

9.7 The proposals would not have a significance adverse impact on the residential amenities of adjoining properties in terms of light, privacy or visual intrusion.

The impact of the proposal would largely be contained to the immediate neighbours of the application site; No. 41 which occupies an elevated position to the east and No. 39 which is sited at the back of the plot on lower ground.

Impact on No. 41

9.8 The three properties proposed to the main road frontage are set slightly further forward than the existing building occupying the site and as such the mass and bulk associated with them would largely align with the existing brick side elevation of No. 41. The rear building line largely aligns with the existing north-western corner of No. 41. The dwellings would be set away from the common boundary by an access drive. Given the proposed layout, orientation and spacing there would be no breach of a 45 degree line and the front dwellings would not be visible from the habitable rooms of No. 41, there would thus be no significant loss of light, overshadowing or visual intrusion. The terrace of dwellings would clearly be visible from the immediate rear garden area of No. 41, but given they are set forward they are considered to have less of an impact than the existing property in this respect, which currently extends further to the rear.

9.9 The unit proposed to the north would undoubtedly be visible from the rear facing windows and garden area of No. 41 but given the generous separation distances and topography of the land, the new dwelling would not significantly affect light levels, appear unduly intrusive or oppressive. Plot 4 would be sited just under 30m from the rear elevation of No. 41, occupy a lower level, at a favourable orientation and sit at an oblique angle. In addition it would be set between 5-7m away from the common boundary. There would be no significant adverse impact on the residential amenities of No. 41 Adeyfield Road.

Impact on No. 39.

9.10 No. 39 is an enlarged single storey bungalow which sits back on its plot behind a generous parking area. The building is in use as a residential care home facility for people with severe learning difficulties. The development would have an adverse impact in terms of light and visual intrusion but not to such a degree as to warrant a refusal on planning grounds,

especially when the impact is compared to existing circumstances / relationships with other recent developments. There would be no significant increase in overlooking or loss of privacy.

9.11 In terms of privacy and overlooking, given the recent development of the land to the rear of No. 35 and 37, there is a high level of mutual overlooking between sites and most of the grounds and building of No. 39 are currently overlooked by the front facing windows of that development. In addition No. 39 is already overlooked by the rear facing windows of the existing dwelling; No. 39a, and those beyond which all occupy an elevated position. The redevelopment of the front of the site with three dwellings at a greater separation distance, even with the creation of the roof accommodation would not intensify the level of overlooking compared to the existing. The rear dwelling would be sited in close proximity to side and rear facing bedroom windows of No 39 however the layout, siting and design of the unit means there would be no direct overlooking. There is a single window proposed to the western side elevation facing 39 but this would serve an en-suite bathroom and would be conditioned to be obscure glazed and non-opening. The nearest front facing windows would serve the living room and bedroom 3 but views from these would be at such an oblique angle that there would not be a significant invasion of privacy. In addition, the section plan submitted shows that the proposed landscaping and boundary treatment would ensure an acceptable level of privacy is maintained. Full details of landscaping and boundary treatments would be required by condition.

9.12 Looking at visual intrusion and light, whilst the proposal (the rear dwelling) is two storeys, would undoubtedly be highly visible and would breach a 45 degree angle taken from a rear facing ground floor bedroom window, on balance the harm caused is not considered to significantly adversely affect residential amenity. There is a second (albeit much smaller) window to the side elevation facing the application site and given its orientation; the application site being east, the proposed building would not significantly impact on light or overshadow No. 39. The development would limit light levels reaching the adjacent site during the early hours of the morning, but after that the rear windows and amenity space of No. 39 would be shadowed by No. 39 itself and not the application property. The development would be highly visible and would appear intrusive but not to such a degree as to be oppressive or significantly harm residential amenity. On balance it is considered a refusal could not be sustained.

Future residents

9.13 Turning to the amenity of future residents the buildings are set 26m apart to ensure an acceptable level of privacy, each property is served by a private, enclosed rear garden which is of functional size and shape. The three houses along the main road frontage will have garden depths and widths which accord with Policy guidelines (exceeding the minimum 11.5m depth required in appendix 3 of the DBLP). However, the fourth property to the rear has an appreciably smaller garden area which falls below the required standard garden depth of 11.5m. Whilst the depth falls short as it measures 5/6m, the width is generous at 10m. Although it is unusual to consider a family house (5-bedroom) with substandard garden provision, in this particular case the vast expanse of public open amenity land that surrounds the site is considered to adequately compensate for the shortfall. In addition whilst the depth clearly falls short of the required depth, the generous 10m and the regular shape are such that it would provide a functional amenity.

9.14 Given the layout and siting of the properties and the limited amenity space provided it is considered necessary and reasonable to remove permitted development rights for extensions, roof additions, outbuildings and hard surfaces.

Impact on Highway Safety

9.15 The proposal would not have a significant adverse impact on the safety or operation of the adjacent highway. It is not proposed to alter the existing access to the site and there is

sufficient space within the site that vehicles can enter and exit in forward gear. The proposal utilises the existing vehicle crossover to the south of the plot for the new development, with a new driveway giving access to the parking spaces. The existing crossover (which does not appear to be in regular use) to the north of the plot will be redundant and needs to be stopped up and the pavement and verge reinstated before the development comes into use. Given the location of the site on a busy main road to ensure highway safety and the free-flow of traffic it is considered necessary and reasonable to require a Construction Management Plan.

9.16 With regard to parking each of the dwellings would be served by two off-street parking spaces which is in line with Appendix 5 of the DBLP for this site which is on a main road served by a bus service and is within walking distance of the main town centre. In addition the current proposal represents an increase in parking provision compared to the recently approved and constricted development less than 30m to the west (No. 35/37).

9.17 Herts County Council Highways were consulted and have raised no concerns subject to the imposition of conditions / informatives.

Contamination

9.18 The site has been identified as having the potential for contamination. As such the Councils Scientific Officer has requested the imposition of the standard conditions requiring site investigations. These have been included.

Response to Neighbour comments

9.19 These points have been addressed above other than concerns relating to the stability of the land. The neighbouring property No. 41 occupies an elevated position and there is concern that the development would result in landslip and the collapse of the retaining banks between the site. The stability of the land has been an issue in the past and corrective works including underpinning and structural repairs have previously been undertaken to No. 41. Whilst there is a level difference and these concerns are noted, land stability and the adequacy of retaining structures would fall outside the remit of the Local Planning Authority. Such matter would be controlled under Building regulations.

CIL

9.20 Policy CS35 requires all development to make appropriate contributions towards the infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The development would be CIL liable and given its position in Zone 3; Hemel Hempstead a charge of £100 per square metre is applicable to the residential elements of the proposal.

10. CONCLUSIONS

10.1 The site is situated within the urban area of Hemel Hempstead wherein the principle of housing development is acceptable in line with Policies CS1 and CS4 of the Core Strategy 2013. Policy 10 of the DBLP promotes the effective and efficient use of urban land. Therefore consideration of this application rests upon density, type of dwellings, appearance, impact on neighbouring properties and highway safety.

10.2 The proposed development would successfully integrate with its surroundings. The height, size and siting of the three properties facing Adeyfield Road respect adjacent buildings and the design replicates common features of the existing street scene such as the small gabled roofs and bay windows. The proposal would not result in any material detriment to adjoining residential amenities.

11. RECOMMENDATION

That planning permission be **GRANTED** 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 constructed in accordance with the materials specified on the approved drawings / documents.**

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

- 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, C, D, E, F.

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.

- 4 **No above ground 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:**

- **hard surfacing materials;**
- **means of enclosure;**
- **bin storage facilities**
- **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;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**

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.

- 5 **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.

6 **6a). Contaminated Land Condition**

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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.

6b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 6a above 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).

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 membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

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.

- 8 **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.

- 9 **The window at first floor level in the western side elevation of the dwelling to Plot 4 hereby permitted shall be non opening and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents.

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

11366-L-00-02 REV C
11366-L-00-03 REV E

11366-L-00-05 REV C
11366-L-00-06 REV A
11366-L-00-07 REV C
11366-L-00-08 REV C
11366-L-00-09 REV C

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 pro-actively through positive engagement with the applicant during the determination process and at pre-application stage 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.

Appendix 1

Consultation responses;

Herts County Council Highways

Recommend conditional approval.

This application is for Demolition of existing dwelling. Development of 4 new houses, access drive, parking and landscaping.

PARKING

The proposal is to create a total of 7 parking spaces for the new properties, on a new hard standing to be constructed in the middle of the plot.

ACCESS

The existing property currently has an in-out driveway with two vxos on Adeyfield Road, which is a "C" classified Local Distributor road, the C129, with a speed limit of 30mph. Vehicles are required to enter and leave the highway in forward gear.

The proposal is that the existing vxo to the south of the plot will be used for the new development, with a new driveway giving access to the parking spaces. The existing vxo to the north of the plot will be redundant and needs to be stopped up and the pavement and verge reinstated before the development comes into use.

There have been two slight accidents in the vicinity of the property in the last 3 years.

REFUSE STORAGE AND COLLECTION

The proposal is that waste and recycling bins to be provided for each plot and placed either along Adeyfield Road on collection day or along new access way.

The rear of plots 1-3 are approximately 30m from the highway, while plot 4 is more than 40m from the highway. Roads in Herts, section 2.6.8 Refuse collection, states that vehicles must be able to stop within the "maximum refuse carry distance" specified by the Local Planning Authority or within 25m of any bin storage area, whichever is the lesser distance. Residents should not have to carry their rubbish more than 30m to a storage point. (Sources BS5906

2005 and Schedule 1 Part H Building Regulations). The applicant is therefore required to submit a revised plan showing the proposed arrangement for the collection of waste from the development.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways

Scientific Officer

Whilst we have **no objection to the proposed application as it relates to contaminated land and Air Quality** however, having considered the historical land use for this site and its environment, the following planning conditions and informative are recommended for the proposed development should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above 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).

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 membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). 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.

3). 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.

I hope the above clarify our position on the submitted application?

Should you have any further query in respect of the application, please do not hesitate contact me on Ext 2719 quoting Flare reference 540763.

Appendix 2

Neighbour notification/site notice responses

Objections

original plans;

39 Adeyfield Road - OBJECT

I wish to register objections to the size and scope of the proposed development at 39A Adeyfield Road, Hemel Hempstead.

I have objections on a number of grounds.

1. The property below 39A is a single story residential home for people with Severe Learning disabilities/physical disabilities/autism people. It already has a large new development on one side which overpowers the single story residence. The proposed development of 39A will further overshadow the single story property in an unacceptable way reducing privacy and light.
2. The property at No 39 boundary line with No 39A has a high raised slope that may require construction workers to have access via this property this would cause a serious concern to the health, safety and well-being of a group of vulnerable people and to staff who access a car park below the boundary wall.
3. Staff supporting people living at No 39 use the footpath on a regular basis to support people to access the community by walking or supporting people in wheelchairs. The impact of construction vehicles parked on the pathway will restrict access to the community facilities that they currently use and also the Health and Safety of having to manoeuvre round the parked vehicles at times by having to access a busy road. This has been our experience with the building works that have occurred with the construction that has already commenced on the opposite side of this property.
4. The proposed development frontage onto Adeyfield Road is completely out of character with the rest of the domestic properties along the road. It completely changes the aspect and degrades the visual look. Three story terrace housing of the design proposed is not appropriate. Even the development further down the road has maintained the frontage character and this should be applied to any proposed development at 39A.
5. I have concerns regarding the impact of another numerous vehicles accessing a busy road. Adeyfield Road is a main link road to the industrial area and the M1 motorway for many people. It has at least 5 bus routes including an express service to London. The road is used frequently by emergency services on 'blue light' calls to access the motorway. The proposed access road to this development will be on a particularly hazardous blind spot, just below the top of the hill. Over the last few years at least 2 serious accidents have happened on this road. A new development further down the road has already increased the potential risks and it is my view that adding to that risk would be dangerous. The proposed development should be reduced in size to reduce the risk.
6. The proposed plans show that it is the developer's intention to provide an access road between 39A and 41, by excavating and widening the current access to 39A. 41 Adeyfield Road has a history of severe subsidence along this boundary due to the ground conditions and slope. Creating access to the proposed development by excavations will seriously put the property at 41 at risk.

41 Adeyfield Road - OBJECT

- Very serious risk of landslide due to cutting back of the bank that supports the house.
- danger and difficulties of vehicle access to the site

- parking on a very busy main road posing a real danger to traffic and pedestrians
- screening effect on properties in the development on 39 (care home) and 41 adeyfield road

43 Adeyfield Road - OBJECT

- the proposed frontage onto adeyfield road is completely out of keeping with the rest of the domestic properties along the road. It completely changes the aspect and degrades the visual look. Three storey terrace housing of the design proposed is not appropriate. even the development down the road has maintained the frontage character and this should be applied to any proposed development at 39a
- concerns over another 8+ cars accessing the busy road. this is a main road with at least 5 bus routes. The proposed access to this site would be on a particularly hazardous blind spot, just below the top of the hill. the current residents always turn up the road when leaving their property go up to the roundabout to turn back down. the new development down the road has already increased the potential risks and adding to this risk would be dangerous. the development should be reduced in size to reduce the risk.
- the plans show an access road between 39a and 41, the area has a history of severe subsidence. the development would put the adjacent property at risk.
- the property below no. 39a is a single storey residential home, it already has a large development on one side which overpowers the residence. the proposed development will further shadow the property in an unacceptable way reducing privacy and light.

45 Adeyfield Road - OBJECT;

there have been so many traffic problems in the road whilst the development (11 new dwellings on a blind bend) further down the hill has been constructed. this is an accident waiting to happen and the situation will not improve once the development opens.

over the years the use of the road has increased and it is now a very busy road, being one of the many thoroughfares to and from the town centre from the M25 / M1

- the bungalow below is a residential care home for severely impaired people and they were not notified of the 11 dwelling development which completely towers over their privacy. If the current proposal goes ahead they will be completely surrounded.
- the implications of all the additional cars to the development that is nearly complete is very worrying let alone if we have to endure another massive building project.
- new 30mph signs have recently been installed but the only people who take note of these are residents and their families. very few others adhere to it.
- even now there are cars parked on the pavements which makes it very difficult for families with pushchairs etc to pass.

Amended Plans;

39a Adeyfield Road;

I have reviewed the new application for this development. Whilst it goes some way to take into account the character of the road it does not address the fundamental issue of the proposed building in the garden overshadowing the Care Home at 39 Adeyfield Road.

The slope of land from 39A to 39 is considerable and the proposed development will dominate and oppress the single-story care home. A visit to 39 Adeyfield Road will quickly see that the current 39A dwelling has had to have a concrete retaining wall to stop it sliding into 39 Adeyfield Road.

41 Adeyfield Road;

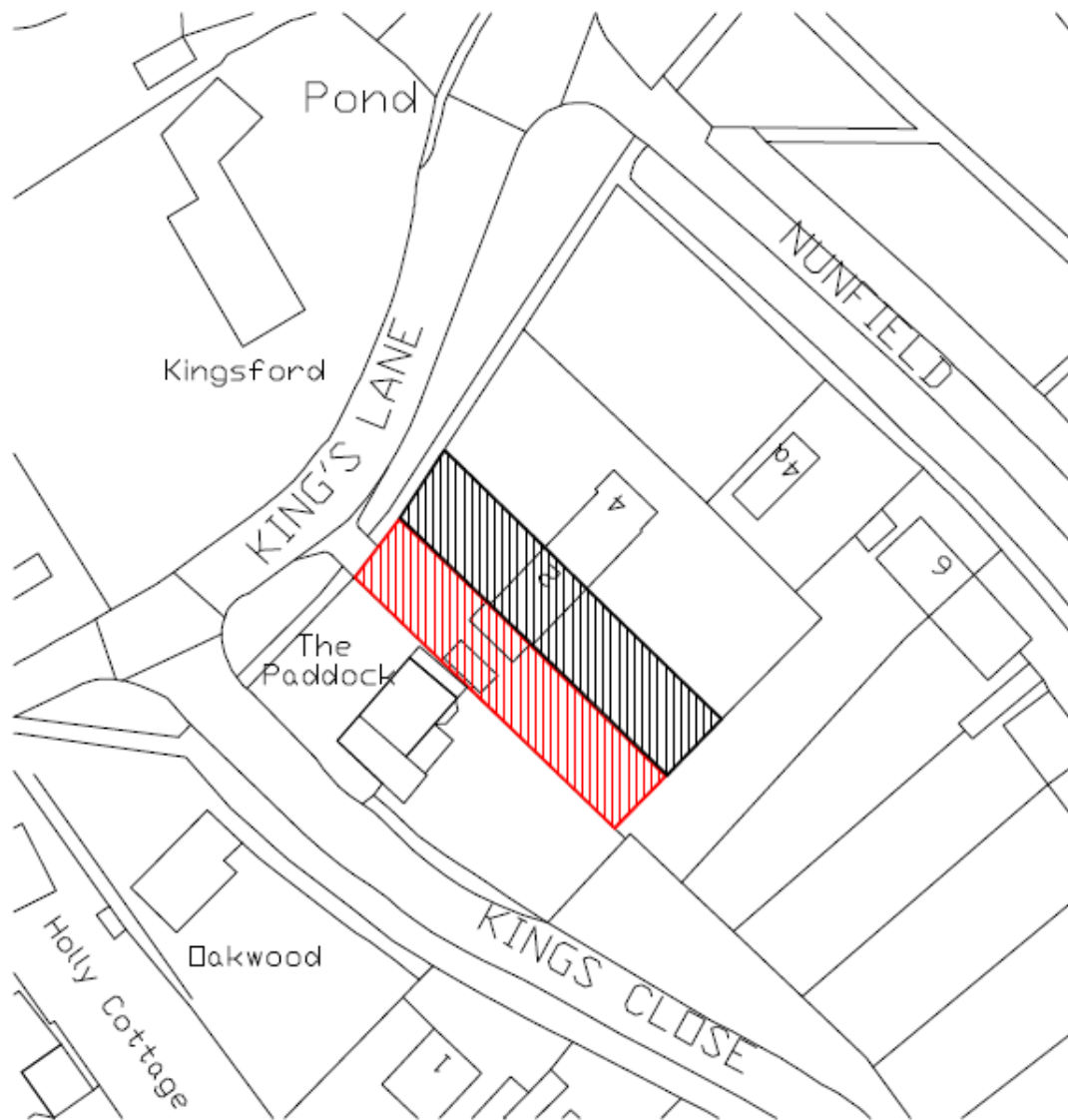
We would like to comment on the change to the plans for the above property, detailed in your letter of 28 June. We note that there is an attempt to make the proposed new properties more aesthetically appealing but they are now slightly taller than on the original proposal, a point which we and our neighbours, objected to. This small change has no relevance to our original complaints. Whatever way this proposal is dressed up, it is still a development of three terraced houses in an area of detached houses and is therefore not in keeping with other properties here.

Our key objection is the construction of a road to provide access bordering our house, which will necessitate the removal of the bank that supports our property, and put our house in very serious danger of landslip and collapse. As well as destabilising the structure and foundations of our property, any vehicles using this road will also add to noise and air pollution to our property and garden.

Our previous correspondence of 5 March detailed our objections, and this cosmetic tweak to the plans in no way satisfies any of these objections. We look forward to attending the meeting of the panel which you indicated would be the next stage of the application process and wait to hear from you regarding the date.

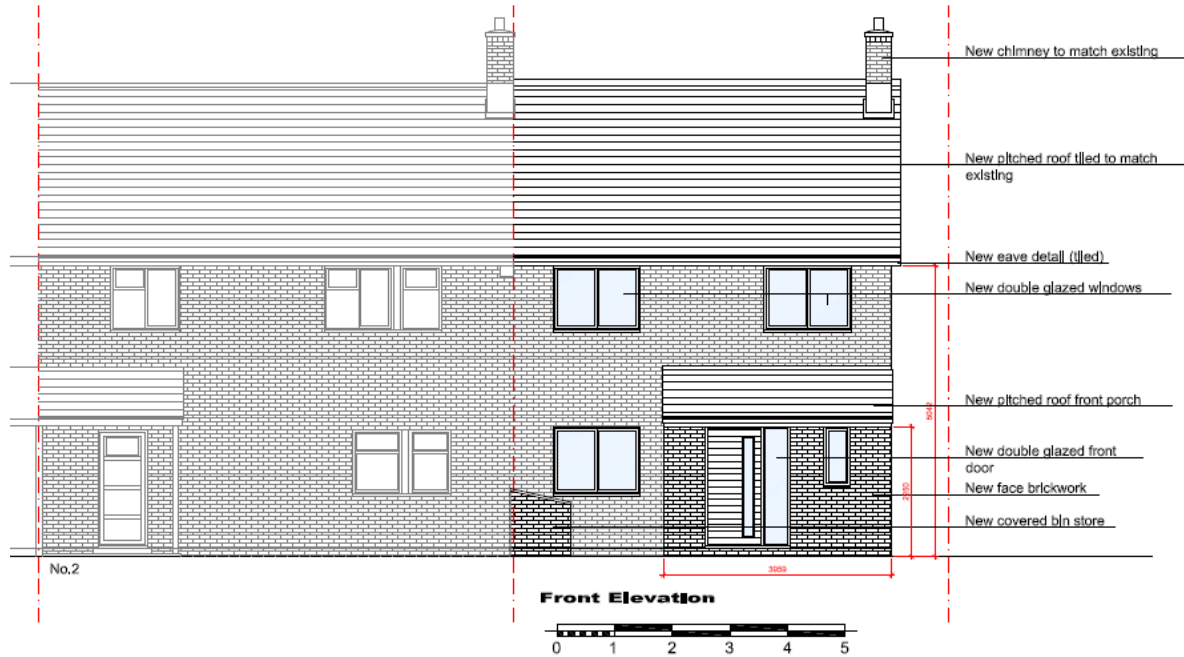
**4/00419/18/FUL DEMOLITION OF EXISTING DETACHED GARAGE AND
FLAT ROOF SIDE EXTENSION. CONSTRUCTION OF NEW 2 BEDROOM
DWELLING.**

2 NUNFIELD, CHIPPERFIELD, KINGS LANGLEY, WD4 9EW



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FLAT ROOF SIDE EXTENSION. CONSTRUCTION OF NEW 2 BEDROOM
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4/00419/18/FUL	DEMOLITION OF EXISTING DETACHED GARAGE AND FLAT ROOF SIDE EXTENSION. CONSTRUCTION OF NEW 2 BEDROOM DWELLING.
Site Address	2 NUNFIELD, CHIPPERFIELD, KINGS LANGLEY, WD4 9EW
Applicant	Cahoon Developments, Kingsmead
Case Officer	James Gardner
Referral to Committee	Called-in by Ward Councillor

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 This application relates to the construction of an infill dwelling. Infilling is defined as a form of development whereby buildings are constructed within a gap along a clearly identifiable build up frontage of within a group of buildings. The principle of infill dwellings is acceptable in Chipperfield and would help to maintain important services and facilities – i.e. post office, churches, pubs, village school, village store, coffee shop etc.

The construction of this dwelling would not adversely affect the character and appearance of the area or the residential amenity of neighbouring properties. The proposal is considered to broadly comply with the relevant local and national planning policies.

3. Site Description

3.1 The application site forms one of a semi-detached pair with gabled roofs and painted brick walls. It is set back from the highway and the front garden is partially enclosed by an established boundary hedge. A detached garage and a concrete / crazy paved hardstanding are located to one side. The remaining area is laid to lawn and includes soft planting. Number 2 is flat fronted and has little in the way of architectural detailing, although does benefit from a modest porch with a mono-pitched roof

3.2 The immediate area is of mixed character, comprising large detached dwellings on the north-western side of Kings Lane and more modest semi-detached dwellings within Nunfield.

4. Proposal

4.1 The proposal comprises the demolition of an existing flat-roofed side extension and single storey detached garage and the construction of a 2-bedroom dwelling, forming a terrace of three dwellings.

The dwelling would match the simple yet pleasing architectural style of the parent dwelling and its counterpart (no. 4 Nunfield).

5. Relevant Planning History

No recent history.

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, CS6, CS8, CS9, CS11, CS12, CS17, CS18, CS19, CS20, CS29, CS32, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 57, 58

Appendices 3, 5, 7.

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Landscape Character Assessment (May 2004)
- Affordable Housing (Jan 2013)
- Chipperfield Village Design Statement

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)
- Conservation Area Character Appraisal for Chipperfield.

7. Constraints

- CIL2
- Small Village
- Area of Special Control for Adverts
- Green Belt

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

9.1 Main issues

The main issues to consider are:

- Policy and principle
- Impact on Residential Amenity
- Impact on Character and Appearance of Area
- Impact on Setting of Chipperfield Conservation Area
- Impact on Trees and Landscaping
- Impact on Highway Safety
- Other Material Planning Considerations

Policy and Principle

9.2 Policy CS1 states that the rural character of the borough will be conserved and that development which:

- Supports the vitality and viability of local communities; and
- Causes no damage to the existing character of a village and/or surrounding area; and
- Is compatible with policies protecting and enhancing the Green Belt will be supported.

Policy CS6 provides for limited infilling with affordable housing for local people provided the development is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact. An additional requirement is that the development retains and protects features essential to the character and appearance of the village.

Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy.

Chipperfield is a designated small village within the Green Belt and as such the principle of infilling is ostensibly acceptable provided that it provides affordable housing for local people. Regard must, however, be had to the Affordable Housing SPD - Clarification Note (published in March 2015) which states that areas falling within the "rural area" as defined in the Clarification Note only need to provide affordable housing where the scheme creates 6 or more units.

The National Planning Policy Framework encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Paragraph 89 confirms that limited infilling in villages is acceptable in Green Belt terms.

Saved Policy 10 of the Dacorum Core Strategy (2004) seeks to optimise the use of available land within urban area. Optimising the use of urban land assists in safeguarding the countryside from encroachment.

Impact on Residential Amenity

9.3 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the proposed development is acceptable. Policy CS12 states that development should avoid visual intrusion, loss of light and loss of privacy. Saved Appendix 3 of the DBLP contains guidance on layout and design for new developments. Whilst guidance is provided as regards the separation distances between rear walls (23 metres), there is no minimum distance for flank walls.

9.3.1 Visual Intrusion

There is no statutory planning definition of visual intrusion or whether development is overbearing. The proximity of built development, height, mass and bulk, topography, orientation and the existing layouts of adjoining dwellings are all relevant factors. As such, whether development is visually intrusive or overbearing is a matter of planning judgement.

Consideration has been given to the individual characteristics of the application site and the spatial relationship which would exist between the new dwelling and The Paddock.

The proposed dwelling would be 8.27 metres high and utilise a gable roof form. It would be of identical height to the parent dwelling at no. 2 Nunfield and provide a similar visual appearance when viewed from The Paddock. This height is considered to be domestic in scale and not

unprecedented in residential areas. A separation distance of between 1 and 3 metres would be maintained between the new flank walls and the boundary. Furthermore, the extent of the two-storey built form would not extend beyond the rear wall of The Paddock by an excessive degree; indeed, this would equate to 1.68 metres in the case of the flank wall located 1 metre from the boundary and 3.56 metres in the case of the flank wall located 3 metres from the boundary.

The Paddock does not benefit from any windows on the flank wall fronting the application site, and as such no windows would directly observe the development. Visibility of the development would be limited to the windows on the rear elevation and from within the garden itself. The orientation of these windows means that the primary aspect is toward the rear of the garden, not the application site. Whilst built form would be brought noticeably closer when viewed from the garden, in and of itself, this is not considered to be harmful. The distances involved are not dissimilar to those which exist between the row of detached houses to the north of the site (also located on Kings Lane); namely, Redcroft, 5 Kings Lane, September Cottage and Broom Cottage.

9.3.2 Loss of Light

The Building Research Establishment's (BRE) 'Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)' has been considered by the applicant.

Saved Appendices 3 and 7 of the Dacorum Local Plan (2004) remain relevant post adoption of the Core Strategy. Appendix 3 states that development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained and that a 45 degree angle of light should be maintained as a basic minimum to all significant windows of habitable rooms. Saved Appendix 7 states that two-storey extensions up to the lines of 45 degree angles taken from the nearest windows of habitable rooms in adjacent properties are generally acceptable.

The '45 degree test' has been demonstrated on drawing no. 2 Revision H. However, as there was some ambiguity as to whether the development in its current form complies with the aforementioned test, the applicant has commissioned Right of Light Consulting Chartered Surveyors to conduct a daylight assessment of the impacts of the proposed development on the Paddock. Where development does not meet the 45 degree test it does not necessarily mean that there would be significant harm; rather, there is merely a potential for there to be negative impacts.

The assessment which has been carried out is based on the numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. The tests comprise the Vertical Sky Component, Daylight Distribution, Annual Probable Daylight Sunlight Hours (in relation to both availability of sunlight to windows and overshadowing of gardens and open space).

The Executive Summary to the daylight assessment states that:

The results confirm that all main neighbouring windows pass the BRE diffuse daylight and direct sunlight tests. The development also satisfied the BRE overshadowing to gardens and open spaces requirements.

In summary, the proposed development will have a low impact on the light receivable by its neighbouring properties. Right of Light Consulting confirms that the development satisfies all the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'.

9.3.3 Loss of Privacy

The proposed dwelling has been designed in a way that minimises potential overlooking. Two windows are proposed to be inserted on the rear elevation of the new dwelling. The window nearest the Paddock would serve a bathroom and thus the expectation is that it would be fitted with obscure glass. Should planning permission to be granted a condition would be imposed requiring the window to remain obscure glazed in perpetuity. The second window is indicated on the floor plans as serving a bedroom. The centre of the window would be set in from the common boundary by approximately 5.35 metres and located approximately 3.85 metres forward of the original rear wall of the Paddocks. The window would afford oblique views of the top half of the rear garden, and these views would not be considerably different to those already afforded by the first floor windows of the existing dwelling. In a residential setting a certain level of mutual overlooking is not unexpected. The primary concern is protecting privacy within the house and the sitting-out area immediately adjacent to the rear elevation. A window serving a staircase is proposed at first floor level in the flank wall of the new dwelling, but would be obscure glazed and therefore would not result in any loss of privacy.

Impact on Character and Appearance of Area

9.4 Density

Policy CS11 of the Dacorum Core Strategy (2013) states that, within settlements and neighbourhoods, development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes and protect or enhance significant views within character areas.

Saved Policy 21 of the Dacorum Local Plan (2004) provides guidance pertaining to density:

Careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land.

Densities will generally be expected in the range of 30 to 50 dwellings per hectare net.

Higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centre.

Proposals which have a density of below 30 dwellings per hectare net should be avoided.

For sites at the edge of an urban area, special attention will be paid to the effect of development on open countryside and views. In such locations proposals will be expected to retain existing trees and hedges and incorporate appropriate landscaping in order to achieve a soft edge to the countryside.

The density of the area is mixed, with the northern side of King Lane being low density and the Nunfield estate and Kings Close being higher in density. The application site is in relatively close proximity to these areas of higher density, all of which contribute to the overall character of the area. The area as a whole must be taken into account, not just constituent parts of it.

Housing density can be measured in a number of ways:

- Number of dwellings per hectare (dph)
- Number of habitable rooms.
- Quantity of floor area.

Dwellings per hectare is the most commonly used measure and therefore it is considered appropriate to use this to analyse the proposal.

The current density of the application site and its counterpart (no. 4 Nunfield) is 16.6 dwellings/HA. The addition of a further dwelling would increase the density to 25 dwellings/HA. This is not considered to be out keeping with the average density of the area.

It is acknowledged that density cannot necessarily be assessed purely in terms of mathematics. Indeed, it is also important to consider how the townscape is experienced by persons moving through it. In light of the concerns raised in connection with the impact on the character of the area, the importance of the existing gap between no. 2 Nunfield and The Paddock needs to be considered.

Policy CS6 of the Dacorum Core Strategy and the National Planning Policy Framework are supportive of infilling within villages. Infilling will inevitably result in an increase in density and, by definition, involves filling in a gap in a built-up frontage. It must be conceded that there will be instances where it is not appropriate to fill in a such gaps – for example where it represents an important visual break that frames a viewpoint.

Owing to the curvature of the road, existing boundary treatment and set back from the road, the gap in question is not visible in the street when travelling along Kings Lane from the direction of Chipperfield Common. It is only when standing directly in front of the site that the gap becomes perceptible.

When travelling from the direction of Langley Road, the presence of a mature tree on the grass verge, the verdant frontage and the considerable set-back from the road mean that the gap between no. 2 Nunfield and The Paddock is not conspicuous.

The gap does not contribute to serial views and, furthermore, is not particularly wide; nor does it afford views of open countryside or important landscape features beyond.

The construction of a new dwelling would not appreciably add or detract from the rural setting. On this basis infilling in this location would not give the area a more urban feel. Although close to open countryside the application site backs onto the rear gardens of the dwellings within the Nunfield estate and an associated garage block.

Whilst it has been asserted that the application constitutes overdevelopment of the site, no further information has been provided to back up this statement. The dwelling would not be unduly cramped and would benefit from a side access, ample rear garden, and sufficient parking to the front. Under permitted development a side extension of up to half the width of the original dwelling (5.37 metres) could be constructed without planning permission, resulting in built development extending right up to the boundary with the Paddock.

Design and Quality of Development

9.5 In visual terms the dwelling is considered acceptable, clearly taking its visual cues from the parent dwelling and no. 4 Nunfield. Together they form a cohesive and attractive group within the street.

A two-storey forward projecting gable was originally proposed but was considered to be too dominant within the street and replaced by a single storey front extension. A false chimney is to be provided to aid integration with the other dwellings and give a traditional feel. Materials are to match the parent dwelling –i.e. painted brickwork and matching roof tiles.

The two-storey element to the rear of the new dwelling is shown as being rendered. This does not raise any particular concerns for two reasons. Firstly, with one exception (adjacent to no. 4a Nunfield), the rear extension would not be readily visible from public vantage points, and

then this would be from a distance in excess of 40 metres. Secondly, the distance is such that, for all intents and purposes, there would be no visual difference between painted brick and painted render; indeed, even from a much shorter distance the visual difference is by no means striking or obvious. The specific wording of policy CS12 also needs to be considered. The word “respect” should not be conflated with “identical”. Clearly, development can respect adjoining properties in terms of materials without being an exact duplicate.

It has been suggested that a terraced house would not be in keeping with the general character of the area. There are, however, numerous examples of terraced houses in Chipperfield and therefore it is difficult to see how the creation of a terrace along Kings Lane would be so harmful to the character of the village as to warrant a refusal of planning permission; indeed, there are two sets of terraces opposite the entrance to Kings Lane, on Chapel Croft. Additionally, development in historic parts of villages, towns and cities is often characterised by an eclectic mix of dwelling types and designs.

Saved Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. In the case of dwellings there is an expectation that areas of amenity space are positioned to the rear of the dwelling and have an average minimum depth of 11.5 metres.

The plans indicate that a garden depth of approximately 16.00 metres (D) x 7.50 metres (W) would be provided. In all respects this is considered acceptable, allowing enough space for a diverse range of outdoor residential uses.

Impact on Setting of Chipperfield Conservation Area

9.6 Whilst the application site does not fall within the boundary of the Chipperfield Conservation Area, it is located within close proximity.

The Conservation and Design Officer has been consulted and provided the following comments.

The proposed new dwelling is of a similar scale and proportion to the existing dwellings. However there is a forward projection containing a hall, bathroom and bedroom. It would be recommended that the design detail of this be reconsidered and simplified to match the existing cottages. The porch should be changed to a monopitch, the barge boards removed and the first floor bedroom window should match the proportions of the original dwelling. It would also be recommended that the brick corbled details below the eaves be copied from the original building and added to the proposed new dwelling. We believe that these changes would allow the proposed building to sit quietly in the background and not impact on the setting of the conservation area.

Our bigger concern would be the impact on the landscape to the frontage. We believe that this needs to alter as little as possible and retain planting to the frontage. The drives should be of a high quality material perhaps a bound gravel. To reflect the character of the area. Planting including tree planting is welcome and should be covered by condition.

Recommendation: We would not object to the proposals but would recommend that the design be reviewed and that if the alterations are considered acceptable that materials and in particular the landscaping are conditioned.

The relevant design amendments have been made in accordance with the Conservation Officer’s advice.

The Chipperfield Conservation Area Appraisal identifies 5 distinct areas within the conservation

area. The application site falls just outside of Area 4 so it is relevant to consider the information provided therein.

In summarising the local character, the conservation area appraisal states that:

The houses in Area 4 represent an eclectic assortment of styles that capture the changes in suburban house types through each decade of the C20th. One or two adopt interesting design features – the framed chalet bungalow in Kings Lane with flint infill panels, for example. Later C20th developments have slotted in cottages such as Didsbury Cottages which complement and enhance the Conservation Area.

The above illustrates that C20th developments need not have a harmful impact on the Conservation Area and that a variety of designs are not incompatible in this location.

Impact on Trees and Landscaping

9.7 Given the sylvan nature of the area it is considered important that the addition of a new dwelling does not have a detrimental impact on the feel of the area. From pre-application stage the advice given to the applicant has been that a robust landscaping scheme would be an important part of any future submission.

In response, it is noted that, wherever possible, the existing hedgerow fronting the site is to be retained. An area of lawn is to be included and a new hedgerow is to be planted in order to separate the respective curtilages. The use of tandem-style parking would allow for the inclusion of greater levels of landscaping and avoid large areas dominated by car parking, which is actively discouraged by Policy CS12 of the Core Strategy.

The Trees and Woodlands Officer has not raised any concerns in respect of the application, although has requested details of the type of hedge to be used to separate the parking bays.

Impact on Highway Safety

9.8 It is proposed to utilise the existing access onto Kings Lane with an additional access being constructed to serve the parent dwelling (no. 2 Nunfield). This forms part of planning application 4/00421/18/FHA. The Highway Authority have been consulted and have confirmed they do not wish to restrict the grant of planning permission.

A permeable driveway with tandem-style parking for up to 2 vehicles would serve the new dwelling. Under saved Appendix 5 of the Dacorum Local Plan (2004), a 2-bedroom dwelling gives rise to a maximum parking standard of 1.5 spaces. As a result, the proposal exceeds the maximum standard and does not give rise to any undue concerns. The more general requirement of Policy CS12 – that sufficient parking is provided – is also considered to be satisfied.

Should planning permission be granted, details of the surfacing materials are to be reserved by condition.

The limited scale of the development is such that a Construction Traffic Management Plan (CTMP) is not considered to be necessary.

Other Material Planning Considerations

9.9 Refuse

A brick-built covered bin store with space for up to 3 wheelie bins is shown on both the floor plans and elevations. This would ensure an acceptable visual appearance and would be

eminently more practical than storage in the rear garden.

Response to Neighbour comments

9.10 These points have been addressed above other than those listed below.

- *“My client’s property is not correctly illustrated on the drawings appended to the application i.e. the applicant has omitted the side extension and rear conservatory. This maybe has been done to their advantage in order to achieve the statutory 45° sight line.*

The proposed plans have falsely illustrated the properties to be parallel, whilst in fact they are not. We feel the submitted drawings and therefore unacceptable in their current state and misleading.”

The side extension has been rendered on the most recent plans, and the rear extension of the proposed dwelling has been reduced in depth in order to ensure that a 45 degree line is achieved. The base map has been based on data from Ordnance Survey.

- *“It is noted that the applicant has submitted two separate planning applications, however the drawings contained with the application 4/00419/18/FUL has incorporated the rear extension which is subject of approval under application4/00421/18/FHA. This is a wellknown planning tactic in order to confuse the local authority. The applications should be updated to reflect and illustrate the existing arrangement. Furthermore, it should be noted that my client only received notification concerning Planning Application 4/00421/18/FHA.”*

The most recent plans satisfactorily the address the issue raised above and now accurately reflect the existing arrangement.

- *“The application refers to ‘internal alterations.’ From reviewing the drawings provided, the internal alterations are minor in nature, the content of which will not require planning permission. It is considered that this terminology has been used in order to deter the Local Authority leading them to believe that the application is not as extensive as it is.”*

The Local Planning Authority is satisfied with the description used. Planning application 4/00419/19/FHA does indeed include internal alterations to the existing property.

- *“Notwithstanding the potential structural adverse impact that may be caused by close excavations, insufficient information has been provided within the application as to the extent of excavation works and the type of foundations proposed and what steps shall be taken to protect the neighbouring property. This extremely important detail which needs to be confirmed prior to the application being considered since the type may have adverse effects on the surrounding land and properties.”*

This level of information is not relevant to the planning application currently being considered as it is covered by other legislation – i.e. Party Wall Act and Building Regulations.

- *“The application does not include a Design and Access Statement, which we feel has an obstructing significance on the effectiveness of such an application. A Design and Access Statement illustrates, explains and justifies the form of the development, addressing both design and access and demonstrating how each informs the other.*

Absence of such document therefore raises the questions whether such procedure have been followed, considered and taken into account.”

The application site does not fall within a conservation area and is not a major application. As a result, a Design and Access Statement is not a statutory validation requirement.

- *“No construction traffic management plan has been provided. Concern is expressed regarding the usage of the single carriageway for the purpose of building material delivery and spoil excavation removal. The CTMP is a document integral to the granting of planning permission for the traffic management protocol and without it the application is null and void and possible health and safety issue. Concern is further expressed in this regard since the road goes into one lane thereby the presents of large construction vehicles block the view of the road users.”*

The scale of the development is limited and therefore a Construction Traffic Management Plan (CTMP) is not considered to be necessary. CTMPs are typically only sought for large scale development such as housing estates, or basement development where considerable soil excavation would be taking place. Additionally, the Highway Authority has been consulted but have not requested a CTMP.

- *“Policy CS12 (g vii) states ‘the development must respect adjoining properties in terms of materials.’ It is noted that the front elevation windows are not identical to those of the adjoining property. Furthermore, a new style front roof porch is proposed which is not corresponding with the neighbour. It is also noted that the rear extension shall be rendered, whilst the adjoining properties elevation brickwork is painted and not rendered. The development is therefore neither in keeping with the character and makeup of the subject/adjoining property and is in direct contradiction to your guidelines, in particular Dacorum Borough Local Plan 1991-2011 adopted 21 April 2004 Appendix 3 – A3.1, A3.6 (iv) Appendix 7 - A7.2 i (a, c and d), ii (b, c), (v).”*

Concern was raised in connection with the visual appearance of the front elevation of the proposed dwelling. In response, the dimensions of the windows have been altered to match those of no. 2 Nunfield and the two-storey forward projecting gable has been removed in order to ensure that the new dwelling satisfactorily integrates with the existing semi-detached dwellings – i.e. nos. 2 and 4 Nunfield.

- *“Neither the application, nor the proposed drawings provide any informative information on how the additional rainwater shall be drained from the additional proposed roof. Location of guttering, downpipes are underground drainage network has not been specified. We consider that due to the proximity of the surrounding properties and neighbouring fields, this matter should be provided within the planning application.”*

This is a matter for building control and does not fall within the remit of planning. The grant of planning permission does not discharge the applicant’s responsibilities to comply with other regulatory regimes.

- *“It is considered that the approval of this substantial development may nurture further successive development which will put the character of the area at radial risk which may eventually result in cramped forms of development which will greatly reduce the outlook and landscape amenity currently afforded to the existing residents.”*

Each case is judged on its own merits. It does not stand to reason that other

applications in the area would be deemed acceptable.

- *“It should be noted the applicant's property is situated in a quiet secluded village and therefore the opposition to this development may not be as vocal when compared to a more highly densely populated town such a Hemel Hempstead etc. This should be taken into account when considering this application.”*

Objections have been received and will be given due consideration.

CIL (Community Infrastructure Levy)

9.11 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 CIL liable.

10. Conclusions

10.1 The proposed dwelling has been carefully designed to integrate with the existing dwelling and its counterpart (no. 4 Nunfield). As demonstrated by the BRE daylight / sunlight assessment, there would be no adverse impacts on receiveable light to The Paddocks. The site is not prominent within the street and therefore would not be detrimental to the character and appearance of the area. Sufficient and convenient off-road parking would be provided on-site. Taking all the above into account, it is considered that the proposal broadly complies with the relevant planning policies and thus permission should be granted.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>01 Rev. F 02 Rev. H 03 Rev. E</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>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.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with saved Appendix 7 of the Dacorum Local Plan and Policy CS12 of the Core Strategy.</p>

	<p>Reason: In the interests of the visual amenities of the Conservation Area, in accordance with Policy CS27 of the Core Strategy.</p>
4	<p>No development (except demolition) 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; 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; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); retained historic landscape features and proposals for restoration, where relevant.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Policies CS6, CS12 and CS27 of the Core Strategy.</p>
5	<p>The dwelling hereby approved shall not be occupied until the refuse storage facilities shown on drawing nos. 02 Rev. H and 03 Rev. E have been provided. These facilities shall thereafter be permanently retained.</p> <p>Reason: To accord with Policy 129 of the Dacorum Borough Local Plan 1991-2011.</p>
6	<p>The dwelling hereby approved shall not be occupied until the front and side elevations (excluding the sections annotated as being rendered) have been externally painted in a colour matching no. 2 Nunfield.</p> <p>Reason: In the interests of the visual amenity of the area, in accordance with Policies CS12 and CS27 of the Core Strategy. Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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> <p>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</p>

<p>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.</p> <p>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.</p> <p>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.</p>
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Appendix A

Consultation responses

Thames Water Utilities	No comments received.
DBC Strategic Planning	No comment.
DBC Building Control	No comments received.
DBC Conservation	<p>The existing dwellings are a pair of mid 20th century houses. They are two storey painted brick with a tiled roof and monopitch porches. In general they have a simple form and lack elaboration or detailing. The adjacent area contains planting and trees. The site is not within the conservation area but is located adjacent to it.</p> <p>The proposed rear extension would not impact on the character of the conservation area.</p> <p>The proposed new dwelling is of a similar scale and proportion to the existing dwellings. However there is a forward projection containing a hall, bathroom and bedroom. It would be recommended that the design detail of this be reconsidered and simplified to match the existing cottages. The porch should be changed to a monopitch, the barge boards removed and the first floor bedroom window should match the proportions of the original dwelling. It would also be recommended that the brick corbelled details below the eaves be copied from the original</p>

<p>Hertfordshire Highways</p>	<p>building and added to the proposed new dwelling. We believe that these changes would allow the proposed building to sit quietly in the background and not impact on the setting of the conservation area.</p> <p>Our bigger concern would be the impact on the landscape to the frontage. We believe that this needs to alter as little as possible and retain planting to the frontage. The drives should be of a high quality material perhaps a bound gravel. To reflect the character of the area. Planting including tree planting is welcome and should be covered by condition.</p> <p>Recommendation We would not object to the proposals but would recommend that the design be reviewed and that if the alterations are considered acceptable that materials and in particular the landscaping are conditioned.</p> <p><u>16/04/18</u></p> <p>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.</p> <p>Informative:</p> <p>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.</p> <p>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 by telephoning 0300 1234047.</p> <p>Obstruction of the highway</p> <p>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</p>
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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 detached garage and flat roof side extension and erection of a 3 bedrooms dwelling. This application is to be assessed in conjunction with two storey rear extension house holder application

Site and Surrounding

The site is located at no 2 Nunfield in Chipperfield. This is an unclassified local access road some 160m in length. The site is located at the corner plot of Nunfield and Kings Lane. Kings Lane is also an unclassified local access road.

Accessibility

The application site is not within a sustainable location but it is within the residential neighbourhood.

Vehicular Access and parking

There is existing on-site car parking provision at present linked to the existing development site. The existing vehicle crossover is from Kings Lane nearer to its junction with Kings Close. The applicant proposal appears to provide new parking and Vehicle Crossover as part of the two storey rear extension of the house holder application. Hence the proposal is to utilise the existing parking and vehicle crossover to the current application for the erection of 3 bedroom house.

Both VXOs are to be from Kings Lane. The parking layout such as for one car to be parked behind the other is not ideal, but the road is low traffic local residential road. In view of the above the highway authority does not wish to raise any objection.

Conclusion

The Highway Authority does not wish to restrict the grant of

<p>DBC Trees and Woodlands</p> <p>Chipperfield Parish Council</p>	<p>consent subject to the above advisory notes</p> <p><u>05/06/18</u></p> <p>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.</p> <p>Proposed amendments have no impact on the access and parking arrangement. The highways response is same as the previous response.</p> <p>There are no trees or landscape issues that are a constraint to development.</p> <p>Please condition detail for proposed hedge that will separate parking areas.</p> <p>Hornbeam/Holly at 7:3 would be suitable or something similar.</p> <p>CPC supports this application, subject to DBC case officer being completely satisfied that the 45 deg rule will be correctly applied.</p>
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DBC - CONSERVATION	No Objection
<p>The existing dwellings are a pair of mid 20th century houses. They are two storey painted brick with a tiled roof and monopitch porches. In general they have a simple form and lack elaboration or detailing. The adjacent area contains planting and trees. The site is not within the conservation area but is located adjacent to it.</p> <p>The proposed rear extension would not impact on the character of the conservation area.</p> <p>The proposed new dwelling is of a similar scale and proportion to the existing dwellings. However there is a forward projection containing a hall, bathroom and bedroom. It would be recommended that the design detail of this be reconsidered and simplified to match the existing cottages. The porch should be changed to a monopitch, the barge boards removed and the first floor bedroom window should match the proportions of the original dwelling. It would also be recommended that the brick corbelled details below the eaves be copied from the original building and added to the proposed new dwelling. We believe that these changes would allow the proposed building to sit quietly in the background and not impact on the setting of the conservation area.</p> <p>Our bigger concern would be the impact on the landscape to the frontage. We believe that</p>	

this needs to alter as little as possible and retain planting to the frontage. The drives should be of a high quality material perhaps a bound gravel. To reflect the character of the area. Planting including tree planting is welcome and should be covered by condition.

Recommendation We would not object to the proposals but would recommend that the design be reviewed and that if the alterations are considered acceptable that materials and in particular the landscaping are conditioned.

HCC - Dacorum Network Area	No Objection
<p>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.</p> <p>Proposed amendments have no impact on the access and parking arrangement. The highways response is same as the previous response.</p>	

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
<p>The Paddock, Kings Lane, Chipperfield</p>	<p>I'm concerned at the scale of the proposed development. The addition of such a large extension will significantly reduce the amount of light coming into our property, particularly our patio and conservatory area.</p> <p>The addition of an extra property adjacent to our own will hugely reduction our privacy.</p> <p>Also given the property is a semi detached building its vital that aesthetically the look of this development matches the existing style remaining in keeping with the semi detached side of the property that is not being developed. I'm concerned the symmetry of the existing property will be lost and the building will end up looking an eye sore. The plans seems to indicate the development isn't going to match the remaining property not under development. This is going to look unattractive and incongruous with the rest of the Nunfield housing estate.</p>
<p>Simon Levy Associates, Link House, 49 Theobald Street, Borehamwood (on behalf of The Paddock)</p>	<p>My firm acts for Mr & Mrs Crabtree, the resident owners to The Paddock, Kings Lane Chipperfield Kings Lane WD4 9EW, situated adjacent to 2 Nunfield which forms the subject of the above described planning applications for the demolition of the existing detached garage and construction of a three-bed dwelling and substantial rear two storey extension</p> <p>1 OBSERVATIONS AND OBJECTION</p> <p>1.01 Firstly, it should be noted that there are several</p>

discrepancies contained within the application. For ease I list these as follows:

- My client's property is not correctly illustrated on the drawings appended to the application i.e. the applicant has omitted the side extension and rear conservatory. This maybe have been done to their advantage in order to achieve the statutory 45° sight line.
- The proposed plans have falsely illustrated the properties to be parallel, whilst in fact they are not. We feel the submitted drawings and therefore unacceptable in their current state and misleading.
- It is noted that the applicant has submitted two separate planning applications, however the drawings contained with the application 4/00419/18/FUL has incorporated the rear extension which is subject of approval under application 4/00421/18/FHA. This is a well-known planning tactic in order to confuse the local authority. The applications should be updated to reflect and illustrate the existing arrangement. Furthermore, it should be noted that my client only received notification concerning Planning Application 4/00421/18/FHA.
- The application refers to 'internal alterations.' From reviewing the drawings provided, the internal alterations are minor in nature, the content of which will not require planning permission. It is considered that this terminology has been used in order to deter the Local Authority leading them to believe that the application is not as extensive as it is.

1.02 Notwithstanding the potential structural adverse impact that may be caused by close excavations, insufficient information has been provided within the application as to the extent of excavation works and the type of foundations proposed and what steps shall be taken to protect the neighbouring property. This extremely important detail which needs to be confirmed prior to the application being considered since the type may have adverse effects on the surrounding land and properties.

1.03 The application does not include a Design and Access Statement, which we feel has an obstructing significance on the effectiveness of such an application. A Design and Access Statement illustrates, explains and justifies the form of the development, addressing both design and access and demonstrating how each informs the other. Absence of such document therefore raises the questions whether such procedure have been followed, considered and taken into account.

1.04 No construction traffic management plan has been provided. Concern is expressed regarding the usage of the single carriageway for the purpose of building material delivery and spoil excavation removal. The CTMP is a document integral to the granting of planning permission for

the traffic management protocol and without it the application is null and void and possible health and safety issue. Concern is further expressed in this regard since the road goes into one lane thereby the presents of large construction vehicles block the view of the road users.

1.05 We believe that both applications contradict numerous policies outlined in your Core Strategy 2006 - 2031 (Adopted 25th September 2013) in particularly CS6, CS10, CS11 and CS12. As example of this is Policy CS12 which explicitly states that the development should *'integrate with streetscape character.'* The proposed development does not reflect the characteristic of the surrounding area, particularly the older and well established residential street (Nunfield Leading to Havensfield) where traditional forms of 2 semi-detached frontages prevail. In this circumstance, the development will create a new terrace style frontage thus not in matching character or aesthetics of the existing street scene or surrounding area. By approving this development, the Local Authority will be making a precedent to alter the appearance of the original street design in other close by areas which cannot be retracted and will ultimately lead to the destruction of the distinctiveness attraction and go against superior ruling and Chipperfield Village Design Statement. It is surprising to learn how Chipperfield Parish Council have supported this application as it goes against their own guidelines.

1.06 Policy CS12 (g vii) states *'the development must respect adjoining properties in terms of materials.'* It is noted that the front elevation windows are not identical to those of the adjoining property. Furthermore, a new style front roof porch is proposed which is not corresponding with the neighbour. It is also noted that the rear extension shall be rendered, whilst the adjoining properties elevation brickwork is painted and not rendered. The development is therefore neither in keeping with the character and makeup of the subject/adjoining property and is in direct contradiction to your guidelines, in particular *Dacorum Borough Local Plan 1991-2011 adopted 21 April 2004* Appendix 3 – A3.1, A3.6 (iv) Appendix 7 - A7.2 i (a, c and d), ii (b, c), (v).

1.07 The application is in direct contravention of Policy CS11 of the Core Strategy (25th September 2013) which states *'respect the typical density intended in an area and enhance spaces between the buildings'*. One of the reasons my client bought their property was because it was detached and substantially set away from the neighbouring property. This development will reduce the space between the two properties and does not respect the local context and street pattern, in particular the scale and proportion of surrounding buildings and would be a detriment of the local environment.

1.08 Policy CS12 (c) of the Core Strategy (25th September 2013) states *'avoid the visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding*

properties. As a result of the scale of the proposed development and projection of the rear/side extension, it will inflict unnecessary shading and loss significant daylight to the rear of our clients' garden, patio area and conservatory which we feel will be overbearing and take away its use and current enjoyment of this space. Our client has the benefit of a glazed roof conservatory to allow natural light to enter following discomfort experienced in other properties with insufficient sunlight. They have enjoyed the natural light entering their property and by the proposed application being granted, it will be a severe detriment and take away this enjoyment away and lose their privacy. The Human Rights Act, Protocol 1, Article 1 states that a person has the right to peacefully enjoy all their possessions which includes a home and land. We believe the proposed development would have a dominating impact on my client right to quiet enjoyment. The dwellings should be suitably re-positioned away from the common boundary to ensure the windows in principal elevations are not overlooking the adjoining houses.

1.09 Both applications are overbearing and constitutes over development of the site. This will cause an unacceptable dominance to the detriment of our client's property. The current design is asymmetrical and provides a disproportionate construction bulk design which is substantively at odds with the vernacular and Chipperfield conservation area.

1.10 Whilst it is noted that the applicant's property does not fall in the conservation area, it is noted that it is located on the border and therefore should be considerate to its surrounding areas. The Planning (Listed Buildings and Conservation Areas) Act 1990, defines a conservation area as areas of special architectural or historic interest. The subject property holds many unique qualities, the substances of which have not been incorporated in within the development. The proposal is a stock contemporary design which is out of character in comparison with other surrounding properties in the conservation area. Chipperfield is defined under the Core Strategy Document, adopted in 2013 as a Small Village. Policy CS6 states that *'Each development must be sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and retain and protect features essential to the character and appearance of the village'*. The proposed development contravenes this.

1.11 Neither the application, nor the proposed drawings provide any informative information on how the additional rainwater shall be drained from the additional proposed roof. Location of guttering, downpipes are underground drainage network has not been specified. We consider that due to the proximity of the surrounding properties and neighbouring fields, this matter should be provided within the planning application.

1.12 There a number of trees present at the property; however none have been noted on the application. It is possible that these trees have a high amenity value and are protected by a Tree Preservation Order. This should have been taken into account by the applicant and a tree survey undertaken.

1.13 It is considered that the approval of this substantial development may nurture further successive development which will put the character of the area at radial risk which may eventually result in cramped forms of development which will greatly reduce the outlook and landscape amenity currently afforded to the existing residents.

1.14 Part of the application is to introduce a new driveway to serve the new property. Whilst ultimately this may be perceived as being beneficial to the local residents, in due course it will be have an adverse impact on them due to an increased car usage and the lack of existing road parking. Furthermore, due to the location of the proposed development, a new cross over will be formed over the grass verge onto Kings Lane. Due to the presents of a mature tree and the fact that the road goes into a single lane around the bend, this will present an extremely dangerous setting for both pedestrian and road users.

1.15 It should be noted the applicant's property is situated in a quiet secluded village and therefore the opposition to this development may not be as vocal when compared to a more highly densely populated town such a Hemel Hempstead etc. This should be taken into account when considering this application.

2.00 SUMMARY

For the above described reasons, the Council are invited to reject the planning application.

I was contacted by Mrs Christine Brown. She is an elderly lady in her 90s living next door at No 4 Nunfield for 70 years plus. She has enjoyed uninterrupted pleasure of the rural aspect and panoramas both front and rear of her property. The proposed development falls within the Conservation area of this small village. The proposal is for a double storey rear extension and a ne 3 bed dwelling. This is a clear case of over development of the plot. The infilling ruins the street scene and blocks out light. It contravenes the contents of the Core Stategy Document, adopted in 2013 which defines Chipperfield as a Small Village. There is no requirement for

<p>Reddings, Croft Lane, Chipperfield</p>	<p>new dwellings or infilling, other than Social Housing. Furthermore the Application shows a new crossover across an established grass verge in a sensitive area of the village. Mrs Brown believes that the Council considers carefully the impact of this Application on her and the surrounding environment.</p> <p>As a resident in Kings close, I am extremely concerned with this planning application. It would change the look and feel of this sensitive area close to the heart of our beautiful village and really screams over-development for private profit. We do have significant parking issues in Nunfield and at the top end of Kings close and whether this is taken into consideration or not, as a resident it is of significant concern. Visually it would change this tranquil pocket of Chipperfield and could open the floodgates for over-development in this conservation area. It is unnecessary development as it is not social housing and there has been plenty of private homes built with many more due to begin this year in the area behind Simmons nursery. I really strongly feel this would have an overall detrimental effect on the environment and the local area.</p>
<p>Park Slope, 6 Kings Close, Chipperfield</p>	
<p>THE PADDOCK, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EP</p>	<p>I'm concerned at the scale of the proposed development. The addition of such a large extension will significantly reduce the amount of light coming into our property, particularly our patio and conservatory area.</p> <p>The addition of an extra property adjacent to our own will</p>

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2.00 SUMMARY

	For the above described reasons, the Council are invited to reject the planning application.
REDDINGS,CROFT LANE,CHIPPERFIELD,KINGS LANGLEY,WD4 9DU	I was contacted by Mrs Christine Brown. She is an elderly lady in her 90s living next door at No 4 Nunfield for 70 years plus. She has enjoyed uninterrupted pleasure of the rural aspect and panoramas both front and rear of her property. The proposed development falls within the Conservation area of this small village. The proposal is for a double storey rear extension and a ne 3 bed dwelling. This is a clear case of over development of the plot. The infilling ruins the street scene and blocks out light. It contravenes the contents of the Core Strategy Document, adopted in 2013 which defines Chipperfield as a Small Village. There is no requirement for new dwellings or infilling, other than Social Housing. Furthermore the Application shows a new crossover across an established grass verge in a sensitive area of the village. Mrs Brown believes that the Council considers carefully the impact of this Application on her and the surrounding environment.
PARK SLOPE,6 KINGS CLOSE,CHIPPERFIELD,KINGS LANGLEY,WD4 9ES	As a resident in Kings close, I am extremely concerned with this planning application. It would change the look and feel of this sensitive area close to the heart of our beautiful village and really screams over-development for private profit. We do have significant parking issues in Nunfield and at the top end of Kings close and whether this is taken into consideration or not, as a resident it is of significant concern. Visually it would change this tranquil pocket of Chipperfield and could open the floodgates for over-development in this conservation area. It is unnecessary development as it is not social housing and there has been plenty of private homes built with many more due to begin this year in the area behind Simmons nursery. I really strongly feel this would have an overall detrimental effect on the environment and the local area.

Supporting

Address	Comments
The Old Cottage, Kings Lane, Chipperfield	Whilst I appreciate this is a sensitive area of discussion and consideration, I have observed a lack of affordable housing in the village. In just the last year, several families with children at the local school have had to move out of the village. This is problematic for them as it could prevent their younger children obtaining placements at the school in the future
Kingsmead, Kings Lane, Chipperfield	As a resident of Kings Lane, I write in connection to this planning application and wish to offer my support to the proposal, for the reasons outlined below. In my opinion high quality small -scale infill proposals, similar to this proposal, would meet the need for new housing in Chipperfield avoiding the need for many new 'estate' developments. This could avoid the village losing its commercial amenities, which add to the character and

	<p>sustainability of the village.</p> <p>The site for this development has clearly been well chosen. It is nearby to Chipperfields' local services, such as shops, the school, the pub and the village hall.</p> <p>This small-scale development could welcome a first time buyer and/or new family to the area. Recently, St Paul's Primary school (Chipperfield) sought a local consultation to close their Nursery Year class due to being undersubscribed. The village needs new families (in new family homes) to support the local community and its services.</p>
THE VILLAGE HALL, THE COMMON, CHIPPERFIELD, KINGS LANGLEY, WD4 9BS	CPC supports this application, subject to DBC case officer being completely satisfied that the 45 deg rule will be correctly applied.
THE OLD COTTAGE, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN	Whilst I appreciate this is a sensitive area of discussion and consideration, I have observed a lack of affordable housing in the village. In just the last year, several families with children at the local school have had to move out of the village. This is problematic for them as it could prevent their younger children obtaining placements at the school in the future
KINGSMEAD, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN	<p>As a resident of Kings Lane, I write in connection to this planning application and wish to offer my support to the proposal, for the reasons outlined below.</p> <p>In my opinion high quality small -scale infill proposals, similar to this proposal, would meet the need for new housing in Chipperfield avoiding the need for many new 'estate' developments. This could avoid the village losing its commercial amenities, which add to the character and sustainability of the village.</p> <p>The site for this development has clearly been well chosen. It is nearby to Chipperfields' local services, such as shops, the school, the pub and the village hall.</p> <p>This small-scale development could welcome a first time buyer and/or new family to the area. Recently, St Paul's Primary school (Chipperfield) sought a local consultation to close their Nursery Year class due to being undersubscribed. The village needs new families (in new family homes) to support the local community and its services.</p>

Commenting

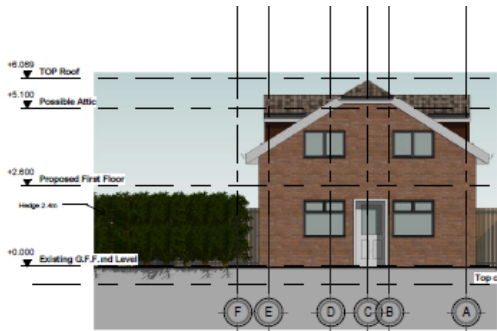
Address	Comments
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Agenda Item 5f

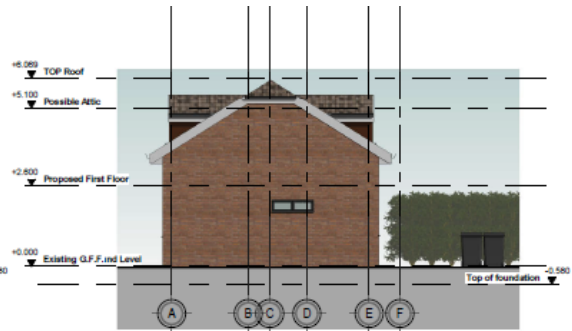
**4/00536/18/FUL CONSTRUCTION OF 2 BED DWELLING (AMENDED SCHEME)
2 COWPER ROAD, MARKYATE, ST ALBANS, AL3 8PR**



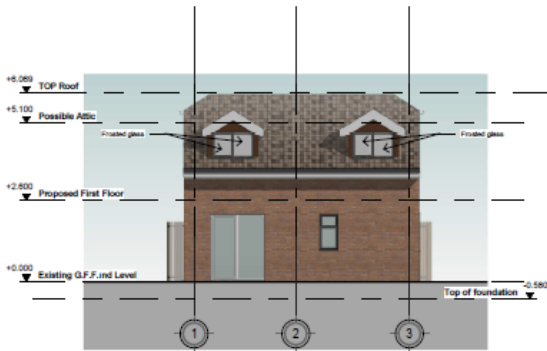
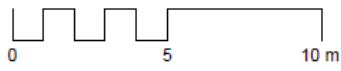
4/00536/18/FUL CONSTRUCTION OF 2 BED DWELLING (AMENDED SCHEME)
2 COWPER ROAD, MARKYATE, ST ALBANS, AL3 8PR



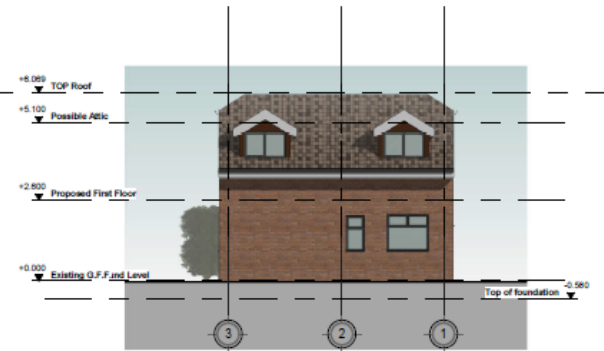
East Elevation
1:100



West Elevation
1:100



South Elevation
1:100



North Elevation
1:100



4/00536/18/FUL	CONSTRUCTION OF 2 BED DWELLING (AMENDED SCHEME)
Site Address	2 COWPER ROAD, MARKYATE, ST ALBANS, AL3 8PR
Applicant	Jevon Homes, 90 Mill Lane
Case Officer	James Gardner
Referral to Committee	Contrary views of Markyate Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 In accordance with Policy CS12 of the Dacorum Core Strategy, which states that development should integrate with the streetscape character, the dwelling is considered to be of an appropriate design and complement the other residential dwellings in the area. There would be no significant impacts on the residential amenity of the surrounding dwellings. A suitable amount of space would be demised to the proposed dwelling and it would not appear unduly cramped within the plot, thus complying with saved Appendix 3 of the Dacorum Local Plan (2004).

The proposal would make a small but valuable contribution to the Borough's housing stock.

3. Site Description

3.1 The application site comprises an area of approximately 0.016 hectares and is located to the rear of no. 2 Cowper Road, which is currently occupied by an ancillary single storey garage / workshop.

3.2 The area is of mixed character. Old Vicarage Gardens includes terraced and semi-detached dwellings which generally front the highway, although there are exceptions: numbers 2-8 Old Vicarage Gardens front an amenity green and do not have vehicular access to the front. Along Cowper Road there is a similar mix of terraced and semi-detached dwellings.

4. Proposal

4.1 Planning permission is sought for the demolition of an existing outbuilding and the construction of a 2-bedroom chalet bungalow.

The dwelling would measure 7.56m (D) x 7.00m (W) x 6.06m (H) with an eaves height of 3.53m. In terms of design and architectural detailing, there would be two modest pitched roof dormers on the southern elevation and two on the northern elevation. The roof form would be an open gable with a Dutch hip on the front and back and it is proposed to construct the dwelling from facing brickwork with uPVC windows and doors.

Main access to the dwelling would be located on the eastern elevation. A new vehicular crossover is proposed to provide access to a hardstanding with space for up to one car.

5. Relevant Planning History

4/02650/17/FUL DEMOLITION OF EXISTING WORKSHOP. CONSTRUCTION OF A 3-BED DWELLING
Refused
27/12/2017

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, CS8, CS9, CS11, CS12, CS17, CS18, CS19, CS29, CS31, CS32, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 57, 58

Appendices 3, 5, 7

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

- Area Based Policies (May 2004)

7. Constraints

- 15.2M AIR DIR LIMIT
- LARGE VILLAGE
- CIL3

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- The Quality of the Design and Impact on Character and Appearance of the Area
- Amenity Space
- Impact on Highway Safety
- Other Considerations

Policy and Principle

9.2. Policy CS1 states that the market town and large villages will accommodate new development for housing provided that it:

- a) is of a scale commensurate with the size of the settlement and the range of local services and facilities;
- b) helps maintain the vitality and viability of the settlement and the surrounding countryside;
- c) causes no damage to the existing character of the settlement or its adjoining countryside; and
- d) is compatible with policies protecting the Green Belt and Rural Area.

9.3 Policy CS4 states that in residential areas appropriate residential development is encouraged.

9.4 Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy

9.5 The National Planning Policy Framework encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed.

9.6 Saved Policy 10 of the Dacorum Core Strategy (2004) seeks to optimise the use of available land within urban area.

9.7 The proposal would make a contribution to the Borough's existing housing stock (in accordance with Policy CS17. As such, given that the development would be located within Markyate (a sustainable location), the proposal is in accordance with policies NP1, CS1, CS4, CS17.

The Quality of the Design and Impact on the Character and Appearance of the Area

9.8. Core Strategy Policies CS11, CS12 and CS13 state that development within settlements should respect the typical density in the area, integrate with the streetscape character and contribute to the quality of the public realm. Chapter 7 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and, in particular, states that permission should be refused for development of a poor design which fails to improve the character and quality of the area.

9.9. Saved Appendix 3 of the Dacorum Local Plan states that there should be sufficient space around residential buildings to avoid a cramped layout and maintain residential character, to ensure privacy and to enable movement around the building for maintenance and other purposes.

9.10 Policy CS12 on each site development should respect adjoining properties in terms of layout, site coverage and landscaping and amenity space.

9.11 Consideration has been given to the positioning of the dwelling within the plot, how it addresses the street and the scale of development. The previous application was refused partly due to the negative impact it would have had on the character and appearance of the area. However, it is considered that the plans submitted in support of this application have taken on board the case officer's comments. The main changes are summarised below:

- Ridge height reduced from 8.50 metres to 6.06 metres.
- Eaves height reduced from 4.80 metres to 3.53 metres.
- Front entrance re-positioned from southern elevation to eastern elevation.
- Property re-oriented to face Old Vicarage Gardens, providing an active frontage
- Footprint reduced from approximately 70 sq. metres to 53 sq. metres.
- Dwelling set-in from all boundaries.

9.12 The original design failed to adequately have regard to the site's context, and whilst such a design would not have looked out of place on a larger plot, the size and location dictates that a bespoke design is used.

9.13 In accordance with the prevailing character in the area, the dwelling would now front a highway. The importance of an active frontage on the eastern elevation should not be underestimated; indeed, this would result in an enhancement to the streetscape character, replacing an unattractive utilitarian outbuilding with a thoughtfully designed starter home which addresses the street in a traditional manner.

9.14 Whereas before the two-storey flank wall and gable would have resulted in an overly dominant appearance, the amended design would ensure that the dwelling sits comfortably within the street and its plot.

9.15. Given the context, facing brickwork and concrete roof tiles, as proposed in Section 9 of the planning application form, are acceptable. Should planning permission be granted, a condition requiring samples of materials will be imposed so as to ensure that they satisfactorily integrate into the local area.

9.16 Markyate Parish Council have objected to this application for the following reasons:

- Infilling
- Over-development of site
- No garden
- No back door – fire safety issue

9.17 In terms of the first point (infilling), the proposal does not meet the definition of an infill dwelling.

9.18 The Council's Core Strategy provides the following definition of infilling:

Infilling is a form of development whereby buildings, most frequently dwellings, are proposed or constructed within a gap along a clearly identifiable built-up frontage or between a group of buildings.

9.19 Irrespective of whether or not the dwelling is classified as infilling, as per Policies CS1 and CS4, the principle of a new dwelling in Markyate is acceptable.

9.20 The objection concerning overdevelopment has not been elaborated upon. The rear of the site is already occupied by a substantial single storey outbuilding. Furthermore, footprint of the proposed dwelling would be less than the existing outbuilding. A balance needs to be reached between optimising the use of urban land and protecting the character and appearance of an area.

9.21 Saved Policy 21 of the Dacorum Local Plan (2004) provides guidance pertaining to density:

Careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land.

Densities will generally be expected in the range of 30 to 50 dwellings per hectare net.

Higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centre.

Proposals which have a density of below 30 dwellings per hectare net.

9.22 The combined area of the application site and the area of land to be retained by no. 2 Cowper Road equates to 0.05 hectares. Two dwellings would result in a density of 40 dwellings per hectare (2 dwellings / 0.05 hectares). As a result, the density is not considered out of keeping with the area.

9.23 The dwelling has a reasonable sized garden located to the side. An assessment of the amenity space has been provided in the section entitled "Amenity Space".

9.24 The lack of a backdoor and any associated fire safety issues which this may give rise to are matters for consideration by Building Control under Approved Document B of the Building Regulations 2010.

Amenity Space

9.25 Saved Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m. A reduced garden depth may be acceptable for small starter homes.

9.26 The total area of land demised to the dwelling would equate to approximately 89 sq. metres with a maximum depth of 10.40 metres. It would be rectangular in shape and located to the south of the dwelling. Whilst it is acknowledged that the depth falls below the standard 11.5 metres requirement, the inherent flexibility within the policy means that gardens of lesser depth can be acceptable for starter homes. The space would be functional and afford future occupiers the option of sitting out in the summer, drying washing, sunbathing etc. Direct access to the house would be possible by way of patio doors on the southern elevation.

Effect on Amenity of Neighbours

9.27 Saved Appendix 3 of the Dacorum Local Plan states that a minimum distance of 23m between the main rear wall of a dwellings and the main wall (front or rear) of another should be met to ensure an acceptable level of privacy, but that this distance may be increased depending on character, level and other factors.

9.28 Policy CS12 of the Core Strategy states that development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

9.29 The proposed layout has been amended in order to address one of the previous reasons for refusal; that is to say, disturbance to numbers 2 and 4 Cowper Road.

9.30 By moving the access to the eastern elevation and reducing the number of car parking spaces from two to one, the locus of activity will shift away from the adjoining boundaries.

9.31 Due to the skewed nature of the site there would not be a direct back-to-back relationship with number 2 Cowper Road. Nevertheless, a distance of 23 metres would still be maintained.

9.32 Number 4 Cowper Road would have a similar spatial relationship to number 2. The distance from the first floor windows would meet the required 23 metres and, furthermore, the windows are annotated on the plans as being fitted with frosted glass. Should Members be minded to approve the application, a condition will be imposed to ensure that the windows remain obscured in perpetuity.

9.33 Concern has been raised by number 6 Cowper Road over, amongst other things, overlooking. The rear wall of number 6 is located approximately 28 metres away and at a somewhat oblique angle. Furthermore, as already mentioned above, the first floor windows on the southern elevation would be obscured so there would not be any loss of privacy.

Impact on Trees and Landscaping

9.34 The application site does not contain any significant trees. Trees and Woodlands have been consulted and advise that a landscaping condition is not necessary.

Impact on Highway Safety

9.35 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.

9.36 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 CS8, 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

9.37 In existing residential areas, which are often subject to considerable parking pressure, the general approach is for development to meet the Council's maximum parking standard.

9.38 The development is located outside of Accessibility Zones 1 and 2 and therefore subject to a maximum parking standard of 1.5 spaces.

9.39 The proposed site layout indicates that one off-road parking space would be provided at the far end of the amenity area and have dimensions commensurate with the size of a modern vehicle. It is acknowledged that one space represents a shortfall of 0.5 spaces. However, a reasonable amount of unrestricted on-street parking appears to be available within the area. And whilst additional parking could be provided within the plot, regard also needs to be had to the quality of the remaining amenity space.

9.40 The provision of an additional off-street parking space would be to the detriment of the amenity of future occupiers of the dwelling and as such, on balance, the negatives of the additional parking outweigh the positives.

9.41 It is important to note that the parking arrangements were a concern which contributed to the refusal of the previous planning application, in which 2 tandem-style parking spaces were to serve a 4-bedroom dwelling. The layout was considered to be contrived as sizes of the vehicles shown on the site plan were unrealistically small. Secondly, tandem parking is impractical and results in unnecessary vehicular movements. By reducing the scale of development (itself a concern), it has been possible to decrease the number of parking spaces without, in the case officer's view, there being a significant impact on highway safety.

9.42 In term of the new access, the Highway Authority has indicated that they do not wish to restrict the grant of planning permission subject to conditions. The conditions are considered reasonable and will be included with the permission should Members be minded to approve the application.

Other Material Planning Considerations

Refuse and Recycling

10.1 Saved Policy 129 seeks to ensure that developments have adequate storage for refuse and recycling.

10.2 The proposed site plan indicates that bin storage is to be provided within the rear garden. This is considered to be reasonable practical and thus does not engender any concerns.

Contaminated Land

11.1 The comments from the Council's Scientific Officer in respect of application 4/000000/17/FUL remain relevant:

11.1 *The on-site workshop represents a potentially contaminative land use (potential for the storage and possible leakage/spillage of fuels, oils and chemicals). The site is also located within the vicinity of the following potentially contaminative former land uses:*

- Works
- Smithy
- Cemetery
- Brewery
- Engineering works
- Unknown filled ground

11.2 *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).*

11.3 In light of the above it would be reasonable to include the standard contamination conditions with any grant of planning permission.

Permitted Development

12.1 The Government's Planning Practice Guidance provides useful advice to Local Planning Authorities as regards the use of conditions:

12.2 When used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

12.3 Paragraph 206 of the NPPF states "Planning conditions should only be imposed where they are:

- Necessary
- Relevant to planning and;
- To the development to be permitted
- Enforceable;
- Precise and;

- Reasonable in all other respects

12.4 The 6 tests must all be satisfied each time a decision to grant planning permission subject to conditions is made.

12.5 Any proposed condition that fails to meet any of the 6 tests should not be used. This applies even if the applicant suggests it or agrees on its terms or it is suggested by the members of a planning committee or a third party.

12.6 Specific guidance in relation to conditions which remove permitted development rights is also provided:

Conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances.... Area wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.

12.7 The orientation of the dwelling and the size of the plot are such that there is the potential for future development to have a detrimental impact on surrounding dwellings and the locality in general.

12.8 At present there is one high level window shown on the western (rear) elevation which backs onto residential gardens. Class A permitted development rights would allow an unobscured window to be constructed on this elevation without planning permission. While the window would admittedly overlook the rearmost section of the garden, which is generally considered to be less sensitive, consideration needs to be had to the existing baseline conditions. No close quarters overlooking currently exists to this area and therefore substantial weight should be given to any loss of privacy. On this basis it would be appropriate to restrict Class A development pertaining to new window openings.

12.9 Utilisation of the roof space is an effective way of reducing the overall bulk and mass of the dwelling. The current pitched roof dormers shown on the plans do not give rise to any concerns from a visual perspective; yet it is noted that the orientation of the dwelling means that the side elevations are more prominent than they would otherwise be. Were a flat roof dormer to be constructed on these prominent roof slopes, the visual effect could be unsatisfactory. As such, it would be reasonable to restrict Class B permitted development rights.

12.10 The size of the plot, whilst suitable for a dwelling of the current size, may not be capable of accommodating substantial extensions. Accordingly, it is proposed that Class A permitted development rights relating to extensions are removed.

12.11 As alluded to in preceding sections – namely, “Amenity Space” and “Impact on Highway Safety” - the provision of an extended area of hardstanding would be to the detriment of future occupiers, reducing the available area of space for outdoor pursuits and could prove to be problematic from a highway safety perspective. The removal of Class F permitted development rights is therefore justified.

Response to Neighbour comments

13.1 The issues regarding the impact on residential amenity and the character of the area have already been addressed above. Points not addressed thus far can be summarised as follows:

- Lack of parking.
- Schools and doctors surgery oversubscribed.

- Plenty of properties on the market - no need for infill house.
- Non receipt of consultation letter.

Lack of Parking:

13.2 As already discussed above, the parking provision is considered to be acceptable, notwithstanding a slight deficit of 0.5 spaces.

Schools and doctor's surgery oversubscribed:

13.3 Under Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) the Council is expected to publish a list of infrastructure projects that may benefit from CIL funding.

13.4 The Regulation 123 list sets out those projects or types of infrastructure that Dacorum Borough Council intend will be, or may be, wholly or partially funded by CIL.

13.5 The following categories are of relevance and appear on the aforesaid list:

- Early Years Education and Childcare Facilities.
- Primary Education Facilities.
- Secondary Education Facilities.
- Further Education.
- Health Facilities.

13.6 It is unlikely that the construction of one modest dwelling would have a discernible impact on the local infrastructure. Nevertheless, the CIL contribution from the development may potentially be used to fund infrastructure improvements in the future should this be deemed appropriate.

No need for infill house:

13.7 It is common knowledge that there is a national shortage of housing.

13.8 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. Policy NP1 of the Core Strategy compliments this, stating that:

Proposals which accord with the development plan will be brought forward and approved unless material considerations indicate otherwise.

13.9 As such, providing the application accords with the development plan it should be approved without delay.

Non-receipt of consultation letter:

13.10 A consultation letter was not sent to no. 6 Cowper Road. Whilst the registration team do their best to identify neighbouring properties which may be affected by a development proposal, unfortunately, there will be times when this does not occur. Inevitably, perceptions of when a development proposal would have an impact will vary from person to person. No. 6 does not directly abut the application site and therefore it would not automatically have been consulted. However, a site notice was attached to a lamppost at the junction of the Council owned garages and Old Vicarage Gardens, alerting local residents to the fact that an application had been submitted.

Community Infrastructure Levy (CIL)

14.1 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 CIL liable.

15. Conclusions

15.1 The application would make effective use of underutilised land and result in the creation of an additional dwelling. The design would respect and enhance the character of the local area and there would be no significant adverse impacts on the residential amenity of the surrounding properties.

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A100 Rev. C A101 Rev. C A102 Rev. D</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>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.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Policy CS12 of the Dacorum Core Strategy.</p>
4	<p>No development (other than demolition) shall commence until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of development (other than demolition). If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p>

	<p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Core Strategy.</p>
5	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 4 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.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Core Strategy.</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 and D</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality and in the interests of highway safety, in accordance with Policies CS8, CS11 and CS12 of the Dacorum Core Strategy.</p>
7	<p>Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on each side of both accesses, within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.</p> <p>Reason: In the interest of highway safety.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant prior to the submission of the application which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186</p>

	<p>and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES</p> <p>1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- https://www.hertfordshire.gov.uk/droppedkerbs/</p> <p>2. 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.</p> <p>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.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047</p>
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Appendix 1

Consultation responses

1. Town/Parish Council

As per our telephone conversation, please note that the Parish Council are still very strongly opposed to this application.

This is an amended scheme, the original number was 4/02650/17/FUL and our objections were as follows:

- Infilling
- Over-development of site
- No garden
- No back door – fire safety issue

Should you require any further information, please do not hesitate to contact me.

2. Hertfordshire county Council – Highway Authority

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:

Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS

1. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on each side of both accesses, within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.

Reason: In the interest of highway safety.

2. The proposed car parking spaces shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use. Reason: In the interests of satisfactory development and highway safety.

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-
<https://www.hertfordshire.gov.uk/droppedkerbs/>

2. 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.

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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

This application is for Construction Of 2 Bed Dwelling (Amended Scheme

ACCESS

There is no current vehicular access serving the site. The proposal is for two new accesses on Old Vicarage Gardens to serve the proposed new parking spaces for both properties. The site is located on the corner of Cowper Road with Old Vicarage Gardens, both of which are unclassified local access roads. The current double gated access will be used for the pedestrian access for the new property.

PARKING

One parking space will be provided for each property, at the back of each garden.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above

3. Trees and Woodlands

There are no trees or landscape issue that are a constraint to development.

Landscape condition, unnecessary.

4. Building Control

I have taken a look at the information and I have no comments to make.

5. Thames Water Utilities

No comments received.

6. Affinity Water

No comments received.

7. Herts Property Services

No comments received.

Appendix 2

Neighbour notification/site notice responses

Objections

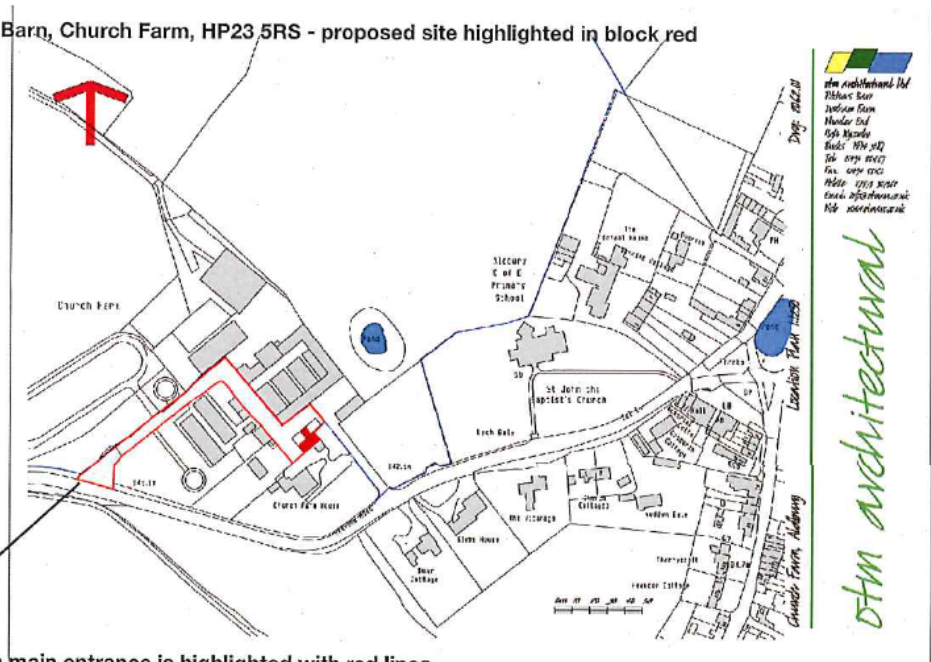
Address	Comments:
6 Cowper Road, Markyate	Once again I strongly object to squeezing another property into a tiny space. As outlined before; there is not enough parking available for residents currently, the house will still overlook our property and the schools and doctors surgery are oversubscribed. Markyate has had lots of recent developments and plenty of properties have been coming onto the market. There is just no need for yet another in fill house. The idea of building a house with parking and a

	<p>garden on that plot is ludicrous. Just because you could do it does not mean you should do it.</p> <p>I also still fail to understand why we are finding out about this appeal through neighbourhood gossip and not through any formal means. We had notice of someone building a one storey extension in Cavendish road that had no impact on us, yet the house that will overlook our garden has had no notification e.g a letter through the door.</p>
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4/01348/18/FUL CHANGE OF USE FROM (B1/B8) BUSINESS/STORAGE TO (A3) CAFE

CORNER BARN, CHURCH FARM, STATION ROAD, ALDBURY, TRING, HP23 5RS

Location Plan, Corner Barn, Church Farm, HP23 5RS - proposed site highlighted in block red



DTM Architectural Ltd
111/113 High Street
London E1 7AA
Tel: 020 7424 1111
Fax: 020 7424 1112
Email: info@dtmarchitectural.com
www.dtmarchitectural.com

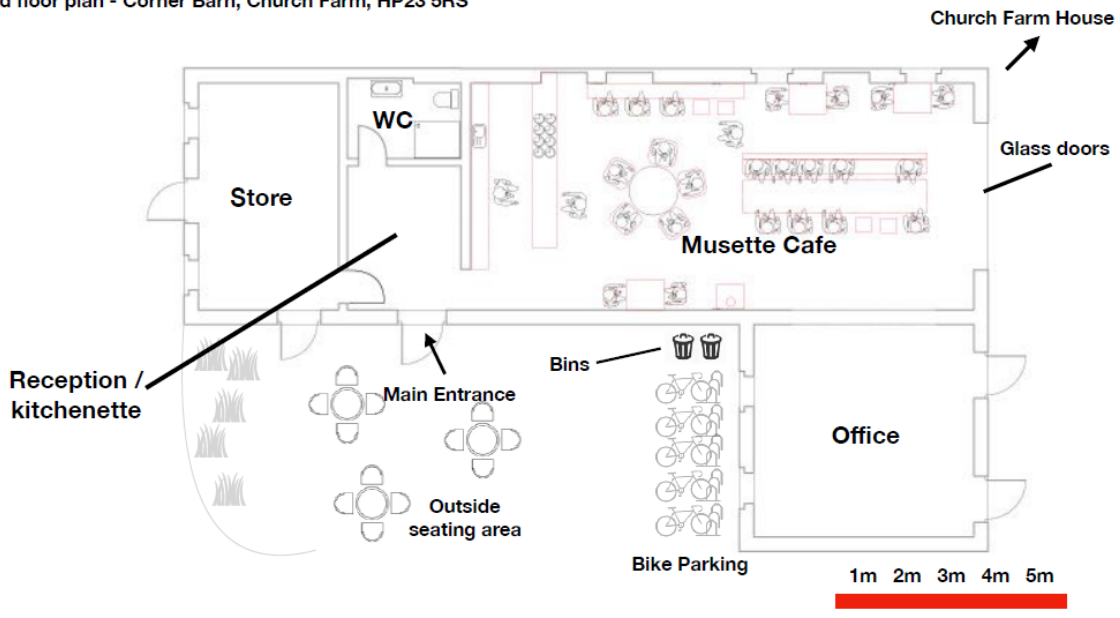
DTM architectural

Access to the cafe via main entrance is highlighted with red lines but does not form part of the planning application

4/01348/18/FUL CHANGE OF USE FROM (B1/B8) BUSINESS/STORAGE TO (A3) CAFE

CORNER BARN, CHURCH FARM, STATION ROAD, ALDBURY, TRING, HP23 5RS

Proposed floor plan - Corner Barn, Church Farm, HP23 5RS



4/01348/18/FUL	CHANGE OF USE FROM (B1/B8) BUSINESS/STORAGE TO (A3) CAFE
Site Address	CORNER BARN, CHURCH FARM, STATION ROAD, ALDBURY, TRING, HP23 5RS
Applicant	Mr S Voysey, 50 Kings Road
Case Officer	Andrew Parrish
Referral to Committee	Due to the contrary views of Aldbury Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed change of use to a cafe is considered acceptable in principle in accordance with Policy CS7 of the Core Strategy and saved Policies 90 and 109 of the Local Plan. No external alterations to the building are proposed and there would be no harm to the AONB or Conservation Area subject to details of bin storage and bike parking. In these terms the proposal would comply with Policies CS24 and CS27 and saved Policies 97 and 120. Subject to controls by condition, residential amenities would not be materially harmed and it is not considered that the use would create any highway safety issues. The proposal would accord with Policy CS12 and saved Policies 54 and 58. The proposal is therefore considered acceptable for approval.

3. Site Description

3.1 The site is part of the former racing stables establishment owned by Peter Harris but was closed down some years ago. Church Farm contains a number of brick built farm buildings, built as a planned courtyard (early Victorian) and an associated Farmhouse. The application site comprises a former single storey barn, Corner Barn, which is located within the complex of buildings at Church Farm, Aldbury, on the northern side of Station Road to the west side of the village. The existing building is occupied for B1 purposes by a business called Ashmei who manufacture cycling apparel and use part of the barn as their office premises. The remaining part is used for storage. The building is of L shaped footprint with plain tiled roof over red brick walls, a modest amount of fenestration comprising arched windows, rooflights, an entrance door to the NW elevation, and stable doors and full height glass doors to the SW side. There is an area of hardstanding to the frontage (NW elevation) and vehicle access is available through the farm complex from Station Road.

4. Proposal

4.1 Permission is sought to change the use of part of the building from B1/B8 business / storage to A3 cafe for up to 25-30 covers.

5. Relevant Planning History

4/01938/13/FUL CHANGE OF USE TO FORM COMBINED B1 AND B8
BUSINESS/STORAGE AND DISTRIBUTION USE
Granted
16/12/2013

4/01936/12/FUL CHANGE OF USE OF ADMINISTRATION BUILDING TO OFFICE (B1)
Granted
18/12/2012

4/00654/00/FUL CONSTRUCTION OF STABLE BLOCK FOR 14 STABLES
Granted
01/06/2000

4/00933/94/4 NEW ACCESS ROAD
Granted
29/09/1994

All other history prior to 2000 relates to the former use as a racing stables and is less relevant.

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, CS7, CS24, CS27, CS29.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 34, 51, 58, 90, 97, 109, 120.

6.4 Supplementary Planning Guidance / Documents

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

6.5 Advice Notes and Appraisals [include only those relevant to case]

- Sustainable Development Advice Note (Dec 2015)
- Conservation Area Character Appraisal for Aldbury
- Refuse Storage Guidance Note

7. Constraints

- Rural Area
- Chilterns AONB
- Conservation Area
- Locally Listed Building
- Area of Archaeological Importance

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix X

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix X

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on AONB, Conservation Area and heritage assets
- Impact on residential amenities
- Impact on highway safety

6. Policies

6.1 National Policy Guidance

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

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Policies 13, 18, 34, 51, 58, 90, 97, 109, 120.

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Main issues

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- Policy and principle
- Impact on AONB, Conservation Area and heritage assets
- Impact on residential amenities
- Impact on highway safety

Policy and Principle

9.2 The site is located within the Rural Area, the Chilterns Area of Outstanding Natural Beauty and Aldbury Conservation Area. The application should therefore be assessed against the following policies:

- Core Strategy Policy CS7 (Rural Area);
- Core Strategy Policy CS24 and saved Local Plan Policy 97 (AONB); and
- Core Strategy Policy CS27 (quality of the historic environment) and saved Local Plan Policy 120 (development in conservation areas).

9.3 Policy CS7 states, inter alia, that uses associated with a farm diversification project, which can be demonstrated to be necessary for the continuing viability of the farm business and consistent with the principles of sustainable development are acceptable. More detailed guidance on farm diversification with preference for reuse of rural buildings can be found in saved Local Plan Policy 109.

9.4 The previous use of Church Farm for training racehorses ceased some years ago, leaving a substantial amount of vacant floorspace. An application to change the use of the building the subject of the current application from stables to B1/B8 use was granted in 2013 with a similar application at Church Farm being granted for the change of use of a larger barn in 2012.

9.5 Whilst pre-application advice in 2012 encouraged, and Policy 109 encourages the submission of farm diversification plans, the absence of such documents in this case is not considered to be a major issue given the building has already been converted from its former use and the proposed further change to an A3 cafe is modest in scale and does not involve any extension or major alteration to the existing building. Policies of the Local Plan also encourage tourism related uses (Policy 90) whilst Policy CS16 (Shops and Commerce) does not prevent the establishment of A3 uses in out of centre or rural locations. NPPF also takes a positive approach to supporting economic growth in rural areas in order to create jobs and prosperity with support for:

"...sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside."

9.6 It is considered that the proposal is acceptable in principle in terms of the above policies and guidance.

Impact on AONB and Heritage Assets

9.7 Church Farm contains a number of brick built farm buildings, built as a planned courtyard (early Victorian) and an associated Farmhouse. Church Farm is considered an undesignated heritage asset and lies within the boundary of the Aldbury Conservation Area. It is also within the designated Chilterns AONB.

9.8 The building is visible from Station Road, being the left hand of a pair of buildings separated by a gated access. No alterations are proposed to the building itself with the only alterations relating to the provision of bike parking stands and a bin storage area on the existing hardstanding to its north west side. Details of the design of cycle racks / stands together with a screened enclosure for the bins would be expedient by condition.

9.9 The Conservation Officer has raised no objections on design or conservation grounds.

Impact on Residential Amenities

9.10 Church Farm House immediately adjoins the application site to its south whilst there are two properties, New House and Bailiffs Cottage, within the complex. It is not considered that there would be any material harm to residential amenities.

9.11 Opening times are stated to be 8-5pm Tuesday to Sundays but that the hours may shorten depending on customers. They have also indicated a wish to host occasional evening events such as talks by famous cyclists or people from the industry, film screenings and the like and note that Ashmei already do this without complaint.

9.12 The applicant has confirmed that the main entrance to the cafe itself will be via the parking area which is where the proposed bike parking will also be sited. This is therefore the natural choice for patrons to enter the cafe and is located away from the nearest dwellings. It will also be screened from them by virtue of the L shaped layout of the building. On this basis, it is not considered that there would be any undue noise, disturbance or visual impact to the neighbouring properties. It is understood that the existing business, Ashmei, who occupy the building, regularly hold open days at the premises where large groups of cyclists (often up to 50) are introduced to the cycling apparel and enjoy a cup of coffee and cake. It is understood that they use the existing glass entrance on the south west side of the building which faces residential properties and has apparently never resulted in any complaints about noise or disruption.

9.13 Environmental Health has raised no objections subject to conditions requiring details of extract plant or equipment to be installed.

9.14 The above notwithstanding it would be expedient to require by condition that the glass entrance is not used by customers to enter or exit the cafe and that details of signage be submitted for approval and installed to ensure this. An hours of use condition would also be expedient given the potential sensitivity adjacent to residential properties.

9.15 Subject to the above, the proposal would comply with Policy CS12.

Impact on Highway Safety

9.16 It is understood that Ashmei have been given consent by the owners of the site to park their cars on another part of the site which frees up the hardstanding at Corner Barn for car and bike parking whilst also making possible the provision of some outdoor seating. It is stated that only 1 parking space is required for staff given the applicants live locally and prefer to cycle. There is adequate space for this on the forecourt hardstanding area, and even if the use was to generate additional parking requirements from customers that arrive by car, the proposal would be unlikely to result in any overspill issues on the public highway given there is

ample space beyond the hardstanding within the red line area. In these terms the proposal would comply with Policy CS12 and saved Policy 58.

9.17 The neighbour at Church Farm House and Aldbury Parish Council have raised objections on grounds of highway safety issues. Their concerns relate to the potential for cyclists to access Corner Barn via the existing access from Station Road which is shared with Church Farm House and alleged to be a dangerous exit with poor visibility onto Station Road. Concerns are also raised that even if cyclists use the approved and signed entrance to the site that entering or leaving the site will be hazardous to cyclists due to the poor visibility and fairly narrow winding country road with fast moving traffic. The Parish Council claims that the current situation where cyclists can take a break or refreshments in the village itself which is 30 mph would provide a safer environment. Concerns are also raised regarding pedestrian safety and the lack of a footpath on Station Road.

9.18 In response to these concerns the applicants have said that they would be recommending that cafe patrons use the main vehicular entrance which is also used by domestic residents of the farm, and employees and visitors of the various businesses, so therefore makes sense for cafe visitors to use this entrance. This is shown on the location plan within the proposed red line area. Signage for the cafe would be provided here and the applicants have stated that they would encourage all cyclists to use this entrance which would also be marked accordingly on their website.

9.19 The applicant also notes Church Farm is part residential and part business complex with employees, residents and businesses entering and leaving via the main entrance at all times. In previous years it was also a very busy racing stable with the main entrance used heavily by goods vehicles, slow moving horse boxes, and strings of horses in groups of 20 or more. The main entrance is generous and deep, allowing for the largest of slow moving vehicles to enter and exit the site safely, having been granted on a previous application in 1994.

9.20 It is understood that Ashmei already host regular cycling events in the past 5 years with an annual hill climb attracting up to 100 cyclists and their spectators, using Corner barn as an HQ. The cyclists use the main entrance and it is understood that there has never been an incident involving a cyclist at the junction in the past 5 years. It is also noted that existing residents enter and exit the farm at this entrance every day without incident.

9.21 With regards to visibility, it is noted that the entrance is wide, located on the outside of a bend and gives a clear view in both directions of Station Road, providing ample warning of oncoming traffic to any cyclists wishing to emerge or turn in or vice versa. The applicants do not envisage creating lots more cycling traffic on the road, but simply tapping into that already on the road. Nor does the applicant anticipate the use generating significant additional traffic during the week, but rather an uplift during the weekend when the roads are quieter.

9.22 Having regard to the above considerations, we consider the existing access to be suitably safe and unlikely to create a significantly more dangerous junction than existing. The position of the proposed cafe within the farm complex rather than adjacent to the roadside would also ensure a safe and secure place for cyclists to take a break.

9.23 It would be recommended that details of signage and their siting to direct customers to the appropriate entrance be provided by condition as a pre-requisite to the use commencing.

9.24 Subject to the above, it is considered that the proposal complies with Policy CS12 and saved Policy 51.

Other Material Planning Considerations

9.25 The proposal use does not create any sustainability issues.

9.26 The Conservation Officer has raised concerns about the adequacy of facilities such as a WC. However, as the WC would be within the application site, it would be available for use by customers. In any event, the adequacy of kitchen and WC facilities would be a matter for Environmental Health to consider. No objections have been raised in this respect. As to the potential for car borne customers to visit the premises, this is acknowledged, but there is adequate car parking and the number of covers would place an ultimate control on overall numbers.

10. Conclusions

10.1 The proposed change of use to a cafe is considered acceptable in principle. There would be no harm to the appearance of the building, AONB or Conservation Area. Residential amenities would not be materially harmed and it is not considered that the use would create any highway safety issues. The proposal is therefore considered acceptable for approval.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The use hereby permitted shall not commence until the following shall have been submitted to and approved in writing by the local planning authority.</p> <p>(i) Details of the appearance and siting of the cycle stands / racks, including finished colour.</p> <p>(ii) 1:100 details of the siting and appearance of a refuse bin enclosure.</p> <p>(iii) Scaled plans and elevations of the siting, appearance and content of signage that will direct customers via the main entrance to the site from Station Road and that will discourage their use of the shared driveway with Church Farm House.</p> <p>(iv) Scaled plans and elevations of the siting, appearance and content of signage that will direct customers to use the courtyard (NW) entrance door to the premises and that will discourage their use of the glazed door entrance on the SW elevation.</p> <p>The use shall not commence until the approved details have been put in place.</p> <p>Reason: In the interests of residential amenity and highway safety and to ensure control over the appearance of signage in the interests of the character and appearance the development in accordance with Policies CS7, CS12, CS24 and CS27 of the Dacorum Core Strategy September 2013 and saved Policies 97 and 120 of the Dacorum Borough Local Plan 1991-2011.</p>
3	<p>The premises shall only be open to customers between 8.00 am and 5.00 pm on Tuesdays to Sundays, and not at all on Mondays. Any customers remaining on the premises after those hours shall leave the premises not later than 5.15 pm.</p> <p>The use of the premises for evening meetings or events is permitted on no more than 12 occasions per year, and visitors shall leave the premises by no later than 10.30</p>

	<p>pm.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
4	<p>Amplified sound or other music shall only be played in the premises.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings.</p>
5	<p>Prior to the occupation of the proposed café (Class A3) use 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.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
6	<p>Noise arising from the use of the extractor fan or any other site equipment shall not increase the existing background noise level (LA90 5mins) when measured (LAeq 5mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/structure borne noise derived from the use of the extractor fan does not cause noise nuisance within residential or noise sensitive premises.</p> <p>Reason: To safeguard the amenities of those premises nearby the application site and the appearance of the building as a whole in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
7	<p>No tables or chairs for customer use shall be placed outside the building except as indicated on the Proposed Floor Plan.</p> <p>Reason: For the avoidance of doubt and in the interests of residential and visual amenity in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>2062.01 Location Plan Existing Floor Plan Proposed Floor Plan</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement:</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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> <p>INFORMATIVE:</p> <p>Construction Hours of Working – (Plant & Machinery)</p> <p>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</p>

hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Permission be GRANTED subject to the conditions below:

Appendix A

Consultation responses

Aldbury Parish Council - Objection. The Parish Council considered the amended application but resolved that their objections to the earlier planning application still stood. That is to say that the Parish Council objected to the above planning application on the basis of concerns about the access to the café with users potentially accessing the café via the driveway of Church Farm House which has a difficult and partly blind exit onto Station Road. The Council are also concerned about the impact of increased numbers of cyclists on the village in terms of pedestrian safety. Even if the cyclists use the approved and signed entrance to the Church Farm complex, entering or leaving the entrance will be hazardous to cyclists in view of the combination of restricted visibility on a fairly narrow winding country road and fast moving traffic in a locality covered by the national speed limit of 60 mph. The current situation whereby cyclists can take a break or refreshments in the village itself, which is within a 30 mph speed limit, provides a safer environment for cyclists.

The Parish Council also resolved to add a further objection relating to their concern about the hazard to pedestrians walking along the carriageway in order to approach the Church Farm complex by Station Road. Concerns about pedestrian safety within Aldbury village and on the narrow country lanes approaching the village are a main theme of an ongoing road safety study commissioned by the Police & Crime Commissioner.

(5/07/18)

Conservation Officer - I have no objections to this application from a design and conservation perspective. My concerns are related to the lack of accompanying facilities – the WC (not for public use?) is positioned next to the proposed kitchenette and there appears to be an assumption that only cyclists will use the café, whereas car drivers might find it equally attractive to visit. The space might therefore soon prove to be inadequate for the purpose.

James Moir
(2/07/18)

Environmental Health - We have no objection to the proposed application.

However, with the nature of the proposed development, the following planning conditions and informative are recommended should planning permission be granted.

1). Air Extraction and Filtration Condition

Prior to the occupation of the proposed café (Class A3) use 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.

2). Noise levels from extract system and flue Condition

Noise arising from the use of the extractor fan or any other site equipment shall not increase the existing background noise level (LA90 5mins) when measured (LAeq 5mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/structure borne noise derived from the use of the extractor fan does not cause noise nuisance within residential or noise sensitive premises.

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

3). 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.

Kenny Aberer
(29/06/18)

SPAR - no comment (22/06/18)

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
CHURCH FARM HOUSE,STATION ROAD,ALDBURY,TRING,H P23 5RS	The address on the application is wrong. I live in Church Farm House and I am not applying for Change of Use. The application is for the barn directly behind my property, currently being used as an office (by Ashmei). I understand the proposal is for a cafe serving as a venue for cyclists and their bicycles. Not only will these take up a substantial amount of space such a venue can only be successful if it attracts volume. As their busiest times will be at weekends - and as the barn is just 15 yards from my backdoor* - this will dramatically and adversely affect my property. While the intention may be for customers to use the main entrance to Church Farm the barn's proximity to the old Church Farm entrance closer to the village means that a substantial part of the traffic will be coming in on a narrow roadway with a dangerous exit on to Station Road. *it is also v close to New House and Bailiffs Cottage directly behind me and opposite the applicant property.

Supporting

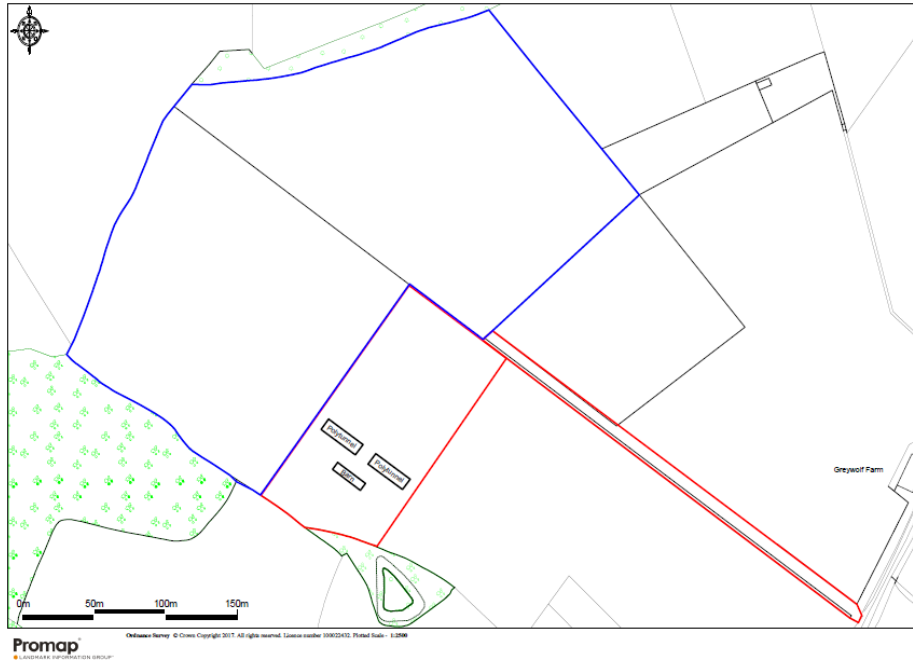
Address	Comments
Painesend Farm,Painesend,Tring,,HP2 3 6JU	We fully support the application as owners of the property in question. The use is supported by the general sentiments of planning policy CS14 and the NPPF being consistent with national planning objectives to support rural economic development.

	<p>The cafe will aid to support local recreation, leisure, tourism and employment with very limited adverse effects.</p> <p>We have a numbers of residential tenants within the site but we have no fear that the cafe will cause any issues given we would not want to blight our overall business interests.</p>
23 UPPER ASHLYNS ROAD,BERKHAMSTED,,H P4 3BW	<p>I am a keen local cyclist, committee member with Hemel Hempstead Cycling Club and founder/organiser of the Bovingdon Bomber cycle race series at the Bovingdon airfield and I fully support this application.</p> <p>Aldbury is a popular spot for walkers, families and cyclists and a nice coffee house would be a lovely addition to an already 'cycling themed' location (the cycle clothing company Ashmei will be next door to the coffee shop I understand).</p> <p>This venture will support and enhance a beautiful village and encourage more people to walk, ride and stay healthy.</p>
271 HIGH STREET,BERKHAMSTED,,HP4 1AA	<p>I am the Chairman of Berkhamsted Cycling Club with over 200 members. We regularly ride to and through Aldbury on our Saturday club rides and individually on many other occasions each week.</p> <p>Aldbury's Toms Hill is also the location of our annual inter-club hill climb competition and Ashmei have always kindly hosted our Race HQ each year.</p> <p>We are not the only cyclists that visit Aldbury frequently as it is a popular junction for many different ride routes in this area for both road and MTB cyclists. It is also popular for runners and walkers.</p> <p>I do not believe this proposal will substantially increase the amount of traffic in Aldbury as this is already there but just not being well catered for.</p> <p>At present there is no facility in Aldbury to cater for all of these active visitors allowing them to refresh and recover on their journey. The proposal to put a "cycling themed" quality coffee shop alongside Ashmei makes good sense, adding value to the village and promoting healthy lifestyles.</p>
THE OLD BARN,CHURCH FARM,STATION ROAD,ALDBURY,HP23 5RS	<p>As ashmei, we have delivered run and ride events over the last two years for up to 70 athletes at a time. In regard entrance and exit from Station Road, there has never once been a negative incident arising from this activity.</p> <p>It's also worth saying that the UCI has run men's and women's Tour Of Britain races through Aldbury in recent years - with all the additional traffic that this brings - without incident.</p> <p>As a business we would support a local cycling themed cafe</p>

	on the site and can see no adverse effects at all.
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4/02935/17/FUL CONSTRUCTION OF TWO POLYTUNNELS AND BARN FOR AGRICULTURAL PURPOSES

UPPER BOURNE END LANE, HEMEL HEMPSTEAD



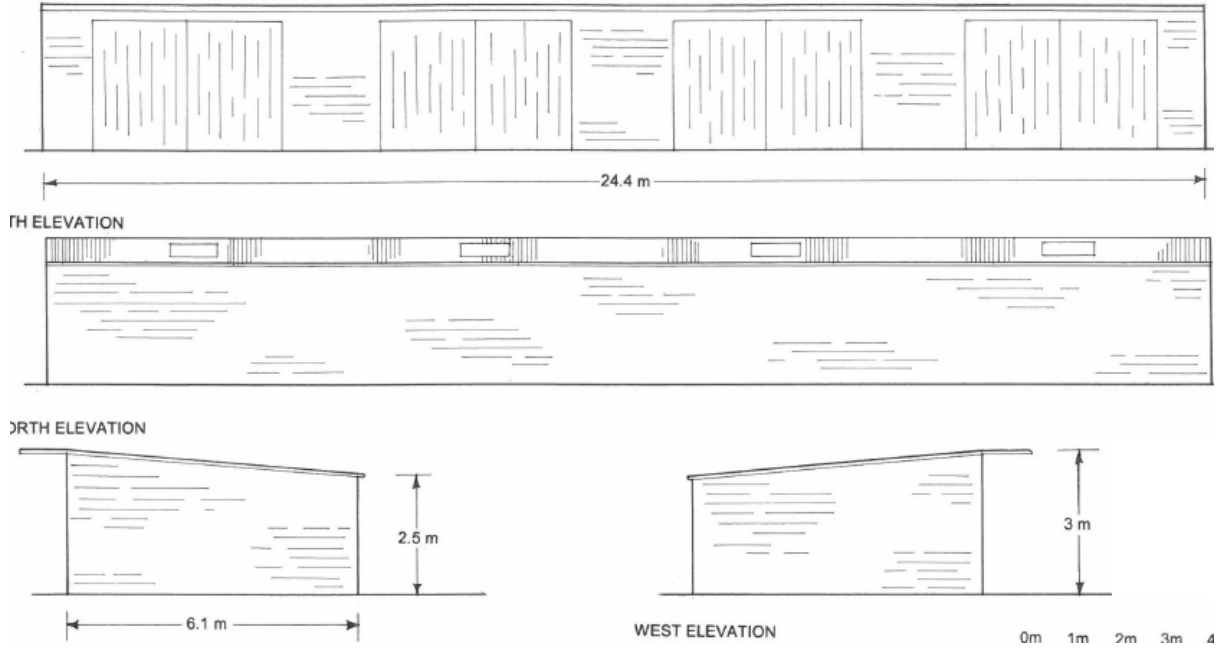
Fencing Specification:
 Perimeter Fence:
 Comprising 100mm Timber fencing posts at 2m height supporting galvanneal deer proof stock netting.

Plant Support Timbers on growing areas:
 Comprising 100mm Timber posts at 2m height supporting plain galvanneal steel wires to support growing crops—specifically raspberries and grape vines.

November 2017
 Plan Ref: HBF 0001 Rev 1

4/02935/17/FUL CONSTRUCTION OF TWO POLYTUNNELS AND BARN FOR AGRICULTURAL PURPOSES

UPPER BOURNE END LANE, HEMEL HEMPSTEAD



4/02935/17/FUL	CONSTRUCTION OF TWO POLYTUNNELS AND BARN FOR AGRICULTURAL PURPOSES
Site Address	UPPER BOURNE END LANE, HEMEL HEMPSTEAD
Applicant	BOURNE END LTD, UPPER BOURNE END LANE
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to Committee in view of the objections from Bovingdon Parish Council.

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed development will result in a small agricultural holding for which the use of Green Belt land and construction of modest buildings is appropriate in accordance with the NPPF and CS5 of the Core Strategy.

2.2 The scale of the agricultural use of the site and the buildings will not result in significant harm to the character and appearance of the Green Belt nor would it be detrimental to use of the adjacent highway.

3. Site Description

3.1 The application site extends to some 4.2 acres (1.7 ha) of gently sloping agricultural land accessed via an unmade track off Upper Bourne End Lane. This land is classified as good quality, grade 3, agricultural land, although this may have been subject to some ground contamination as a result of imported spoil.

4. Proposal

4.1 The application is for the erection of two steel framed polytunnels and a modern agricultural storage barn. The application also seeks consent for engineering works; namely the laying of tracks around the site to facilitate access to the buildings and prevent damage in wet weather.

4.2 The applicants intend to use the land as follows:

- 0.513 hectares of land for berries (30%),
- 0.766 hectares of land for grapes (45%),
- 0.054 hectares would be covered in polytunnels and used for the growth of strawberries (3%),
- 0.015 hectares would be covered by the barn building and used for storage (0.8%), and
- approximately 800 trees would be planted

4.3 The polytunnels would measure some 30m in length and some 9m in width providing a footprint of 270 square metres in each case. The polytunnels are of a traditional design and would extend up to 3m in height. These polytunnels will provide a protected growing environment for a variety of crops; but primarily for the production of soft fruit.

4.4 The proposed agricultural barn would extend to 24m in length and would be 6.1m in depth providing a footprint of 148.84 square metres divided in four bays. The barn would have a single pitched roof falling from 3m at its front to some 2.5m at the rear. The barn will be used for the storage of machinery and tools required to maintain the holding and specialist equipment relating to the agricultural enterprise. This building would be clad with a dark green plasti-coated box profile steel.

4.5 It is proposed that the internal access track will be dressed with compacted chalk to create a weather proof track suitable for year round use. The agent has subsequently clarified that such

dressing will be within existing tracks to repair ruts. This material is stated to maintain a natural look to the track. A number of raised beds will also be created extending to a maximum height of 400mm and being reduced over time to 200mm.

4.6 The agricultural operation of the site is stated to require three members of staff.

4.7 A perimeter deer proof fence would be constructed around the edge of the application site at some 2m in height.

5. Relevant Planning History

5.1 The site is part of a much larger field brought by a private company and sold off as smaller plots. Permitted development rights for fencing and other means of enclosure have been removed through the serving of an Article 4 Direction on the overall field.

5.2 A number of previous applications have been submitted for the development of this site for agricultural purposes and as summarised below:

5.3 The applicants submitted an initial planning application for two polytunnels and a storage barn to the Council in July 2016 (4/01856/16/FUL). This application was withdrawn on the 26th August 2016, following concerns over its appropriateness, the scale of development and its impact on the character and appearance of the Green Belt. The applicants were encouraged at this time to submit further and more comprehensive information regards the use of the site and need for new buildings.

5.4 A new application (4/03270/16/FUL) was duly submitted to the Council for its consideration in December 2016. This was subsequently withdrawn on the 29th September 2017 following lengthy discussions with the case officer. The case officer had removed her substantive objections regards the inappropriateness of the development in this Green Belt location and provided direction as to an appropriate resubmission.

5.5 The applicants have provided topographical information and evidence of need for the building as part of the latest submission and have crucially located the proposed structures further south and parallel to the south western boundary of the site; thereby reducing their visual impact in accordance with officer advice. Officers have indicated a willingness to support this approach at a pre-application stage and subject to additional landscaping to reduce any visual impact.

5.6 To the north east of the site there is a separate land parcel (plot B3A) extending to some 10 acres. Planning permission has been granted for the construction of two sheds measuring some 2.4m x 6.1m for the purposes of agricultural storage associated with a forestry/horticultural operation (4/01379/13/FUL). Whilst planning permission was also granted for the use of this land as a poultry farm incorporating a building some 2.4m x 3.6m and run, some 30m x 30m enclosed by a 2m high mesh fence (4/00093/12/FUL).

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, CS12, CS14, CS25, CS29 and CS32.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 51, 54, 58, 63, 79, 99 and 108.
Appendices 5 and 9

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Landscape Character Assessment (May 2004)

7. Constraints

- Article 4 Direction
- Green Belt

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

Procedural Matters

9.1 A new land ownership notice was submitted under Certificate B during the course of the application and in relation to concerns raised by neighbours. The application is considered to be a valid planning submission and may be determined accordingly.

Main issues

9.2 The main issues to consider are:

- Policy and principle
- Impact on Green Belt and the
- Impact on Highway Safety

Policy and Principle

9.3 The application site is located within the Green Belt and the Government's policies for the Green Belt are set out in paragraphs 79-92 of the National Planning Policy Framework (NPPF). Decisions on planning applications are largely made in accordance with Paragraph 89 and this is reflected in Policy CS5 of the Core Strategy. Policy 89 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt with a number of exceptions. This includes buildings for agriculture and forestry amongst other uses.

9.4 The High Court and the Court of Appeal, have in the case of *R(Lee Valley Regional Park Authority) v Epping Forest District Council and Valley Grown Nurseries Ltd* [2016] ruled that the "category of exemption in paragraph 89 with which we are concerned, "buildings for agriculture and forestry", is entirely unqualified" Thus "all such buildings are, in principle appropriate development in the Green Belt, regardless of their effect on the openness of the Green Belt and the purposes of including land in the Green Belt and regardless of their size and

location"

9.5 The decision of the courts also highlights that the NPPF and other development plan policies may be relevant and either support or protect against any harmful visual and other adverse impact on the countryside. These policies will also need to be considered and afforded appropriate weight in the decision making process.

9.6 There is a presumption in favour of development in accordance with the Core Strategy and NPPF unless material planning considerations indicate otherwise. This is clearly set out at Policy NP1 of the Core Strategy.

9.7 Policies CS1 and CS14 of the Core Strategy are both positive towards development which supports economic growth with those proposals supporting the rural economy and sustainable tourism particularly encouraged.

9.8 The size and bulk of the building, its siting and use of materials should be judged under Policy CS12 (Quality of Site Design). The site is not subject to protection under Policy CS24 (Chilterns AONB) and is of low significance in terms of Policy CS25 (Landscape Character) It comprises good quality agricultural land upon which the reinstatement and intensification of agricultural uses could deliver substantial benefits to the rural economy.

9.9 Further support for agricultural uses is provided through the Countryside Place Strategy notably at paragraphs 26.9 and 26.10.

Layout, Design, Scale

9.10 The application site is located some distance from the public highway at Upper Bourne End Lane and is only accessible from an unmade gated track. This track is unsuitable for domestic vehicles and as such the applicants are proposing to provide a crushed chalk access track to serve a modest on-site parking area. Such works are considered necessary to sustain the agricultural use of the site; particularly given the need for staff to access the proposals. The provision of a crushed chalk track is considered to be an appropriate approach to providing access to the site.

9.11 The layout of the site provides for a number of growing areas towards the north eastern end of the site with the associated barn and polytunnels located between the centre of the site and its southern margin. These buildings would be located on the lower section of the site with growing areas for trees forming a screen to the public footpath network. Such an arrangement of buildings on the site seeks to minimise the visual impact of the site within the wider countryside setting.

9.12 The design of the proposed buildings is typical of any number of agricultural buildings found in and around the local area. They are modest in size, and of usual construction and design. These single storey buildings would be limited in height to some 3 metres and would not have a significant adverse effect on the agricultural character of the landscape.

9.13 The applicants have provided supporting statements justifying their storage needs and need for the barn. The barn will primarily be used for the storage of farm equipment and produce however it will also provide shelter for staff and workspace associated with the sale of fruit including circulation space for palleting. The applicant has provided indicative yield and space requirements for a variety of intended crop and based on similar agricultural enterprises. The machinery and associated equipment results in a fixed storage requirement of some 68 square metres per month. The application also sets out that approximately 2000 kg of strawberries would be cultivated annually within 400 square metres of polytunnel, with a further 6700 kg of berries cultivated on 0.5 ha of land and 12,300 kg on 0.7664 ha of land. This is stated to add a seasonal fluctuation of between 15 square metres and 95 square metres of storage. The storage

space is thus only likely to be sufficient for three quarters of the year with a net deficit in the period August to October (14 square metres) when production is at its peak. In practical terms, it is unlikely that the building will solely be used to its full extent for storage given the need to move produce and pallets and this is reflected in the size of the proposed building.

Access, Parking and Impact on Highway Safety

9.14 The applicants have not provided a detailed transport assessment given the scale of the proposed enterprise, but have indicated in their Design and Access Statement (paragraph 3.8) that the site will provide parking for three members of staff associated with the agricultural operation. It is also indicated that the proposals make provision for delivery vehicles providing material and collecting produce but suggests that such movements will be limited with service trips likely to take place around twice a week. These will inevitably take place before morning peak traffic flows given the nature of the use.

9.15 A number of neighbours have queried the amount of vehicle movements and suggest that given the nature of produce, this is likely to be a more frequent activity. Even if one is to accept that such conclusions are reasonable; the scale of activity, its yield and the nature of the access is such that only modest vehicles could or would need to enter the site. There is no reason why daily movements of produce should result in unacceptable highway conditions contrary to Policy CS8 of the Core Strategy.

9.16 This conclusion would be supported by the County Council as highway authority who have advised that the proposed development is likely to generate a small number of vehicle movements to and from the site. They have concluded that there would be no demonstrable harm to the safe and efficient use of the public highway in accordance with Policy CS8 of the Core Strategy.

9.17 In order to facilitate access to the application site, it is intended to undertake works to the current access track to provide a compacted chalk surface. Such a track can be constructed without significant harm to the appearance of the site.

Other Material Planning Considerations

9.18 Although the site is subject to an Article 1(4) Direction removing the rights to construct fencing and means of enclosure without the need for planning permission it is important to note that the purpose of the direction is not to restrict appropriate fences and those necessary to support genuine agricultural operations. The proposed fencing to the perimeter of the site is considered necessary to protect produce and given its open nature would be acceptable as part of the agricultural use of the site.

Neighbours Comments

9.19 A number of representations have queried the suitability of the soil for agricultural purposes and as such the veracity of the application. It is not for the local planning authority to question such matters although should this be of concern then the use of the buildings could be safeguarded by conditions. The land in question is identified as being good to moderate quality agricultural land (grade 3) in the Agricultural Land Classification Maps as published by Natural England albeit it is recognised that the importation of spoil may have degraded such land. This land is protected from permanent loss and alternative uses under saved Policy 108 of the Dacorum Borough Local Plan 1991-2011. Given that there are no objections to the proposals on grounds of contamination by the Scientific Officer and that there is clear scope to improve soil quality as part of the agricultural operation, such matters are not considered to be appropriate grounds for objection to this proposal. Indeed, the proposals clearly seek to optimise conditions for the growth of fruit or crops.

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.</p>
3	<p>No development shall take place until full details of landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>a complete topographical survey of the site including the access track full details of the existing and proposed levels to the access track and extent of any new hard surfacing; details of the proposed slab, finished floor and ridge levels of all the buildings in relation to the existing and proposed levels of the site and the surrounding land; means of enclosure; full details and elevations of any irrigation tanks or associated structures car parking layouts and other vehicle and pedestrian access and circulation areas; and proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.);</p> <p>The approved landscape works shall be carried out prior to the commencement of the use hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS5, CS12 and CS25 of the Core Strategy.</p>
4	<p>The buildings hereby approved shall only be used for agricultural purposes including the storage and distribution of agricultural produce</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority as expressed in the Core Strategy and saved Policies of the Dacorum Borough Local Plan 1991-2011 and for the avoidance of doubt.</p> <p>The developer should be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.</p>
5	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>HHBF 0001 REV 1 BRHH 0223 REV 1 BRHH 0224 REV 1</p>

200-03	<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 at the pre-application stage and during the determination process which lead 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> <p>INFORMATIVE - The developer is advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.</p>
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Appendix A

Consultation responses

Bovingdon Parish Council

- 1) The proposed barn and polytunnels are disproportionate in size to the small plot of 4 acres.
- 2) Both the polytunnels and barn are 3m in height and 30m and 24.4m respectively, in length and thus will have a detrimental effect on the openness of the greenbelt.
- 3) Despite the design and access statement, that the application requires a maximum space of 68m², the proposed barn is more than double at 148m².
- 4) The application has a number of inaccuracies, including the assertion that there are currently 3 full time employees on site with no mention of the fact that access to the site is across land owned by Greywolf Farm
- 5) The proposed agricultural use is unsustainable on this small plot of land, due to its soil (alkaline) and its exposed position.
- 6) This land was previously used to dump rubble and the D&A statement makes reference to adding more chalk into the soil. Christmas trees require acidic soil, which leads to the Planning Committee to question the veracity of the application.

Hertfordshire Ecology

We do not consider there to be any ecological constraints to these proposals and ecological surveys are unnecessary.

Hertfordshire Highways:

Hertfordshire County Council as Highway Authority considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways and 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

This application is for Construction of two polytunnels and barn for agricultural purposes.

The application also seeks consent for engineering works, namely laying of agricultural tracks within the site.

Parking

Four on site parking spaces will be provided for members of staff.

Access

The site is accessed from Upper Bourne End Lane via an existing access. No new or altered vehicle crossover is required and no works are required in the highway.

The internal tracks will be dressed with compacted chalk to prevent run-off onto the highway.

Trip Generation

The Design, Access and Planning Statement submitted with the application states that vehicles delivering materials or collecting produce will do so from the top eastern corner of the site and are most likely to be done early in the day, before peak traffic flow times. It is anticipated that these 'service' trips will take place around twice a week.

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

Environmental Health

The site is located within the vicinity of potentially contaminative former land uses (old chalk pits and Bovingdon Airfield – military land). Consequently, there may be land contamination issues associated with this site; there is the potential that the pits were infilled with putrescible material capable of producing ground gas, which could migrate to and affect the application site, although this is unlikely. Due to the nature of the application, a full contamination assessment would seem too onerous. Provided the design of the agricultural building is such that it allows good ventilation to enable any ground gas present to dissipate, no specific design amendments or remedial works will be required. We would advise the developer to keep a watching brief during ground works for potential contaminative material.

Rights of Way

This site is crossed by Bovingdon public footpath 29. This development will not adversely affect the use of the public footpath

Appendix B

Neighbouring Comments

Bourne End Village Association (BEVA)

The plot is part of what was originally one large field, now subdivided into small units. In addition to its location as an area of Green Belt it is the subject to an Article 4 Direction. With the planned construction of 45 houses in Bourne End and the proposed 900 home development at LA3, this forms a particularly sensitive area of Green Belt Land.

- Given the current openness of the area, the buildings proposed would be incongruous and unsightly and intrude onto the openness of the area

- The site was subject to two earlier applications, which were both withdrawn given concerns over the impact of development on openness of the Green Belt.

- The proposed structures are not consistent with the expectation required of this area as defined in the local Landscape Character Assessment, which makes it clear that the distinctive character of rural settings should be conserved by use of traditional materials and designed to reflect the traditional character of the area.

- The fencing is proposed to be of height 2 metres. This would severely impact on the openness and appearance of the Green Belt land and would be inconsistent with the Article 4 Direction for the site.

- The application includes a large area of terraced vineyard. Other than the mention of vines in the introduction and as screening along with the Christmas trees, there is no other reference to this in the application Design and Access Statement. This is surprising given that the terraced vineyard is expected to occupy some 7,600 m². Furthermore, the proposed vineyards are situated in an area where the demolition and excavation waste referred to above has removed much of the natural slope.

- The plans show a mix of terraced vineyards and raised beds with some detail on the nature of the raised beds and the need for chalk. It is unclear how this mix will be accommodated. It would appear that the only common factor is the need for raising the land level. We find it particularly difficult to understand how this arrangement can be serviced by machinery. The barn for machinery would appear to be disproportionately large.

- The intention would be to bring further material into the site, on top of the existing unapproved importation. This must not be allowed.

- The applicant refers to the existence of an access track and its poor state. Prior to the importation of the demolition and excavation waste referred to above, there was no track. The track was formed and damaged by the importation operation which took place over a period of several weeks.

- There is doubt about the ownership of the land on which the track is currently situated. This issue would need to be clarified.

- We note that the applicant refers in several places to the use of chalk to create a track, but in plans refers to hard-core.

- The size of the tracks within the site would appear to be disproportionately wide and would give the site a more industrial / commercial appearance, inconsistent with the rural appearance and feel of the area.

- The site abuts the public footpath from Upper Bourne End Lane to Lower Farm. This path is well used, passing through very attractive countryside leading into open views of the Chilterns.

The view of the site is currently obscured by self-seeded ash saplings. Behind them the demolition and excavation waste, largely chalk, is exposed as a steep slope. The application does not show the footpath.

- The proposed Water Cisterns would abut the footpath, making them the most publicly visible part of the site. No detail is given of these.

- The proposed planting would not shield the views of the polytunnels and barn. The rural nature of the footpath would be destroyed.

- There is no provision in the plan for remodelling of the land contours in this area following the earlier deposition.

-The plan includes Water Cisterns referred to above, but there is no reference to the water supply for those Water Cisterns.

- Reference is made to the current employment of three employees. This is not the case. Were it to be the case, the claim of increasing local employment would not be valid. We find it hard to believe that employing three on this operation would be realistic.

- We note that the expectation is that there will be a maximum of three employees working on the site at any one time with a maximum of three cars on site, which should be made a condition on any planning permission the local authority may grant.

- In addition we note that there is no reference in any part of the application to facilities for those working on the site. If the intention is to provide facilities, their nature, scope and location need to be made clear so that an assessment can be made as to the commercial / industrial feel which could be engendered.

- The application refers to the delivery of materials to the site and to collection of the produce from the site. While there is reference to there being vehicles and the anticipation that this will be about twice a week, there is no indication of the type/weight of vehicle. This is important to know since the track the applicant wishes to install would be unsuitable for vehicles over a certain weight and size, for example a TIR lorry would be unsuitable but a Transit van would be. Other than the limited information there does not appear to be a comprehensive traffic approach, as was identified by Dacorum's Officers Report on the withdrawn application, on Upper Bourne End Lane and its users.

- The collection of produce appears not to have been considered carefully. Fresh produce of the kind described requires regular, even daily collection and this generally takes place early in the morning to reach markets. Alternatively, the applicant may have in mind a 'pick your own' operation. This would not be acceptable given the access and the parking facilities required.

- While we are not experts on horticulture or arboriculture we have a number of doubts regarding technical aspects of the proposals. As examples we note:

a) The very different conditions favouring cultivation of Christmas trees and growing vines.

b) The apparent lack of appreciation of the distinction between the chalk already deposited on the site and chalky soil.

c) We have already raised the relationship between raised beds and terracing.

Given these points we would urge the council to look further into the economic and agricultural robustness of the application. The land has already suffered considerable damage. Were a project such as this to fail it, would be further degraded. We oppose this application and strongly urge you to reject it.

Greywolf Farm

I wish to object to this application for the following reasons. I am the owner of Greywolf Farm, which the land the agent is acting for is accessed via. The land in question is directly adjacent to mine in a south west direction. The land is set approximately 250-300m back from Upper Bourne End Lane, and is accessed via an 8m wide easement through the edge of my land.

The owner of the land in the application has the legal right, within the deeds, to lay a road along the easement at their own expense- SUBJECT to any necessary permission. In this case, the necessary permission would be planning permission. It is my current understanding that should this planning permission be granted, I can not legally prevent the road or track from being built. It is crucial that the council understands that any grant of permission will immediately green light this road being built on my land with no way of me stopping it- despite me absolutely not wanting it at all, and should not assume that it will not happen even if they do grant permission as the applicant does not own the land in question.

In terms of the road/ track itself- the council will obviously consider the effects of this on the greenbelt and local area without any extra request from myself, however I do want to question the necessity of it and draw attention to the repercussions if the track was to be built. The application is to continue the agricultural use of the land (albeit in a more substantial way). Any agricultural vehicle or machinery required for the applied use of the land is perfectly capable of accessing the land in the application down the easement without any changes being made or any track being built. The only vehicles that could potentially have difficulty from driving down the access easement would be road vehicles, and only then during the wet winter months. There is surely no requirement for a road vehicle to be able to access the land in question, for agricultural operations of any level to take place. No farmer creates tracks across their land for his or her passenger vehicle to gain access to each field or storage area. It is clear that the only reason someone would wish to create access for road vehicles would be to drive and park within the land. This in itself has a significant impact on the openness of the green belt which the council must consider as part and parcel of the grant of any access track or road. Indeed, the land that I own and which the track would run through- Greywolf Farm, has a condition on it that prevents any parking anywhere within it of any vehicles apart from on our carpark which is located next to Upper Bourne End Lane and is heavily screened with landscaping. If the council were to grant permission for a track into the open field away from the lane to enable parking on site, it would render the efforts they have gone to with our neighbouring land pointless. The same reasons that were used to enable this condition to be put on our planning permission can be used to prevent parking on their land and thus aid the rejection of at least the track element of the application.

Further to this, is the fact that the entirety of the Greywolf Farm site - including the easement which the applicant wishes to lay a track on, has a condition (4/00816/16/FUL) which prevents any further hardstanding being built on the site for the following reasons: To safeguard the open character of the Green Belt, the character and appearance of the countryside, and residential amenity in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy (September 2013). It is assumed that the same reasons would apply for any hardstanding no matter who the applicant.

In regards to the agricultural building that is being applied for; with my own application for an agricultural building, I was required to justify the size of building with the agricultural use on the site. Eventually a 12 x 24m building was approved however this was on the basis of agricultural activities taking place over 16 acres of land for a variety of agricultural activities including the growing and storing of hay, fruit and osier. Hay is one of the most 'volume large' agricultural activities i.e. more space would be required and justified for this activity than other agricultural ones. Notable is the size of building applied for within this application (24.4 x 6.1m) and the clear lack of any justification for this size. The agricultural activities proposed on the site are 'volume low' and it is questionable why any barn would be needed if the poly tunnels were approved. The requirement of my justification was despite the fact I had permitted development rights for a

building as my site was over 5 hectares. The field that the applicant owns was originally part of a 12.4 acre site which was subdivided into 3 and sold individually by the previous owner. At the time of sale, potential purchasers were clearly made aware of the Article 4 direction, the fact that their land would be accessed through Greywolf Farm and that there was zero likelihood of permission for any track to be granted to improve the access, and that once the plot was split the rights to erect a building via prior approval would be lost and that the likelihood of any building being granted on the smaller plots was minute. Although multiple permanent buildings have been granted via prior approval on what was previously a 55 acre (approx) field, the minimum size of plot to gain permission to erect a permanent building (as opposed to moveable shelters) should be held at the threshold for permitted development rights or else it opens the whole wider site up to the option of dividing it into 3 or 4 acre plots and erecting a building on every one of them using the same justification as in this application- whatever that may be. If requirement for a building is needed, it would be better for moveable shelter to be used, as it has been elsewhere on the wider site.

The Paddock

The planning history of this site should be taken into account. Enforcement had to stop non permitted importing of sub soil. A series of plans have gone in for over intensification of use of the site, disproportionate built footprint and construction of a roadway within the field. Amendments to the plans do not address my previously expressed concerns especially as they contain factual inaccuracies such as number of people currently employed and an unrealistic business plan that lacks credibility, especially regarding traffic flow in a narrow lane. Enforcement officers have a difficult task getting compliance to conditions in Upper Bourne End Lane, for example condition 4 re openness and fencing. We walk the lanes and footpaths in this area regularly using the green belt for exercise and enjoyment as, we hope, the increasing population of Bourne End will do when Mears complete their houses on the former saw mill site. The proposed development does not fit with the agreed local plan.

Wayside

The piece of land in question was made derelict by the applicant when he imported tonnes of rubble and subsoils from a local building site last year. The only thing that will grow on the land now are weeds. In the Design, Access and Planning Statement point 3.8 states that there are currently three members of staff working on the site. This is completely untrue as there is no one working on the site which we can clearly see from our land. There would be no point in any staff working there as nothing of any value is growing there.

The applicant states that he proposes to grow fruit and grapes on the site. However, as the site is open to the elements on all sides and the applicant has destroyed the land by dumping bricks, rubble, sand, pieces of metal and plastic on it, it is hard to see how this will be accomplished.

In points 3.4 and 3.5 in the Design, Access and Planning Statement it is proposed that compacted chalk will be required to weather proof the tracks and raise the planting beds. This suggests that the applicant intends to import yet more rubble and subsoils in order to take money on the gate, as he did last year.

The building and polytunnels will still be highly visual on the site no matter which direction they face and they are still very large for this relatively small piece of land.

4/00337/18/FHA ONE AND TWO STOREY REAR EXTENSIONS, GARAGE CONVERSION, SINGLE STOREY FRONT EXTENSION, LOFT CONVERSION, FRONT ROOF LIGHT AND DECKING

1 ELLESMERE ROAD, BERKHAMSTED, HP4 2EX

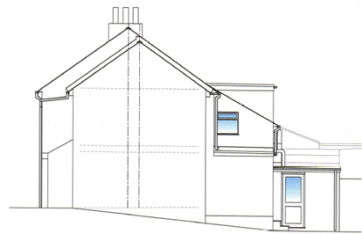


4/00337/18/FHA ONE AND TWO STOREY REAR EXTENSIONS, GARAGE CONVERSION, SINGLE STOREY FRONT EXTENSION, LOFT CONVERSION, FRONT ROOF LIGHT AND DECKING

1 ELLESMERE ROAD, BERKHAMSTED, HP4 2EX



Existing Front Elevation



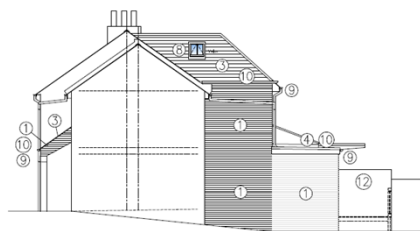
Existing Side Elevation



Existing Rear Elevation



Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation

4/00337/18/FHA	ONE AND TWO STOREY REAR EXTENSIONS, GARAGE CONVERSION, SINGLE STOREY FRONT EXTENSION, LOFT CONVERSION, FRONT ROOF LIGHT AND DECKING
Site Address	1 ELLESMERE ROAD, BERKHAMSTED, HP4 2EX
Applicant	MR R FACER, 1 ELLESMERE ROAD
Case Officer	Sally Robbins
Referral to Committee	Contrary views of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission is delegated with a view to **APPROVAL** subject to conditions and expiry of the consultation period.

2. Summary

2.1 The proposed development is acceptable in principle, noting the site's location within a designated residential area within Berkhamsted. The proposed alterations and extensions to the dwelling would not have a significant detrimental impact upon the character and appearance of the existing dwelling or the surrounding area. The design of the proposed scheme has undergone various amendments in consultation with the Council's Conservation Officer. The sympathetic design, form and scale of the proposed development would conserve the Berkhamsted Conservation Area and would be acceptable within the street scene. The development will not have an adverse impact on the residential amenity of surrounding neighbouring properties. The loss of the garage due to its proposed conversion into living accommodation is considered to be acceptable due to the site's town centre location and the fact that this element of the proposal could be carried out under Permitted Development.

2.2 The proposal would therefore comply with Policies CS4, CS8, CS11, CS12 and CS27 of the Dacorum Core Strategy (2013) and Saved Policy 120 and Appendix 3, 5 & 7 of the Dacorum Borough Local Plan (2004).

3. Site Description

3.1 The application site is located on the southwest side of Ellesmere Road in Berkhamsted. The site comprises a two storey semi-detached Victorian dwelling that has undergone a previous two storey side extension (ref. 4/0704/87). Ellesmere Road lies parallel to the railway tracks with residential development occupying the southwest side of the street only. The surrounding area is characterised by predominantly by Victorian terraces, with some more modern infill development, such as nos. 3 and 4.

4. Proposal

4.1 The application seeks full planning permission for rear infill extensions at ground floor and first floor level, garage conversion, single storey front extension, loft conversion, front roof light and decking at the rear of the property.

5. Relevant Planning History

4/0704/87	TWO STOREY SIDE & SINGLE STOREY REAR EXTENSION Granted 06/07/1987
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6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

CS4, CS8, CS11, CS12 and CS27

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 120, Appendix 3, 5 & 7

6.4 Supplementary Planning Guidance / Documents

- Area Based Policies (May 2004) - Residential Character Area BCA 3:Bank Mill
- Accessibility Zones for the Application of car Parking Standards (July 2002)

6.5 Advice Notes and Appraisals

- Conservation Area Character Appraisal for Berkhamsted

7. **Constraints**

- Former Land Use
- RAILWAY (100M BUFFER)
- CONSERVATION AREA

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 Existing Building & Conservation Area
- Impact on Residential Amenity
- Impact on Parking
- Other

Policy and Principle

9.2 The site is situated in a residential area of Berkhamsted, whereby appropriate residential development is encouraged in accordance with Core Strategy Policy CS4. The application site is located within character area of BCA3 (Bank Mill) where extensions should normally be

subordinate in terms of scale and size to the parent dwelling. The application site also falls within Berkhamsted Conservation Area where development is expected to positively preserve and enhance the established character and appearance of the conservation area in accordance with Core Strategy Policy CS27, Saved Policy 120 of the Local Plan and Section 12 of the NPPF.

9.3 The main issues of relevance to the consideration of this application relate to the impact of the proposed extension on the character and appearance of the existing building, Conservation Area and residential amenity of surrounding units.

Impact on Existing Building & Conservation Area

9.4 The parent dwelling is a mid-19th century semi-detached property constructed of dark yellow brick with a gabled slate roof. It has a modern two storey side extension, set back from the front elevation. The property has a monopitch two storey rear wing which extends across half the width of the rear elevation and a modest single storey extension.

9.5 The ground floor rear infill extension would measure 2.5m deep, 3.9m wide and would comprise a flat roof. The first floor rear extension would measure 2.3m deep, 3.9m wide and would comprise a hipped roof containing two roof lights and would be set down from the roof of the parent dwelling. The proposed front extension would be a modest single storey addition, measuring 1.2m deep, 3m wide and would comprise a lean to roof. The proposed extensions would be relatively modest in scale and would be subordinate additions to the parent dwelling.

9.6 Internally the existing garage would be converted into habitable accommodation and living space would also be created in the existing and newly created loft space. One roof light is proposed for the front elevation of the dwelling. The proposed extensions would be finished in materials to match the parent dwelling, including facing brickwork, slate roof tiles and timber framed windows. The roof lights would be low-profile conservation style. The existing garage door would be replaced by a timber and glass-panelled imitation garage door.

9.7 Following discussions with the Council's Conservation Officer, the scheme has undergone a number of amendments, including omitting the full-width rear dormer window, changing the flat roof of the first floor extension to a hipped roof and reducing the size of the roof light on the front elevation. The eaves of the front extension have also been set back slightly so that the eaves are level with the principal elevation of the original dwelling. The Conservation Officer did suggest that a bay window is inserted instead of the front extension, however it is not considered that this would be an improvement to the proposed front extension with lean to roof. As such, it is not considered that the proposal could be refused on the basis of the front extension.

9.8 The surrounding area is characterised by residential development along the southwest side of Ellesmere Road, comprising predominantly Victorian terraces. Several properties within the immediate vicinity have undergone extensions, for example 12 Gravel Path (a Locally Listed Building) has a two storey rear extension with a hipped roof, similar to the proposed. The adjoining property, 2 Ellesmere Road, has a single storey rear extension with overhanging canopy as well as full width rear dormer window. To the rear of the application site several properties have undergone two storey flat roofed extensions, including 3 George Street, which is also a Locally Listed Building.

9.9 The proposed front extension would be visible within the street scene, however, it is considered that the modest scale and sympathetic design of this element of the proposal will not have a detrimental impact upon the character and appearance of the parent dwelling, immediate street scene or Conservation Area. The proposed timber and glass panelled imitation garage door would be a welcome replacement of the existing metal garage door.

9.10 There would be limited visibility of the rear extensions from within the public realm, although these elements would be visible from the rear gardens of the properties along Gravel Path and

George Street. Taking into account existing extensions on neighbouring properties, added to the amendments endorsed by the Council's Conservation Officer, it is considered that the proposed development will not have a detrimental impact upon the character and appearance of surrounding properties. The proposal is sympathetically designed and would be finished in materials to match the host property. It is therefore considered that the proposed development will harmonise with its surroundings and will conserve the character and appearance of the Conservation Area. The proposal complies with Policies CS11, CS12 and CS27 of the Core Strategy and the NPPF in that regard.

Impact on Residential Amenity

9.11 The nearest residential dwelling in relation to the application site is 12 Gravel Path, which is situated perpendicular to the application dwelling with its rear elevation facing the side elevation of 1 Ellesmere Road. The side elevation of the proposed first floor rear extension would be situated approximately 11m from the rear elevation of 12 Gravel Path. However, due to the slightly oblique angle and the position of the existing two storey side extension to the host property, it is not considered that there would be any significant loss of light or visual intrusion. No windows are proposed on the side elevation and as such there will be no loss of privacy.

9.12 The rear elevation of the first floor extension would be situated approximately 26m from the rear elevation of nos. 1 and 3 George Street. This meets the minimum separation distance set out in Saved Appendix 3 of the Local Plan. It is therefore considered that there will be no significant loss of light, overlooking or loss of privacy in relation to the dwellings to the rear.

Parking Provision

9.13 Berkhamsted Town Council has raised an objection regarding inadequate parking provision for the size of the property. The dwelling currently has one parking space in the garage, although the applicant has indicated that the garage is not currently used for parking a vehicle. As a result of the proposed garage conversion the property would have no off-street parking.

9.14 The property currently has three bedrooms and would have four bedrooms as a result of the proposed garage conversion. The maximum parking standards set out in Saved Appendix 5 of the Local Plan for a three-bedroom dwelling is 2.25 spaces and for a four-bedroom dwelling is 3 spaces. However, as the garage conversion on its own could be carried out under Permitted Development Rights, and added to the application site's town centre location with good access to public transport and close to the train station, it is not considered that the proposal could be refused on the grounds of lack of parking. The NPPF para 33 states "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe." It is considered in this case that such an argument could not be sustained.

Other Matters

9.15 Berkhamsted Town Council have raised an objection to the proposal on the grounds that the proposal would result in overdevelopment and would be out of keeping with the street scene. With respect to the rear dormer, the Town Council felt that it would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and detrimental to the appearance of the house and the surrounding area. Concerns were raised regarding inadequate parking provision for the size of the property, which have been addressed above under 'Parking Provision'.

9.16 It is considered that the amendments have addressed the concerns of the Town Council with regards to the design and the impact upon the character and appearance of the parent dwelling and surrounding area, specifically the removal of the dormer window.

9.17 In terms of overdevelopment, the proposal would result in a dwelling with four bedrooms, however as highlighted above the garage could be converted into a bedroom under Permitted Development. Furthermore, whilst it is acknowledged that the original dwelling is modest in scale, there are satisfactory separation distances towards the rear in order to avoid visual or being overbearing. It is therefore not considered reasonable that the application is refused on the grounds of overdevelopment.

Response to Neighbour comments

9.18 An objection was received from 9 Gravel Path relating to the design of the proposed development, and that the flat roofed two storey extension and large rear dormer would be incongruous. It is considered that the amendments have addressed these concerns and the proposal is now considered to be acceptable.

CIL

9.19 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 100sqm of additional floor space.

10. Conclusions

10.1 The proposed development through design, scale and material finishes will not adversely impact upon the visual amenity of the existing dwelling house, immediate street scene, Conservation Area or the residential amenity of neighbouring occupants. The proposal is therefore in accordance with Saved Appendixes 3 and 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 and CS27 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:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place, other than groundworks and demolition, 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.</p> <p>Reason: In the interests of the visual amenities of the Conservation Area, in accordance with Core Strategy (2013) Policy CS27.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>002 Revision C</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with Core Strategy (2013) Policy CS12.</p>

Article 35 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.
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Appendix A

Consultation responses

Berkhamsted Town Council:

Objection.

These proposals, for a dwelling in the Conservation Area, represent an overdevelopment of the site which is out of keeping with the street scene. The rear dormer would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and detrimental to the appearance of the house and the surrounding area. There would also be inadequate parking provision for the size of the property.

CS11; CS12; CS27; P120.

Network Rail:

Network Rail has reviewed the documentation submitted by the applicant and this proposal will not impact the railway infrastructure.

Conservation & Design:

1 Ellesmere Road is a mid 19th century semi-detached property constructed of dark yellow brick with a gabled slate roof. It has a modern 2-storey side extension, set back from the front elevation. The property has a monopitch 2-storey rear wing which extends across half the width of the rear elevation (as is traditional of these 19th century terraced properties) and a modest single storey extension.

The application proposes a number of alterations; these are discussed in turn below:

Front extension to garage. The front extension to the 2-storey side wing would feature a monopitch roof - this type of front extension is out of character with the 19th century terraces along Ellesmere Road. The garage should be converted to a bedroom without any form of front extension and a window inserted to the front elevation.

Rear dormer:

A modest, well designed dormer would be acceptable however the proposed dormer covers almost the entire rear roof slope of the property; it is not set down from ridge and extends right

down to the eaves. It is barely set in from the edges of the roof. The result would be an overly bulky, large dormer which dominates the roof and means the original roof form is entirely lost.

A recent appeal (29th January 2018) at 12 Kitsbury Road for a rear box dormer was dismissed. The refused box dormer was smaller in scale than that proposed in this application however the inspector found the dormer: 'would, by reason of its bulk and scale, significantly alter the shape of the dwelling's original roof form, appear cramped and dominate its rear elevation.' The inspectors appeal decision also refers to conservation area designation being relevant to both front and rear elevations.

The rear dormer should be set away from the roof edges by a far greater amount, set well away from the eaves and set down from the ridge.

Such a large velux to the front elevation does not seem necessary, a small conservation roof light is recommended.

Two storey full width flat roof extension:

The existing rear wing is of an appropriate design and scale for the Victorian terraced property. The proposed flat roofed full width rear extension results in loss of the original design of the property, its rear elevation is fully concealed - the result 'terracing' of flat roof dormer / first floor flat roof extension and ground floor flat roof extension is entirely out of character with the local 19th century built form. It is recommended any extension at first floor is omitted from any revised proposals.

Ground floor extension:

A ground floor full width extension would be supported; numerous properties within the Conservation Area have been extended in this way. The ground floor extension could also infill the side yard (and wrap around the retained first floor rear wing).

Conservation Areas are defined as: "Areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance."

Policy CS27 Quality of the Historic Environment - All development will favour the conservation of heritage assets. Development will positively conserve and enhance the appearance and character of conservation areas.

The design, scale and bulk of the proposed dormer, the two storey full width flat roofed extension and single storey front projection will all fail to preserve the special interest of the Berkhamsted Conservation Area and is contrary to Policy CS27, Local Plan policy 120 and paragraph 131 of the NPPF, recommend refusal.

Further comments received:

Justification for a full width rear extension will need to be put forward. The eaves height of the 2-storey rear extension appears to be raised above the existing eaves height, suggest the eaves are in line with the existing eaves or, preferably, are set down.

The front extension is at odds with the canopy roofs locally and smaller projecting bays, why not insert a bay window instead with a canopy? Building out the garage closer to the road / pavement will only make it more visually intrusive and not provide any enhancement to the street scene.

BERKHAMSTED TOWN COUNCIL	Objection
Objection. These proposals, for a dwelling in the Conservation Area, represent an overdevelopment of the site which is out of keeping with the street scene. The rear dormer would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and	

detrimental to the appearance of the house and the surrounding area. There would also be inadequate parking provision for the size of the property.

CS11; CS12; CS27; P120.

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
9 Gravel Path	<p>Despite being given no prior notice of this proposed extension, we have no objections to the principle of our neighbours extending their property. However, the building is in the Berkhamsted Conservation Area and we do not consider the design or aesthetics of the proposed extensions have due regard to the character of the area.</p> <p>Saved Appendix 7 of the 2004 Dacorum Local Plan sets out design guidance for small scale house extensions, and as the site is in the conservation area we think any development should comply with Appendix 7 as a minimum. However, we do not think the proposal does.</p> <p>In respect of Part (i) Existing House, the extension includes numerous flat roofs which do not match the existing house, or the character of the majority of neighbouring properties. In terms of Part (ii) Surrounding Area, the flat roofed two storey rear extension would not reflect the design or appearance of the original neighbouring properties in the vicinity. The large flat roofed dormer window would fill the whole roofslope and would be the only dormer window of this scale in this row (we note the neighbouring house has a first floor rear dormer window, however this retains some roofslope above and below, and so does not detract from the appearance of the house as a two storey building).</p> <p>In respect of Part (vi) Dormer Windows, the proposed dormer would not comply with point (b) and would be excessive in size, appearing bulky from neighbouring houses and not reflecting the character of the surrounding conservation area properties.</p> <p>Core Strategy Policies CS11 and CS12 seek to ensure that developments preserve attractive street scapes, protect views within areas, integrate with streetscape character and respect adjoining properties. For the reasons outlined above, we do not consider that the proposal in design terms would comply with these policies</p> <p>Core Strategy Policy CS27 requires development to favour the conservation of heritage assets. The proposed extensions would be visible from Ellesmere Road, George Street and neighbouring properties, all within the conservation area. We consider the development will not positively conserve and</p>

	<p>enhance the appearance and character of the conservation area, but will appear too large and incongruous.</p> <p>We hope you will take the above into account when making your decision.</p>
<p>3 GEORGE STREET, BERKHAMSTED,, HP4 2EG</p>	<p>The development will bring the house back towards our property and will overlook our garden, bathroom and bedroom even more. This will negate our privacy.</p> <p>Houses on Ellesmere Road are in an elevated position, above those on George Street / Gravel Path. So the overlooking from the development is major and negates our privacy and the privacy of properties 3 to 11 Gravel Path</p> <p>The proposed second extension at roof height is not in keeping with the conservation area. This would set a precedent for everybody else. If permission is granted on this application then all properties would be able to develop at this second storey height and all property's gardens and houses would be overlooked.</p> <p>The development could be seen from George Street and is not in keeping with the area.</p> <p>There are concerns the development exceeds planning limits for the square footage of the property against the total footprint of the plot which decking adds too. The loss of a garage will increase parking congestion</p>
<p>BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD</p>	<p>BTC comment</p> <p>Objection.</p> <p>These proposals, for a dwelling in the Conservation Area, represent an overdevelopment of the site which is out of keeping with the street scene. The rear dormer would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and detrimental to the appearance of the house and the surrounding area. There would also be inadequate parking provision for the size of the property.</p> <p>CS11; CS12; CS27; P120.</p>

Supporting

Address	Comments
N/A	N/A
<p>2 ELLESMERE ROAD, BERKHAMSTED,, HP4 2EX</p>	<p>I have no objection to these plans. I live next door.. I have consulted with the senior architect at Aicheson and Rafferty at my property and again a few days later with the owner Richard Facer who allowed me access to the dwelling itself.</p> <p>I have no material planning considerations, there is to be no loss of light or overshadowing or loss of privacy. Mr Facer who is in the timber reclamation business I understand, has a sensitive eye and plans to replicate the extensions and</p>

	<p>materials of my own house to a harmonious effect.. The aspect to the front of the house remains almost unchanged, the only change seemingly the removal of rather garish bright red metal garage door. The house in question is very cramped and dark.. In my view anything that can be done to improve the living arrangements ,and which consequently contribute to the health and dignity of any family who may live in it in the future. is to be applauded.</p>
2 ELLESMERE ROAD,BERKHAMSTED,,,H P4 2EX	<p>I have no objection to these plans. I live next door.. I have consulted with the senior architect at Aicheson and Rafferty at my property and again a few days later with the owner Richard Facer who allowed me access to the dwelling.itself. I have no material planning considerations, there is to be no loss of light or overshadowing or loss of privacy. Mr Facer who is in the timber reclamation business I understand, has a sensitive eye and plans to replicate the extensions and materials of my own house to a harmonious effect.. The aspect to the front of the house remains almost unchanged, the only change seemingly the removal of rather garish bright red metal garage door. The house in question is very cramped and dark.. In my view anything that can be done to improve the living arrangements ,and which consequently contribute to the health and dignity of any family who may live in it in the future. is to be applauded.</p>
2 ELLESMERE ROAD,BERKHAMSTED,,,H P4 2EX	<p>Letter to Charles berry Ottawa I checked the planning site again today and my comments are still not displayed. i do thank you for promising to ferry my comments to the committee , that is very reassuring but the site is clearly not working. Or maybe It is working but I am not understanding how it works? There is clearly a box labelled public comments and under this box I read There are no comments lodged for this application.? Why is this??</p>

Commenting

Address	Comments
2 Ellesmere Road	<p>I have no objection to these plans. I live next door.. I have consulted with the senior architect at Aicheson and Rafferty at my property and again a few days later with the owner Richard Facer who allowed me access to the dwelling.itself.</p> <p>I have no material planning considerations, there is to be no loss of light or overshadowing or loss of privacy. Mr Facer who is in the timber reclamation business I understand, has a sensitive eye and plans to replicate the extensions and materials of my own house to a harmonious effect..</p> <p>The aspect to the front of the house remains almost unchanged, the only change seemingly the removal of rather garish bright red metal garage door.</p> <p>The house in question is very cramped and dark.. In my view</p>

	anything that can be done to improve the living arrangements ,and which consequently contribute to the health and dignity of any family who may live in it in the future. is to be applauded.
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Agenda Item 6

6. APPEALS UPDATE

A. LODGED

4/00523/18/FHA Mrs Green
TWO STOREY SIDE EXTENSION
WINTER COTTAGE, BELL LANE, NORTHCHURCH, BERKHAMSTED,
HP4 3RD
[View online application](#)

4/01977/17/FUL Hounsfild LLP
CONSTRUCTION OF 4 NEW DWELLINGS WITH AMENITY SPACE,
CAR PARKING AND CYCLE STORAGE. PRIVATE GATED ACCESS
DRIVE. PROPOSED NEW RETAINING WALL OF CONTIGUOUS
PILING AND STEPOC BLOCK RETAINING WALL WITH GREEN
WALL AND NATIVE TREE AND SHRUB SOFT LANDSCAPING.
LAND TO THE REAR OF THE OLD SILK MILL, BROOK STREET,
TRING, HP23 5EF
[View online application](#)

4/02368/17/MOA Lumiere Acquisitions Ltd
DEMOLITION OF A 4 STOREY OFFICE BUILDING. CONSTRUCTION
OF UP TO 17 STOREY RESIDENTIAL DEVELOPMENT. FEATURING
305 APARTMENTS, ON-SITE GYM AND LEISURE FACILITIES, ON-
SITE COFFEE SHOP, ROOF GARDEN AND
LIBRARY/OBSERVATORY, INTERNAL ARBORETUM, FUNCTION
ROOM AND UNDERGROUND PARKING FACILITIES FOR 323 CARS
IN AN AUTOMATIC CAR PARKING SYSTEM, WITH ON-SITE
ELECTRIC CAR SHARE.
THE BEACON, WHITELEAF ROAD, HEMEL HEMPSTEAD, HP3 9PH
[View online application](#)

4/02926/17/FUL STERLING
CONSTRUCTION OF 2 SEMI-DETACHED DWELLINGS AND
DEMOLITION OF EXISTING GARAGE TO CREATE SITE ACCESS
GREYMANTLE, HEMPSTEAD ROAD, BOVINGDON, HEMEL
HEMPSTEAD, HP3 0HF
[View online application](#)

4/03039/17/FUL Mr Alland
DEMOLITION OF PIGSTY YARD AND STORAGE BARN.
CONSTRUCTION OF NEW BUILDING FOR STORAGE OF GARDEN
MACHINERY AND WORKSHOP, GREENHOUSE, PLANTING ROOM,
POTTING SHED, HOME BREWERY AND STORE, CREATIVE
STUDIO/HOBBY ROOM AND W/C .

BAG END, HOGPITS BOTTOM, FLAUNDEN, HEMEL HEMPSTEAD,
HP3 0PX

[View online application](#)

4/03153/17/FUL

Braybeech Homes Limited
CONSTRUCTION OF TWO NEW SEMI-DETACHED THREE-
BEDROOM DWELLINGS AND ASSOCIATED ACCESS.
LAND TO THE REAR OF 21, 23 & 25 GROVE ROAD, TRING, HP23
5HA

[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](#)

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](#)

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](#)

E. DISMISSED

4/01063/17/FUL Bowhouse Dental
PITCHED ROOF EXTENSION OVER EXISTING FLAT ROOF TO
PROVIDE SECOND STOREY AND ALTERATIONS TO EXISTING
PITCHED ROOF
75 WESTERN ROAD, TRING, HP23 4BH
[View online application](#)

The main issue is whether the development would preserve or enhance the Tring Conservation Area (TCA).

The appeal property is a traditional, semi-detached property with an anomalous two-storey, flat-roof side extension. It is sited prominently on the south side of Western Road, a busy high street, adjacent to the Anchor PH and close to the junction with Chapel Street. The property is currently in use as a dental surgery.

Despite its obvious aesthetic failings, the current side extension can at least be said to be subservient in scale to both the host building and the adjacent PH. Despite the flat-roof addition, the white facade matches neighbouring buildings and enables it to blend in such a way that I did not find it to be especially prominent in longer distance views up and down Western Road.

Although front gables are a common feature in the TCA, these are as part of a row or pair of houses where gables are a repeated feature providing symmetry and balance to a wider group. In this case the extension would be a crude and isolated addition to the host building in terms of its scale, form and appearance. It would relate poorly to adjacent buildings exacerbating the existing unbalance between No 75 and No 77.

Unlike the existing extension, it would be particularly prominent in longer distance views from where its protrusive, double gabled, roof form, being starkly juxtaposed with the area's traditional roofscape, would draw attention to itself in a manner that would be most unsympathetic to the host building and the wider Western Road street scene.

Whilst I accept that the expansion of the surgery would deliver community benefits, overall I concur with the Council that these modest benefits would be insufficient to outweigh the significant harm I have identified to the TCA. The development would thus conflict with Policies CS11, CS12 and CS27 of the 'Dacorum Local Planning Framework: Core Strategy 2013'. Amongst other things, these seek to conserve and enhance the appearance and character of conservation areas and promote high quality design that has an appreciation of the scale, height and layout of adjoining properties.

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](#)

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the extensions proposed on the character and appearance of the host property and its setting within the Aldbury Conservation Area and the Chilterns Area of Outstanding Natural Beauty.

Reasons

Background

3. The appeal site comprises the garden of a detached house with rendered elevations and a tiled roof, which is located on rising land on the edge of the village of Aldbury. The proposal is to add side and rear extensions and remodel the building and its fenestration. The proposal has been revised from the initial plans which proposed a single gable on the front elevation and a double gable to the rear one, and it is now proposed to make fewer changes to the roof as shown on drawing 7129-02 Rev C. I have only had regard to these revised plans.

Effect on the host building and wider area

4. The host building has modest proportions with a half-hip at both ends of the roof and small dormer and other window openings, with a central main chimney in the roof and lower chimney stacks at either end. The side of the property shows a single gable width but with a single storey cat-slide front and back as well as a single storey flat roof extension at the front. Overall, the existing property makes a positive contribution to the character of the conservation area and the wider landscape of the AONB.

5. Although the property occupies a prominent position on the inside of a bend in Toms Hill Road, the roadside shrubs and trees partly screen the property from the public realm, although the retention of these natural features cannot be relied on in the long term.

6. In assessing the effect of the proposals I have had regard to the design principles set out in the Chiltern Building Design Guide (2010). In terms of the overall form and design of the extensions proposed, I am concerned about the loss of the half hip at the southern end of the roof and its replacement with a full hip. Further, this hip would lead to a secondary ridge at right angles to the main ridge to form the gable. The scale of the partial 'crown roof' roof would be accentuated by the addition of two part-dormer windows on this side elevation. There would be a similar building bulk shown on the south facing elevation particularly at first floor level.

7. The bulk and form of the extensions and remodelling would materially change the design and appearance of the building. Whilst it is not of great antiquity, I agree with the Council that the present cottage form of the property would be lost and it would be replaced by a dwelling with an imposing and awkward form. In particular there would a loss of a simple vernacular form when seen in the street scene around the site frontage and when approaching down Toms Hill Road from the north. I appreciate that this individual view is limited to a short part of the street at the moment but in my judgement the appearance and design of this dwelling plays an important part in establishing the character of the area at an entrance to the village and its wider setting in the AONB.

8. I acknowledge that the original scheme has been amended in order to try and overcome the Council's stated objections; nevertheless I have made my assessment on the revised plans. I have also considered the scheme for an extension as previously approved in 2011 and while this introduced a single rear gable, the overall design, width and form of the property was retained

and I consider that this permitted scheme was materially different in form. I have also had regard to the photographs submitted by the appellants' agent of other extensions or new properties in the locality. None of these examples suggest to me that the conclusions I have reached above are wrong in design terms.

9. Overall, I find that the design and form of the extensions and remodelling put forward would materially harm the character and appearance of the host property and it would also harm and not preserve or enhance both the character and the appearance of the Aldbury Conservation Area. Therefore the statutory test is not met and the proposal would conflict with the requirements of Core Strategy Policies CS11, CS24 and CS27 and in terms of conserving the distinctive character of the historic environment and the special qualities of the AONB.

10. In terms of the guidance set out in Section 12 of the National Planning Policy Framework (the Framework) I find that the harm to the heritage asset would amount to 'less than substantial harm' as referred to in paragraph 134.

Planning balance

11. On the main issue I have found that the proposed extension would neither preserve or enhance the character or the appearance of the host property but would harm its setting in the conservation area and its contribution to the AONB. This adverse effect has to be balanced with other considerations.

12. I acknowledge that the scheme would rationalise and improve the internal accommodation within the property and would benefit the occupiers. However, I find that this factor does not constitute a public benefit in the context of the paragraph 134 of the Framework. The benefits do not outweigh the adverse effects that I have concluded will arise with the proposed scheme and the conflict with the development plan. This indicates that planning permission should not be granted.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

4/02713/17/FUL

Mr Forbes

DEMOLITION OF GARAGE AND CONSTRUCTION OF TWO SEMI
DETACHED DWELLINGS

LAND R/O, 50 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1
1TJ

[View online application](#)

I do not consider that the location of the accesses would pose a significant highway safety problem. There is no dispute that local standards require a minimum of 2 parking spaces per property. However, due to constraints in size and shape, the driveway would only be physically capable of accommodating 1 vehicle. If it is to be on the driveway then I concur with the Council that there is very strong likelihood of vehicles overhanging the footway something which is both illegal and could result in vulnerable pedestrians having to walk in the carriageway. It could also impede visibility at the adjacent priority junction for other road users.

The immediate area is part of a planned estate development distinguished by brick-built detached and terraced dwellings of varying scale arranged along a consistent building line. These characteristics are reflected in the 'HCA9: Hammerfield North Character Appraisal' (CA) which refers to a 'medium density residential area featuring a variety of architectural ages and designs but possessing little unifying character throughout'.

Although the estate has a broadly open character, frontage areas tend to be dominated by hardstanding for the parking of cars particularly to the south where there is a marked increase in density. Whilst some dwellings benefit from front gardens, overall the area did not strike me as

being particularly verdant, spacious or sensitive in any other regard.

The Park Hill Road roofscape contains an eclectic range of designs, including large bulky, front dormers that cannot reasonably be described as uniform or remarkable. The proposed valley roof would therefore contribute to the range of roof forms along Park Hill Road adding variety and interest.

There would be limited scope to implement some landscaping to the site frontage. However, with cognisance to the prevalence of frontage car parking in the area and the approved scheme to the south, I can find nothing objectionable about the parking layout in visual terms.

I have found that the development would be acceptable with regards to its effect on the character and appearance of the area. I also accept that the development would make efficient use of the land and deliver two dwellings in an area of need. Nonetheless, these benefits do not outweigh the harm to highway safety and the conflict with the development plan in that regard.

Accordingly, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

F. ALLOWED

None

Agenda Item 7

PLANNING ENFORCEMENT PROSECUTION UPDATE

E/18/00009

REASON FOR REPORT

1. The Quarterly Planning Enforcement Update relates to action taken in respect of the serving of a formal Notice, including prosecution proceedings in relation to those Notices. However, there are instances where individuals or companies are prosecuted without the serving of a formal Notice.
2. The purpose of this report is therefore to update Members in the Hearing that took place at St. Albans Magistrates Court on 11 July 2018 in the matter of Dacorum Borough Council v, Nowitslaw Ltd. and Litigant in Persons Ltd.

BACKGROUND TO CASE

3. On 6th January 2018 a complaint was received from a member of the public to investigate a banner being displayed on the railings at junction of Redbourn Road and St Agnells Lane, also known as Cupid Green Roundabout.
4. During the course of January – March 2018 Planning Enforcement Officers received further complaints of several other banners advertising the legal services of Law & Us and Litigant in Persons. Planning Enforcement Officers also noted additional such banners being displayed without any advertisement consent. The banners were typically displayed in prominent locations in Hemel Hempstead and attached to either highway furniture or roadside barriers and railings. In total 17 separate locations were noted.
5. Despite of the Council's numerous efforts in trying to resolve these matters in various ways, the banners continued to be displayed by Law & Us Limited and Litigant in Persons. Several banners were noted to have been erected subsequent to the Council's first contact with Law & Us Limited/Litigant in Persons, and in particular after the company was informed to remove all banners displayed within Dacorum without consent on 23 January 2018. Ultimately, the Council's efforts to secure the removal of the banners were unsuccessful and the Council was forced to take action to remove six of the banners itself.
6. The banners were considered to have a detrimental impact on the visual amenity of the area, whilst their locations at roundabouts, junctions and pedestrian crossings resulted in an unwelcome distraction to road users. The Council received a number of complaints about these banners from local residents, emphasising the harm the banners caused.
7. Due to the persistent nature of the offences, and due to the harms caused by the display of these unlawful banners, Planning Enforcement prepared a very detailed

evidential Witness Statement and passed the matter to Legal to commence prosecution proceedings.

THE OFFENCES

8. In the case of the display of unauthorised signs and banners it is a criminal offence under S.224(3) of the Town and Country Planning Act 1990, for which the responsible person(s) may be prosecuted in the Magistrates Court. Proceedings for such an offence must be brought to the Court within 6 months of the Council having evidence that an offence has been committed.
9. In such cases the fine upon summary conviction under this legislation is currently a maximum of £2500 per sign.
10. In accordance with s.224(5) of the Act a person shall be deemed to display an advertisement if:
 - he is the owner or occupier of the land on which the advertisement is displayed; or
 - the advertisement gives publicity to his goods, trade, business or other concerns.
11. Planning Enforcement Officers listed 17 separate offences and sought to prosecute the two companies concerned for each and every offence.

COURT DECISION

12. The magistrates found the 17 matters described above proved and the defendants were sentenced as follows.
13. Nowitslaw Ltd. received a fine of £42,500, had to pay the prosecution's costs of £1,202.50, and a victim surcharge of £130.
14. Litigant in Persons Ltd. received a fine of £42,500, had to pay the prosecution's costs of £1,202.50, and a victim surcharge of £130.
15. As such both companies received the maximum fine payable, i.e. £2,500 for each banner that had been unlawfully displayed.