



Public Document Pack
**DEVELOPMENT MANAGEMENT
AGENDA**

**THURSDAY 16 AUGUST 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 Member Support 01442 228209

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) 4/01331/18/MFA - DEMOLITION OF ALL EXISTING BUILDINGS AND CONSTRUCTION OF TWO BUILDINGS COMPRISING 170 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING - FROGMORE ROAD INDUSTRIAL ESTATE, FROGMORE ROAD, HEMEL HEMPSTEAD, HP3 9RW (Pages 5 - 86)
- (b) 4/01095/18/FUL - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 2 NEW SEMI-DETACHED DWELLINGS AND 7 TERRACED DWELLINGS WITH NEW ACCESS ROAD TO TERRACES (AMENDED SCHEME) - 50-53 CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0EA (Pages 87 - 115)
- (c) 4/02625/17/FHA - EXTENSION OF BOUNDARY WALL AND FENCING AND WORKS TO DRIVEWAY - 2 WHITEWOOD ROAD, BERKHAMSTD, HP4 3LJ (Pages 116 - 122)
- (d) 4/00624/18/FHA - FRONT EXTENSION INFILLING EXISTING AREA, RAISED CENTRAL AREA AND CREATION OF A CROWN ROOF - LANGRESSE, RUCKLERS LANE, KINGS LANGLEY, WD4 9NQ (Pages 123 - 132)
- (e) 4/01382/18/ADV - EXISTING SIGN TO BE INSTALLED ON NEW 8.5M POLE - MCDONALD'S RESTAURANT, 3 STONEY LANE, HEMEL HEMPSTEAD, HP1 2SB (Pages 133 - 142)
- (f) 4/01563/18/FHA - CONVERSION OF GARAGE INTO HABITABLE LIVING SPACE - 54 HARDY ROAD, HEMEL HEMPSTEAD, HP2 5EG (Pages 143 - 150)

6. APPEALS (Pages 151 - 156)

5a 4/01331/18/MFA DEMOLITION OF ALL EXISTING BUILDINGS AND CONSTRUCTION OF TWO BUILDINGS COMPRISING 170 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING.

FROGMORE ROAD INDUSTRIAL ESTATE, FROGMORE ROAD, HEMEL HEMPSTEAD, HP3 9RW



5a 4/01331/18/MFA DEMOLITION OF ALL EXISTING BUILDINGS AND CONSTRUCTION OF TWO BUILDINGS COMPRISING 170 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING.

FROGMORE ROAD INDUSTRIAL ESTATE, FROGMORE ROAD, HEMEL HEMPSTEAD, HP3 9RW



01. North-East Elevation
1 : 200



02. South-East Elevation
1 : 200



Block A - Elevation SE
1 : 200



4/01331/18/MFA	DEMOLITION OF ALL EXISTING BUILDINGS AND CONSTRUCTION OF TWO BUILDINGS COMPRISING 170 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING.
Site Address	FROGMORE ROAD INDUSTRIAL ESTATE, FROGMORE ROAD, HEMEL HEMPSTEAD, HP3 9RW
Applicant	BELLWAY HOMES (NORTH LONDON)
Case Officer	Jason Seed
Referral to Committee	The application has been called into Development Management Committee by Councillor Colin Peter by email on 05/06/2018

1. Recommendation

1.1 That the application be delegated to the Group Manager with a view to approve, subject to the signing of the relevant Section 106 Agreement.

2. Summary

2.1 The application proposes 170 units of residential accommodation with associated access, parking, amenity space and landscaping on a site which is currently in commercial use, but which is allocated for residential use within the Site Allocations Development Plan Document (adopted July 2017).

2.2 Sufficient on-site car parking is provided and the proposals are considered acceptable with regards to highways impact, subject to conditions and the financial contributions which will be secured / provided through legal agreements.

2.3 In addition to providing a valuable contribution towards the Borough's housing stock, a substantial Community Infrastructure Levy (CIL) would be liable following approval which will fund / part-fund infrastructure projects within the Borough.

2.4 It is considered that, subject to the aforementioned agreements, the securing of other relevant contributions and the conditions which are recommended at the foot of this report, the proposals will comply with national and local planning policy and as such, are recommended for delegation to the Group Manager with a view to approve, subject to the signing of the relevant Section 106 Agreement including the following Heads of Terms:

- Affordable housing provision;
- The provision of fire hydrants;
- A contribution of £80,000 towards towpath improvements, and ;
- Highways contributions (TBA)

3. Site Description

3.1 The application site is located on the northernmost side of Frogmore Road, Hemel Hempstead and comprises a number of commercial units and associated curtilage / parking which fronts the roadside. It is noted that a large number of the units on the site are now vacant.

3.2 The surrounding area comprises a variety of uses including a bathroom showroom located to the north-west of the application site, the Grand Union Canal and residential properties of Ebbens Road present to the north / east, commercial properties to the east and south-east, Frogmore Paper Mill to the south and Durrants Hill Road to the west. Further residential properties are located beyond the Paper Mill to the south.

3.3 The site is subject to the following relevant designations: CIL3, Grand Unions (North and

South Bank) 25m Buffer, General Employment Area, Flood Zone 2/3, Former Land Use.

4. Proposal

4.1 170 units of residential accommodation with associated access, parking, amenity space and landscaping.

5. Relevant Planning History

4/02601/17/MFA DEMOLITION OF ALL EXISTING BUILDINGS AND CONSTRUCTION OF TWO BUILDINGS COMPRISING 184 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING
Refused
22/03/2018

6. Procedure - Environmental Impact Assessment

6.1 Prior to the determination of the above application, a request for an Environmental Impact Assessment Screening Opinion under Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was submitted to the Local Planning Authority.

6.2 Following consultation with the relevant parties, it was concluded that whilst the proposals constituted Schedule 2 development and exceeded the threshold for Screening, it was considered that they would not adversely affect any 'sensitive areas' or result in significant effects on the environment with reference to the selection criteria provided within Schedule 3. As such, it was considered that an Environmental Statement was not required.

6.3 The proposals which are being considered under this planning application are largely consistent with those which accompanied the previous Screening Opinion request.

6.4 Whilst the current proposals have not been formally screened, the Regulations have not changed since the previous Screening Opinion was issued and as such, the opinion remains relevant and valid in respect of this planning application.

7. Summary of Responses (Technical Consultees)

- Affinity Water – No objection, informative provided.
- Conservation and Design Officer - The scheme would enhance the appearance of the existing area. As noted in both our comments on the previous scheme and the revised heritage assessment we continue to believe that the proposals would cause harm at the low end of the less than substantial harm weighting when considering the impact on the designated and non-designated heritage assets. In relation to this harm to the designated heritage asset it should be given the appropriate great weight when considered as part of the proposals. The design of the proposed flats and their landscaping would be acceptable and in keeping with the wider canal environment. Condition recommended.
- Canals and Rivers Trust - No objection subject to financial contribution and conditions.
- Design Out Crime Officer - My comments are made from a crime prevention perspective only. Looking at the documents most areas of concern have been addressed, although I would ask that not only the affordable units are built to the police minimum security standard Secured by Design, this will also meet the building regulations (approved document Q).
- Environment Agency – No objection, subject to conditions. Informative provided.
- Environmental Health Officer - Advise that they have no objection to the proposed

development in relation to noise, air quality and land contamination. Conditions provided.

- Herts Fire and Rescue - 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 firefighting 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.
- Historic Environment Advisor – No objection, subject to conditions.
- 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 conditions.
- Historic England - On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- Lead Local Flood Authority - Following a review of the Flood Risk Assessment carried out by RSK reference 132917-R1(02)-FRA dated May 2018, we can confirm that we have no objection on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy. Conditions recommended.
- Minerals and Waste Policy Team – Site Waste Management Plan condition recommended.
- Natural England - Natural England has no comments to make on this application.
- Strategic Housing – Final comments to be provided at Development Management Committee.
- Strategic Planning - The current application addresses the reason for refusal on 4/02601/17 by reducing the scale of development along the canal opposite Ebbens Road. We do not have any policy objections on the revised proposals. As with 4/02601/17, there is a need to consider footpath and cycleway improvements in the area, particularly along the canal.
- Thames Water – No objection, informatives provided.

8. Summary of Representations (Local Community)

8.1 A total of 16 representations have been received in response to the community consultation which was undertaken.

8.2 The issues raised can be summarised as follows:

- The density of this development is not what was allocated by the council in the initial plans / the overall massing remains the same as before.
- Significant bulk and height, with significant overbearing on the canal side
- 5 storey heights are out of keeping with the neighbourhood.
- Too much for the infrastructure for instance in respect of road traffic.
- Impact on air quality / insufficient mitigation measures proposed.
- This development would be visually intrusive to the houses on Drew Wharf. A link to the tow path would also significantly impact privacy, currently the tow path is little used, this would become busy and noisy disturbing the residents of Drew Wharf.
- Loss of sunlight / daylight, overshadowing. It is extremely misleading for the developer to state in the plans that the 'effect of shadow on the opposite gardens is very minor'. This demonstrates that they are not taking proper account of the houses opposite (including our property). If our garden does not receive any sunlight after 5pm for

approximately 80% of the year (every month save for June and July), it is clear that the impact on the enjoyment of our property is major, rather than 'very minor'.

- Impact on ecology / insufficient bat surveys.
- Due to noise and associated challenges, with large communal rooftops is a significant problem with the new plans.
- Local schools are all full so any school children living in the new blocks would have to travel far afield to attend school, increasing the traffic levels and pollution levels even further.
- Impacts on privacy.
- There is no consideration to propose a 'mixed' density of housing types, thus giving families the opportunity to have a garden and more space.
- The original proposal consisted of five storey blocks. The reason height is important in this decision is that the surrounding buildings are only two and three storey. That means that for residents of Ebbens Road that back onto the proposed development, it will be three storey higher than out buildings. Allowing for the slope down, the datum information shows that these building will be around 5-7 metres higher than our properties. The new proposal also shows five storey blocks so there is no improvement in the new proposal.
- Both the original and new proposal are based on high density blocks of flats. There appears never to have been any consideration for low rise, lower density or mixed density.
- Conflict with the volume / density as detailed within Site H/13 of the Site Allocations.
- Whilst the revised plans have been amended so the blocks recede from 2 to 5 storey's, the height is still not in keeping with the current structure of Apsley village and will stick out of the skyline.
- Factual inaccuracies.
- The current plans of the developer do not respect the canal frontage.
- Currently the design is to replace the canal path greenery and shrubs, with masonry and private garden. By no means is in keeping with the local area.
- This new development being paired next to the lock keepers cottage as a design, is not in keeping with this historic design.
- To allow Bellways to build structures of this height in Frogmore Road would establish a precedent thus giving future developers an indisputable right to do the same, thus damaging the ethos of Apsley even further.
- In this revised Plan, Bellways state their intention to remove the willow tree near No. 1 Frogmore Road. I have just checked and can bring to your attention that there is a Tree Preservation Order on that tree. It was professionally crown pollarded a few years ago, appears be in sound condition, is a very attractive tree, and we would like it to stay.
- With reference to section 6.2.2 and having read the Canal and River Trust's comments, it would appear that the openings shown along the wall adjoining the tow path, which are unlabelled but could be taken to be windows, are, in fact, ventilator grills from the car park. This would allow carbon monoxide and nitrogen dioxide to be emitted all along the tow path affecting walkers, parents with babies feeding swans, fishermen, the hedgerow, the insect life and the residents of Ebbens Road. I am very glad the CRT have noticed this and would ask you to disallow such a situation.
- The proposal would put a 50ft (16.6 metres) high where 1 is now and a wall of 40ft (13.3 metres) where the two lower buildings are now. a A flat square shape would dominate my view and block out the entire Manor Estate which is all gables hiding among the trees. The skyline would be your buildings, thus changing the whole rural nature of Apsley from here and from the other side also.

8.3 A letter has been received from Sir. Mike Penning MP regarding contact received from residents expressing concerns in respect of an increase in traffic, pollution, and the skyline

which affect the area with a new 5 storey block of flats.

8.4 Each of the matters raised above are addressed within the relevant sections of this report.

9. Policy and Principle

9.1 Policy CS1 of the Core Strategy states that Hemel Hempstead will be the focus for new homes.

9.2 In the Dacorum Borough Local Plan 1991-2011, the site was located in the Frogmore General Employment Area (GEA) and was allocated for industry, storage and distribution in Policy 31. However, the Site Allocations Development Plan Document (adopted July 2017) reallocated the Frogmore GEA, except Frogmore Mill, for housing development – Site H/13 in the Schedule of Housing Proposals and Sites. H/13 covers an area of 3.0 hectares, and consists of the current application site, the Ebbrens kitchen and bathroom showroom adjacent to Durrants Hill Road and the industrial buildings at the eastern end of Frogmore Road.

9.3 A net housing capacity of 100-150 homes is proposed on H/13 in the Site Allocations. The planning requirements for the site in the Plan are as follows:

“Access from Durrants Hill Road. Retain access/servicing to Frogmore Paper Mill. Improvements to London Road and Lawn Lane junctions may be required. High density housing is acceptable. Building design and layout must respect the canal frontage. Flood risk assessment required. Development can be brought forward in phases based on landownership, but design, layout and parking must be coordinated with each other. Maintain and enhance footpath link across site to canal footbridge. Lock Keepers Cottage to be retained. Early liaison required with Thames Water to develop a Drainage Strategy to identify any infrastructure upgrades required in order to ensure that sufficient sewage and sewerage treatment capacity is available to support the timely delivery of this site.”

9.4 Paragraph 118 of the revised National Planning Policy Framework (NPPF) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, should promote and support the development of under-utilised land and buildings and should support efforts to identify and bring back into residential use empty homes and other buildings.

9.5 Furthermore, Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

9.6 Taking the above into consideration with regards to the site's particulars and allocation status, it is considered that the principle of the development is acceptable, subject to the satisfactory addressing of other planning considerations.

10. Summary of Design

10.1 Paragraph 124 of the revised NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 Paragraph 127 further states that decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate

and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities) and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.

10.3 Policies CS10, CS11 and CS12 encourage good design providing a number of guiding principles which are referred to within the relevant sections of this report.

10.4 Saved Appendix 3 of the Dacorum Borough Local Plan (DBLP) states that there is a need for variety and imagination in the layout and design of housing so as to avoid residential developments which lack character and identity.

10.5 The application comprises a resubmission following the refusal of application reference: 4/02601/17/MFA for the following reason:

'The proposed development by reason of its height, scale, design and massing would be overbearing when viewed from the surrounding area, particularly the rear gardens / windows of the properties on Ebbens Road thereby detracting from visual and residential amenity. The proposals would also be out of character with the surrounding area through their design and bulk to the detriment of the character, setting and appearance of the surrounding area. Therefore the proposals conflict with Policies CS11, CS12 and the National Planning Policy Framework'.

10.6 In response to the reason for refusal, a number of alternative massing configurations were tested and presented to the Planning Department via a pre-consultation exercise. The submitted configuration was considered to deliver the most appropriate response for the following reasons:

- The internal courtyard private gardens visually open up to the tow path, forming a break in the building line and introducing light and vegetation into the canal frontage;
- The building height off the canal is reduced to 2 storey above tow path with smaller elevations thus considerably reducing the perceived scale;
- The Frogmore Road elevation is a more robust environment and can retain the 5 storey elevation albeit in parts to create a stepped skyline with articulation;
- The variable height expresses an order in the facades that assist articulation to break down the overall form into smaller components.

10.7 This revised proposal now reduces the height to 2 storey wings approaching the tow path with 18m breaks between them where the link blocks are removed, opening up the private courtyards onto the tow path.

10.8 The proposed new building form alongside the canal sits lower than or comparable with the roofs of the Ebbens Road houses ensuring that it maintains a comparable scale each side of the canal.

10.9 The levels step from 3 storey at the canal to 4 and then 5. The taller parts no longer form parallel wings, but are concentrated into smaller footprints, creating a series of smaller vertical proportions expressed by height, material and articulation.

10.10 The Council's Conservation and Design Officer has been formally consulted on the design of the proposals and has stated that the angled forms, variations in heights and changes of brickwork and the balconies add to the visual interest of this element in particular from the canal and help break up the mass and bulk of the overall development. It would however be recommended that the windows are set back in a reveal to create variation in light and shade on the facades as shown in the good example element of the design and access

statement. If the windows were flush this could lead to an appearance which lacks relief in particular to the 5 storey elevations. This could be conditioned as part of any approval. The scheme would enhance the appearance of the existing area and the design of the proposed flats and their landscaping would be acceptable and in keeping with the wider canal environment.

10.11 It is therefore considered that the design of the proposals is acceptable and has responded adequately to the previous reason for refusal.

11. Density

11.1 Policy CS10 of the Core Strategy states that at broad settlement level, development should promote higher densities in and around town centres.

11.2 Saved Policy 21 of the DBLP states that 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 available.

11.3 The policy further states that densities will generally be expected to be 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 centres.

11.4 The application proposes 170 homes on a 1.32 hectare site, giving a density of 128 dwellings per hectare (dph) (the previously refused scheme being 139 dph). If this density is repeated across H/13, it would result in a far higher than the 100-150 units proposed in the Site Allocations.

11.5 However, the Strategic Planning Team has confirmed that when the Site Allocations document was prepared, it was uncertain what type of housing would be proposed on H/13. The estimate of 100-150 homes reflects the likely density that would be achieved with a scheme for townhouses. As the application proposes flats, this has resulted in a much higher density.

11.6 It should be noted that Paragraph 6.21 of the Site Allocations document states that:

“The net capacity figures specified provide an estimate of expected capacity and should not be treated as maxima. Final dwelling capacities will be tested through the planning application process, where detailed schemes will be expected to demonstrate compliance with specified planning requirements and other relevant policies and guidance.”

11.7 Therefore, the Strategic Planning Team has confirmed that it has no objection in principle with the density proposed. It is considered that the proposals make the most efficient use of land in accordance with Saved Policy 21 and will assist the Council in meeting the average of 430 net additional dwellings which it aims to provide each year (between 2006 and 2031) as specified by Policy CS17 of the Core Strategy.

11.8 It should also be noted that the revised NPPF provides further support and emphasis on housing delivery and also promotes the use of brownfield land and developing at densities which optimise site potential.

12. Dwelling Mix

12.1 Policy CS18 of the Core Strategy states that new housing development will provide a choice of homes. This will comprise a range of housing types, sizes and tenure, housing for

those with special needs and affordable housing in accordance with Policy CS19.

12.2 Saved Policy 18 of the DBLP states that the development of a range of dwellings (size and type) will be encouraged. Regard will be paid to the need to provide accommodation for new, small households and the floor area of individual buildings. Units for small households needing 1 or 2 bedrooms will be sought by requiring the provision of some 1 and 2 bedroom units on large housing sites (i.e. sites over 2 hectares in area and/or capable of accommodating at least 50 dwellings) and those sites specifically identified in the Schedule of Housing Proposal Sites.

12.3 The proposals are comprised as details below:

Unit Size	Open-Market	Affordable Rented	Affordable Intermediate	Total
1B2P	58	6	20	84
2B3P	11	0	5	16
2B4P	34	3	21	58
3B5P	2	1	2	5
3B6P	6	1	0	7
Total	111	11	48	170

12.4 It is considered that the above strikes an appropriate mix of unit sizes.

13. Affordable Housing

13.1 Policy CS19 of the Core Strategy states that affordable homes will be provided on sites of 10 dwellings (and larger) in Hemel Hempstead. 35% of the new dwellings should be affordable homes.

13.2 Final comments and conclusions in respect of the proposed level of affordable housing and tenure types will be provided to Development Management Committee.

14. Impact upon Neighbouring Properties

14.1 Policy CS12 states that on each site, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties and respect adjoining properties.

14.2 With regards to visual intrusion, consideration of this matter relates primarily to the impacts experienced by the receptors of Durrants Hill Road to the west, the rear amenity areas / elevations of the properties within Ebbens Road to the north / north-east, Frogmore Road itself which is situated to the immediate south of the proposals and the canal side environment which is also situated to the north / north-east of the site. The consideration of the impacts upon each of these receptors takes account of the fact that planning does not concern itself with or allow for any right to a view.

14.3 Durrants Hill Road is situated approx. 50m from the proposed north-west elevation. Existing views from this receptor via the Frogmore Road access are of the existing bathroom centre to the north, with the westernmost end of the current two-storey commercial buildings visually evident within longer range views.

14.4 The proposals, given their distance from this receptor and modest five-storey height (stepping down towards the canal towpath), whilst visible, are not considered to be visually intrusive.

14.5 Separation distances between the southernmost elevations of the properties in Ebbens Road and the northernmost elevations of the proposed units increases from approx. 30m at the north-west of the site, increasing in distance to approx. 67m between the relevant elevations at the south-eastern end. Views of the proposals from these receptors are of 2, 3 and 4 storey blocks which rise in height away from Ebbens Road which, when viewed from the aforementioned distances, are not considered to result in a visually intrusive form of development.

14.6 With regards to the consideration of visual intrusion along Frogmore Road, it is considered that the site will be significantly enhanced by the replacement of the existing unattractive commercial buildings with a well-landscaped, high quality development which does not impose itself upon the street scene and as such, the proposals would not be visually intrusive from this receptor. The relationship between the proposals and the bathroom store to the north-west of the site will remain similar to the existing relationship between this building and the current structures.

14.7 Impacts of the proposals upon the Lockkeeper's Cottage and the canal side environment are considered later in the report.

14.8 In terms of wind impact, it is considered that the scale of the proposals are not so significant / substantial that wind impacts and / or microclimate would create an unacceptable environment for occupiers of the new units or the surrounding area.

14.9 In respect of impacts upon sunlight and daylight, Saved Appendix 3 of the DBLP states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing dwellings. Significant overshadowing should be avoided.

14.10 Given the height of the proposals and the aforementioned separation distances between the proposed buildings and the residential properties within Ebbens Road, it is considered that an unacceptable loss of sunlight / daylight and / or degree of overshadowing would result.

14.11 The application is accompanied by a Daylight and Sunlight Assessment which has been prepared using methodology and criteria provided by the Building Research Establishments guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS8206 Pt2. Each of the surrounding residential properties with windows serving habitable rooms overlooking the site has been included within the assessment.

14.12 The result of the Vertical Sky Component (VSC) assessment show no material reduction to any windows relevant for assessment with all windows retaining VSC levels in excess of 0.8 times their former value. Overall retained amenity is excellent with the majority of VSC levels also exceeding the absolute target of 27%.

14.13 In addition, the results of the No Sky Line Contour (NSC) analysis indicates that all rooms relevant for assessment would experience no noticeable change to the No Sky Line. As such, the proposed scheme remains fully in line with the BRE guidelines.

14.14 With regards to sunlight impacts, the windows of these properties facing the proposal are within 90 degrees of due south and are therefore potentially relevant for APSH sunlight assessment. Whilst not all windows are likely to serve main habitable living rooms they have been assessed for completeness.

14.15 The results of the assessment show that all windows retain excellent sunlight levels exceeding the BRE target 25% APSH with at least 5% enjoyed during the winter months. The

effects of the proposal are therefore fully in line with the BRE targets.

14.16 In respect of loss of privacy, Saved Appendix 3 of the DBLP states that the minimum distances of 23m 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, levels and other factors.

14.17 The nearest residential properties to the proposal site are those which are located to on Ebberns Road. The rear elevations and garden areas face southwards towards the application site and the proposals would result in a 'back to back' relationship with these properties.

14.18 The proposals would result in the rear build line of the site moving closer to the Ebberns Road properties than the existing structures, with balconies to be provided and the height of the proposals would also be greater than the existing structures.

14.19 However, taking account of the aforementioned separation distances between the proposal's canal side elevations and the rear elevations of the properties in Ebberns Road, it is considered that with regards to the Council's standards prescribed by Saved Appendix 3 of the DBLP, this separation is considered acceptable and will ensure that no unacceptable loss of privacy will result from the proposals.

15. Impact on the Character of the Area

15.1 Policy CS12 of the Core Strategy states that on each site, development should integrate with streetscape character. It is noted that the site is not situated within any of the character areas as defined by the Area Based Policies Supplementary Planning Guidance.

15.2 It is considered that the proposals will be visible from two key visual receptors; Durrants Hill Road to the west and the canal side environment and rear elevation windows of the properties located to the north in Ebberns Road.

15.3 With regards to the former, the primary corner has a taller scale and articulated parapet to create a focal point corner when entering the site giving a sense of direction and drawing pedestrians into the site.

15.4 The western elevation and form respects the potential to develop the Ebberns Kitchens site in the future thus creating an integrated design. The proposal defines the site boundary separate to the Ebberns access with ground floor apartments and gardens facing the landscaped area with defensible hedges. Car parking is set within new tree planting off a shared surface access for pedestrians which leads to Block A entrance lobby.

15.5 In order to improve traffic movement at the Frogmore Road / Durrants Hill end, and to improve the visual amenity at the front of the application site, it is proposed to separate new residential access from the Ebberns Kitchens access that crosses the site.

15.6 On the canal side (visible from the properties within Ebberns Road) the fragmented form and scale of the proposed buildings respects the domestic grain of the existing surrounding houses and intimate scale of the tow path. The massing is reduced in places to reduce overshadowing and to allow views across the site from the opposite side of the canal. The shorter 2 storey blocks which front the canalside environment create a non-oppressive form for passers-by on the tow path.

15.7 It is therefore considered that the proposals respond positively to surrounding streetscapes and are therefore in accordance with Policy CS12 of the Core Strategy.

16. Amenity Provision

16.1 Saved Appendix 3 of the DBLP states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height.

16.2 A central landscaped courtyard will be created in the middle of each block with an open aspect onto the canal frontage. This will provide high quality landscaped communal amenity space for the residents of the site and many of the proposed new dwellings will benefit from an outlook over this attractive new space. These courtyards will be accessed through both the main building entrances and the pedestrian access on Frogmore Road. The courtyard proposals comprise both hard and soft landscaping elements to create high quality planted spaces as well as defined routes through the site.

16.3 Informal play space will be provided across the site, predominantly through the provision of integrated design. The podium gardens for each building will provide a significant amount of recreational space with an informal landform in which children can run and climb.

16.4 In addition to the generous communal open spaces across the site, many dwellings are provided with high quality private outdoor amenity space in the form of a balcony or private courtyard garden.

16.5 In addition to the on-site provision detailed above, the site is located immediately adjacent to the adjacent towpath which provides recreational opportunities. A financial contribution would be made by the developer to Canals and Rivers Trust to be spent on improvements to the towpath.

16.6 The canal and surrounding area (including the park to the immediate west of Durrant Hill Road) provide substantial public amenity space, and the site's location in relation to Hemel Hempstead Town Centre and its close proximity to Apsley also ensure that sufficient opportunities for recreation are within walking distance of the site.

16.7 It is therefore considered that the on-site provision detailed above, coupled with the publically accessible amenity areas close to the site ensures that sufficient amenity and recreation opportunities for occupiers of the new units is provided / available.

17. Trees and Landscaping

17.1 Policy CS12 of the Core Strategy states that on each site, development should retain important trees or replace them with suitable species if their loss is justified and plant trees and shrubs to help assimilate development and softly screen settlement edges

17.2 In its current condition, the site is covered mainly with hard standing. Substantial trees are located outside of the site boundary on the western side of Frogmore Road and within the Frogmore Paper Mill site; this is a prominent group of birch trees. The only tree of significance within the site is a Weeping Willow that is apparent when the entering from Durrants Hill Road. A Silver Birch is situated within close proximity to this tree.

17.3 The submitted Tree Survey and Arboricultural Implications Assessment confirm that both of these trees are to be removed. Concerns have been raised by residents that these trees may be covered by a Tree Preservation Order. However, it is confirmed that this is not the case.

17.4 The application is accompanied by Landscape General Arrangement Plan which provides initial / indicative details in respect of paving, soft landscaping, fencing / edging and furniture.

17.5 The Trees and Woodlands Officer has been consulted although no response has been received. However, in response to the previous proposals (which in landscaping terms are not dissimilar to those which accompany this application), they stated that they have no objection to the proposals and recommended that further details in respect of tree species / planting size / planting specification and landscaping maintenance. It is therefore considered reasonable to impose the same condition on this application as that which was proposed on the previous.

17.6 It is therefore considered that, subject to conditions, the proposal complies with Policy CS12 of the Core Strategy.

18. Pedestrian Access and Movement

18.1 Policy CS12 of the Core Strategy states that on each site, development should provide a safe and satisfactory means of access for all users.

18.2 Currently there is limited green public link from Frogmore Road to the canal tow path as the route to the tow path is relatively subservient i.e steps located next to the former Lock Keepers cottage. The proposals provide an opportunity resolve current poor connectivity.

18.3 To achieve this the proposal provides a central public realm, a permeable link for foot and cycle traffic and visual link through the site from Frogmore Road to the tow path with potential for 'visual' connection beyond to the River Bulbourne. Forming a transitional space from Frogmore Road to the canal creating activity with a tree lined avenue, soft landscaping, pedestrian friendly shared surface public route and street furniture. This is the main pedestrian thoroughfare to the residential entrances of each block. The central vista will be strengthened with an avenue of trees.

18.4 Gradients of ramps, door openings widths and internal corridors will be sized according to Part B and Part M4 (1) of the Building Regulations. Two Part M compliant lifts per block are proposed to give access to all floors which in turn gives access to all apartments and communal amenity on the 1st floor.

18.5 The buildings are designed to comply with the latest Part B Building Regulations allowing for evacuation of all occupants from the buildings in case of an emergency via the four stair cores located in each block. There is space for manoeuvring of emergency vehicles at the western and eastern parking courts allowing for ease of access to stair cores by fire fighters in the event of a fire.

19. Towpath / Canal Side Environment

19.1 Saved Policy 106 of the DBLP states that development adjoining the Grand Union Canal will be expected to make a positive contribution to the canal side environment. As such, the design, scale and materials of new developments and canal side facilities must be appropriate to the environmental and historic character of the canal and have no adverse impact on its nature conservation interest. Encouragement will be given to proposals to improve pedestrian access to the canal.

19.2 It is noted that both the canal and the towpath are covered by the Open Land designation. Saved Policy 116 of the DBLP states that Open Land forming part of the urban structure will be protected from building and other inappropriate development, and measures to conserve and improve the attractiveness, variety and usefulness of all open land will be investigated, encouraged and promoted.

19.3 A 1.5m wide transitional planting zone will be provided between the car park area and the towpath, with the existing native hedge row trimmed and topped to 1.8m high to allow views

from 1st floor balconies. A 1100mm high metal railing is proposed to replace the existing timber close boarded fence. The edges are to be supplemented with new double staggered row native whips. The improved access to the canal via the proposed new link is also considered desirable.

19.4 An £80,000 financial contribution is to be made to The Canal and Rivers Trust (CRT) to provide for upgrades to the towpath. It is considered that the replacement of the existing unattractive buildings / boundary treatment with the proposals detailed above will significantly enhance the canal side environment (and access to it) which accords with the relevant planning policy environment.

19.5 CRT has been consulted on the application and during the course of the application and has stated as follows:

‘The revised proposals reduce the height of the buildings adjacent to the towpath and introduce podium garden spaces which open up views into and out of the site. This is welcomed and will improve interaction with the waterspace. The reduction in height reduces the impact of the proposal in terms of sunlight and daylight on the canal and towpath.

As previously our main concern relates to the need to understand the relationship of the building to the towpath. The submitted plans and detail within the design and access statement show that as before the first floor apartments sit above the towpath level with balconies overlooking the towpath.

The planting to be provided in the strip of land between the existing boundary and the ground floor balcony/top of car park podium will be crucial in regard to disguising the semi-podium parking behind it. The narrow vegetation strip may be hard to maintain and the choice of planting will be important and could provide a means of reducing the visual impact of the semi-basement parking podium wall and vents’.

19.6 Further information was requested in respect of the detail of the podium wall and any ventilation grilles. This has been sent to CRT and final comments are awaited. However, CRT has also stated that this information could be conditioned and as such, is not considered to represent a constraint on the development.

20. Highways

20.1 Paragraph 109 is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

20.2 Policy CS9 of the Core Strategy states that the traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments.

20.3 Furthermore, Saved Policy 51 of the DBLP states that development must be compatible in locational and general highway planning, design and capacity terms with the current and future operation of the defined road hierarchy and road improvement strategy.

20.4 With regards to site access, it is proposed that the new development will be served by the existing access direct from Durrants Hill Road which HCC considers to be acceptable.

20.5 In respect of impact upon the highway, HCC as Highway Authority has reviewed the submitted Transport Assessment and states that it does not wish to object to the proposed

application, subject to conditions and legal agreements.

20.6 A copy of the Highway Authority's response is provided to Members within its entirety as appendices to this report.

21. Parking

21.1 Policy CS12 of the Core Strategy states that on each site development should provide sufficient parking and sufficient space for servicing.

21.2 The site is situated within Zone 3 as defined by the Council's Accessibility Zones SPG. Within Zone 3, the following maximum standards are application for residential development:

- 1 bedroom dwellings = 1.25 spaces
- 2 bedroom dwellings = 1.5 spaces
- 3 bedroom dwellings = 2.25 spaces

21.3 This equates to the following maximum requirements:

- 84 x one bedroom = 105 spaces
- 74 x two bedroom = 111 spaces
- 12 x three bedroom = 27 spaces

Total = 243 spaces (95 percent of the maximum requirement)

21.4 As the Council's standards are maximum and the site is within close proximity to the amenities of both Apsley and Hemel Hempstead, the proposed level of provision is considered acceptable.

21.5 The proposals are therefore considered to comply with the parking requirements of Policy CS12 of the Core Strategy and Saved Appendix 5 of the DBLP.

22. Ecology

22.1 Policy CS26 of the Core Strategy states that development will contribute towards the conservation of habitats and species.

22.2 Whilst the site itself is not designated, it is situated within the Impact Risk Zone of Roughdown Common SSSI. The submitted Ecological Constraints Report highlights the value of the adjacent canal and associated vegetation to foraging bats and recommends that a lighting plan be prepared to prevent spill and so ensure that there is no adverse effect on foraging behaviour.

22.3 An Outline Bat Mitigation Strategy (OBMS) has also been provided which recorded the emergence of Three Common pipistrelle bats from one of the existing buildings during the single bat emergence survey, which took place outside of the maternity period in mid-September.

22.4 It should be noted that Natural England were consulted on the application and stated that they had no comment to make.

22.5 Hertfordshire Ecology (HE) has been consulted on the proposals and whilst no comments have been received at the time of this report being finalised, they concluded in respect of the previous application that with the mitigation measures contained within the OBMS in place, HE considered that the OBMS provides enough information to enable the LPA to fully consider the impact of the proposal on bats, i.e. to satisfy and discharge their obligations under the

Conservation of Habitats and Species Regulations 2017 prior to determination.

22.6 Final comments from HE will be reported to the Development Management Committee upon receipt. It is considered reasonable to recommend the same ecological conditions as those which were recommended by HE in respect of the previous application.

23. Impact on Built Heritage Assets

23.1 There is statutory duty to pay special regard to the desirability of preserving the setting of nearby Listed Buildings / heritage assets under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

23.2 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

23.3 The applicants have submitted a Built Heritage Statement assessing the impact of the development on both the fabric of any Listed Buildings / heritage assets and their settings.

23.4 The Conservation and Design Officer has stated that they agree with the Statement's analysis in relation to the impact on the setting of the adjacent Grade II Listed paper mill. This is a complex of buildings ranging from early 19th to a mid-late 20th century date. The listed office block is 19th century constructed of brick and of 2 storeys. It is surrounded by brick built industrial buildings mainly roofed in sheeting.

23.5 The Officer agrees that the mills significance is in principle in relation to its physical fabric and historical interest rather than planned views. However the connection to the river and the canal is important as this provides the reason for the mills location but unlike other mill complexes there are no designed views over this site towards the canal.

23.6 The site provides some significance through its location but we do not believe that demolishing the existing industrial buildings will harm the Listed Building's significance. The Officer agrees with the heritage statement that the proposed new buildings in themselves would cause less than substantial harm to the significance of the Listed Building. There would be some impact on the significance due to the change in character from an industrial site to residential but given that this was the case in the past and that housing (although at a much lower density) was found at this location any harm would be of a low level. Therefore we believe that any harm would be to a low level on the scale of less than substantial harm as identified in the Framework.

23.7 There are a number of non-designated heritage assets namely the canal and locks, bridge over the canal and the lock keepers cottage. In relation to the character of the canal the character of the area has changed from residential, to industrial and it is now proposed to return to residential.

23.8 The proposal would somewhat open up the setting by providing a better soft and hard landscaped scheme and stepping down toward the cottage thus preserving its setting. As such it is considered that the proposal would have a relatively minimal impact on the setting of the historic element of the cottage. As such we believe that overall any harm caused to the non-designated heritage assets would be less than substantial and at a low level.

23.9 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. It is considered that the benefits of utilising the existing brownfield site for housing and the improved towpath connectivity are both public benefits which outweigh this low level of harm.

24. Archaeological Impact

24.1 Core Strategy Policy CS27 states that all development will favour the conservation of heritage assets. Features of known or potential archaeological interest will be surveyed, recorded and wherever possible retained.

24.2 Furthermore, Saved Policy 118 of the DBLP states that where advice indicates that a proposed development will affect remains of archaeological significance or areas of archaeological potential, developers will be expected to provide the results of an archaeological evaluation as part of their planning application.

24.3 The proposed development is located at Frogmore End in Hemel Hempstead, in the valley of the River Gade. It lies circa 800m to the north of Area of Archaeological Significance no. 52, as identified in the Local Plan, which is concerned with an area of known prehistoric settlement overlooking the river valley.

24.4 Due to its position within the flood plain there is potential for the recovery of palaeo-environmental and archaeological data at this location. A Geological Assessment, submitted with the application, noted that the site is underlain by layers of alluvium, with possible pockets or layers of peat. These surviving alluvium and peat bands have the potential to contain significant archaeo-environmental remains (dating to between c.9000 – 2000 B.C.). Residual prehistoric flints were found during an archaeological evaluation at Frogmore Mills, adjacent to the proposed development area to the south (Historic Environment Record no. 11961).

24.5 The County's Historic Environment Advisor has been consulted on the application and has stated that it is considered that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and conditions are recommended in this respect. Such conditions will ensure that the proposals do not conflict with the relevant planning policies with regards to impact upon archaeological interests.

24.6 It is considered that the aforementioned conditions are required and recommended to be attached to the decision notice should permission be granted.

25. Air Quality

25.1 Policy CS32 of the Core Strategy states that Development will be required to help support improvements in identified Air Quality Management Areas and maintain air quality standards throughout the area. Any development proposals which would cause harm from a significant increase in pollution into the air by virtue of the emissions of fumes, particles, or noxious substances, will not be permitted.

25.2 Whilst not designated an Air Quality Management Area (AQMA) itself, the site is within close proximity to two AQMAs; Lawn Lane which is situated approx. 120m to the north / north-east, and Apsley which is situated approx.. 135m to the south-west.

25.3 The application is accompanied by the submission of an Air Quality Assessment which has been prepared by RSK Environment Limited.

25.4 Operational phase air quality impacts were re-assessed using detailed dispersion modelling to predict the impact of existing sources of relevant air pollutants in the local area on receptors to be introduced at the proposed development site, and the impacts of changes in road traffic attributable to the development on local air quality. The following scenarios were assessed:

- (i) Scenario 1 (S1): 'Base case' scenario representing the 'existing' air quality situation in 2016;
- (ii) Scenario 2 (S2): 'Without development' but with extant Frogmore Road Industrial Estate scenario (2021);
- (iii) Scenario 2a (S2a): 'Without development' and without extant Frogmore Road Industrial Estate scenario (2021); and,
- (iv) Scenario 3 (S3): 'With development' scenario (2021).

25.5 The results of the modelling indicate that exceedances of the annual mean PM10 and PM2.5, the hourly mean NO2, and daily mean PM10, AQSs, are not predicted at any of the modelled receptor locations, in any of the modelled scenarios.

25.6 The development is expected to have a negligible impact with the extant Frogmore Road Industrial Estate in place in the baseline i.e. 'without development' scenario, although in reality and now that many (although not all) of the commercial units no longer operate, the conservative assessment approach assuming none of the units are operational has increased the difference between the 'without development' and 'with development impact magnitudes'.

25.7 It should be noted that the assessment conservatively assumed that background annual mean NO2 concentrations do not improve in future years, although as a result of potential improvements in vehicle emissions from each vehicle, background NO2 concentrations may actually be expected to decrease in future years. The assessment of S2a and S3 concluded that increases in annual mean NO2 concentrations caused by the proposed development may have a potentially significant adverse effect in the absence of mitigation at a small number of existing receptors, however, as noted above, considering the conservative nature of the assessment, the number of receptors at which 'slight' and 'moderate' impacts are predicted (between the without development and without any of the Frogmore Road Industrial Estate, and with development) may be over predicted. It is however recommended that an appropriate selection of the mitigation measures is implemented once operational.

25.8 Mitigation measures are recommended in Section 7.2 of the report document as follows:

- Selection of 'ultra low' NOx boilers throughout the development. The EPUK-IAQM indicates that gas boilers installed in domestic buildings should achieve a NOx rating of 40mg NOx/kWh;
- Provision of on-site electric vehicle charging points, which should be maintained in good condition. As a guide, it is recommended that at least one is installed per 10 residential dwellings; and,
- Implementation of measures facilitating modal shift, discouraging the use of driving and encouraging walking, cycling, public transport and/or car sharing. Such measures may include the promotion of car share schemes and provision of up-to-date public transport information (i.e. timetables, bus maps and routes, etc.) to residents; the development of a designated car sharing scheme, cycle bank scheme; subsidised cycling proficiency testing; subsidised discounted cycling equipment; and the provision of on-site cycle parking.

25.9 The Environmental Health Officer has been consulted on the application and stated that they had no objection on the basis of air quality impacts, subject to the conditioning of a detail mitigation scheme. However, this has been provided in advance of determination and the EHO has again been consulted. It is anticipated that final comments in this respect will be provided to Member in advance of determination.

26. Flood Risk and Drainage

26.1 The application site is situated within both Flood Zones 2 and 3.

26.2 Policy CS31 of the Core Strategy states that water will be retained in the natural

environment as far as possible. Measures to restore natural flows in the river systems and the water environment will be supported. Supply to the Grand Union Canal will be maintained.

26.3 Development will be required to avoid Flood Zones 2 and 3 unless it is for a compatible use. Flood Risk Assessments must accompany planning applications for development in these areas, explaining how the sequential approach to development has been taken into account and outlining appropriate mitigation measures. However, it is noted that the application site is already allocated for housing as previously discussed.

26.4 The submitted Flood Risk Assessment & Surface Water Drainage Strategy states that as parts of this site are considered to be at risk of fluvial flooding and surface water flooding, it is considered appropriate to raise Finished Floor Levels (FFL)s to provide flood risk mitigation and to ensure that users of the site are safe.

26.5 In line with EA guidance, all proposed FFLs on site are to be based on providing a minimum of 300mm freeboard above the 1 in 100 year plus 35% climate change flood level (taken as a worst case of 78.70mAOD). It is therefore recommended that FFLs are set at a minimum of 79.00mAOD. This would also serve to raise the FFL above the 1 in 100 year plus 70% flood level and the 1 in 1000 year flood level, providing further mitigation against exceedance events. This raising of FFLs will also ensure that any overland flows that encroach upon the site will not present a risk to the proposed buildings.

26.6 Safe refuge will be available at first floor within the building and safe dry pedestrian access will be available from all units to Flood Zone 1 via the canal towpath.

26.7 The Environment Agency has been consulted on the application and has stated that the proposal may not have a safe means of access and/or egress in the event of flooding to an area wholly outside the floodplain (up to 1 in 100 year +35% flood event) however, safe refuge is possible on upper storeys of the development. No objection is raised and conditions pertaining to FFL and an emergency Evacuation Plan are recommended.

26.8 The Lead Local Flood Authority has also been consulted and has stated that following a review of the Flood Risk Assessment they confirm that we have no objection on flood risk grounds and advise that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy. Conditions pertaining to drainage matters are recommended.

26.9 Thames Water has raised no objection to the proposals although informatives have been provided.

27. Land Contamination

27.1 Policy CS32 of the Core Strategy states that any development proposals which would cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances, will not be permitted.

27.2 The application is accompanied by a Phase 1 and 2 Geo-Environmental Assessment. The Scientific Officer has been consulted on the assessment and has stated that they raise no objection, subject to conditions securing further information in respect of site remediation.

28. Refuse Collection

28.1 Saved Policy 129 of the DBLP states that developers will be expected to provide adequate space and facilities for the separation, storage, collection and recycling of waste within developments of 100 or more dwellings.

28.2 The proposed refuse strategy has been designed to comply with Dacorum's Refuse Storage Guidance Note February 2015.

28.3 The requirements for waste storage for flatted developments are:

- a 1100ltr mixed recycling blue lid container which will be provided by the borough and emptied weekly. One container is shared between 5 residences.
- a 1100ltr non recycling green lid container which will be provided by the borough and emptied weekly. One container is shared between 5 residences.
- For food waste, 240ltr wheeled bins are provided shared by up to 10 flats.
- Each euro bin is to be separated by a minimum 150mm gap around it.

28.4 Refuse stores are designated for Block A and B at Ground Floor and are placed for maximum accessibility adjacent to the circulation cores (lift & stairs).

28.5 The capacity of each storage area for each location is in proportion to the total number of units per tenure. These store rooms will be indicated with clear signage and level access, in compliance with accessibility requirements, with the furthest euro bin being within 25m travelling distance from the kerb side as required by refuse collection operatives.

29. Fire Safety

29.1 Hertfordshire fire and Rescue have been consulted on the application and has stated that based on the information provided to date they would seek the provision of fire hydrant(s) as all developments must be adequately served by fire hydrants in the event of fire.

29.2 Such provision is contained within the Heads of Terms of the S106.

30. Sustainable Construction and Design

30.1 Policy CS29 of the Core Strategy states that new development will comply with the highest standards of sustainable design and construction possible including the recycling and reduction of construction waste which may otherwise go to landfill.

30.2 The County Spatial Planning & Economy Unit Minerals and Waste Team has been consulted on the application and has stated that they would like to ensure that a Site Waste Management Plan (SWMP) is submitted prior to the commencement of the demolition phase to set out how waste will be managed and if possible, how it can be re-used in the construction.

30.3 Large quantities of inert waste and made ground will be produced from the demolition and when extracting material for the foundations. It is therefore considered that given the scale of the development and the potential for wastes arising, it is appropriate to impose a condition on the planning permission requiring the submission of a SWMP prior to commencement to ensure the proposals comply with National waste policy and Core Strategy Policy CS29.

30.4 It is considered that the scale of the proposal and potential for large quantities of wastes arising confirm that such a condition is appropriate in this instance.

30.5 With regards to energy efficiency, the application is accompanied by an Energy Demand Statement which states that the applicant has placed considerable emphasis on utilising passive design measures and targeting fabric efficiency in order to mitigate energy use. In conjunction with high levels of air tightness and proposed Accredited Construction Details (ACD) to all wall junctions; energy consumption for heating will be dramatically reduced, providing home owners with a comfortable, efficient and cost effective dwelling. Highly efficient

mechanical ventilation will ensure the dwellings will remain well ventilated and provide a comfortable living environment for home owners.

31. Developer Contributions

31.1 Policy CS35 of the Core Strategy states that all development will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development. This may be provided in-kind or through financial contributions.

31.2 A Draft S106 Agreement has been prepared which secures the following:

- Affordable housing provision;
- The provision of fire hydrants;
- A contribution of £80,000 towards towpath improvements, and ;
- Highways contributions (TBA).

31.3 In addition to those matters secured by the S106 Agreement, the proposals will be liable to payments arising under the Council's Community Infrastructure Levy Charging Schedule which came into effect on 1st July 2015.

31.4 The site is situated within CIL Zone 3 and as such, is liable to a charge of £100 per square metre.

31.5 The total CIL liable will be advised at Development Management Committee.

31.6 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. The purpose of the list is to differentiate between those types of infrastructure that the authority intends to fund through CIL and those areas where a planning obligation under S.106 of the Town and Country Planning Act 1990 (as amended) or another source of funding may be pursued to deliver the relevant infrastructure item.

32. Summary and Conclusion

32.1 The proposals would provide 170 units to the Borough's housing stock without resulting in unacceptably adverse impacts in respect of air quality, highway safety, residential amenity, heritage assets or the adjacent canal-side environment.

32.2 Additionally, the proposals provide a significant level of affordable housing provision, a financial contribution towards towpath improvements, and wider infrastructure improvements through a sizeable CIL liability.

32.3 As such, the proposals are considered to comply with the relevant national and local planning policy environment and are therefore recommended for delegation to the Group Manager with a view to approve, subject to the signing of the relevant Section 106 Agreement.

33. RECOMMENDATION - That the application be delegated to the Group Manager with a view to approve, subject to the signing of the relevant Section 106 Agreement.

Recommended Conditions and Reasons

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

Reason: To comply with the requirements of Section 91 (1) of the Town and

Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

3 Reason: For the avoidance of doubt and in the interests of proper planning. **Notwithstanding the details provided within the application, no development (excluding demolition and groundworks) shall take place until details of the materials to be used in the construction of the external surfaces (including brick bond and mortar, joinery details and finish) of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

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

4 **Notwithstanding the information submitted with this application, no development (excluding demolition and groundworks) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- hard surfacing materials;
- 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);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);
- retained historic landscape features and proposals for restoration, where relevant.

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy.

5 **The development shall be constructed in accordance with the details contained within the submitted flood risk assessment ‘Bellway Homes**

North London: Frogmore Road, Hemel Hempstead: Flood Risk Assessment & Surface Water Drainage Strategy' prepared by RSK LDE Ltd (project number: 132917-R1(02) - FRA), and associated plans

Reason: To ensure that matters pertaining to flood risk are suitably mitigated in accordance with Policy CS31 of the Core Strategy.

- 6 **Prior to first occupation of the development hereby approved, a Flood Evacuation Plan will be submitted to and approved in writing by the Local Planning Authority. Following approval, the measures contained within the Plan will be adhered to in full.**

Reason: To ensure that sufficient escape arrangements for all occupants in the event of flooding are secured in accordance with Policy CS31 of the Core Strategy.

- 7 **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 7 (Operational Noise Assessment) and 8 (Conclusions and Recommendations) of the submitted Noise Impact Assessment Report with reference 296888 – 01 (02) prepared by RSK dated 23rd May, 2018.**

Reason: To protect the amenities of adjoining development in accordance with Policy CS12 of the Core Strategy.

- 8 **Prior to demolition of Building 2 (Units 7-13), two dusk emergence / dawn re-entry surveys should be undertaken during May – August inclusive to determine with confidence what type of bat roost is present, and the outline mitigation strategy should be modified as appropriate based on the results and submitted to the Local Planning Authority for approval. Thereafter the development shall be carried out in accordance with these approved details, subject to any licensing requirements.**

Reason: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with National Planning Policy Framework.

- 9 **Prior to first occupation of the units hereby approved, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:**

a) identify those areas/features on site where artificial light is likely to cause disturbance to bats in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no

circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance in accordance with National Planning Policy Framework.

10 **No development shall take place until a Construction Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that construction waste is minimised in accordance with Policy CS29 of the Core Strategy. It is necessary for the condition to be pre-commencement in this instance as the demolition works will require the removal of waste to avoid environmental / health hazards associated with retaining such wastes on site.

11 **No demolition / development shall commence until a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:**

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: The proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and it is therefore considered that further pre-commencement investigation measures are secured and implemented prior to commencement of the development in accordance with the requirements of Policy CS27 of the Core Strategy and Saved Policy 118 of the Dacorum Borough Local Plan.

12 **Demolition / development shall take place in accordance with the Written Scheme of Investigation approved under Condition (11). The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition (11) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: The proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and it is therefore considered that further investigation measures are secured in accordance with the requirements of Policy CS27 of the Core Strategy and Saved Policy 118 of the Dacorum Borough Local Plan.

13 **The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment**

carried out by RSK reference 132917-R1(02)-FRA dated May 2018, the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off to a maximum of 28.8 l/s with discharge into the Thames Water Sewer.
2. Providing a minimum of 833m³ 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 permeable paving, attenuation tanks and oversized pipes as indicated on drainage strategy drawing.

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 Policy 31 of the Core Strategy and the National Planning Policy Framework.

14

No development (excluding demolition) shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by RSK reference 132917-R1(02)-FRA dated May 2018. 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 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.
3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features
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.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy CS31 of the Core Strategy and the National Planning Policy Framework.

15

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. The scheme shall include;

1. Provision of complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy 31 of the Core Strategy and the National Planning Policy Framework.

- 16 **No development (excluding demolition) shall take place until a Remediation Statement detailing actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems has been submitted to and approved in writing by the local planning authority. The statement must take into consideration the conclusions and recommendations drawn out in section 8 of the Phase I & II Geo - Environmental Assessment as well as the outcome of the Note on Geo - Environmental Site Investigation in page 2-3 of the report.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy Policy CS32 and the National Planning Policy Framework.

- 17 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 16 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 Policy CS32 and the National Planning Policy Framework.

- 18 **Prior to the commencement of the development (excluding demolition) hereby permitted full details in the form of scaled plans and written specifications shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:**

- i. Roads, footways, foul and on-site water drainage.
 - ii. Existing and proposed access arrangements including visibility splays.
 - iii. Parking provision in accordance with adopted standard.
 - iv. Cycle parking provision in accordance with adopted standard.
 - v. Servicing areas, loading areas and turning areas for all vehicles.
- The drawings should incorporate the necessary amendments to the access geometries, set out as follows (Note, accesses numbered from left to right on drawing reference 02-02-01 Rev P01):
- Access 1: road width between the junction and start of parking area to be confirmed;
 - Access 1: left-hand radius should be increased owing to dominant flow, plus non-perpendicular access alignment (any footway link may be better served on the opposite side to avoid constant overrun);

- Access 2: would be better served by a traditional kerbed bell-mouth type junction owing to the number of vehicles proposed, complete with internal footway link and appropriate junction visibility;
- Access 2: vegetation proximity to be reviewed;
- Internal access ramps and gradients served from Access 2 should be sensitive to the needs of the site and necessary internal visibility;
- Access 3: internal access widths to be confirmed;
- Access 3: left-hand radius should be increased to minimum of 6.0m (dominant flow direction); and,
- Accesses 4 & 5: appear suitable for simple vehicular access construction.

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policy CS9 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

19

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

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- 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 in accordance with Policy CS9 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan. The nature of the activity at the site is such that this condition is required to be pre-commencement.

20

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 information prescribed in the TA and the following:

- Details of car parking allocation and distribution;
- Methods to minimise on-street car parking;
- A scheme for the provision and parking of cycles; and,
- Monitoring required of the Car 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 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 interests of encouraging the use of sustainable modes of transport in accordance with Policy CS12 of the Core Strategy and Saved Appendix 5 of the Dacorum Borough Local Plan.

- 21 **Prior to the commencement of the use hereby permitted, a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery plan shall incorporate the servicing arrangements for the use and adequate provision for the storage of delivery vehicles within the site.**

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policy CS9 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

- 22 **Prior to the commencement of the development hereby permitted a Stage 2 Road Safety Audit, for the proposed highway improvements and access junction shall be completed and submitted for approval by the Local Planning Authority.**

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 CS9 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

- 23 **The gradient of the vehicular access to the car park shall not exceed 1:20 for the first 5 meters into the site as measured from the near channel edge of the adjacent carriageway.**

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policy CS9 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

ARTICLE 35 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant through the pre-application advice process and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

Affinity Water

The applicant is advised 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.

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.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Canal and River Trust

The applicant is advised that an agreement would be required for the erection of fencing, barriers, foundations, landscaping etc. on or encroaching onto the Canal & River Trusts' property.

The Trust offer no right of support to the adjacent property. The land owner should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure at this location.

"The applicant/developer is advised to contact Osi Ivowi Works Engineer on 01908 3025759 in order to ensure that any necessary consents are obtained and that the works comply with the Trusts' "Code of Practice for Works affecting the Canal & River Trust".

Design Out Crime Officer

Communal door sets:

Certificated to BS PAS 24: 2016, or LPS.1175

Access Control to block of flats:

Each block has more than 25 flats off a communal entrance, the SBD standard is for the communal entrance doors to have an access control system Audio Visual. Tradespersons release buttons are not permitted.

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.

Individual front entrance doors of flats

Certificated to BS PAS 24:2016

Windows: Flats

Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175 French doors for balconies:

Dwelling security lighting (flats):

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points..

Bin stores / Plant Room :

The access doors to these should be to LPS.1175, or BS PAS 24: 2016.

Basement car Park

An access control system must be applied to all vehicular and pedestrian entrances to prevent unauthorised access into the car park (To stop anti-social behaviour or rough sleeping)

Compartmentalisation of Developments incorporating multiple flats.

Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised :

Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors.

Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift

Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.

Environment Agency

Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed permanent or enabling works or structures, in, under, over or within 8 metres of the top of the River Gade, designated a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Please contact us at PSO-Thames@environment-agency.gov.uk for further information. The applicant will need to demonstrate:

- That access to the watercourse is not restricted for future maintenance or improvement works.
- That works will not obstruct flood flows thereby increasing the risk of flooding to other properties within the locality of the site.
- That works will not adversely affect the stability of the river bank.
- That all the conditions/requirements of the Flood Risk Activity Permit are met.

Contaminated Land

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.

Thames Water

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

'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."

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.

Highways

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.

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.

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.

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.

Appendix A

Consultation Responses

HERTS PROPERTY SERVICES

Comment Date: Wed 11 Jul 2018

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.

I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit

DBC - CONSERVATION

Comment Date: Tue 03 Jul 2018

We have been involved with the site for some time. The description of the background/ evolution of the site below is as per the previous application 4/02601/17/MFA:

The site in the 19th century was the location for Frogmore Crescent. This appears to have consisted of groups of 4 terraced houses with outbuildings to the canal. Adjacent to this was/is the grand union canal, lock, bridge and lock keepers cottage. These structures still survive and date from the early 19th century. All of these structures have been constructed in brick and both the cottage and the bridge have been painted white. The bridge has much graffiti, inappropriate railings and landscaping and is not in an ideal condition. These features would be considered to be non-designated heritage assets as defined in the Framework. Post WW2 the housing was cleared and the site developed for industrial use. The only surviving historic elements are the bridge, lock, canal and lock keepers cottage. The cottage has had a substantial extension, which although subservient has impacted upon its character and unfortunately the chimney stacks have also been removed. The re-development of the site was that of standard industrial buildings constructed in brick and concrete with sheet roofs. We would not object to the demolition of the buildings on the site as these structures are of a minimal architectural interest.

We would continue to agree with the analysis in relation to the impact on the setting of the adjacent grade II listed paper mill. This is a complex of buildings ranging from early 19th to a mid-late 20th century date. The listed office block is 19th century constructed of brick and of 2 storeys. It is surrounded by brick built industrial buildings mainly roofed in sheeting. We would agree that the mills significance is in principle in relation to its physical fabric and historical interest rather than planned views. However the connection to the river and the canal is important as this provides the reason for the mills location but unlike other mill complexes there are no designed views over this site towards the canal. The site provides some significance through its location but we do not believe that demolishing the existing industrial buildings will harm the listed building's significance. We would also agree with the heritage statement that the proposed new buildings in themselves would cause less than substantial harm to the

significance of the listed building. There would be some impact on the significance due to the change in character from an industrial site to residential but given that this was the case in the past and that housing (although at a much lower density) was found at this location any harm would be of a low level. Some views through to the canal would be retained and the historic structure of the canal and layout of the land, waterways and their forms would remain unaltered. In essence although there has been an increase in height closer to the mill given the impacts noted above we do not believe that the weighting would change on the impact on the mill from the previous scheme and the current scheme. Therefore we believe that any harm would be to a low level on the scale of less than substantial harm as identified in the Framework.

Non designated heritage assets.

There are a number of non-designated heritage assets namely the canal and locks, bridge over the canal and the lock keepers cottage. In relation to the character of the canal the character of the area has changed from residential, to industrial and it is now proposed to return to residential. At the point adjacent to the canal this development is at a relatively low level and comparable with other surrounding housing. Therefore any impact on the setting of the canal would be relatively minimal. Similarly the impact on the bridge and the locks would be limited. The lock keepers cottage has had a somewhat large extension which has not been ideal. In addition the 20th century industrial buildings and associated hard standing have had a detrimental impact on its setting. The proposal would somewhat open up the setting by providing a better soft and hard landscaped scheme and stepping down toward the cottage thus preserving its setting. As such we believe that the proposal would have a relatively minimal impact on the setting of the historic element of the cottage. As such we believe that overall any harm caused to the non-designated heritage assets would be less than substantial and at a low level.

Design

The proposals have gone through pre-application discussions following the refusal of the previous scheme. The development whilst still substantial now steps back from the canal. The angled forms, variations in heights and changes of brickwork and the balconies add to the visual interest of this element in particular from the canal and help break up the mass and bulk of the overall development. It would however be recommended that the windows are set back in a reveal to create variation in light and shade on the facades as shown in the good example element of the design and access statement. If the windows were flush this could lead to an appearance which lacks relief in particular to the 5 storey elevations. This could be conditioned as part of any approval.

In relation to the heritage assets we welcome the continuation of the stepping down to the lock keepers cottage which has reduced the impact on its setting to an acceptable level. The elevation to the street is as with the previous scheme active frontage which would add to the character of the area. Although this is now 5 storeys given its location in the landscape and the views through created by the avenue we believe that overall it would be acceptable. The landscape scheme has been carefully considered and we believe that it would be in keeping with both the new development and the wider area. It appears to have been carefully considered and enhances the overall development.

Recommendation The scheme would enhance the appearance of the existing area. As noted in both our comments on the previous scheme and the revised heritage assessment we continue to believe that the proposals would cause harm at the low end of the less than substantial harm weighting when considering the impact on the designated and non-designated heritage assets. In relation to this harm to the designated heritage asset it should be given the appropriate great weight when considered as part of the proposals. The design of the proposed flats and their landscaping would be acceptable and in keeping with the wider

canal environment.

External materials (including brick bond and mortar), window, door and balcony details and finish, landscaping materials subject to approval. It may be advisable to condition a sample panel to be constructed on site for approval.

HCC - Dacorum Network Area

Comment Date: Fri 29 Jun 2018

Application type Full application

Proposal Demolition of all existing buildings and construction of two buildings comprising 170 residential units with associated access, parking, amenity space and landscaping.

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 (HCC) as Highway Authority does not wish to object to the proposed application, subject to the following planning conditions.

Condition 1: Detailed Plans

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

- i. Roads, footways, foul and on-site water drainage.
- ii. Existing and proposed access arrangements including visibility splays.
- iii. Parking provision in accordance with adopted standard.
- iv. Cycle parking provision in accordance with adopted standard.
- v. Servicing areas, loading areas and turning areas for all vehicles.

The drawings should incorporate the necessary amendments to the access geometries, set out as follows (Note, accesses numbered from left to right on drawing reference 02-02-01 Rev P01):

- Access 1: road width between the junction and start of parking area to be confirmed;
 - Access 1: left-hand radius should be increased owing to dominant flow, plus non-perpendicular access alignment (any footway link may be better served on the opposite side to avoid constant overrun);
 - Access 2: would be better served by a traditional kerbed bell-mouth type junction owing to the number of vehicles proposed, complete with internal footway link and appropriate junction visibility;
 - Access 2: vegetation proximity to be reviewed;
 - Internal access ramps and gradients served from Access 2 should be sensitive to the needs of the site and necessary internal visibility;
 - Access 3: internal access widths to be confirmed;
 - Access 3: left-hand radius should be increased to minimum of 6.0m (dominant flow direction);
- and,
- Accesses 4 & 5: appear suitable for simple vehicular access construction.

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

Condition 2: Construction Traffic Management Plan

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

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- 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.

Condition 3: Car 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 information prescribed in the TA and the following:

- Details of car parking allocation and distribution;
- Methods to minimise on-street car parking;
- A scheme for the provision and parking of cycles; and,
- Monitoring required of the Car 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 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 interests of encouraging the use of sustainable modes of transport.

Condition 4: Servicing and Delivery Plan

Prior to the commencement of the use hereby permitted, a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery plan shall incorporate the servicing arrangements for the use and adequate provision for the storage of delivery vehicles within the site.

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

Condition 5: Road Safety Audit

Prior to the commencement of the development hereby permitted a Stage 2 Road Safety Audit, for the proposed highway improvements and access junction shall be completed and submitted for approval by the Local Planning Authority.

Reason: In the interests of highway safety.

Condition 6: Access Gradient for Car Park

The gradient of the vehicular access to the car park shall not exceed 1:20 for the first 5 meters into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway.

HIGHWAY 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.

S278 Agreement

Any works within the highway boundary (including alterations to the footway and the proposed site access) would need to be secured and approved via a S278 Agreement with the HCC.

The proposed mitigation measures for the following locations would be secured and approved via a S278 agreement:

- Box junction on bridge.
- TRO for keep clear markings in front of Frogmore Road on Durrants Hill Road.
- Box junction at Durrants Hill Road and London Road junction.
- Improvements to London Road junction with Durrants Hill Road.
- Improvements to Lawn Lane junction with Durrants Hill Road.
- TRO for Frogmore Road to enforce no parking by Heavy Goods Vehicles and/or possible weight restrictions set for Frogmore Road.

S106 Agreement

A Travel Plan for the residential and commercial developments, 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 administering and monitoring the objectives of the Travel Plan Statement and engaging in any Travel Plan Review.

Contributions for improvements at the Lawn Lane and Durrants Hill Road junction would be sought. The proposed improvements would be to improve pedestrian safety at the junction. Hertfordshire County Council have identified a scheme due for delivery in 2018 / 2019.

Contributions for providing induction loop(s) on Durrants Hill Road near Fourdrinier Way junction will be sought. Contributions would go toward the installation, hardware, software to make it work, reprogramming the black box at the traffic signals and future maintenance.

Description of the Proposal

The proposals are for the demolition of all existing buildings and for the construction of two buildings comprising 170 residential units, with associated access, car and cycle parking, amenity spaces and landscaping. The proposed development will comprise a mixture of 1-bed, 2-bed and family units. The composition of the dwellings, as set out in the Design and Access Statement (DAS) would be as follows:

- 84 x one bedroom flats;
- 74 x two bedroom flats; and,
- 12 x three bedroom flats.

It is proposed that 65% of the dwellings (111) would be privately owned dwellings, 7% (11) would be affordable and 28% (48) would be shared ownership. This would comprise, 111 privately owned flats, 11 affordable flats and 48 shared ownership flats.

Site Description

At present the site is occupied by industrial units across two buildings.

The site covers an area of 1.32 hectares and forms part of the Frogmore Industrial Estate. The site is located in the Apsley area of Hemel Hempstead, about 1 km south-east of Hemel Hempstead town centre. The site is located on the eastern side of Frogmore Road and Frogmore Paper Mill to the west.

The site is located near a number of local facilities including retail outlets, a doctor's surgery, a pharmacy, public houses, restaurants/takeaways, a Nursery and Apsley Railway Station.

History

Pre-application discussions have been undertaken with Dacorum Borough Council and Hertfordshire County Council as the Highway Authority to inform the application submission. During these discussions it was agreed which junctions the impact of the proposed development would be assessed.

An application was submitted at the site in October 2017, comprising 184 residential units. HCC as highway authority originally objected to the proposals due to insufficient information provided demonstrating that the development would not have a severe impact on the surrounding highway network. An amendment was provided in January 2018 which provided more information on the impact of the development, HCC did not wish to object to the application following the January amendment, subject to conditions. The application was refused due to its overbearing height and scale compared to that of the surrounding area.

Analysis

Policy Review

The applicant has provided a Transport Assessment (TA), a Design and Access Statement (DAS) and a Travel Plan (TP) that provide policy review of the following documents:

- National Planning Policy Framework (Department for Communities and Local Government, 2012);
- Manual for Streets (DfT, 2007);
- Roads in Hertfordshire: A Design Guide, Section 1, Chapter 7;
- Dacorum Borough Council Adopted Core Strategy 2013; and
- Dacorum Borough Council Car Parking Standards.

HCC noted that some policy areas had been overlooked, including some elements of the Dacorum Borough Council Adopted Core Strategy 2013, the Hemel Hempstead Urban Transport Plan and the emerging Two Waters Master Plan. HCC typically require a more detailed analysis of local and national policy as part of any formal planning application.

Transport Assessment

A Transport Assessment (TA) was provided as part of the planning application package for consideration by HCC. This is in line with requirements set out in Roads in Hertfordshire Highway Design Guide 3rd Edition (Roads in Herts).

Trip generation

A trip generation profile for both the existing site use and proposed site use were provided in the TA. The TRICS online database was interrogated to obtain trip rates for the trip generation profiles for

both lane uses. This approach is considered acceptable for the purposes of this application. The trip generation provided is the same as that which was accepted as part of the January 2018 amendment to the past application on the site.

Existing traffic

For the existing site, the applicant considered the category 'Employment - Industrial Unit' in TRICS to obtain trip rates which is considered acceptable. The applicant also applied the following TRICS parameters to obtain their trip rates in the previous application:

- Multi-modal Vehicles;
- England Sites, excluding Greater London;
- 1000 - 10000 sqm;
- Monday to Friday; and,
- Suburban Area and Edge of Town.

The resultant trip rates per 100sqm and associated trip generation based on 5491sqm are as follows:

- AM Peak:
 - Trip Rate: 0.323 arrivals and 0.099 departures
 - No. Trips: 18 arrivals and 5 departures resulting in 23 two-way trips
- PM Peak:
 - Trip Rate: 0.037 arrivals and 0.335 departures
 - No. Trips: 2 arrivals and 18 departures resulting in 20 two-way trips

Proposed Use

The category 'Residential - Flats Privately-Owned' was utilised for the purposes of obtaining trip rates in TRICS for the proposed development. This is considered acceptable. The following parameters were used in the interrogation of TRICS for obtaining the trip rates in the TA:

- Multi-modal Vehicles;
- England Sites, excluding Greater London;
- 50 - 154 units;
- Monday to Friday; and,
- Suburban Area and Edge of Town.

These are considered acceptable for the purposes of the proposed site use. The resultant trip rates per unit and associated trip generation based on 170 units are as follows:

- AM Peak:

- Trip Rate: 0.066 arrivals and 0.201 departures
 - No. Trips: 11 arrivals and 34 departures resulting in 45 two-way trips
 - PM Peak:
 - Trip Rate: 0.181 arrivals and 0.104 departures
 - No. Trips: 31 arrivals and 18 departures resulting in 49 two-way trips
- The applicant has also provided the trip generation profile previously undertaken for the 184 residential unit development.
- AM Peak:
 - Trip Rate: 0.066 arrivals and 0.201 departures
 - No. Trips: 12 arrivals and 37 departures resulting in 49 two-way trips
 - PM Peak:
 - Trip Rate: 0.181 arrivals and 0.104 departures
 - No. Trips: 33 arrivals and 19 departures resulting in 52 two-way trips Saturday Peak Hour

Further traffic surveys were undertaken as part of the TA for a Saturday at Durrants Hill Road to demonstrate the number of two-way trips occurring on Durrants Hill Road during the Saturday peak. The traffic data taken on Saturday demonstrated that the peak total traffic on Durrants Hill Road was 517 two-way vehicles, compared to a weekday evening peak period total of 1408 two-way vehicles. This demonstrates that traffic on Saturday is significantly less than the traffic on a weekday. This was further justified by the paragraph in the Executive Summary, which states: 'The traffic on Durrants Hill Road during the 12:00-13:00hrs peak shopping on the Saturday was about 74% and 63% of the amount of traffic that used Durrants Hill Road during the weekday AM and PM peak periods, respectively.'

The peak hour trip forecast on a Saturday was based on trip rates obtained by taking traffic volumes taken for Ebbens Road and dividing them by the number of dwellings in this residential development. The trip rates were then applied to the originally proposed 184 dwellings to obtain a trip profile of 38 arrivals and 33 departures. It is noted that this is at least 21 more vehicles than TRICS predicts for the AM and PM peak hours, which are typically higher than a weekend peak for a site of this nature. The TA submitted as part of this application has not reconsidered the Saturday trip generation based on the reduced number of dwellings. This is considered acceptable as presents a robust scenario.

As part of the Highway response to the previously submitted application, it was noted that it is unusual to use two methods for forecasting trip generation. However, the impression from the original TA was that the Saturday was considered to appease residents. Whilst this may be the case, the Saturday peak hour trips are notably higher than the weekday predicted trips and there was concern that the TRICS assessments may not represent what may actually occur at the site based on the survey at the residential development near the proposed development site.

HCC recommended that suitable justification and/or a sensitivity test is provided, which addresses the discrepancy between the AM and PM Peak trip generation compared to the Saturday trip generation. Alternatively, HCC suggested that surveys can be undertaken at the same residential development to ascertain the trip rates for the AM and PM peak hours at the site. These trip rates can then be applied to the proposed development to provide an appropriate trip generation for the AM and PM peak hours.

The applicant has addressed the discrepancy between the Saturday peak hour trip rates and the proposed TRICS trip rates. They have provided a sensitivity test using the trip rates generated by Ebbens Road development and applied them to the appropriate weekday peak hour. This is considered acceptable.

Net impact

The TA has provided a net trip generation profile which is considered acceptable. The net trip generation profile for the proposed 170 dwellings compared to the existing industrial land use was determined to be as follows:

- AM Peak: -7 arrivals and 29 departures resulting in 22 two-way trips
- PM Peak: 29 arrivals and 0 departures resulting in 29 two-way trips

Sensitivity Test

The applicant has provided a sensitivity test in the TA for consideration. The applicant used the trip rates generated by the Ebbens Road Housing Estate for the Saturday peak period and determined the hours where the highest number of departures occurred to provide the AM peak rates and the hour where the highest number of arrivals occurred to provide the PM peak rates. This approach is considered acceptable for the purposes of the sensitivity test.

The resultant trip rates are as follows:

- AM Peak: 0.151 arrivals, 0.184 departures for a total 0.335 two-way trips
- PM Peak: 0.204 arrivals, 0.180 departures for a total 0.384 two-way trips

The associated trip generation for the originally proposed 184 dwellings is as follows:

- AM Peak: 28 arrivals, 34 departures for a total 62 two-way trips
- PM Peak: 38 arrivals, 33 departures for a total 71 two-way trips

The applicant has not reconsidered the sensitivity test based on the change in the number of dwellings. Due to the fewer number of proposed dwellings this is considered acceptable.

The applicant used this trip generation to provide amended junction modelling to demonstrate the impact on the highway network. This is acceptable.

Impact on the highway

Junction assessment

During the discussions with Dacorum Borough Council and Hertfordshire County Council it was agreed that the impact of the proposed development would be assessed at the following junctions:

- Durrants Hill Road/Frogmore Road;
- Lawn Lane/Durrants Hill Road; and,
- London Road/Durrants Hill Road.

HCC had previously noted that justification may need to be provided as to why the Durrants Hill Road signalised bridge, A4251/A414 junction and The Plough junction have been omitted. HCC stated that they were aware that there are congestion hot spots in the area surround the Durrants Hill Road Bridge and the Lawn Lane / Durrants Hill Road junction.

In order to gauge the potential impact of the proposed development, each of the junctions has been modelled with and without the anticipated development related traffic; these are known as the Do Nothing and Do Something scenarios. This was considered acceptable.

Capacity assessments have been undertaken using the industry standard computer modelling software packages for non-signalised and signalised junctions, 'Junctions 8' and 'LINSIG 3'. This was considered acceptable.

It is known that there is existing congestion in the area, in particular surrounding the bridge, on Durrants Hill Road between Fourdrinier Way and Frogmore Road and at Lawn Lane/Durrants Hill junction during peak times.

The bridge on Durrants Lane is a single lane bridge which is signal controlled to control vehicles crossing the bridge. The bridge is a key contributor to congestion in this location and the addition of the traffic onto the highway from the proposed development is likely to exacerbate existing queuing. Queuing from the signals at the Durrants Hill Road Bridge tend to

queue back to Frogmore Road during busy periods. This queuing would impact the operation of the junction.

Lawn Lane / Durrants Hill junction is congested and there are issues with the safety at the junction, in particular with right turning vehicles from Lawn Lane into Durrants Hill Road as vehicles have to wait for a red signal to turn. This is unsafe for pedestrians, in particular school aged children, crossing at these lights. HCC are currently reviewing possible schemes to improve pedestrian facilities at this junction.

The results of the junction modelling demonstrate that:

- The Durrants Hill Road / Frogmore Road T-junction would continue to operate within capacity;
- The Durrants Hill Road / London Road T-junction would continue to operate within capacity;
- The Durrants Hill Road / Lawn Lane signalised junction would experience a negligible increase in delay and the PRC of the junction would be minimally reduced compared to the do-nothing scenario; and,
- The Durrants Hill Road signalised bridge would be negligibly impacted by the proposed development.

This is considered acceptable.

Sensitivity Test

The applicant has carried out additional junction modelling to demonstrate the impact on the highway network if the site produces a higher trip generation than the agreed TRICS trip rates. The modelling demonstrated:

- The Durrants Hill Road / Frogmore Road T-junction would continue to operate within capacity;
- The Durrants Hill Road / London Road T-junction would continue to operate within capacity;
- The Durrants Hill Road / Lawn Lane signalised junction would experience a notable increase in delay and the PRC of the junction would be significantly reduced compared to the original assessments; and,
- The Durrants Hill Road signalised bridge would be negligibly impacted by the proposed development.

Highway safety

Highway safety records have been considered within the TA for the three junctions that were agreed to be assessed following the discussions with Dacorum Borough Council and Hertfordshire County Council.

HCC provided Personal Injury Collision data for the five year period between 01/01/ 2012 and 31/12/2016 at these junctions. The results indicated that in total across the three junctions six collisions took place, all were slight in nature. HCC do not anticipate that any existing highway safety issues will be exacerbated by the development proposals.

HCC notes that Durrants Hill Road cannot accommodate any more traffic until the safety issues surrounding pedestrians crossing during peak times at the Lawn Lane / Durrants Hill Road junction is rectified. It is noted that at present there are four schools whose pupils must cross the junction and the lights are set so that traffic must wait in the intersection before turning into Durrants Hill Road. This results in right turners turning during pedestrian phases which may ultimately result in a collision.

HCC also note that due to the safety concerns at the junction, parents of children attending the nearby Scouts facility are choosing to drive because of the danger crossing the road. Additional traffic at the junction would increase the frequency of conflict and would exacerbate the existing safety issues at the location.

Proposed Mitigation

HCC have reviewed the proposed mitigation options in the amended TA and have the following comments:

- Proposals for induction loop on Durrants Hill Road near Fourdrinier Way junction would be beneficial to the highway network and Durrants Hill in general. This is suitable to avoid potential blockage of the single lane bridge;
- Box junction on bridge;
- TRO also for keep clear markings in front of Frogmore Road on Durrants Hill Road. This would be acceptable and expected;
- Box junction at Durrants Hill Road / London Road junction - this would be acceptable;
- Noted regarding additional improvements to London road junction with Durrants Hill Road;
- Noted regarding changes to Lawn Lane junction with Durrants Hill Road; and,
- Consultation with Canal and Rivers Trust would be expected and contributions likely required to facilitate improvements to the shared path.

Other suggestions for mitigation include:

- HCC would require a TRO for Frogmore Road to enforce no parking by HGVs;
- HCC would want to seek contributions for improvements at the Lawn Lane and Durrants Hill Road junction, this is for pedestrian safety;
- HCC would require mitigation to potentially link the signals at the bridge to the signals at London Road / Durrants Hill Road, i.e. have the signals go green at the same time but turn the signals to red at the bridge slightly before the signals change on London Road (linking southbound movements);

Any proposed changes to signals would need to be agreed with HCC.

Highway layout

Vehicle site access

Vehicular access to the site would be via a priority junction with Frogmore Road.

In response to the original application HCC had no issue with the access arrangements for the development in principle. However, the applicant was required to provide the kerb radii, visibility splays, gradient, width, etc. of the access arrangements to demonstrate that they are safe and suitable for the scale of the development.

The applicant submitted access arrangement drawings with the original application and as these have not been amended, the following comments are therefore still required to be addressed within the Section 278 Works drawings and will be conditioned as part of this response:

- Access 1 (from left to right) road width between the junction and start of parking area to be confirmed
- Access 1 left-hand radius should be increased owing to dominant flow, plus non-perpendicular access alignment (any footway link may be better served on the opposite side to avoid constant overrun)
- Access 2 would be better served by a traditional kerbed bell-mouth type junction owing to the number of vehicles proposed, complete with internal footway link and appropriate junction visibility
- Access 2 vegetation proximity to be reviewed
- Internal access ramps and gradients served from Access 2 should be sensitive to the needs of the site and necessary internal visibility
- Access 3 internal access widths to be confirmed.
- Access 3 left-hand radius should be increased to minimum of 6.0m (dominant flow direction)
- Accesses 4 & 5 appear suitable for simple vehicular access construction

Pedestrian access

Again, HCC acknowledges that at present there is a lack of detail in terms of the pedestrian access to the site. The applicant is required to provide information pertaining to pedestrian and cyclist access to

the site and include this information on any detailed design submissions. Further information such as the location of pedestrian access points are required.

It is noted that the developer has agreed to providing contributions to Canal and Rivers Trust for improvements to pedestrian/cycle facilities.

Swept Path Assessment

The applicant has provided swept path assessment drawings for the proposed car park. A conceptual review has been undertaken of the swept path drawings and they are considered acceptable for the purposes of this application submission.

Refuse and Servicing Arrangements

Servicing arrangements would occur from Frogmore Road, which is consistent with the existing arrangements. This is considered acceptable to HCC. However, it was noted on the drawings (see above) that the bins appeared to be stored at the rear of the car park. Further information will be required by way of a Servicing and Delivery Management Plan on how this will be managed.

Parking

Car parking provisions and layout

It is stated in the TA that the applicant will provide 232 undercroft and off-street car parking spaces that will be accessed from Frogmore Road. The TA has also confirmed that 10 disabled spaces and 24 electric vehicle spaces would be provided at the development.

The Dacorum Borough Council Car Parking Standards state the following car parking requirements for residential use outside of the defined zones 1 and 2:

- One Bedroom: 1.25 spaces per dwelling;
- Two Bedroom: 1.5 spaces per dwelling; and,
- Three Bedroom: 2.25 spaces per dwelling.

Based on the composition of flats, 84 x one bedroom, 74 x two bedroom and 12 x three bedroom, the applicant would be required to provide a maximum of 243 car parking spaces. 232 car parking spaces represents 94% of the maximum parking provision. This is acceptable to HCC; however, it is ultimately the decision of DBC to determine the suitability of the car parking provision.

The car park is proposed to be a mix of under-croft parking and off-street open-air parking spaces.

Disabled parking provisions

Dacorum Borough Council Car Parking Standards require that for residential use 1 disabled space is provided for every dwelling built to mobility to standard. The TA states that ten of the spaces at the proposed development would be designated disabled spaces. It is not clear from the drawings provided how many of the remaining spaces provided are built to mobility standards. It is ultimately the decision of DBC to determine the suitability of disabled parking provision.

Cycle parking provisions

Dacorum Borough Council Car Parking Standards for residential use state that 1 cycle parking space should be provided per unit if there is no garage or shed provided. It is stated in the TA that 1 secure cycle parking spaces would be provided per dwelling. This is considered acceptable to HCC; however, it is ultimately the decision of DBC to determine the suitability of the cycle parking provision.

The cycle parking will be provided within the under-croft parking area. This is considered acceptable.

Accessibility

Public transport

Bus

The public transport infrastructure surrounding the site provides easy access to and from a range of locations. HCC notes that a map showing the locations of the local bus stops in relation to the site would have been of use, particularly if advised walking/cycling routes were identified.

The closest bus stops are located on Lawn Lane, approximately 400m from the furthest point of the site, meaning most dwellings are within the recommended maximum distance to a bus stop. HCC notes that given the shape of the site, residents from the eastern part of the development may be over the recommended distance. There are also bus stops located on London Road, approximately 500m from the site.

HCC notes that the closest westbound stop to the site, located on Lawn Lane, has a shelter but not easy access kerbing and is in a lay-by. The closest eastbound stop, also located on Lawn Lane, has neither a shelter nor easy access kerbing and the footway width is somewhat limited which would make improvement problematic.

HCC notes that the eastbound stop on London Road is located on a build out between parking bays which also forms an access to parking at the rear of a row of shops, it has no easy access kerbing or shelter and due to its location cannot be improved. The westbound stop on London Road has both easy access kerbing and a shelter.

A summary of the bus services available on Lawn Lane and London Road is included within Table 3.4a of the TA. HCC will require a review of walking/cycling routes to these bus stops as part of any formal planning application. These services are summarised below:

Lawn Lane

- 1 Leverstock Green - Adeyfield (Circ): Mon - Sat Hourly, No services Sun
- 300 Stevenage - Hemel Hempstead: Mon-Fri Half Hourly, Sat Hourly, No services Sun
- 318 Hemel Hempstead to Watford: Mon - Sat Hourly, No services Sun
- 5 Marlowes - Bennetts End: Mon - Sat every 10 mins, Sun every 20 mins
- 501 Aylesbury - Watford: Mon - Fri every 20 mins, Sat half hourly, No services Sun

London Road

- 500/501 Aylesbury - Watford: Mon-Fri every 20 mins, Sat half hourly, no Sun
- H19 Abbots Langley - Hemel Hempstead: Tues & Thurs, 1 per day in each direction

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes. Route 5 from the Lawn Lane stops is the most frequent local service and would give residents access to the town centre. The 300 and 500/501 bus routes are key inter-urban routes within Hertfordshire with regular timetables and good coverage of the day. The 300 would give residents access to St Albans, Welwyn Garden City and Stevenage and the 500/501 to Aylesbury and Watford.

Rail

Apsley Railway Station is the closest station, it is located approximately a 1.1km walk away from the site. Apsley Railway Station lies on the West Coast Main Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company. A summary of the direct services to and from the station is shown in Table 3.4b of the TA.

Again, HCC notes that a map showing the location of the Railway Station in relation to the site, and suggested walking/cycling would be of benefit.

Walking and Cycling

Unlike the Public Transport section, a summary of the benefits of suitable walking and cycling infrastructure has been provided within the TA.

It is noted in the TA that there are street lights on the footways along the roads in the vicinity of the site. There is a shared pedestrian and cycle path along the Grand Union Canal to the east of the site, with a footbridge located near to the site. HCC notes that the proximity of The Grand Union Canal and associated shared use path should encourage walking and cycling.

Hemel Hempstead is served by Sustrans National Cycle Route 57 which runs from Welwyn Garden City to Farrington, near Cheltenham, where it meets Route 48.

The existing footways provide access to local amenities including Apsley Mills Retail Park, Apsley Railway Station and the retail offer and amenities on London Road.

HCC notes that the site appears reasonably well situated in terms of access to the facilities within Apsley.

Travel Plan

An Interim Travel Plan (TP) has been produced with the purpose of encouraging sustainable transport modes to reduce the reliance on private vehicles, and to ensure minimal impact to highway safety and function as a consequence of the development.

The ITP states that the Travel Plan (TP) will be drawn up in accordance with the County Council's document Hertfordshire's Travel Plan Guidance which is available via www.hertfordshire.gov.uk/travelplans or travelplan@hertfordshire.gov.uk.

HCC Travel Plan Guidance requires a Travel Plan for this development. A Travel Plan Evaluation and Support Fee of £6000 is required.

HCC has the following comments on the TP that has been produced:

- A forecast of time to be allocated to the TP coordinator role and frequency at which they would be on site is required;
- Appropriate residential TP contributions and possible uses need to be finalised, guidance can be found at www.hertfordshire.gov.uk/travelplans; and,
- Thought needs to be given to the appropriate membership of the Steering Group and the frequency of meetings.

Construction

A Construction Traffic Management Plan will be required to ensure that construction vehicles would not have a detrimental impact on the highway network within the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. It will also need to take account of vulnerable pedestrians and delivery and servicing arrangements to ensure conflict is avoided at all times.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards local strategic schemes will be sought by DBC via CIL.

Developer contributions sought by S106 agreement could go towards upgrading the nearest westbound stop on Lawn Lane which would benefit from easy access kerbing (£8000 approx)

and display screen (Â£8000 approx). The westbound stop on London Road also lacks a display screen which would be of benefit in this location (Â£8000 approx).

The TA lists suggested improvements to improve traffic flow and safety, including box junctions, mirrors, changes to signal operation, and keep clear markings. However, the impacts of these improvements have not been considered within junction modelling. When this has been done to the satisfaction of the highway authority it may be that elements are secured by planning obligation.

A Section 106 Agreement will be required to secure Travel Plan Monitoring fees, contributions would also be sought for improvement schemes in the area, in particular, schemes to improve pedestrian and cycling infrastructure and mitigate any parking displacement.

Conclusion

HCC as highway authority has reviewed the application submission and does not wish to object to the proposed development, subject to suitable planning conditions.

DBC - NOISE POLLUTION & HOUSING

Comment Date: Wed 27 Jun 2018

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/01331/18/MFA for the demolition of all existing buildings and constructions of two buildings comprising 170 residential units with associated access, parking, amenity space and landscaping and I will like to advise that we no objection to the proposed development in relation to Noise, Air Quality and land contamination

Therefore, should the planning application be approved, the following planning conditions and informative are hereby recommend for the proposed development.

1a). Contaminated Land Condition

Having given adequate consideration to the submitted Geotechnical Investigation Report at Frogmore Industrial Estate with reference ASL Report No 115 -15 -095 ? 10 rev 1, prepared by ASL dated July 2015, Phase I & II Geo ? Environmental Assessment Report with reference 50BCD0116834/PI & II prepared by CBRE Limited dated 14th July, 2015 and Note on Geo ? Environmental Site Investigation with reference WM/wfg/LP1583/1 dated 2nd March 2018 prepared by Leap Environmental.

No development, shall take place until:

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 has been submitted to and approved in writing by the local planning authority.

The statement must take into consideration the conclusions and recommendations drawn out in section 8 of the Phase I & II Geo ? Environmental Assessment as well as the outcome of the Note on Geo ? Environmental Site Investigation in page 2-3 of the report.

Moreover, with the relevant limitation identified in the submitted report, the applicant is advised of the need to undertake any further intrusive site investigation and assessment where required.

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).

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).

2). Air Quality Condition

Whilst we take note of the submitted Air Quality Assessment Report with reference 442697/AQ/02 (00) prepared by RSK Limited and dated 23rd May 2018, the applicant is required to submit a detail mitigation scheme incorporating all measures identified in section 7.1 and 7.2 of the submitted report as well as the need for any mechanical ventilation where applicable considering the said un-certainties in the report as alluded in section 5.12 and with the development site been sandwiched in between 2 of the three local authority AQMA whilst the applicant has not been explicit on the source of energy to the site.

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

3). Construction Management Plan Condition

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

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.

4). Energy Source Condition

- a. With the applicant failing to reference fully 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).

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 7 (Operational Noise Assessment) and 8 (Conclusions and Recommendations) of the submitted Noise Impact Assessment Report with reference 296888 ? 01 (02) prepared by RSK dated 23rd May, 2018.

Any amendment to these proposals shall be submitted to the Local Planning Authority for prior approval in writing.

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 7.1.1 (Indoor Living Area) and 7.1.2 (Outdoor Living Area) of the submitted noise report.

The mechanical ventilation system where applicable as submitted in section 7.1.1 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.

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

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.

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.

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.

Finally, a section 106 agreement will be required for this level of development.

I hope the above clarify our position on the submitted application?

CRIME PREVENTION/ARCHITECTURAL OFFICER

Comment Date: Wed 27 Jun 2018

Thank you for sight of planning application 4/01331/18/MFA, demolition of all existing buildings and construction of two buildings, comprising 170 residential units with associated access parking amenity space and landscaping, Frogmore Road, Hemel Hempstead, HP3 9RW.

My comments are made from a crime prevention perspective only. Looking at the documents most areas of concern have been addressed , although I would ask that not only the affordable units are built to the police minimum security standard Secured by Design, this will also meet the building regulations (approved document Q).

Physical Security (SBD)

Layout

I am content with the layout , however I would ask that some traffic calming is used especially at the East Entrance , (to stop joy riders/mopeds).

Communal door sets:

Certificated to BS PAS 24: 2016, or LPS.1175

Access Control to block of flats:

Each block has more than 25 flats off a communal entrance, the SBD standard is for the communal entrance doors to have an access control system Audio Visual. Tradespersons release buttons are not permitted.

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.

Individual front entrance doors of flats Certificated to BS PAS 24:2016

Windows:

Flats

Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175
French doors for balconies:

Dwelling security lighting (flats):

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points.

Bin stores / Plant Room

The access doors to these should be to LPS.1175, or BS PAS 24: 2016.

Basement car Park

An access control system must be applied to all vehicular and pedestrian entrances to prevent unauthorised access into the car park (To stop anti-social behaviour or rough sleeping)

Compartmentalisation of Developments incorporating multiple flats.

Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised :
Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors.

Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.

DBC - STRATEGIC PLANNING

Comment Date: Thu 21 Jun 2018

Please refer to our comments of 26 January 2018 on the previous application (4/02601/17) for 184 homes on this site. The site is part of housing allocation H/13 in the Site Allocations Development Plan Document and we did not raise any objections on the application. However, we note that the application was refused due to its impact on the surrounding area, particularly Ebbens Road.

The current application addresses the reason for refusal on 4/02601/17 by reducing the scale of development along the canal opposite Ebbens Road. We do not have any policy objections on the revised proposals. As with 4/02601/17, there is a need to consider footpath and cycleway improvements in the area, particularly along the canal ? see point x in our comments on 4/02601/17.

Please let Strategic Planning know if you have any questions.

CANAL & RIVER TRUST

Comment Date: Wed 20 Jun 2018

Proposal: Demolition of all existing buildings and construction of two buildings comprising 170 residential units with associated access, parking, amenity space and landscaping.

Location: Frogmore Road Industrial Estate, Frogmore Road, Hemel Hempstead
Waterway: Aylesbury Arm (Grand Union Canal)

Thank you for your consultation.

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.

The main issues relevant to the Trust as statutory consultee on this application are:

- a) Impact on the character and appearance of the waterway corridor.
- b) Impact on the biodiversity of the waterway corridor.

c) Impact on the structural integrity of the canal due to the proximity of the building to the canal.

d) Accessibility

On the basis of on the information available our advice is that suitably worded conditions and a legal agreement are necessary to address these matters. Our advice and comments are detailed below:

Impact on the character and appearance of the waterway corridor

The revised proposals reduce the height of the buildings adjacent to the towpath and introduce podium garden spaces which open up views into and out of the site. This is welcomed and will improve interaction with the waterspace. The reduction in height reduces the impact of the proposal in terms of sunlight and daylight on the canal and towpath.

As previously our main concern relates to the need to understand the relationship of the building to the towpath. The submitted plans and detail within the design and access statement show that as before the first floor apartments sit above the towpath level with balconies overlooking the towpath.

The planting to be provided in the strip of land between the existing boundary and the ground floor balcony/top of car park podium will be crucial in regard to disguising the semi-podium parking behind it. The narrow vegetation strip may be hard to maintain and the choice of planting will be important and could provide a means of reducing the visual impact of the semibasement

parking podium wall and vents. We request additional plans showing the detail of this wall, and any ventilation grilles, so that

we can comment on any adverse visual impact this might have upon views from the canal corridor. The Landscaping Plan states 'Refer to drawing's 'BBLA_3756_950' & 'BBLA_3756_951' for the Canal boundary and planting strategy. but these documents are not available. Previously we asked that the existing hedge to be retained and gapped up. Whilst this matter can be dealt with by way of a suitable condition it appears that the detail already exists and therefore we would wish to be provided with the relevant drawings as soon as possible and will comment further as necessary. Impact on the biodiversity of the waterway corridor.

The canal itself should be considered as a sensitive receptor to the loss of sunlight, not just the houses on the opposite side. Light levels not only impact on ecology but the user experience of boaters and towpath users and therefore the height reduction and opening up of the podium landscape areas is considered an improvement.

The Arboricultural survey mentions that the towpath hedge is in good condition (also nice mix of 5 native species). Most of the existing hedgerow is good, however there are a lot of gaps where ivy is growing over the deteriorating wooden fence panelling so a detailed improvement scheme of native hedge planting to continue the existing hedge, using Hawthorn, blackthorn, field maple, hazel and dog rose may be acceptable. The applicants should discuss proposals to improve, remove or replant sections of the hedge with the Trust's ecologist Penny Foster.

Further details of the proposed landscaping and means of protection of the towpath hedgerow should be provided by way of a suitably worded condition. Further detail of the podium planting should also be required to ensure that the planting has no structural implications for the canal, the towpath or its users, and that it is not overly domestic, particularly towards the towpath edge.

The Bat survey found a lot of activity along the canal. The existing hedge if retained and enhanced, should help to keep the canal corridor in suitable shade from lighting. We would welcome further details of the lighting strategy as the impact of the podium landscaping areas should be considered. Impact on the structural integrity of the canal due to the proximity of the building to the canal. The site is at a lower level than the canal and therefore the digging of foundations in close proximity to the canal may undermine the towpath or canal infrastructure or may result in

additional loading on the canal. Further discussions should take place with our Engineering team to establish what impact the proposal may have.

In the past, this site was levelled and a retaining wall built to the back of the towpath. Poor design and lack of maintenance led to concerns that the canal was leaking and further, but inconclusive leak detection surveys were carried out. Furthermore, the construction of the basement car park will mean that the Trust is unable to access the toe of this embankment for inspection purposes the applicant should contact the Trust Third party works Engineer as soon as possible to discuss this further and should ensure that design of foundation and ground floor are suitable in this location.

The Trust will need to review the basement/car parking works adjacent the canal as well as the building foundation proposals.

Accessibility

We note that the Transport/Travel plan mentions discussions with the Trust regarding towpath improvement. The applicants previously agreed to provide a contribution of £80,000 towards towpath improvements as a result of this application and we feel that a contribution towards the improvement of the towpath is in accordance with chapter 4 of the NPPF and policy CS8 of the adopted core Strategy and is still relevant and necessary.

The County and Borough Council are working with the Trust to secure improvements to sustainable transport routes in the area. 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 ramps at certain locations.

The Trust feel that the additional usage of the towpath by future residents of the site justifies the improvement of this stretch of towpath. The possible increased usage of the canal towpath as a sustainable transport route serving the site without suitable mitigation measures will result in further degradation of the towpath surface.

General canal towpath improvements such as widening and resurfacing may be needed to cope with additional usage.

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. Further policy justification is provided at appendix 1, below.

Discussions during the course of the previous application agreed a contribution figure of £80,000. This figure may be less than the likely cost of improving the length of towpath to the site frontage, between the footbridge (bridge 153) and Durrants Hill Road (Bridge 152), and it is acknowledged that it may, be necessary to pool contributions to allow a meaningful improvement to be carried out to the Grand Union Canal towpath in the vicinity of the site.

The Canal & River Trust therefore request that the above sum is identified as provided for towpath improvement rather than in general for projects identified within the UTP.

The Trust would welcome the opportunity to discuss this matter further if the council or applicants feel that this contribution or figure is no longer relevant. We would also welcome the opportunity to discuss in detail the means of delivering this contribution and wording on any such contribution in the Heads of Terms.

We would also wish the applicants to contact the Trust in order to determine whether it is possible to use canal water for heating and cooling the development.
Matters requiring further consideration.

The access from the site to the towpath requires further discussion with the Trust as a commercial agreement is needed to connect to the towpath.
Further details of the car park podium wall showing any ventilation equipment and of the boundary treatment and canalside planting, presumably as detailed in drawing's 'BBLA_3756_950' & 'BBLA_3756_951' is required as soon as possible, to allow further consideration and if necessary comment.

However, if the council is minded to positively determine the application without requesting those details we request that they are required by means of a suitable condition and that the Trust is consulted when the details are available.

Pre -commencement Conditions

We would ask that the following conditions are imposed as pre- commencement conditions if consent is forthcoming as both matters need to be fully detailed and agreed prior to demolition work commencing to protect the adjacent canal infrastructure.

1. Prior to commencement details of the proposed retaining wall and its foundations shall be submitted to and agreed 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 120 of the National Planning Policy Framework as the construction of the retaining wall and its foundations 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. prior to the commencement of development, details of the proposed protective fencing to be erected to safeguard the waterway and hedgerow from pollution and disturbance during construction of the development shall be submitted to and agreed 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 paragraphs 109 and 58 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc. entering the canal and to ensure that the hedgerow is not damaged during the construction phase.

Other conditions

3. Further details of the podium landscaping scheme and canalside landscaping and boundary treatment scheme shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall indicate the size, species and spacing of any new planting. Any such planting which within a period of 5 years of implementation of the landscaping die, removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to the variation. The approved scheme shall be fully implemented prior to the first occupation of the dwelling. No new trees shall be planted within 5 metres of the waterway.

Reason: To comply with paragraph 58 of the National Planning Policy Framework to improve the appearance of the site when viewed from the waterside and to enhance the biodiversity of an area. Landscaping also has the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for the planting.

Landscaping affects how the waterway is perceived and any trees within 5 metres of the waterway may have the potential to impact on the structural integrity of the waterway structure.

4. Notwithstanding the plans submitted prior to the commencement of development details of the proposed lighting for the development shall be submitted to and approved in writing by 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 the 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 the integrity of the waterway infrastructure.

Should planning permission be granted we request that the following informative is appended to the decision notice:

Informatives

The applicant is advised that an agreement would be required for the erection of fencing, barriers, foundations, landscaping etc. on or encroaching onto the Canal & River Trusts' property. The Trust offer no right of support to the adjacent property. The land owner should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure at this location.

'The applicant/developer is advised to contact Osi Ivowi Works Engineer on 01908 302 57591n order to ensure that any necessary consents are obtained and that the works comply with the Trusts' 'Code of Practice for Works affecting the Canal & River Trust'. For the 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.

HCC - Archaeology Unit,

Comment Date: Tue 19 Jun 2018

Thank you for consulting me on the above application. I note it succeeds a similar planning application on which this office commented last year (4/02601/17/MFA).

Please note that the following advice is based on the policies contained in the National Planning Policy Framework.

The proposed development is located at Frogmore End in Hemel Hempstead, in the valley of the River Gade. It lies circa 800m to the north of Area of Archaeological Significance no. 52, as identified in the Local Plan, which identifies an area of known prehistoric settlement overlooking the river valley.

As previously notified, due to its position within the flood plain there is potential for the recovery of palaeo-environmental and archaeological data at this location. A Geological Assessment, submitted with the application, noted that the site is underlain by layers of alluvium, with possible pockets or layers of peat. These surviving alluvium and peat bands have the potential to contain significant archaeo-environmental remains (dating to between c.9000 ? 2000 B.C.). Residual prehistoric flints were found during an archaeological evaluation at Frogmore Mills, adjacent to the proposed development area to the south [Historic Environment Record no. 11961]

An archaeological desk-based assessment submitted by the applicant also acknowledges that the site has some potential for palaeo-environmental remains (CgMs 2017, revised May 2018, para 4.7.3).

I believe therefore that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and, as per previous advice, I recommend that the following provisions be made, should you be minded to grant consent:

1. A geo-archaeological evaluation, in the form of trial pits and/or boreholes (under the supervision of an experienced geo-archaeologist) in areas of potential impact, to sample the environmental and geo-archaeological potential of the proposed development site. This should occur prior to any development taking place.
2. Should palaeo-environmental remains be present, the taking of environmental samples (by an experienced geo-archaeologist) and their geo-archaeological analysis, to enable the construction of a detailed deposit model of the site.
3. Such appropriate mitigation measures indicated as necessary by the above programme of geo-archaeological investigation. These may include:
 - a) a programme of limited evaluation via trial trenches, based on the information provided by the geo-archaeological investigation;
 - b) the physical preservation of any archaeological remains in situ, if warranted, via changes to the design of the development, or methods of construction employed;
 - c) appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of these results;
 - d) the archaeological monitoring of the groundworks of the development, including foundations and service trenches (and also including a contingency for the preservation or further investigation of any remains then encountered);
 - e) the analysis (including geoarchaeological and palaeo-environmental analysis) of the results of the archaeological work with provisions for the subsequent production of a report(s) and/or publication(s) of these results, and an archive of the results of the archaeological work;
 - f) such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that

these recommendations closely follow the policies included within Policy 12 (para. 141, etc.) of the National Planning Policy Framework. and the guidance contained in the Historic Environment Planning Practice Guide.

In this case two appropriately worded conditions on any planning consent relating to these reserved matters would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

With reference to previous correspondence concerning Condition A on previous planning application 4/02601/17/MFA, between yourself and my colleague Simon Wood, this office would again have no objection should you wish to amend the wording from 'No demolition/development shall take place/commence' to: 'No development other than demolition to existing ground level shall take place' (or to "No demolition below ground level/development?'). This is with the proviso that all slab and hard standing remains in place, and foundations are not grubbed out.

If planning consent is granted, then this office can provide details of requirements for the investigation and information on archaeological contractors who may be able to carry out the work.

THAMES WATER UTILITIES

Comment Date: Thu 14 Jun 2018

Waste Comments

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

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

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>.

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.

'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.'

ENVIRONMENT AGENCY

Comment Date: Wed 13 Jun 2018

Demolition of all existing buildings and construction of two buildings comprising 170 residential units with associated access, parking, amenity space and landscaping.

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

Advice to Local Planning Authority ;V Safe access/egress This proposal may not have a safe means of access and/or egress in the event of flooding to an area wholly outside the floodplain (up to 1 in 100 year +35% flood event) however, safe refuge is possible on upper storeys of the development. You are the competent authority on matters of evacuation or rescue, and therefore should assess the adequacy of the evacuation arrangements, including the safety of the route of access/egress from the site in a flood event or information in relation to signage, underwater hazards or any other particular requirements. You should consult your emergency planners as you make this assessment. The access route may be dangerous for some, including the elderly and infirm, dangerous for most people, apart from the emergency services, or dangerous for all depending on the velocity and depth of floodwater. The hazard to people classification can be found within the Defra/EA Technical Report FD2320: Flood Risk Assessment Guidance for New Development. If you are not satisfied with the emergency flood

plan, then we would recommend you refuse the application on the grounds of safety during a flood event, as users would be exposed to flood hazards within the buildings and on access/egress routes.

Advice to Applicant

Recommend Finished Floor Levels and Emergency Plan We would recommend that finished floor levels for the proposed development are set as high as is practically possible, ideally 300 millimeters (mm) above the 1 in 100 year +35% flood level, or, where this is not practical, flood resilience/resistance measures are incorporated up to 300mm above the 1 in 100 year +35% flood level. This is to protect the proposed development from flooding. The submitted flood risk assessment (FRA) 'Bellway Homes North London: Frogmore Road, Hemel Hempstead: Flood Risk Assessment & Surface Water Drainage Strategy' prepared by RSK LDE Ltd (project number: 132917-R1(02) - FRA), and associated plans demonstrate that finished floor levels and flood resilience measures shall be set no lower than 79.00 meters Above Ordnance Datum (AOD). The development should be carried out in accordance with this FRA. Further information can be found in the document 'Improving the flood performance of new buildings' at: http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf. Additional guidance can be found in the Environment Agency Publication 'Prepare for flooding', which can be found on our website at <https://www.gov.uk/prepare-for-flooding/future-flooding>. Flood risk modelling undertaken by a third party has been used in support of this application and the Environment Agency has applied a risk based approach to the assessment of this model. In this instance a basic review has been carried out. The approach is suitable for assessing the flood risk for the proposed development. The Environment Agency has not undertaken a full assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.

There is a small note under section 10.6 regarding resilient measures, where you suggest building small temporary bunds. Please note that we would not accept this without adequate floodplain compensation given that flood risk would increase elsewhere. Flood Risk Activity Permit Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed permanent or enabling works or structures, in, under, over or within 8 metres of the top of the River Gade, designated a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Please contact us at PSO-Thames@environment-agency.gov.uk for further information. The applicant will need to demonstrate:

That access to the watercourse is not restricted for future maintenance or improvement works. That works will not obstruct flood flows thereby increasing the risk of flooding to other properties within the locality of the site. That works will not adversely affect the stability of the river bank. That all the conditions/requirements of the Flood Risk Activity Permit are met. Should you have any queries regarding this response, please contact me.

HCC - Restoration Minerals & Waste

Comment Date: Tue 12 Jun 2018

I am writing in response to the above planning application insofar as it raises issues in connection with waste matters. Should the 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 council is urged to pay due regard to these policies and ensure their objectives are met.

The county council would expect detailed information to be provided separately for the demolition, site preparation and construction phases of development. The waste arisings will be of a different composition from each of these phases. Good practice templates for producing SWMPs can be found at:

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

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

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

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted and provide comments to the two councils.

NATURAL ENGLAND

Comment Date: Wed 06 Jun 2018

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

HISTORIC ENGLAND - FORMERLY ENGLISH HERITAGE

Comment Date: Tue 05 Jun 2018

Thank you for your letter of 31 May 2018 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

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

DBC - LEAD OFFICER - HOUSING DEVELOPMENT

Comment Date: Fri 01 Jun 2018

Strategic Housing comments are as follows in response to the proposal below:

To meet the affordable housing policy requirements 35% of the dwellings should be agreed for affordable housing.

Therefore, 60 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.

If they wish to provide the current split, they will need to evidence this through a viability assessment. In line with the Affordable Housing SPD, we would usually specify a mix of 75% Affordable Rent & 25% Shared Ownership.

We would also require a minimum provision of 35% affordable housing on this scheme which is 60 units, 1 more than what they are proposing. They will need to make reference to this in the VA if they are unable to meet the requirement.

THREE VALLEYS WATER PLC (AFFINITY WATER)

Comment Date: Thu 31 May 2018

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.

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.

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.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Appendix B

Neighbour Notification / Site Notice Responses

202 Lawn Lane, Hemel (Objects)**Comment submitted date: Fri 20 Jul 2018**

In regards to the Frogmore Road development we the undersigned have no objection to them in principal but do have objections to the development plans as they stand for the following reasons.

The density of this development is not what was allocated by the council in the initial plans. This plan with such a large high rise development will undoubtedly have the following effects on the neighbourhood and environment, as well as not being in keeping with the nature of a village.

We feel that the 5 storey heights are out of keeping with the neighbourhood and would give an excuse to future developers to do likewise, thus changing the nature of Apsley completely. We also believe that 170 units is too many in such a small area and it exceeds the quota which was for the whole area, and would be too much for the infrastructure for instance in respect of road traffic.

The traffic in Apsley is already very congested and such a large number of flats will undoubtedly increase this especially considering the one way system at the bottom of Durrents Hill which causes chaos daily. This development together with the council's Two Water development plans will hugely increase traffic in the Apsley area. As you are aware Dacorum Council is already monitoring the air quality level in Apsley and in particular in Lawn Lane, such a large number of new dwellings will further exacerbate this problem. Air quality in Apsley is a big concern and a health hazard. Apsley already exceeds the upper limited of damaging exhaust pollutants by a large margin and cramming in more people and more cars is not going to address this. Our houses are covered in black soot from this already so you have to wonder what our lungs are like. You as councillors must be well aware of this issue as the council have actually commissioned reports that tell them this and as previously stated is still monitoring air quality in this area.

The infrastructure in Apsley is already unable to cope with the amount of new homes

developed to date, the local school is way oversubscribed and the whole area gridlocked for the morning and evening rush hours as well as weekends.

I understand that as residents we have until June 21 to let the council know local views and a quick glance through the local website 'Apsley Matters' shows that there are strong feeling throughout Apsley in regards to this and other developments in the are, in particularly in regards to the above concerns.

200 Lawn Lane, Hemel (Objects)

Comment submitted date: Thu 21 Jun 2018

I understand that this is the last time that we can object to the plans to massively increase the number of dwellings in the Apsley Valley at Frogmore Road. Whilst we do not object in principal to new homes being built, this development is on a scale that is frankly ridiculous in the context of its location. Due to constant building in the last decade from the boundary of Durrants Hill road across to Red Lion Lane, including the loss of the Green belt on the Manor Estate, there have been vast increases in traffic which is resulting in virtual gridlock on most mornings, evenings and weekends. This has been coupled with parking on every pavement resulting in people having to walk into the road just to get their prams, pushchairs or themselves from one part of the area to the other. During this time the traffic management and infrastructure has not been invested in to cope with this increased traffic.

However, our main objection is on health grounds. The council have already assigned the areas of Lawn lane and London Road as having air quality levels far below those recommended for healthy living as set by the World Health Organisation, the EU and the British Government. As the British Lung Foundation have stated:

"Many towns and cities across the UK have unsafe levels of air pollution from traffic fumes. These fumes can make it harder for people with a lung condition to breathe and make their condition worse. It can also increase all our chances of getting a lung condition and cause lasting damage to children's growing lungs" (<https://www.blf.org.uk/support-for-you/air-pollution>)

Air pollution | British Lung Foundation www.blf.org.uk Air pollution can be a serious problem especially for people living with a lung condition. Find out how to protect your lungs.

As parents of young children we find it deeply concerning that our local representatives are considering this application which can only increase the danger to both us adults and also to the future health of our children as they grow up here.

It is also concerning that the frankly laughable claims that the developers have made in regards to the number of car journeys that the likely residents would be making and the way that they will mitigate against these (encouraging electric cars and getting people to cycle) are being taken seriously. With no local schools to the area within easy walking distance and taking into the consideration the terrain of the valley the assumed claim that this will become a mini Netherlands treats us with disrespect.

Frankly we could not comprehend how the traffic assessment that was carried out could make claims that there would be little impact as we have first hand experience of actually living here. Is there really anywhere in this country where a large estate of 170 dwellings only make two car journeys a day? To suggest that this is the case is at best wishful thinking or at worst deliberately misleading.

Without major infrastructure investments to the roads, schools and local amenities this development is almost certain to condemn the current residents to a poorer and less healthy future.

7 BRIDGEVIEW CLOSE, HEMEL HEMPSTEAD, HP3 9AD (Objects)

Comment submitted date: Thu 21 Jun 2018

This development would be visually intrusive to the houses on Drew Wharf, we will be able to make eye contact with the residents opposite stood in our garden, kitchen diner, lounge & master bedroom, every room in the rear of our property would have 0 privacy. The houses on the Drew Wharf are built extremely close to the canal. A link to the tow path would also significantly impact privacy, currently the tow path is little used, this would become busy & noisy disturbing the residents of Drew Wharf. We would lose all natural light & have no sun in the above mentioned spaces. The development is oversized for the area, too close to Drew Wharf, the roads would not be able to cope with the additional cars, Durrants Hill Rd is sometimes unpassable due to the number of cars blocking the road from London Rd to Lawn Lane. Exiting Frogmore Road would be at times impossible. The huge modern design of the buildings & space is not at all in keeping with the local area & 0 consideration has been given to wildlife

2 BRIDGEVIEW CLOSE, HEMEL HEMPSTEAD, HP3 9AD (Objects)

Comment submitted date: Thu 21 Jun 2018

Grounds for objection, due to noise and associated challenges, with large communal rooftops is a significant problem with the new plans. As this is not in keeping with the local area.

The design and proposal had significant bulk and height, with significant overbearing on the canal side, which will impact the local residents and canal users.

Final objection is due to traffic and pollution, as 170 dwellings, leading to over 300 cars, leads to significant concerns for local residents and amenities, as well as further congestion at lights next to Bull Rudizio restaurant.

Rudizio restaurant.

60 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Thu 21 Jun 2018

We have been notified of a planning application for 170 units in Frogmore road. Studying the application documents, We also believe that the application is not compliant with Dacorum's Air Quality Action Plan 2015-2018.

Traffic in the area is already at saturation point for large parts of every day, especially peak commuter hours and weekends, the current one way bridge on Durrants Hill Road controlled by traffic lights is totally inadequate for the levels of current traffic and will be overwhelmed with extra traffic, both construction and resident traffic.

Pollution as mentioned previously is at a level which is now seriously damaging the health and well being of the local residents, this will only get worse with a large monolith attracting many additional vehicle journeys, no one will be arriving by cycle or public transport.

The proposed development does not fit in with the current style of housing in the area which would create a precedent for further unsightly developments.

Schools ? local schools are all full so any school children living in the new blocks would have to travel far afield to attend school, increasing the traffic levels and pollution levels even further.

This development cannot be taken in isolation, over the last few years there have been 4 new housing developments in Ebberns Road alone, taking into account other housing developments like the Manor estate and the area is now becoming totally saturated by higher

density housing which the infrastructure cannot take, everything is beginning to creak at the seams !

Taking these factors into account we believe that the proposed development should not be allowed to happen until the number of units and size of development is downsized and the traffic infrastructure improved in such a way as to help manage current and future levels of traffic, items such as an alternative access/egress to the development which allows traffic to exit and enter via an alternative to Durrants Hill Road and a better traffic management on that road, one way system springs to mind.

We are not adverse to development of that land into housing, what we are adverse to is the crass way in which a large 'London style' high rise is being foisted upon the whole area under the 'central government pressure for housing' banner.

62 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Thu 21 Jun 2018

Further to your letter received dated 31st May 2018 we wish to make our objections to this new application known.

We understand the local government is under pressure from Central Government bodies to create more housing in various parts of this county, along with others elsewhere within the UK.

However the recent upsurge in the developments being 'squeezed' into the any spare area within Apsley are somewhat ruining our community with all the traffic congestion and it's becoming a bit of nightmare regardless of what time of the day, you decide to venture out..

Apsley as you're aware is one of the older village areas within the town and we're certainly under the impression that Central Government's plan to create new housing is not being proposed to the right sector of people wanting to start out on the property ladder and find their first homes.

The above application has hardly any social housing being proposed either and it backs up obvious theory that Bellway Homes only wants to target the professional, commuter singles/couples sector so they can sell these apartments on at vastly inflated prices, due to the attraction of the rail station and it's close proximity to the M25 and M1 junctions - again it's their greed and irresponsible decisions are at the heart of all this and there is no thought to how the existing residents feel and have to live the consequences.

We understand that your planning dept is looking at the mass planned estates proposed for the Shendish, Boxmoor, Kings Langley and East Hemel areas are somewhat alarming too, as this borough will be a suburb of London within the next 4-5 years. Which of course ,you are all fully aware of and the inevitable population 'boom' that this will bring! This is substantiated by your decisions to get the undeveloped areas at Jarman Park and the former Lucas Aerospace land (at the bottom of Maylands Avenue) being developed into two retail parks. Plus I understand there too is an acceleration of existing office buildings, within the town centre opposite the newly developed Water Gardens are now in the throes of being converted into residential dwellings and that's why the Marlowes Shopping centre is also being redeveloped into an entertainment hub with restaurants, cinema etc to cater for the masses, as Jarman Park and the surrounding roads in that area wouldn't be able to cope!

Whilst we accept that there will be change to the town and it's outlining areas we are bitterly opposed as to why housing has to be put into the most built up areas, when the above retail parks planned, could have been potential housing sites and given that these are on industrial areas there is less likelihood that existing residential areas wouldn't be impacted upon?.why can't these type areas be used instead??!

We feel that Bellway Homes have taken advantage of the opportunity of purchasing the land at Frogmore Road, because of the changes/ relaxation of building regulations on brown-field sites and are now manipulating 'the need for housing' excuse for them to make a fast buck out of the situation.

As we have already pointed in my first objection letter for their first planning application the whole Frogmore Road site (H13 I believe) was earmarked for a lot less development and this is why they lost their first application for the 184 units. Now this second one for 170 cannot surely be allowed as there has been no amendment to the heights proposed and again the scale of the site will be still be over-bearing!.

To be frank Bellway Homes have come up with a more pleasing design but only because they had to! The reduction of 14 doesn't impact on the fact the units will be 5 storeys high thus infringing our privacy as there will be an increase to population and noise levels will rise, the shadowing the blocks will create will still impact on our gardens which in turn effects everybody's mental health and will have a MASSIVE impact on the habitating animals and nature that thrives in this area.

Further to ecology in the area I understand that Bellway Homes have claimed to have undertaken two bat surveys, however RSK had only conducted the one and the timing wasn't the best, as the maternity period for the bats had finished. Bellway Homes have falsely claimed that the only bat species was found - the Common Pippistrelle, but the RSK survey stated there are three species, one to be the rare Daubenton bat.

Therefore there must be at least two bat surveys undertaken between May and September to assess them in their habitat and we see that Bellway Homes feel that supplying a few bat boxes will be enough to keep the bat population in the area. But this development will destroy them and their natural habitat as the impact of all the light pollution this development will bring will result in their demise.

As parents of two children (12yrs and 5yrs) we are VERY CONCERNED that this new proposal has answered nothing about what Bellways Homes and other authorities are going to do about the high levels of air pollution we're all currently experiencing!!! There is nothing within their proposal that states what they intent to do about it. Therefore we feel that there should be a new Air Quality survey commissioned immediately, to ascertain the exact levels we currently living with, rather than use data from a previous report which is somewhat 6 years out of date! Then all the analytical comparison of what 170 new dwellings plus their vehicles, will be ascertained to give EVERYONE an informed decision on what scale, that can be built there!

Currently the existing infrastructure not coping at the best of times due to the high volume of traffic especially experienced on Durrants Hill, London Road and the surrounding road. Therefore we are somewhat baffled as to why Herts Highways dept didn't raise any concerns before on the first proposal and we can only assume, that as they're based in Hertford clearly they have no idea of the true situation! The inevitable increase in traffic that this proposal brings will just turn the whole of Durrants Hill/London areas into a glorified car park with lots of engines pumping out more deadly nitrous oxide, for our lungs to breathe in?.

Currently both of my sons suffer with respiratory conditions which we feel have exasperated further by the air quality and our eldest son should have grown out of croup by now but is still suffering! Had we known about the air-quality information we would have moved years ago or certainly put pressure on DBC to do something about it instead of signing off these developments!

Plus we also understand the one-lane bridge slightly further down Durrants Hill road cannot be altered and it is already a hot-bed of frustration with motorists who cannot proceed over it when the traffic lights turn green, which leads to angry scenes of confrontation among the drivers. Again where is Bellways Homes suggestions as to what it can offer to ease the congestion issues?

Lastly as one of my neighbours Brian Daniel has highlighted there is no consideration to propose a 'mixed' density of housing types, thus giving families the opportunity to have a garden and more space. Of course should this approach be taken then overall design and aesthetics of the site would look a lot more interesting and more in keeping with the other buildings in the area ie: The World's Oldest Mechanised Papermill and of course if means a reduction in the number of dwellings but a lot less congestion and poorer air quality in the area.

We feel that if this proposal were to be approved then the floodgates would open for other developers to come in and build to the same height and possibly higher....surely this precedent cannot be allowed to happen!

Please could somebody tell us what the topsy-turvy planning policy is when the site where one of us works at in Wood Lane End is now up for redevelopment and the whole site a 3 storey large office block with a huge warehouse can only be earmarked for only 57 mixed density dwellings and is on an Industrial estate with no bearing on the other buildings in the area when surely its capable of a potential of 157 being easily be built on, especially if they were apartments blending in with the new Hightown development recently built, around the corner on Maylands Avenue???

Surely if Bellways Homes are simply looking for land to construct high density blocks to sell on for maximum profits, then surely they should be guided to purchasing this kind of site instead?

Also we feel their aggressive attitude has not been helpful to resolve any compromise with the residents, particularly when they threatened us with the fact that if we didn't accept this second proposal, then should an appeal hearing grant it in their favour, the original planning proposal for the 184 units would stand instead!!

Personally we will not be bullied into accepting anything that will affect the peaceful environment, the character and nature of the 'village' and we will not suffer with the consequences of our health being put at further risk - especially as we don't even have a functioning hospital in this town.

I trust that this application will be thrown out along with the last one that Bellways Homes submitted, as I fear that our council tax payments will be funding a pot of monies to pay towards any private proceedings that people (this generation and the next) that may wish to take against yourselves and Bellway Homes, due to the deterioration of their health and possible acceleration to their life-spans.

48 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Thu 21 Jun 2018

Dear Sir,

I wish to lodge the following comments to the proposed development in Frogmore Road. Firstly though, I did submit comments to the previous submission which was turned down by the Planning Committee in March. This latest proposal is an improvement on the first one but I understand that Bellway are threatening residents that if the current proposal is not accepted, they will progress an appeal with the first proposal.

Like many residents of Ebberns Road, I have no objection in principle to the development of the site indeed it has the potential to improve Apsley and provide add to the sense of community we all feel in Apsley. There do, however, remain a number of aspects of the new proposal. The information given to the residents following the refusal of the first proposal was as follows.

The proposed development by reason of its height, scale, design and massing would be overbearing when viewed from the surrounding area, particularly the rear gardens / windows of

the properties on Ebberns Road thereby detracting from visual and residential amenity. The proposals would also be out of character with the surrounding area through their design and bulk to the detriment of the character, setting and appearance of the surrounding area. Therefore, the proposals conflict with Policies CS11, CS12 and the National Planning Policy Framework

Looking at each element in turn

Height

The original proposal consisted of five storey blocks. The reason height is important in this decision is that the surrounding buildings are only two and three storey. That means that for residents of Ebberns Road that back onto the proposed development, it will be three storey higher than out buildings. Allowing for the slope down, the datum information shows that these building will be around 5-7 metres higher than our properties. The new proposal also shows five storey blocks so there is no improvement in the new proposal.

" Scale

The original proposal consisted on 184 unit. The new proposal shows a reduction to 170. However, the guidance issued for the pro rata area of the site is between 50 and 75 units "to be determined by the Planning committee". Surely that guidance is for the committee to approve between 50 and 75 units, not an increase of around 250% of the mean.

" Design and massing

Both the original and new proposal are based on high density blocks of flats. There appears never to have been any consideration for low rise, lower density or mixed density. The new proposal does open the north side of the site that borders the canal and is seen as an improvement over the original proposal. However, the overall massing remains the same.

" Overbearing

The original and new proposals are based on two blocks of flats containing roof levels of three, four and five stories. When viewed from any side of the site, the buildings are overbearing and out of character with the area. There are no five storey blocks within half a kilometre of the site.

" Detract from visual and residential amenity

The view we anticipated under the first proposal was solid wall of three, four and five storey units. The new proposal does at least break the "solid wall" appearance but the overall visual amenity remains impacted. The current residential units are around 8 metres high, the new proposal is 16 metres high.

Quite by chance, Bellway included the view from the front of my house in Ebberns Road in their Design and Access Statement. It is the picture on the right below.

They did not balance that with the view from the back of my property, so I have included that. The picture on the left shows the current view over the industrial units and up towards the Manor Estate whilst the picture on the right shows the new proposal superimposed.

The proposals would also be out of character with the surrounding area through their design and bulk to the detriment of the character, setting and appearance of the surrounding area Apsley still remains a village and Frogmore Road is approximately the centre. Bellway have correctly identified in their Design and Access Statement that the surrounding area consists of Edwardian houses intermingled with some newer developments that reflect the architecture of the area. Can I recommend pages 9 and 10 in the statement?

The picture below from Bellway's own Design and Access Statement shows a development completed just a couple of months ago by Abbey Homes. The picture correctly identifies that it is located opposite the eastern end of the plot. It is in keeping with the area, is set back from the canal and does not exceed 3.5 storeys. It also has private gardens and is a mixed density development.

Compare that with what Bellway are proposing to impose on the other side of the canal as shown below. Very much out of character with the special area along the canal and with Apsley in general.

Traffic and air quality.

Although not specifically addressed in the reasons to refuse the first application, traffic and air quality are major consideration. A number of developments within half a kilometre of London Road in the last ten years have added around a thousand new dwellings. Ebbens Road alone has had over a hundred. There have been no new roads added and congestion is now the norm. Stationary traffic will be found most days from 7.30am with few breaks until 6.30pm Monday to Friday. What we also now see at the weekend is solid traffic as well when the retail parks in Apsley are open. It stands to reason that adding a further 170 units will add to that problem. Indeed, a simple calculation that if each car makes a single return journey from Frogmore Road a day, that adds 2.5Km of traffic. Much of that traffic will traverse the single direction bridge on Durrants Hill which is frequently stationary over the entire length.

The Air Quality Report produced by RSK contains information about changes to air quality. Section 6 appears to say that there are detrimental impacts on air quality. Section 7 then goes on to say what mitigation may be used to reduce the impact. One assumes that it is necessary to reduce that impact otherwise it would not have been mentioned. The RSK report says

I ask you to read that paragraph at least twice. The key words in this paragraph are "may have a potentially significant adverse effect on local air quality..". Their words, not mine. The three items of mitigation shown are shown in the report as:-

Of the three items above, the first would appear to be within the control of Bellway, 170 low NOx boilers blowing their gas into Ebbens Road with the prevailing wind is still a big impact. However the other two items, electric charging points and "modal" shift walking, cycling, public transport and car sharing is a nonsense. Are there any laws that can be applied to the potential residents to say 1 in 14 cars have to be electric and that they can't use their cars anyway? In fact the third item above appears to suggest there will be subsidised (doesn't say by who) cycling equipment provision. None of this is enforceable. I had previously said the first proposed development looked like a detention centre, now it appears there needs to be Wardens on patrol saying who can or cannot use their cars as "recommended" mitigation for air quality. It would be laughable if it were not for the fact that people get ill or die from poor air quality.

Apsley already suffers with poor air quality, a point already known by the local residents and the local council. The new development is likely to attract families with children who we see will be put in real danger. A high-density development as proposed in Frogmore Road is only going to make matters worse. A lower density development with gardens which would offset some of the pollution would be more acceptable.

Summary

The new proposal is a modest improvement on the proposal refused by the Planning Committee in March.

However, there is no evidence that it addresses the over development of the site. Bellway have not considered a low density or mixed density option and have wholly disregarded the guidance of 50-75 units for the site (pro rata half of 100-150). As a result, we are faced with yet

another proposal for an out of place massive five storey block behemoth sat amongst Edwardian terraces and modern sympathetic three and four storey dwellings. There are plenty of other developments around the area, many on small sites that have managed to blend in with the village and not go above three storeys. One assumes that the builders of these developments were able to satisfy their stakeholders. It is not inevitable that building developments need to get taller and taller, indeed the lessons of town planning of the past in places like Sheffield and Hackney is that is actually the wrong track.

The over development of the site has an impact on the infrastructure of the area and, for everyone that calls Apsley home, on our health. The "potentially significant adverse effect on local air quality" in the RSK Air Quality report is to be mitigated by unenforceable measures to put residents onto bicycles and buses. Not only is Hemel very hilly (I challenge you to cycle to the local Bennetts End post office up the 10% hill) but public transport is simply not there. There are no buses to Watford after 6.00pm and a bus from Apsley Village to Hemel Station takes 20 minutes. The mitigation is simply not workable and no more than wishful thinking. Perhaps the development should be called Cloud Cuckoo Land!

50 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Wed 20 Jun 2018

Net Capacity

Reference proposal H/13 of Dacorum Borough Councils written statement on site allocations, dated 12th July 2017 -

<https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dacorum-site-allocations-statement-june-2017.pdf?sfvrsn=6>

Page 86 implicitly states a net capacity of 100-150 dwellings (as illustrated above and within the link).

It should be noted; this plan does NOT provide the definition of a dwelling. Therefore, a dwelling should be considered any type of dwelling, i.e.; house or flat.

But the proposal is for 170 dwellings? This conflicts with Dacorum Borough Councils plan?

I am aware of an argument somewhere which suggests the net capacity declared within Dacorum's plan had been based on town houses and therefore, because the application is for flats, that figure may be increased?

This could not provide a clearer example of widening goal posts on a previously agreed capacity. The entire Frogmore site should be limited to 100-150 dwellings ? in accordance with the council's plan.

Air pollution. Reference document (attached) Pollution in DBC ver3 (1) TACKLING AIR POLLUTION IN DACORUM J R Birnie Nov 2017

Within the above report it is stated: "air pollution on Durrants Hill Road exceeds UK and EU standards by more than 38%." -

So the evidence is indisputable - Durrants Hill Road already poses a serious danger to human health, due to its high levels of air pollution.

This pollution is as a direct result of the huge volume of vehicle traffic using the road. The pollution levels are exacerbated by static traffic, queuing at the two junctions and also where the road reduces to a single lane over the river.

And again it must be noted ? these alarming findings were identified prior to all the additional

development on Ebbens Road, which will contribute further to the problem.

The planning proposal gives no recognition to a very serious problem and no willingness or interest to help improve the situation.

It should not be acceptable to further saturate the area with additional traffic from 170 dwellings.

3. Traffic congestion.

This image, taken around mid-day on a Saturday, illustrates a very typical situation along Durrants Hill road.

This is the reality, being presented to you by someone who must live with the situation every day.

It is not based on some theoretical projection that might suggest there is no problem and that the road can cope with the additional traffic from 170 domestic dwellings on Fromgmore AND, all those new dwellings that are being built on Ebbens road.

Durrants Hill Road is a short through road that provides a link between two main roads ? London Road and Lawn Lane. It also services hundreds of dwellings on Ebbens Road, a car park, access to Fourdrinier Way and is the sole point of access to Frogmore Road.

At the Lawn Lane junction, traffic is regulated by traffic lights whilst the busy London Road junction simply relies on motorists obeying right of way. Where the road crosses the river, it has been reduced to one lane where traffic is regulated via a second set of traffic lights.

The combination of layout and the vast volume of motorists using Durrants Hill Road render it totally overburdened and completely unsustainable.

It is already dangerous because motorists are forced to perform overly assertive and unsafe manoeuvres in order to negotiate the junction at London Road.

It is also dangerous because pedestrians are forced to dash between moving vehicles in order to cross pavements. Accidents are imminent.

Regardless of what theoretical flow exercises might suggest, the reality is that the additional volume of traffic from 170 dwellings PLUS that from all the new dwellings on Ebbens Road, will see congestion surpass unsustainable levels.

4. Sound pollution.

A direct consequence of above point 3, is that Durrants Hill Road and its junctions are already severely impacted by noise pollution caused by constant traffic and congestion.

Additional domestic traffic will contribute significantly to existing levels of sound pollution at peak times and weekends.

5. Character.

The proposed 4 and 5 storey development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity. There are no other 5 storey buildings within sight of it.

6. Residential impacts & losses.

The proposed 4 and 5 story development poses an adverse effect on the residential amenity of neighbours, by reason of noise, disturbance, overlooking and substantial loss of privacy. In particular, homes along Ebbens Road are set to suffer extensive loss of privacy, as a direct

result of the 4-5 story height proposal.

54 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Wed 20 Jun 2018

Dear Sir,

I am writing to you to state my concerns and objections to the above revised development plans. Whilst I, along with my neighbours have no problem with the site being developed, the ongoing attitude of the people wishing this development to proceed without fully understanding the concerns of not only Ebberns Road residents, but adjoining roads on Lawn Lane, Belswains Lane and Fourdrinier Way is extremely distressing. I certainly feel as though I am being bullied into accepting a proposal which, despite minor adjustments, still doesn't address the reasons why the original proposal was rejected.

'The proposed development by reason of its height, scale, design and massing would be overbearing when viewed from the surrounding area, particularly the rear gardens / windows of the properties on Ebberns Road thereby detracting from visual and residential amenity. The proposals would also be out of character with the surrounding area through their design and bulk to the detriment of the character, setting and appearance of the surrounding area. Therefore, the proposals conflict with Policies CS11, CS12 and the National Planning Policy Framework'

Whilst the revised plans have been amended so the blocks recede from 2 to 5 storey's, the height is still not in keeping with the current structure of Apsley village and will stick out of the skyline, certainly not in keeping within the surrounding character of what are, predominantly Edwardian houses of 2 floors. Even with the gradient from Ebberns Road, the 5th storey of the block would exceed the height of my house by 5-7 metres. The developer seems to forget that this is a village and not the centre of Hemel Hempstead, where such a proposal would fit better. Yes there are examples of blocks of flats within Apsley as the developer states, however, there are no five storey blocks within half a kilometre of the site. There is a reason for this, simply the infrastructure is not there. Roads, parking, schools. The developer has reduced the amount of dwellings by 14 from their original plan thus still creating a high density block of flats. Why the need to cram hundreds of people into a space that is inadequate. Profit most likely. Regardless, the overall massing remains the same.

As a father with a young family, I would like to live in my house with my children for many years to come but I am extremely concerned about the traffic and air quality this development would bring. Ebberns Road has had over a hundred new dwellings since 2016. There have been no new roads added and congestion is an everyday inconvenience. The Air Quality Report produced by RSK contains information about changes to air quality. Section 6 appears to say that there are detrimental impacts on air quality. Section 7 then goes on to say what mitigation may be used to reduce the impact. I urge the council to seriously look into this as such a proposal would surely have an adverse effect on air quality, polluting surrounding areas, which, is already an existing problem. For the developer to infer that new residents will be encouraged to cycle, car share or use public transport is a smokescreen. Who would enforce this pipe dream? No-one is the short answer.

Whilst many of my neighbours would have pointed out my objections in greater depth and detail, the conclusions are the same. We are not averse to residential properties being built on the Frogmore site, I feel that even with the revised proposal the developer has addressed a few issues but ignored many more, with a real possibility of such issues impacting on the health and wellbeing of residents, new and current.

5 BRIDGEVIEW CLOSE, HEMEL HEMPSTEAD, HP3 9AD (Objects)

Comment submitted date: Wed 20 Jun 2018

In May 2018, we completed and moved in to a new build house in Bridgeview Close. Given that we have only recently acquired the property, we have become aware of the proposals from Bellway Homes.

Whilst we did not own the property at the time of the first set of proposals, we would have submitted an objection.

Equally, we do strongly object to the revised proposals to build 170 units. We have detailed the objections below:-

Factual inaccuracies

Page 8 and page 11 of the proposals contain an 'existing site plan'. Of particular note, the new build houses in Bridgeview Close (including our property) are not shown on the plan. This is of importance, as these houses will be some of the most directly affected properties.

On Page 10 of the proposals (2.1.2), picture 11 shows a row of new build properties (including our property - third from the left) which back on to the Grand Union Canal. The picture describes them as 'apartments'. This is incorrect as all properties shown in the picture are houses. This is of significance as the houses have a garden and a first floor balcony. To describe the properties as apartments would suggest that there would be two sets of occupants, but this is not the case.

The properties are also described as being '2 to 3.5 storey'. Whilst we are not aware of the reason for this (and it may be a technical description due to height), we do not understand why the houses are not described as 2 and 3 storey, which in our view is a more accurate description.

On page 18, the developer begins by describing the plans as having '2 storey wings'. The same page then later states 'the levels step from 3 storey at the canal to 4 and then 5'. This appears to be contradictory and we can see no evidence to demonstrate how there are two storey blocks at any point in the development.

As far as we understand it, Section D on page 22 depicts the view that the properties in Bridgeview Close will have. This includes our property. It is unclear why the picture suggests that the houses simply have a view of a 2 storey building. If we understand the plans correctly, directly opposite our house (and the other canal side new build houses in Bridgeview Close) will be facing a tiered block of apartments starting at 3 storeys and increasing to 3, 4 and 5 storeys behind. It is therefore misleading to depict the view from the property of only a two storey building and in fact the view is the same as that shown in the picture marked 'Section C'.

Page 23 states that there are 'typically 4, 5 and 6 storey buildings built up to the public realm in the same manner as the proposal'. We feel that this statement is incorrect and provides a very different picture to the reality. From our assessment of the canal side around the Apsley area, there are mainly houses and apartments of a maximum of 4 storeys. Where there are 4 storey buildings along the canal, crucially there are predominately no dwellings on the opposite side of the canal.

Concerns:-

Number of units

The previous plans were to build 184 units. The revised plans maintain similar numbers, reducing the number of total units by 14, to 170.

The decision to reduce the number of units by only 14, has failed to address the key reasons

for refusing the original plans on the basis of their 'design and bulk' and 'height, scale, design and massing'.

It is important to note that the Dacorum Borough Council Site Allocations document identified the site as having the potential to deliver between 100-150 new dwellings. The guidance suggests that final dwelling capacities will be tested in the planning process.

In our view, the planning process has already determined that the bulk, height and scale of the plans is overbearing and not in keeping with the current area. In order to demonstrate that they have taken proper note of these concerns, we would expect the developer to dramatically reduce the number of units, rather than remove only 14 units. We fail to see how this goes any way to reducing the bulk, scale or height of the development.

Height and appearance

The Dacorum Borough Council Site Allocations document specified that the 'building design and layout must respect the canal frontage'.

The old plans suggested a 5 storey development from the canal side. This clearly did not respect the canal frontage. We note that the developer has altered the design which will now see 3 storey apartments at the canal side, with a tiered design leading to a 4 and 5 storey section.

This alteration has failed to address the issue of the height of the building being overbearing. The plans still contain the same amount of floors as previously suggested. The view from the canal side on Ebberns Road and Bridgeview Close will still be of a 5 storey building, albeit a tiered 5 storey building. This will remain overbearing and will impact on the enjoyment of our property as we will still be directly overlooked by 5 floors of apartments.

Where there are 3 and 4 storey buildings along the canal, these are set back an appropriate distance from the canal (often separated by greenery), so as to avoid the overbearing nature of the buildings. This achieves the aim of Dacorum Borough Council to respect the canal frontage. The current plans of the developer do not respect the canal frontage.

Creation of a new problem

By designing a tiered building, the new plans will create 14 extremely large rooftops/terraces. It is not clear from the plans whether these will be communal rooftops or whether they will belong to the apartment on that particular floor. This creates a huge concern as there will inevitably be large gatherings/parties on these rooftops, which is likely to cause noise, anti-social behaviour and widespread interference with the enjoyment of our property. This is especially the case as 3 of these large rooftop spaces will be directly opposite our property and at least another 3 large rooftop areas will have a direct view in to our garden.

We feel strongly that any attempt to design the block in tiers has simply created a bigger problem with the creation of large rooftop areas and has not solved the issue of height, as the new plans still contain 5 storeys.

Sunlight/Shadowing

Page 20 of the new plans demonstrates the loss of sunlight that we will experience in our garden throughout the year. We accept that in June at 4pm (when the sun is higher), this will not be an issue. However, the crucial study for loss of sunlight should really be between 5-9pm, when we are likely to have returned from work and in a position to enjoy the sunlight in our garden and terrace. Sunset in June is at around 9.30pm. This study has failed to take account of that and therefore it is impossible for the developer to comment on how much of an

impact this will have in months such as June and July.

What is evident is that from around 3-4pm onwards from September (which is notoriously an excellent month for weather) to March, we will not have any sunlight in our garden. This in turn would mean that during August after around 5pm, it is also unlikely that we would be able to enjoy any sun in our garden after returning home from work.

It is therefore extremely misleading for the developer to state in the plans that the 'effect of shadow on the opposite gardens is very minor'. This demonstrates that they are not taking proper account of the houses opposite (including our property). If our garden does not receive any sunlight after 5pm for approximately 80% of the year (every month save for June and July), it is clear that the impact on the enjoyment of our property is major, rather than 'very minor'.

Traffic

It is clear on reading the objections to the previous plans, that a common theme was the amount of likely traffic caused by creating parking for over 200 vehicles. These vehicles will be turning out on to an already busy road (Durrants Hill), where traffic lights are operational on the one way bridge.

We share these sensible concerns and do not feel that the developer has in any way listened to the scale of these concerns as we cannot identify anything in the new plans that deal with this issue.

Our suggested approach

We are very supportive of development in the local area, including opposite our current house. However, we would suggest that the approach below is taken.

Either maintain a tiered approach ranging from 2 storey buildings at the canal front, to a second 3 storey tier behind or simply build 2 storey blocks throughout the development. This will solve the issues of bulk of the development and the overbearing nature of it, It will also achieve the aim of respecting the canal frontage and it will also prevent loss of sunlight in our garden and terrace in late August/September

If the tiered approach is maintained, there should be no ability to access a large rooftop area, as this creates a very undesirable problem

Build the development further back from the canal, to prevent the development being overbearing and to increase privacy in our garden and terrace on Bridgeview Close. This would also prevent loss of sunlight in our garden and on the canal itself

In making the above alterations, this would lead to a large reduction in units and would therefore ease concerns about traffic. However, this issue still needs to be tackled and we would suggest that expanding the width of the bridge on Durrants Hill Road to make it a two-way bridge

We would be keen to attend any meetings in order to further share our views and therefore we would ask that you keep us informed of the date and time of any meetings.

6 BRIDGEVIEW CLOSE, HEMEL HEMPSTEAD, HP3 9AD (Objects)

Comment submitted date: Wed 20 Jun 2018

I am writing to object to planning application: 4/01331/18/MFA (known as DEMOLITION OF ALL EXISTING BUILDINGS AND CONSTRUCTION OF TWO BUILDINGS COMPRISING 170 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING).

Whilst token efforts have been made, since previous planning applications: 4/02580/17/SCE

and 4/02601/17/MFA. I believe the plans have not taken into account the previous feedback, real effects of such a sizable development being created, with the effects on the local area. I have summarised the below as areas for feedback and further review.

Traffic, Highways and Pollution

- Regarding the traffic study conducted in July 2017 and conclusions drawn, with limited effect of local infrastructure. Whilst I am no expert in car ownership and traffic patterns, if average ownership is approximated at two vehicles per dwelling and expectation of employment would be the majority of people will work, the estimations of approximately 40 additional journeys cannot reflect the real world usage.
- With the additional traffic on Durrants Hill Road, leading to guaranteed increased queuing across both the traffic light controlled bridge, and the opposite hill ? this will result in greater pollution and traffic for the area. In which for both the local residents and also will be within 100m, of a children's playground.
- Also, due to the Durrants hill road, now connecting with the A4251 ? which has in recent time, added traffic lights to enhance access for the new development of houses to the south. Causes traffic congestion at the weekends across the single track bridge ? in which numerous times this year, the whole area comes until a standstill due to the poor traffic flow. How would another 170 dwellings of people trying to leave their house be able to, when Durrants hill is full.
- From the additional traffic, (plus guests and deliveries), the chance of increased incidents near the playground increases ? especially the is a blind summit bridge on Durrants Hill Road , leaves to additional concerns. Further taken into account, when poor weather (the flooding of the entrance road to the industrial estate, or the snow earlier this year) leads to an increase chance of stranded vehicles, road blockages ? both the estate will be blocked off and nearby Ebbens road.
- With the level of car ownership and demands from the estate, there is not enough parking in which to permanently house all of these vehicles. The resultant parking will lead to overcrowding on the estate and local roads.

Design

- The planning application and justification, draws extensive conclusions to the 'improvement' of the local surroundings, due to the removal of the buildings. However I fail to see, when images are taken selectively, to portray an open viewed industrial estate ? rather than the green hedged and blocked off canal facing scenery that is currently there. I do not see how this is a benefit to the area, local community and numerous walkers, looking to enjoy the limited greenery on the canal in this section. Further to this, these aforementioned hedges and trees are a safe haven for the numerous local wildlife ? which many of the walkers and community come to the Apsley area to see.
- Currently the design is to replace the canal path greenery and shrubs, with masonry and private garden ? by no means is in keeping with the local area. The whole stretch of canal, is private and quaint gardens, not overlooking each other and giving privacy at least to the upper floors of all properties along the canal. The current design is in fact to lose all privacy for the new houses in Bridge View Close. Where all bedrooms facing the canal, are floor to ceiling windows ? and will be in fact a total loss of privacy in the mornings and evenings, which could leave to inhabitants having to live with curtains closed.
- Whilst the developer has stressed their view, that the development is in keeping with the local area. I struggle to see how the local immediate area reflects such a development. Whilst nearby there are one set of small flats, in which the developer has used as precedent ? the vast majority of local dwellings, are houses. It would appear that all decisions appear to be driven in over-bearing, out-of-scale development to cram people into small flats to maximise return, is more important than the precedent of the local vicinity.
- The change from the green scenery and hedges, that I know adds to the local inhabitants enjoyment and well-being, will only be harmed by such aMetropolis development taking over the local landscape. How can this be in keeping with the local area, when the design is literally taking quiet country living to urbanisation, and loss of character of the neighbourhood.

- Also this new development being paired next to the lock keepers cottage as a design, is not in keeping with this historic design. More so, would be houses such as the new ones in the new developments.

Requests

- Review the aspiration of flats, which as mentioned are not in keeping with the local vicinity, in lieu of this review the opportunity for the development based on houses or less overbearing flats.

- Review the closeness of the north east faces of the blocks with the balconies and accessible walkways, as well as leading to loss of privacy to surrounding properties.

- Retain the hedging and trees, that exist currently ? to reduce the impacts to the local inhabitants.

- Also, the new inhabitants of Bridge View Close have not had the chance to attend any public consultation, and these houses are some of the closest possible to the new development. With the greatest loss of privacy and degree of impact.

Thank you for your time and if you have any more questions please do not hesitate to ask.

9 BRIDGEVIEW CLOSE, HEMEL HEMPSTEAD, HP3 9AD (Objects)

Comment submitted date: Wed 20 Jun 2018

Dear Mr Seed,

The height of the proposed new development is beyond ambitious. My wife and I have just moved into Drew Wharf and a building of the proposed height will not only block a great deal of the natural light that made purchasing the property attractive, it will also quite frankly make any form of privacy a mute point. If they build a 4/5 story apartment complex, we will end up with people constantly viewing into our residences/back gardens on a permanent basis. Conversely, we would subsequently be looking into their residences on a permanent basis. Our view will obviously be devoid of most of the natural light it now benefits from.

Secondly, the infrastructure, i.e. roads and parking in particular, within the area are already under significant pressure. The addition of circa 200 cars is only going to make this current problem a whole lot worse. I sincerely doubt that each purchaser of the proposed apartments will only have one car.

196 Lawn Lane, Hemel (Objects)

Comment submitted date: Tue 19 Jun 2018

We are residents of 196 Lawn Lane and have experienced an enormous increase in traffic over the the last 23 years. Pollution levels have been monitored by the council and they have reported dangerously high levels close to the traffic lights at the junction of Durrants Hill. I was pleased that this was acknowledged because I am an asthmatic but unfortunately nothing has been done to remedy the situation. You can appreciate how angry the neighbours are to hear of such a large scale development in the locality, that will bring an exceptionally high volume of traffic.

We are delighted to see that the neighbourhood is being improved, but such a high density of housing close to the existing new developments in Ebbens Road appears to be very short sighted. Durrants Hill cannot cope with the existing traffic at peak times of the day and traffic frequently becomes standstill as it is a vital link with the A41. The inadequate, one way bridge was not designed for such a heavy, constant stream of traffic and crossing the road at Lawn Lane is extremely dangerous.

A previous email questioned the objection to the construction of 5 storey block of flats. I still feel as residents that our objection is still valid as the Skyline, shading, views, density and overall appearance are all important considerations when maintaining an aesthetically pleasing

environment.

Thank you for supporting us with our local community concerns.

38 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Mon 18 Jun 2018

Objection from 38 Ebberns Road:

Dr Sung Hye Kim (Biologist at Imperial College London)

Daniel Greis (Head of Research at House of Kaizen Agency)

Dear Mr Seed,

We have been notified of a planning application for 170 units in Frogmore road. Studying the application documents, we believe that the application is not compliant with Dacorum's Air Quality Action Plan 2015-2018.

The Air Quality Plan has set out that pollution levels on the roads next to the development, Durrants Hill Road, Lawn Lane and London Road, need to be considered in any decision of the council.

Looking at the planing application's air quality report, we would like to draw attention to two points. Firstly, the applicant has not compared the development's impact with current pollution levels at these roads. Instead, comparisons were exclusively made to by the applicatant estimated future long term pollution levels (named scenarios S2a, S2 and S3 in the applicant's report)

Comparing current pollution levels (named S1 in the applicant's report, measured in 2017 with the industrial estate on the application site closed) with the applicant's long term scenarios reveals a paradox. Pollution levels in 2017, with the site being empty, are claimed to be higher than in the future when the site is either an active industrial estate (scenario S2) or occupied by the proposed development (scenario S3). For example, receptor E01 on Lawn Lane has currently 45.6 micro gram per cubic meter nitrogen dioxide . The applicant 'calculated' that reopening the industrial site will reduce this to 42.0, while their proposed development will reduce this to 42.1. Please see Table E3 on page 46 of the application air quality report for numbers of other receptors.

Secondly, we would like to draw attention to the fact that even if accepting the applicant's way of comparison, it reveals that only a development with 120 to 123 units will not produce more pollution than the previous industrial estate on this site. This can be calculated based on the applicants numbers, by comparing the scenarios S2a with S2 and S3. For example, receptor ER12 in London Road is expected to be in the future at 52.50 micro gram per cubic meter nitrogen dioxide if the site is empty (S2a), 52.79 if it is an industrial estate and 52.91 if it's developed as applied for. This means the development produces 0.002412 micro gram per cubic meter nitrogen dioxide per housing unit $((52.79-52.50)/170 \text{ units})$ at this receptor. The division per housing unit is indicated as cars and boilers are the relevant pollutants accounted for in the applicant's air quality report and occurring per housing unit. Using above calculated nitrogen dioxide pollution per housing unit means the development can only have 120 units not to exceed the pollution level of an industrial estate at receptor ER12.

Summing up, the applicant has done comparisons based on assuming a tremendous reduction in pollution and not compared their proposed development to the actual, current pollution levels. Furthermore, the applicant has proposed to replace the previous industrial estate with a building which will increase pollution compared to a future industrial estates pollution footprint.

Both points are for us not in line with the Air Quality Action Plan which speaks against the increase of pollution and does not have similar optimistic scenario of tremendous pollution reduction as base as the applicant's air quality report.

40 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QR (Objects)

Comment submitted date: Mon 18 Jun 2018

This revised Plan is a vast improvement on the previous one in terms of overshadowing, sunlight, reflected light, privacy, the provision of defensible spaces, the opening up of the Podium garden, and the stepping of the roofs. However it only loses 14 units and although the higher elements have been moved further away, they are, in some cases higher than before.

The Core Strategy Policy states that 'new development should enhance and complement the design and scale of existing development of a scale and character that integrates with existing neighbours'. The four cube-shaped blocks proposed will be, as shown on the diagram on pages 18 and 22, which show Above Ordnance Datum thus giving a true comparison of roof heights, would be 5 metres higher than the highest roof crests of the South West side of Ebberns Road down as far as No.46 and 3 metres higher than those further down. These would take up more than half of the skyline, entirely altering and dominating it. The terraced links between them would be 2 metres higher than the first half of the road. These would create a new silhouette against the sky and be visually intrusive, as well as creating an oppressive and almost continuous barrier between the two halves of the valley, that is between this half of Apsley and the Manor Estate, altering the style of the village, by being very conspicuous from both directions. I propose that these heights need to be reduced.

My second objection is regarding density. The proposed maximum for site H13 was 100 to 150 units. High density was mentioned but this was not clearly designated. Residents would assume that the number stated could be slightly exceeded. Yet we are now told that our Case Officer could happily entertain 'well over 400 homes' on that site, because the figure of 150 referred to houses not flats. Should Planning Departments be allowed to get away with these Orwellian Changes of meaning. Density does not only refer to space available but to the capacity of the infrastructure, and nature of the surrounding neighbourhood. Apsley is already becoming overcrowded, in terms of school places, for instance, and unsustainable traffic movements, not to mention poor Air Quality. It has been said that high density should be encouraged around town centres. Apsley is not the centre of Hemel Hempstead, it is, at the moment, a leafy suburb, and residents on both side of the valley would appreciate it being allowed to remain so, in my opinion. I propose that this Plan be rejected in its present form until the numbers of units and heights have been further reduced, while maintaining the above mentioned improvements.

There are no 5 storey buildings visible or causing any intrusive impact on residents in Apsley, or from where we, the residents of Ebberns Road can see them. To allow Bellways to build structures of this height in Frogmore Road would establish a precedent thus giving future developers an indisputable right to do the same, thus damaging the ethos of Apsley even further.

In this revised Plan, Bellways state their intention to remove the willow tree near No. 1 Frogmore Road. I have just checked and can bring to your attention that there is a Tree Preservation Order on that tree. It was professionally crown pollarded a few years ago, appears be in sound condition, is a very attractive tree, and we would like it to stay.

4 BRIDGEVIEW CLOSE, HEMEL HEMPSTEAD, HP3 9AD (Objects)

Comment submitted date: Sun 17 Jun 2018

I live in Drew Wharf, I have just moved in & I am shocked that the developer has cynically responded to the guidance given to their initial planning application to now reduce the number of flats and to consider us, the new residents close by over the canal and reduce height and

density at our end of this development, yet doing so very little on all three aspects. The height at this end appears higher and we we will suffer shadow morning and afternoon. Surely a development land of this size can be a reasonable height 2-3 storys max, with some free space for children to play & residents to sit out at this far, east end of the development.

The balconies now look straight into our upper giving rooms and bedrooms, this must all be reconsidered, with stronger guidance given on density, height and positioning.

**5b 4/01095/18/FUL DEMOLITION OF EXISTING BUNGALOW AND
CONSTRUCTION OF 2 NEW SEMI-DETACHED DWELLINGS AND 7 TERRACED
DWELLINGS WITH NEW ACCESS ROAD TO TERRACES (AMENDED SCHEME)**

50 - 53 CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0EA



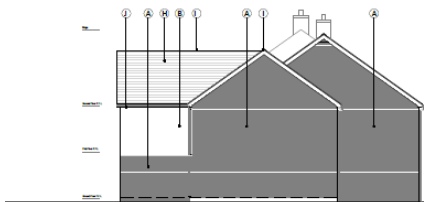




FRONT ELEVATION



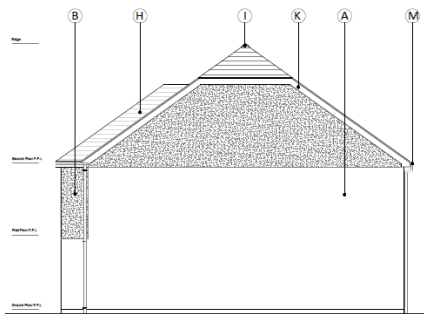
REAR ELEVATION



SIDE ELEVATION 1



SIDE ELEVATION 2



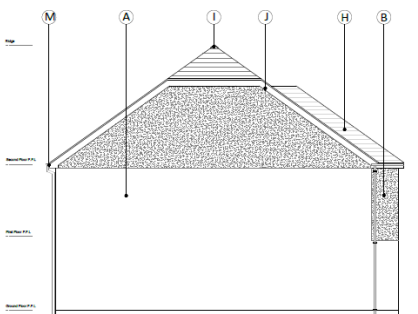
SIDE ELEVATION 1



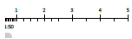
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION 2



4/01095/18/FUL	DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 2 NEW SEMI-DETACHED DWELLINGS AND 7 TERRACED DWELLINGS WITH NEW ACCESS ROAD TO TERRACES (AMENDED SCHEME)
Site Address	50 - 53 CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 EA
Applicant	Margro Properties Ltd
Case Officer	Nigel Gibbs
Referral to Committee	Previous application refused by the Development Management Committee, the recommendation is contrary to Bovingdon Parish Council's response and subject to Councillor Stewart Riddick's call-in of the application

1. Recommendation

1.1 That planning permission be delegated with a view to **APPROVAL** subject to the expiry of the Parish Council and neighbour notification period and the conditions set out below.

2. Summary

2.1 The application has been submitted following a previous refusal for the residential development at the site. The site is located within a designated residential area of Bovingdon under Policy CS4 of Dacorum Core Strategy wherein the principle of appropriate residential development is encouraged.

2.2 This two fold proposal involves frontage and backland development. There are no objections to the replacement of the bungalow at no. 50 with a pair of semi-detached dwellinghouses at the site frontage. The principle of a backland form of residential development within the other part of the site contained within the very long established built core up part of Bovingdon village is also acceptable.

2.3 Backland development is whereby the parts of gardens associated with existing dwellings are combined to form a cohesive area of land behind existing housing road frontages. The proposed backland scheme would be served by a new access and associated roadway off Chesham Road, establishing a new/second tier of housing behind existing longstanding Chesham Road. This tier would 'round off'/ consolidate and reinforce the character and appearance of the adjoining more modern, albeit higher density housing to the immediate west of the site at the adjoining Apple Cottages/Orchard Court Estate, so representing a seamless logical visual/physical transition, although not linked to this estate by footpaths or a road.

2.3 There are no apparent overriding layout, design, landscaping/arboricultural, other environmental/ amenity and highway safety/ access/parking objections. A range of conditions are necessary.

2.4 A revised scheme showing 'low key ' changes to the original layout plan and design have been very recently submitted. There is consequent ongoing consultation and any received responses will be reported at the meeting. It has been confirmed that a management company will be established to serve the development. This will be expected to address the communal maintenance of the roadway/ footpath, communal refuse, walkways structural landscaping etc (see Informatives). Ecological and Arboricultural Reports are

2.5 Overall the proposal would accord with the aims of Policies CS1, CS4, CS9, CS11, CS12, CS17, CS31 and CS32 of the Dacorum Core Strategy 2013 and Bovingdon Place Strategy.

3. Site Description

3.1 The application site (0.3 hectares) is located on the south eastern side of Chesham Road. It comprises of the combination of parts of the rear gardens of nos. 50 to 53 inclusively. No. 50 is a 1930's hipped roof bungalow, no. 51 being a circa 1950's two storey detached dwelling house with 52/ 53 forming a pair of two semi-detached 1930's units. These dwellings are all set back from the Chesham Road by varying distances.

3.2 The site's maturity is reinforced by the presence of strong planting with elongated rear gardens, the ends of which form a common boundary with the north western edge of the more modern aforementioned Apple Cottages/ Orchard Court estate. This estate comprises of terraced and semi-detached dwellinghouses served by an angled U shaped 45 degree cul de sac.

4. Proposal

4.1 This involves the demolition of no. 50, its replacement with a pair of two storey semi detached partially hipped roof dwellinghouses fronting Chesham Road and the construction of two short 2 storey gabled terraces/blocks (3 and 4 units respectively) through the amalgamation of the rear garden of no. 50 with substantial parts of the rear gardens of nos 51 to 53. All dwellings will be 3 bedroom with a study in their roofspaces served by rooflights. The terraces will feature a varied stepped ridge line/footprint with a mix of finishes (natural slate, clay tile, red brick and render) and detailing.

4.2 The pair of semi-detached units will have a ridge level of 9.7m, adjoining the 8.8m ridge level of the hipped roof of the retained no. 51. The ridge level of the hipped roof for nos. 51 and 52 are 9.7m. The revised scheme has modified the two storey front gable projections to hipped of these semi-detached units.

4.3 One of the two new dwellings on the site of no. 50 will be served by an access onto Chesham Road. The second unit will feature two rear parking spaces linked to the proposed cul de sac roadway serving the terraces (see 4.2). The two frontage dwellings will feature rear gardens of similar size to the truncated but still substantial retained rear gardens which will continue to serve nos 52 and 53. To facilitate the provision of the access road and associated footpath a garage would be demolished.

4.4. The partially retained rear garden of no. 51 would be of reduced length and width. This is due to the dwelling's set back position and the location of a parking space for the second frontage dwelling (see 4.2) and the proposed location of the inverted 'T' shaped 5m roadway and 1.5m footpath linked to Chesham Road. This access road would be linked to the two terraces in the form of a second tier of housing parallel with but set substantially behind the existing Chesham Road frontage. All the terraced dwellings would be provided with 2 parking spaces linked to the roadway and feature rear gardens, some of which would be provided with individual curtilage refuse storage sheds /containers accessed by a private communal gated and partially lit side/ rear footpath/walkway.

4.4 The scheme requires the removal of 18 trees and six groups of trees.

4.5 The application is accompanied by a comprehensive supporting Design & Access Statement

5. Relevant Planning History

5.1 Refusal 4/01779/17/FUL. This was for the demolition of the existing bungalow at no. 50 and its replacement with 2 new semi-detached dwellings, and the construction of 7 new terraced dwellings served by an access from Chesham Road. The refusal was contrary to

the officer recommendation.

5.2 . The reason for refusal was:

'The proposal would introduce a second tier of housing behind the Chesham Road frontage. This backland scheme would detract from the established character of the area, being detrimental to the residential amenity of residents of the existing nearby housing by reason of overlooking and overbearing visual impact and establishing a cramped overdevelopment with the site dominated by car parking, contrary to Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Design) of the Dacorum Core Strategy. The proposed dwellings to replace no. 50 Chesham Road would not be served with any turning facilities to safely enable vehicles to enter and exit in forward gear, contrary to Policy CS12 of Dacorum Core Strategy'.

6. Policies

6.1 National Policy Guidance

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

6.2 Dacorum Core Strategy 2013

NP1, CS1, CS2, CS3, CS4, CS8, CS9 , CS10 ,CS11, CS12, CS17, CS18 , CS19, CS25, CS26, CS29, CS31, CS32 and CS35 and Bovingdon Place Strategy

6.3 Dacorum Borough Local Plan 1991-2011

Policies 10, 12, 13, 15, 18, 21 ,51, 54, 58, 62, 99, 111 and 113

Appendices 3, 5, and 8

6.4 Supplementary Planning Guidance / Documents

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)
Landscape Character Assessment (May 2004)
Planning Obligations (April 2011)
Affordable Housing (Jan 2013)

6.5 Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

7. Constraints

- Large village
- Former Land Use
- CIL Zone 2
- Air Limits

8. Representations

Consultation responses

8.1 Original Scheme. These are at Appendix A.

8.2 Revised Scheme. These are at Appendix C.

Neighbour notification/site notice responses

8.2 These are at Appendix B.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle.
- Compatibility of the development with the character and appearance of the area: Layout and Design.
- Soft landscaping.
- Impact on neighbouring properties.
- Highway safety, access (fire, refuse and access for persons with disabilities / limited mobility / inclusive) and parking.
- Contamination, Drainage, Water Supply and Land Stability
- Ecological Implications.
- Community Infrastructure Levy (CIL).

Policy and principle

9.2 The principle of new housing is acceptable as the site is located within the designated residential area under Policy CS4 (Towns and Large Villages) of Dacorum Core Strategy wherein the principle of appropriate residential development is encouraged.

Compatibility of the Development with the Character and Appearance of the area: Layout and Design

9.3 The replacement of the bungalow, garage and mature wooded setting at no. 50 with a pair of semi-detached dwellinghouses would result in a far more assertive feature within the street scene, projecting forward of and being higher than the retained hipped roof no. 51 . The frontage will however be partially screened by hedging, compensating for the loss of frontage trees which are locally important within the street scene. For clarification under the previous application the Trees & Woodlands Officer raised no objections to their removal. The recent modification of the pair's original full gable roof design by replacing the front gables with full hipped roofs , the incorporation of partial hips to the main roof and the introduction of off white rendering at first floor level has significantly diluted the pair's visual assertiveness/ massing through a softening effect ,with the design also reflecting the role of hipped roofs within the locality.

9.4 The principle of the backland form of residential development at the site is acceptable.

9.5 The introduction of a second tier of housing at the site would represent a logical physical/layout transition between the much higher density housing at Apple Cottages/ Orchard Court and the Chesham Road frontage within an established built up/ residential part of the settlement's core area. It is therefore not isolated sporadic uncoordinated development. To the contrary, it would effectively reinforce and consolidate the character/ appearance of the higher density and now well established modern development at the Apple Cottages/ Orchard Court

Estate, albeit not linked by its access. This now well established estate has set a strong indicator of how new housing can be successfully accommodated within this part of the core area, now being very much an integral part of the character of this part of Bovingdon.

9.6 In layout and visual terms, the introduction of 2 terraces clearly makes reference to the undoubted change established by the adjoining estate at Apple Cottages/Orchard Court, with a comparable density and two storey form. The stepped ridge lines, two terraces, varied footprint, materials and 'broken building line'/ varied footprint, structural frontage planting and consequent dilution of the visual impact of continuous frontage parking (see 9.7) and the limitation of refuse storage in front gardens individually and collectively represent important positive design features in creating a vibrant internal cul de sac street scene. Whilst not physically connected to the existing estate the consolidating visual effect of the two terraces is significant. The two proposed terraces represent a logical addition to the Apple Cottages/ Orchard Court estate creating a terminal feature to this cul de sac and a visual break and transition with the older Chesham Road.

9.7 Although the effect of the new tier of development would without doubt markedly change the character of the land from the prevailing historically more spacious and sylvan development associated with the Chesham Road gardens there is a very structured basis to this change, rather than a random approach. As confirmed the new structural planting is an essential ingredient of the layout with the additional planting subject to recommended conditions. Through the revised scheme there is structural planting along parts of the new access road and planting within the front gardens of the proposed terraced dwellings, softening and complementing the built form and compensating for the loss of tree cover. There will be some associated ecological benefits.

9.8 The proposal's backland form is materially different to the LPA's refusal of 'second tier housing' to the rear of dwellings at 33 to 35 Green Lane, Bovingdon which was subject to a dismissed appeal. This is because Green Lane proposals directly adjoined the open countryside / Green Belt. In contrast the current proposals at Chesham Road physically reinforce the pattern of housing change within the village's built up envelope/ core, representing the next stage in the settlement's physical evolution.

9.9 The layout provides adequate useable gardens for the new and existing dwellings. This fully takes into account the retained garden for no. 51. The layout has inbuilt natural surveillance with the Crime Prevention Officer raising no objections which extends to the use of some rear gardens for refuse storage with an associated gated partially lit footpath/ walkway access.

9.9 Overall the proposal would accord with Policies CS11 and CS12 of the Core Strategy, with the density (approximately 37 dwelling per hectare) consistent with Apple Cottages/ Orchard Estate and several nearby parts of Chesham Road opposite the site.

Impact on neighbouring properties/ Residential Amenity

9.10 This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity.

9.12 The recent change to the design of the pair of semi-detached dwellings fronting Chesham Road has improved the relationship with the retained no. 51. Based upon the level of spacing/ physical relationship between the existing and proposed dwellings there are no overriding identified objections, albeit the spacing between part of the second terrace and the rear of the modified no.51 is below the expected 23m being a 20.4m separation, but compensated by proposed structural planting and subject to the removal of its single storey rear extension. This overview is with regard to privacy, physical impact, sunlight/ daylight, noise, disturbance, headlamp glare and air quality. It will be expected that there will be

boundary brick walls along each side of the access roadway complementing its planting.

9.13 With reference to backland development, it is fully acknowledged that the introduction of an access road between dwellings invariably changes the environment of the dwellings adjoining a new roadway and is often cited a concern of backland development. This was the case in the appeal at Green Lane at the edge of the settlement rather than Bovingdon's more core area. Due weight should be given to how such backland's schemes have been considered elsewhere recently in the Borough's main settlements, in particular the Planning Inspectorate's relatively recent assessment of the principle of backland development at Grove Road in Tring.

9.14 The proposal would accord with the provisions of Policy CS12 of the Core Strategy in this respect. This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, saved Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity.

Access and parking

9.15 HCC Highways raised no objections to the original scheme. Based upon this response there are no identified overriding sight line, traffic generation, general/ fire / inclusive/ disabled/ refuse access issues. As confirmed only one of the new dwellings fronting Chesham Road will be served by an access which will incorporate a turning area. Notwithstanding this response there is the fundamental importance of ensuring the provision of the roadway/ access and fire hydrants in accordance with Hertfordshire Fire and Rescue's usual expectations, as reinforced by the latest National Policy Planning Framework. To this effect there are relevant recommended conditions. For clarification under the now latest established consultation procedures HCC Highways automatically notify Hertfordshire Fire & Rescue Service, when HCC Highways consider this necessary. It will be expected that the dwellings are designed to ensure access for persons with disabilities/limited mobility/ inclusive access.

9.16 With each dwelling served by two parking spaces it is considered that this is in accordance with Dacorum Borough Local Plan saved Appendix 5 maximum parking standards.

9.17 All the units would be served by curtilage refuse storage with 5 of the 7 terraced units reliant upon the aforementioned rear serving arrangements to which the Crime Prevention Officer raises no objections. In this respect it is fully acknowledged that for any residents who are persons with disabilities/ limited mobility this is not ideal. However, the individual refuse facilities are complemented by a communal storage area in the roadway and the management company established at the site has the opportunity to address communal management of refuse collection with assistance to persons with disabilities/ limited mobility. A refuse vehicle will be able to access the cul de sac and exit in forward gear the cul de sac in forward gear.

9.18 Several highway related conditions and informatives are necessary.

Contaminated Land/ Land Stability

9.19 Standard conditions are recommended with reference to the expectations of Dacorum Core Strategy CS32. Land stability is subject to a recommended condition.

Drainage/ Water Supply

9.20 The site is not within Flood Zones 2 or 3 and therefore flooding is not an issue. A drainage condition is recommended.

Ecological Implications

9.21 Hertfordshire Ecology team have raised no objections to the previously refused scheme. There are a range of biodiversity associated benefits based upon the previously submitted ecological report to compensate from the loss of site vegetation. On this basis there are no apparent adverse biodiversity implications the proposal would accord with Dacorum Core Strategy Policy CS29.

Community Infrastructure Levy (CIL)

9.22 The development is CIL liable at a rate of £150 per square metre within CIL Zone 2 subject to any applicable exemptions or reductions in accordance with Policy CS35 of the Core Strategy.

Other Issues

9.23 As there are less than 10 units no affordable housing can be sought, an Environmental Impact Assessment is not necessary and there are no air safeguarding issues. A range of conditions are recommended which exclude construction management taking into account the Planning Inspectorate's approach to this recently elsewhere in Hertfordshire.

10. Conclusions

10.1 This application is an alternative to the previously refused scheme and has been subject to some very recent changes requiring additional 'technical' consultation with Hertfordshire Constabulary Crime Prevention Officer, Hertfordshire County Highways and the Council's Refuse Controller, in addition to the Parish Council. If HCC Highways/ the Refuse Controller require changes there should be scope to accommodate these.

10.2 The proposal is considered to be a high quality design compatible with the established character and appearance of the area at a density commensurate with the immediate locality served by access facilities acceptable to HCC Highways in a relatively sustainable location. It will provide much needed additional family housing in Bovington on small/ medium sized site which is the approach encouraged in the latest National Planning Policy Framework in delivering new residential development.

10.2 Overall the development is in accordance with the aims of Policies CS1, CS4, CS8, CS11, CS12, CS17, CS18, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy 2013.

11. RECOMMENDATION

11.1 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 until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted based on the details of the materials specified by the approved drawings 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</p>

	<p>council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: In the interests of the character and appearance of the area and in the interests of sustainable drainage to accord with the requirements of Policies CS11, CS12 and CS29 of the Dacorum Core Strategy.</p>
3	<p>No dwelling house within the two terraces of units hereby permitted shall be occupied until all of the approved roadway and its adjoining footpath, turning head and communal refuse collection and communal walkway serving the rear of the dwellings as shown by the approved Site Layout Plan L(00) 102 P Rev P2 have been provided fully in accordance with this plan and the other requirements of this condition and other conditions.</p> <p>The roadway and turning head shall be constructed with a loading capacity necessary to accommodate fire tenders at all times fully in accordance with details submitted to and approved in writing by the local planning authority. The details shall also include the provision of fire hydrants to serve all parts of the development. The roadway, turning head, hydrants and associated fire access infrastructure shall be provided and thereafter maintained in perpetuity in a condition that at all times ensures access for fire tenders and service vehicles.</p> <p>All parts of the communal walkway shall be installed and provided at all times with a low maintenance 'all year round surface treatment' and design fully in accordance with details submitted to and approved in writing by the local planning authority.</p> <p>Reason: To ensure the provision of an acceptable means of access to the site for all vehicles including emergency and refuse vehicles and so as not to compromise highway safety in accordance with Dacorum Core Strategy Policies CS8, CS12, and CS29 and saved Dacorum Borough Local Plan Policies 54. To ensure that the walkway is always available for the movement of refuse collection bins.</p>
4	<p>Before the commencement of the construction of any of the dwellinghouses served by the approved main access visibility splays of not less than 2.4m x 43m in both directions and the access road hereby permitted shall be provided, and thereafter maintained at all times. Within both visibility splays there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway. Construction work shall not commence until details have been submitted to and approved in writing by the local planning authority which demonstrate that the required visibility splays can be achieved by means of detailed scaled drawings showing the new access arrangements and visibility splays.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and Policy 54 of the saved Dacorum Borough Local Plan.</p>
5	<p>Before the first occupation of any of the dwellinghouses hereby permitted all of the parking spaces and refuse bin storage areas for each dwellinghouse hereby permitted as shown by the approved Site Layout Plan Site Layout Plan L(00) 102 Rev P2 shall be provided fully in accordance with this layout plan and for the refuse facilities also fully in accordance with Condition 6. Thereafter the respective approved parking spaces and refuse storage areas shall be retained at all times and shall be only used for the respective approved vehicle parking and refuse storage area purposes. The parking spaces shall be of a permeable paved surface in accordance with details subject to Condition 2.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking and refuse collection facilities in accordance with Policies CS8, CS12 and CS29 of the Dacorum Core Strategy and Policies 54, 58 and 63 of the saved Dacorum Borough Local Plan and the Council's adopted Technical Note for Refuse.</p>

6	<p>Details of the design of all refuse storage areas/ containers subject to Condition 5 shall be submitted to the local planning authority within 3 months of the date of the commencement of the development hereby permitted. The approved refuse storage shall be provided and thereafter retained at all times in accordance with the requirements of Condition 5.</p> <p>:</p> <p>Reason: To ensure the adequate and satisfactory provision of refuse collection facilities in accordance with Policies CS12 and CS29 of the Dacorum Core Strategy and the Council's adopted Technical Note for Refuse.</p>
7	<p>Neither of the semi detached dwellinghouses fronting Chesham Road shall be occupied until each is provided with its respective vehicular accesses shown by the approved Sit Layout plans. The dwelling house with access from Chesham Road shall be served at all times with the turning area shown by the approved Site Layout Plan L(00) 102 Rev P2 and this access shall be served at all times 2m by 2m pedestrian visibility splays on each side within which there shall be no obstruction to visibility between 0.6m and 2m above the footway. At no time shall the second dwelling be served by a vehicular access from Chesham Road and the existing access serving no. 50 Chesham Road shall be permanently closed before either of the dwellinghouses subject to this condition are occupied.</p> <p>Reason: In the interests of highway safety to accord with the requirements of Policies CS8, CS11, CS12, and CS29 of the Dacorum Core Strategy.</p>
8	<p>Within 3 months of this decision and notwithstanding any of the submitted details, a comprehensive structural soft landscaping scheme shall be submitted to the local planning authority . This shall include planting in the front gardens of the dwellinghouses and continuous hedging along either side of the whole length of access road with associated brickwalls</p> <p>The submitted details soft landscape works shall include plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of trees and plants, noting species, plant sizes and proposed numbers/densities where appropriate, including a tree and bird and bat boxes in each rear garden which shall be retained at all times incorporating all the recommendations of the submitted Preliminary Ecological Appraisal.</p> <p>The development shall be carried out fully in accordance with the submitted tree and hedge protection measures referred to by the submitted Arboricultural Method Statement. These protective measures shall be maintained for the entire period of construction, removed only after the completion of the whole development.</p> <p>Reason: In the interests of the character and appearance of the area and biodiversity in accordance with Policies CS12 and CS29 of Dacorum Core Strategy.</p>
9	<p>Any tree, hedge 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 another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation. For the purposes of this condition the planting season is between 1 October and 31 March.</p> <p>Reason: To safeguard the local environment, in the interests of residential amenity, visual amenity and biodiversity in accordance with the requirements of Policies CBS 5, CS12, CS26 and CS29 of the Dacorum Core Strategy.</p>
10	<p>No dwellinghouses hereby permitted shall be occupied until all the approved hard boundary treatment (including boundary walls for both sides of the access road) is</p>

	<p>installed fully in accordance with the approved details. Thereafter all the approved boundary walls and fencing fence shall be retained at all times.</p> <p>Reason: In the interests of the residential amenity of the dwelling houses hereby permitted and the character and appearance of the area in accordance with Policy CS12 of Dacorum Core Strategy.</p>
11	<p>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.</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 in accordance with Policy CBS 32 of the Dacorum Core Strategy.</p>
12	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 11 shall be fully implemented within the time scales 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 re mediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed in accordance with Policy CBS 32 of the Dacorum Core Strategy.</p> <p>Informative: 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</p>

	via the Council's website www.dacorum.gov.uk
13	<p>No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years shall have been submitted to and approved in writing by the local planning authority.</p> <p>Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority for its approval in writing.</p> <p>This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CBS 32 of the Dacorum Core Strategy.</p>
14	<p>Within 3 months of the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter retained fully in accordance with the approved details.</p> <p>Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with the aims of Policies CS8 ,CS12 and CS31 of the Dacorum Core Strategy , including highway safety, and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.</p>
15	<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 within the residential curtilages of the dwellinghouses hereby permitted and the existing dwelling houses at nos 51, 52 and 53 Chesham Road:</p> <p>Schedule 2 Part 1 Classes A, B, C, D and E</p> <p>and the existing single storey rear extension serving no. 51 Chesham Road shall be demolished before the first occupation of any of the dwellinghouses hereby permitted.</p> <p>Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the dwellinghouses hereby permitted and the existing , the character and appearance of the area and ensuring that there is the correct balance between the amount of development and land retained for gardens in accordance with Dacorum Core Strategy Policy CBS 12 , saved Appendix 3 of the Dacorum Borough Local Plan the National Planning Policy Framework.</p>
16	<p>Before the occupation of the dwellinghouses hereby permitted an exterior lighting scheme shall be submitted to the local planning authority and before the occupation of any of the dwellinghouses the approved exterior lighting scheme shall be installed and thereafter shall be retained and maintained fully in accordance with the approved details. The submitted lighting scheme shall include the lighting of the roadway, its footpath and the walkway/ footpaths linked to the rear gardens.</p>

	<p>Reason: In the interests of the local environment, highway safety , safe access and security in accordance with accord with the requirements of Policies CS8, CS12, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.</p>
17	<p>Electric vehicle charging facilities and electronic communications equipment shall be installed before the occupation of any dwelling house at the site fully in accordance with details submitted to and approved in writing by the local planing authority. Thereafter all the approved facilities/ equipment shall be retained at all times.</p> <p>Reason: In accordance Paragraph 110 and Part 10 of the National Planning Policy Framework.</p>
18	<p>All the dwellinghouses hereby permitted shall be provided with a secure cycle storage facility.</p> <p>Reason: In the interests of sustainable transport in accordance with Policy CS8 of Dacorum Core Strategy.</p>
19	<p>Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:</p> <p>L(00)001 L(00)002 L(00)102 Rev P2 L(01)001 Rev P1 L(01)002 L(02)001Rev P1 L(02)002</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>NOTE 1: ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which 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</p> <p>Management Company</p> <p>It is expected that the development is subject to the establishment of Management Company to ensure the permanent maintenance of the roadway/ roadway footpath, walkway paths (including lighting) and all communal boundary treatment, soft planting, refuse collection facilities , car charging and any private drainage serving the site.</p> <p>Bats</p>

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;
Recklessly disturb bats;
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

Contacts:

English Nature 01206 796666
UK Bat Helpline 0845 1300 228 (www.bats.org.uk)
Herts & Middlesex Bat Group 01992 581442

It is recommended that a bat box is installed at the application site.

Land Stability

The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

If the developer is concerned about possible ground instability consideration should be given by the developer in commissioning the developer's own report.

Highway Issues

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.. 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

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.

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

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/>

Appendix A - Consultation responses to Original Scheme

Bovingdon Parish Council

Object - Notwithstanding that there is an improvement in the appearance of this application, it remains a 'back-land development' out of keeping with the street scene. The development still represents an overbearing, overdevelopment of the site with a detrimental impact on the amenity of the neighbouring properties. Car parking remains a dominant feature of the development.

Councillor Stewart Riddick

I see another application has been submitted in connection with the above.

Having looked at the latest documents on the Council website, I can see the applicants have not grasped the fundamental reasons as to WHY the previous application was refused:

- 1) Unacceptable Backland development.
- 2) Gross overdevelopment & overlooking of adjoining properties.
- 3) Unacceptable and dangerous access onto Chesham Road.
- 4) Inadequate parking - especially for visitors.
- 5) Lack of amenity space.
- 6) Inadequate access to the whole site for Service & Emergency vehicles.
- 7) Lack of adequate and accessible refuse storage facilities.
- 8) Dangerous proposals for vehicles to 'back-out' onto Chesham Road into 'fast-moving' and continuous traffic.

The proposal also does not comply with the following:

CS 11 (a) (b) (c) (e) & (f)
CS 12 (a) (b) (c) (e) (f) & (g) i, ii, iii, iv, v, vi, & viii
CS 13 (c) (d) & (f)
CS 18 (a) (b) & (c)
CS 19
CS 29

If officers are not minded to Refuse the application, I must request it is submitted to the Development Management Committee for final consideration.

Strategic Planning

We do not wish to comment on this particular application. Please refer to relevant policies/standards in the DBLP/Core Strategy/Site Allocation DPD.

Building Control

Response awaited.

Trees & Woodlands

Just looking over this application again it appears the applicant has submitted a previous application which was subsequently refused (4/01779/17/FUL). There was an arboricultural report submitted for the former but this has not been provided for the current application (4/01095/18/FUL). Can you let me know if this will be the report.

If so, there is no planting scheme within the report and I would like to know if anything has been submitted specifying species, size and aftercare.

Scientific Officer

No objection to the proposed development in relation to Air Quality and land contamination.

However, with the proposed development within 40m of a former petrol station from our contaminated land record, the following planning conditions and informative are recommended 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 Councils website www.dacorum.gov.uk

(Note: This approach has been reinforced by the updated NPPF).

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). 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.

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

4). 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 develop.

Refuse Controller

Each dwelling should have space to store 3 x 240ltr wheeled bins and a kerbside caddie. They should have space to present at least 2 x wheeled bins and a kerbside caddy outside the boundary.

Strategic Housing

Due to the number of units being developed, the site will be exempt from any affordable housing contribution.

Hertfordshire County Council: Highways

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:

Hertfordshire County Council as Highway Authority considers that the proposal would not have a severe residual impact on the safety and operation of the adjoining highways and does not object to the development, subject to the conditions and informative notes below.

CONDITIONS

1. No part of the development shall begin until the means of access has been constructed in accordance with the approved drawing and constructed in accordance with " Roads in Hertfordshire A Guide for New developments".

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

2. Before first occupation or use of the development the access roads and parking areas as shown on the approved plan(s) shall be provided and maintained thereafter.

Reason: To ensure the development makes adequate provision for the off-street parking and

manoeuvring of vehicles likely to be associated with its use.

3. Prior to commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for approval in writing. The Construction 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; • Timing of construction activities to avoid school pick up/drop off times; . Reason: In the interests of maintaining highway efficiency and safety.

4. The development shall not be brought into use until the new vehicle crossovers have been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use.

5. Upon completion of the development, any unused access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.

6. Visibility splays of not less than 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the new access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway. Construction work shall not commence the applicant has demonstrated that the required visibility splays can be achieved by means of detailed scaled drawings showing the new access arrangements and visibility splays, to be submitted to and subsequently agreed in writing by the Local Planning Authority.

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

7. 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.

8. The development shall not be occupied until the access and car parking areas have been constructed and surfaced. The car parking areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.

Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents and businesses.

9. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

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

HIGHWAY COMMENT

This proposal is for:

Demolition Of Existing Bungalow And Construction Of 2 New Semi-Detached Dwellings And 7 Terraced Dwellings With New Access Road To Terraces (Amended Scheme)

Detail of proposal:

Demolition of existing bungalow at 50 Chesham Road. Construction of 2 No new semi-detached properties at 50 Chesham Road. Construction of 7 No new terraced properties in the land to the rear of 50-53 Chesham Road. New access road to terraces.

ACCESS

The proposed new access road will require the applicant to enter into a S278 agreement and will require to be constructed with radial corners in line with standard set out in Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice Chapter 1 – Road Design Criteria.

Drawing no L(00)102 Proposed Site Plan shows that the existing parking and access arrangements for no 51, 52 and 53 will remain as current.

The two new properties proposed to replace no 50 will require the stopping up of the existing vxo giving access to the current garage, and a new one constructed as shown on drawing no L(00)102

PARKING

20 off street parking spaces are proposed in total: including two each for the properties to be built on the site of no 50, and two each for the 7 properties to be constructed in the new development.

Although in section 6 of the application form the applicant has stated that a new public road will form part of the development, as Highways Authority, HCC will not be adopting the proposed new access road.

Chesham Road is a busy "B" classified road, the B4505, with a 30 mph speed limit. There have been no recorded accidents in the vicinity of the site in the last 5 years.

A site visit was conducted on 11 /09/17.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.

Hertfordshire Ecology

Response awaited.

Note : The response to Application 4/01779/17/FUL was:

Initial Advice

Hertfordshire Environmental Records Centre does not have any habitat or species data for the application site or the immediate vicinity. Viewed on aerial photos, the location for the development includes gardens with trees.

No ecology report or Preliminary Roost Assessment for bats has been submitted in support of this application although it includes demolition of the bungalow at 50 Chesham Road and trees present are likely to be lost to the development. The biodiversity question on the application form has been answered 'No' to the reasonable likelihood of protected species being present and affected by the proposal. The form also indicates that trees are present on the site but there is no tree survey to support the application.

The submitted sustainability report indicates that, post development, there will be two half standard native oaks trees planted at the end of each of the private rear gardens. The use of native species will all be included in the planting at the end of the turning head of the estate road. The use of native tree and shrub species will create long-term opportunities for wildlife on site. HE welcome the biodiversity enhancements to add four swift bricks to the north facing gable ends of the terrace block (one on each gable end rear of the apex) to provide secure nest sites for Swifts or possibly Tree Sparrows both species in decline identified by the RSPB.

- Bats

Bats are protected under European and domestic legislation and in general terms, it is an offence to disturb or harm a bat, or damage or obstruct access to a roost. They will roost in buildings and trees and both are present on the site and nearby vegetation could also be used by bats for foraging and commuting.

As this application includes demolition of a building and loss of trees, there is potential for bats to be present and affected by the proposal. HE advise that a **professional Preliminary Bat Roost Assessment** is carried out by a suitably qualified ecologist to evaluate whether bats, or evidence of them, are present and will be affected by these proposals. This will consider the

need for further bat surveys and mitigation.

Such surveys can be undertaken at any time of year but should follow established best practice as described in the Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016.

A. If no bats or evidence of bats is found, the application can be determined accordingly.

B. In the event that evidence, or potential for bats, is found, further surveys (dusk emergence / dawn re-entry activity surveys) are likely to be required. These can typically only be carried out when bats are active in the summer months between May and August, or September if the weather remains warm. As this is now within the unfavourable time of year to undertake these bat activity surveys, an **Outline Mitigation Strategy with appropriate recommendations should be included within the bat report** if the Local Planning Authority (LPA) is to fully consider the impact of the proposals on bats. This strategy should be based on the presence of a bat roost proportionate to the location and can be modified if necessary once the results of any recommended follow-up activity surveys are known. In this situation only, i.e. once an outline mitigation strategy has been submitted and approved, HE would advise any outstanding surveys are secured as a Condition of Approval.

It is recommended the following *Condition* wording (where [x] is the number of recommended surveys):

“Prior to the commencement of the development, hereby approved, [x] dusk emergence / dawn re-entry survey(s) should be undertaken during May – August inclusive (possibly September if the weather remains warm) to determine with confidence whether bats are roosting and, should this be the case, the outline bat mitigation strategy should be modified as appropriate based on the results and then be submitted in writing to the Local Planning Authority and implemented in full. Thereafter the development shall be carried out in accordance with these approved details.

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

It should be noted that if bats are found to be roosting within the development site, appropriate mitigation measures may need to be carried out under the legal constraints of a European Protected Species (EPS) development licence. Natural England will require a number of activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.

To conclude, HE cannot recommend this application is determined until further information on bats is provided – a preliminary bat roost assessment report with an Outline Mitigation Strategy (and only then can the recommended survey be Conditioned).

As trees and shrubs in the gardens are likely to be lost to the development, I also advise that the following **Directive** is added to any consent granted: Funded by the following LPAs: *March to September (inclusive), to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found in trees or on the building, the location should be cordoned off (minimum 5m buffer) until the end of the nesting season and/or works should*

Response to the Bat Report

HE previously provided comments on this proposal and now offer the following additional comments:

Bats

Bats are protected under European and domestic legislation and in general terms, it is an

offence to disturb or harm a bat, or damage or obstruct access to a roost. They will roost in buildings and trees and both are present on the site and nearby vegetation could also be used by bats for foraging and commuting.

The submitted Preliminary Ecological Appraisal (PEA), (Arbtech, November 2017) now provides sufficient ecological information to assess the likely impact of development on bats. A preliminary roost assessment has been carried out for the bungalow at 50 Chesham Road (proposed for demolition) and no potential roost features or bat access points were identified. The report also confirms that no trees on site has any bat roosting value, so no further bat surveys are required. As the site has negligible potential to support roosting bats, in this instance HE do not consider that any ecological surveys are necessary.

On this basis, bats should not be considered a constraint to the development proposals and the application can be determined accordingly. As nearby vegetation could also be used by bats for foraging and commuting, any external lighting should avoid spillage on features likely to be used by bats.

HE welcome the additional biodiversity enhancements contained in the PEA report to add bat tubes and bird nest boxes for Tree Sparrow and Robin as well as the previously offered swift bricks. HE support the welcome the additional biodiversity enhancements contained in the PEA report to add bat tubes and bird nest boxes for Tree Sparrow and Robin as well as the previously offered swift bricks.

If, however, the proposals change to directly affect 52-53 Chesham Road, bat emergence surveys will be required prior to determination as potential bat access points are present and a bat roost may be affected. If, as a result, bats are found to be roosting within the development site, appropriate mitigation measures may need to be carried out under the legal constraints of a European Protected Species (EPS) development licence. Natural England will require a number of activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.

Consequently HE advise that the following:

Informatives are also added to any consent granted.

"If bats, or evidence for them, are discovered during the course of demolition works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900."

"Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential bat roost/foraging habitat."

Hertfordshire County Council: Property

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum CIL Zone 2 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.

Hertfordshire Constabulary: Design Out Crime Officer :Crime Prevention Design Service

My comments are made from a crime prevention perspective only.

I am pleased to see that adequate car parking has been included into the design into and security has been included in the Design and Access statement. (Page 16 , g ii) Security " The proposals seek to adhere to the principles of secure by design and support high levels of

natural surveillance. “

Layout. I do have concerns regarding the alleyway between the terraced houses to the North West of the site, I would ask that this is gated.

Thames Water

Waste Comments No reference.

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>

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>.

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

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.

Appendix B - Neighbour notification/site notice responses to Original Scheme

In Support	Against	Representations Received	Neighbours Notified
6	6	6	23

- **Objections**

13 Chesham Road

Response 1

I believe that the main entrance located opposite my property has not been considered by the applicant and the impact this will have on fellow residents trying to get on and off their drives onto one of the busiest B roads in the area especially during normal working hours and weekends this is contrary to policy CS12 PART C

Response 2

With regards to the above submitted planning application I would like to make an objection. The previous scheme under 4/01779/17/FUL was refused and although some of the issues have now been addressed the main issues with regards traffic and parking still remain un-addressed.

The new scheme, as the old scheme, still does not adequately mitigate the disturbance to existing properties (Including my own, opposite). The submitted information does not confirm likely car movements, probably because it will be vastly in excess of the existing situation. I would like the Council to consider the impact that the additional car movements will have on the neighbours well being and refer you to Policy CS12 of Dacorum's Core Strategy which confirms at part C that:

c) Avoid visual intrusion, loss of sunlight & daylight, loss of privacy and disturbance to the surrounding properties;

I believe the entrance located opposite, and with so many cars entering and exiting has not been considered by the applicant and the impact this will have on the surrounding residents would be contrary to Policy CS12 part C.

I also notice that the new dwellings still only have the required 2 parking spaces, still no allocation for Visitors to park. This will lead to parking on the entrance road which will in turn lead to the obstruction of the emergency services.

I ask the Council and the applicant to re-look at the impact of parking and traffic this will have on local residents, I for one, as stated in my previous objection do not want glaring headlights streaming into my lounge morning and evening for the best part of 9 months of the year.

There is also still a lack of supporting drainage information, the applicant anticipates that drainage information can come forward through conditions, however, full planning permission should not be granted until it has been confirmed that there is capacity in the system for the additional dwellings.

Response 3

First, there are no details about the three houses that face onto Chesham Road. Second a portion of the building at number 51 will be removed to make way for a communal waste bin which will restrict access, no plans for sewage are detailed the number of vehicles accessing will be at least 24 without visitors' no accounting for schools/doctors places.

We will lose a dark corridor for wild life and no mention how long the disruption will take as you know it is the busiest B road in the county and as been rejected once before.

Police House, 54 Chesham Road

My objections remain from the previous application as I see no improvements being made to address any of the concerns from myself and other residents.

Trying to squeeze 7 new terraced homes into the rear of family gardens is unnecessary. We object on the grounds that there are too many properties/dwellings and therefore residents crammed into too smaller space. The village infrastructure will struggle to cope with this

continued expansion.

The proposed new residential dwellings is an unacceptable and excessive over development of the Chesham Road site which will cause additional vehicles accessing and egressing the site. The additional vehicles and parking problems arising from the new Tesco development will already put additional strain on that part of the village.

The proposed development would dramatically intrude on neighbouring homes with new associated vehicle movements, driveways, headlights, exhaust fumes, service vehicle access and increased noise into what are now quiet garden.

12 Chesham Road

I object to this proposal as I do not believe that the traffic issues have been properly addressed.

The Tesco development is very close, with its unknown impact on the volume of traffic on Chesham Road and I think the proposed access road to the development is too close. Allowing a likely 20+ cars to enter/leave from the proposed road is, in my view, potentially dangerous and certainly will be disruptive to myself (at No 12 opposite) and other neighbours.

This will be particularly exacerbated when waste collection and other lorries need to use this road.

I have no objection to the houses per se, but believe a different access route needs to be found - either via Apple Cottages or instead of the houses at No. 50.

18, The Bourne

I object to another development that is becoming the norm in the village, which is to knock down established dwellings suitable for a village, and replace them with high density town houses. The proposal represents an over intensification changing a density from 4 houses to 12 houses at the expense of gardens. Clearly there is also insufficient parking and none for visitor parking. Likewise another road access onto Chesham Road is the last thing we need. In my opinion this is another example of excessive over-development of a small site which is becoming all too prevalent. The Council has sites earmarked for possible development for the Village, therefore if extra housing is needed then that is the way forward. Please lets keep what we have left of the character of the Village.

- **Support**

16 Chesham Road,
51 Chesham Road
Relative of 51 Chesham Road
9 High Street
10 Hawkins Way
Unknown Address

Issues:

No design objections, provide much needed local affordable housing

Appendix C : Responses to the Revised Scheme

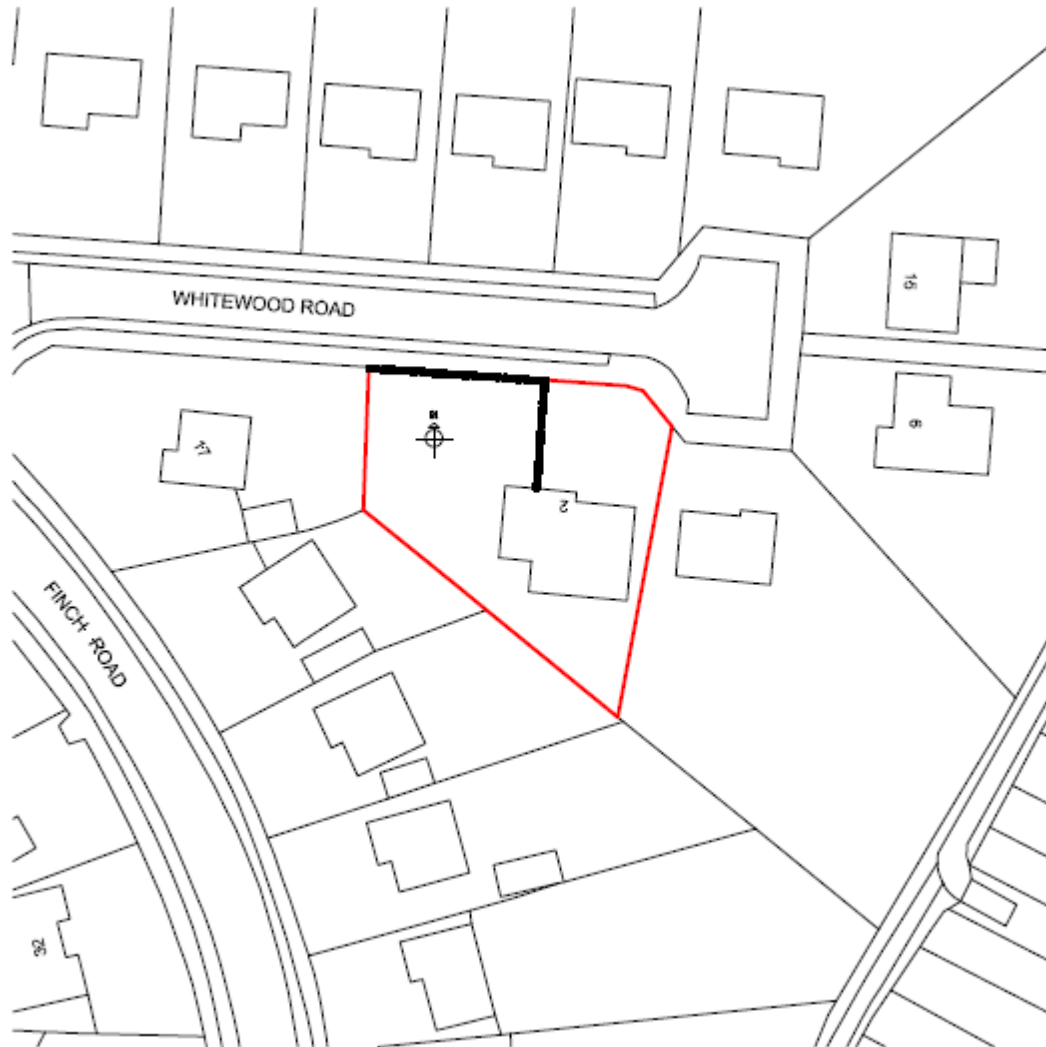
Hertfordshire Constabulary: Design Out Crime Officer:Crime Prevention Design Service

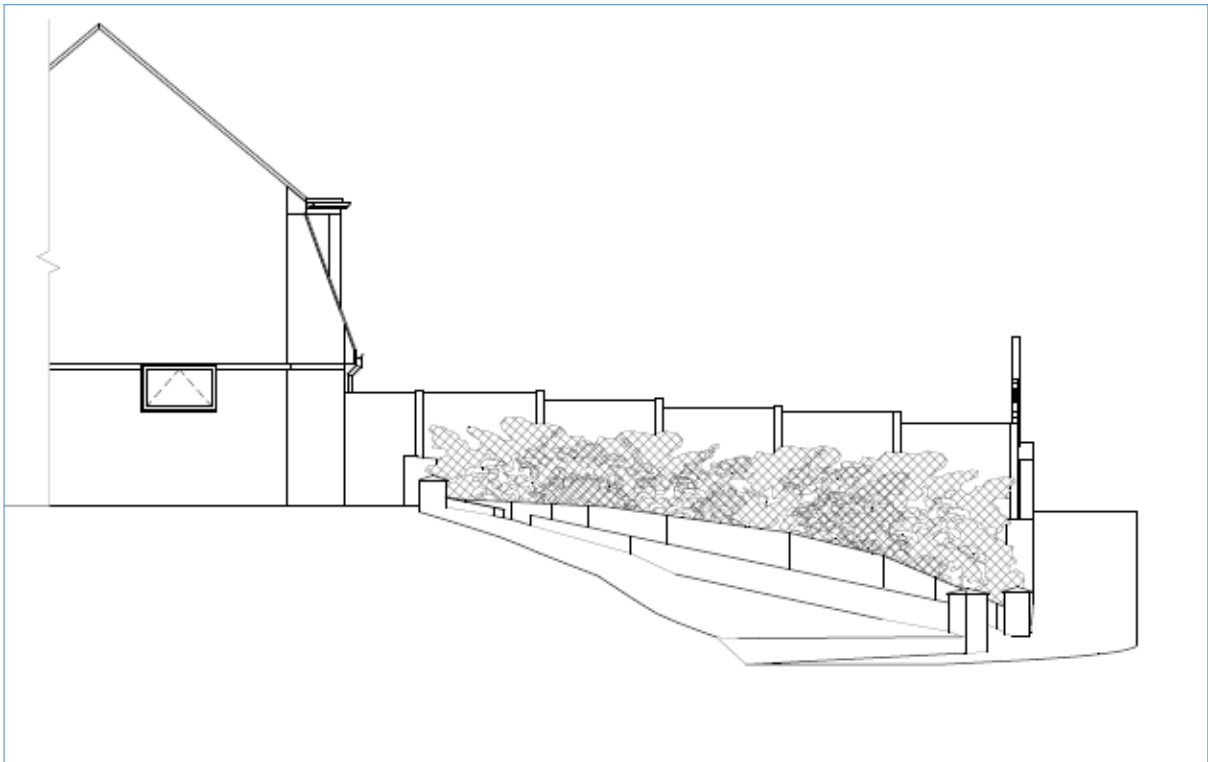
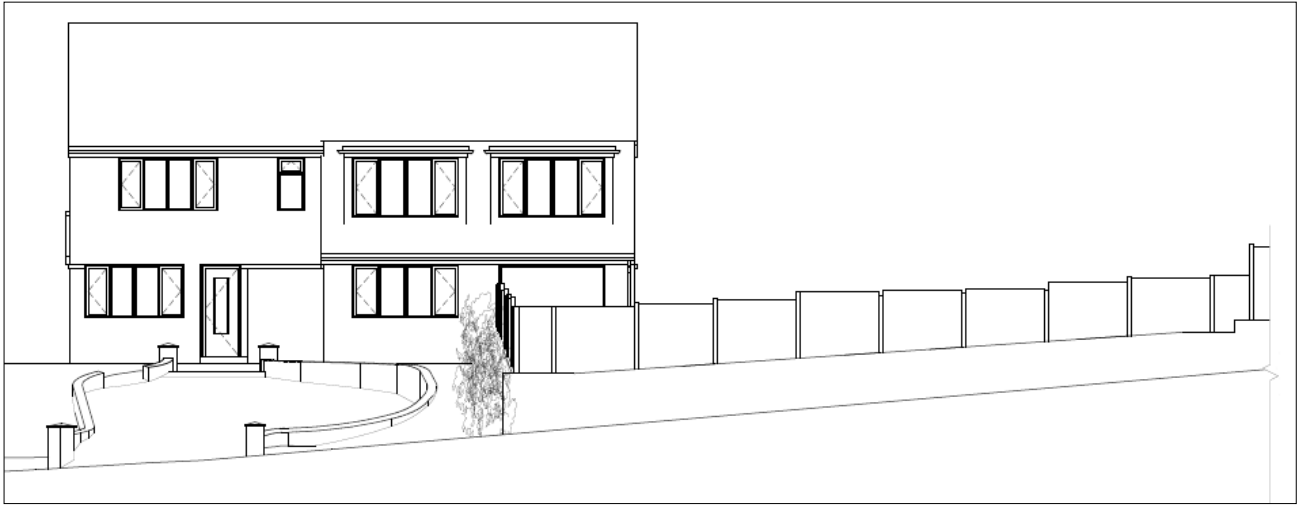
The Applicant has directly explained the need for the footpath serving the development , that the gates would be locked (with the key being issued to specific individuals). From a crime prevention perspective I can support this application.

Agenda Item 5c

5c 4/02625/17/FHA EXTENSION OF BOUNDARY WALL AND FENCING AND WORKS TO DRIVEWAY

2 WHITEWOOD ROAD, BERKHAMSTED, HP4 3LJ





4/02625/17/FHA	EXTENSION OF BOUNDARY WALL AND FENCING AND WORKS TO DRIVEWAY
Site Address	2 WHITEWOOD ROAD, BERKHAMSTED, HP4 3LJ
Applicant	MEHUL PATEL, 2 WHITEWOOD ROAD
Case Officer	Joan Reid
Referral to Committee	Objection from Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The scheme from a boundary wall and works to the driveway would not result in significant harm to the character or appearance of the area. Whilst, it is not ideal, the scheme is materially similar to that already approved and any harm is outweighed by benefits of allowing for a safe and secure garden.

3. Site Description

3.1 The application site comprises a two storey detached property which has recently been extended and modernised, located to the south of Whitewood Road. The property sits on a constrained site, whereby the rear garden is small and there is a significant difference in ground levels with the properties along Finch Road, elevated above. Majority of the garden associated with the property is located to the front and side. Within Whitewood Road, there is a general uniformity present as evidenced with the similarly designed and spaced dwellings.

4. Proposal

4.1 The application seeks permission for the construction of a wall and fence to the front and side of the side garden together with regrading of the driveway and front garden and small wall around the driveway. Landscaping is also proposed.

5. Relevant Planning History

4/00490/16/LDP SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION
Granted
17/03/2016

4/01046/14/FHA FIRST FLOOR SIDE AND GROUND FLOOR FRONT EXTENSIONS AND GARAGE CONVERSION (AMENDED SCHEME)
Granted
16/07/2014

4/00308/14/FHA FIRST FLOOR SIDE EXTENSION AND INTERNAL ALTERATIONS
Withdrawn
10/04/2014

4/00798/13/FHA CONSTRUCTION OF WALL AND FENCING
Granted
19/06/2013

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

NP1, CS1, CS4.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 58 and 99

6.4 Supplementary Planning Guidance / Documents

- Area Based Policies (May 2004) - Residential Character Area BCA 16: Durrants Lane

7. Constraints

- 15.2M AIR DIR LIMIT
- HALTON DOTTED BLACK
- CIL1

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on character of the Streetscene
- Impact on Highway Safety

Policy and Principle

9.2 The site is located within the residential area of Berkhamsted, where in accordance with policy CS4, the principle of extensions and alterations to properties is acceptable subject to compliance with other policies of the plan. The main considerations of this case are how the works affect the character and appearance of the area. Policy CS12 of the Core Strategy states that 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.

It is considered that the works comply with parts a to e of policy CS12 and therefore compliance with parts f and g is discussed below.

The Character Area Assessment (BCA16 Durrants) generally considers that within this character area, front gardens and forecourts should be provided at a depth common to adjacent and nearby plots, following the established building line. It goes on to say that enclosure of front areas is not encouraged where this would harm the appearance of the street scene. In terms of landscaping and planting: schemes for new development will be required to provide landscaping to enhance the appearance of the area.

Impact on Street Scene

9.3 The boundary wall extends the wall bounding the side garden of 17 Finch Road down across the frontage of the side garden of number 2. The applicants have constructed this in order to allow safety and security for their children and the height has been informed by the height of the garden behind, which is significantly above the height of the road. It is considered that the height and bulk of the boundary wall is not ideal and a more open or less intrusive enclosure would be better however whilst the proposal is different from the original character and boundaries within the immediate streetscene, it is not considered to be overly harmful. The wall continues the wall surrounding the garden of 17 Finch Road and only encloses the side garden of the property wherein the majority of the frontage remains open. A Laurel hedge is also proposed to soften the appearance of the wall. Weight should also be given to the previous consent for a similar boundary wall at a similar height to that constructed, however the consented scheme had a small diagonal cutaway nearest the driveway. It is considered that the amended scheme is of similar appearance to that already consented. No objection is raised to the works to the driveway itself.

Impact on Highway Safety

9.4 The scheme would not result in any harm to Highway Safety.

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>Within 3 months of the date of this decision, details of the soft landscape works shall have been submitted to and approved in writing by the local planning authority.</p> <p>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;</p> <p>The approved landscape works shall be carried out within the first planting season following approval.</p>

	Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policy CS12.
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Location Plan DD 18/095.1</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 during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

Appendix 1

Neighbour notification/site notice responses

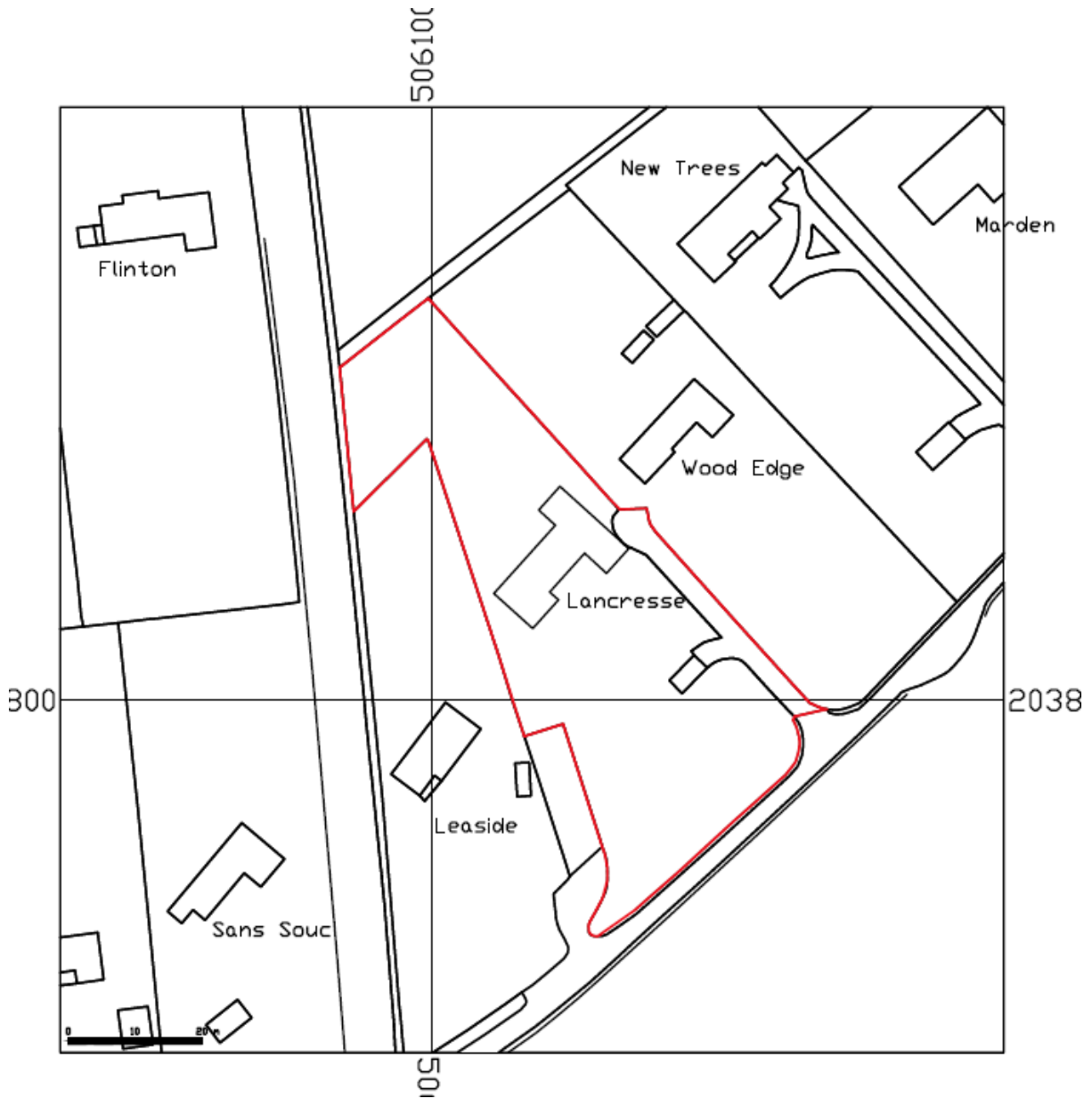
Objections

Address	Comments
9 WHITEWOOD ROAD, BERKHAMSTED, HP4 3LJ	<p>The new wall & fencing which has already been constructed is far too high and destroys the character of this road.</p> <p>The houses opposite are some 2 metres below road level which amplifies the height.</p> <p>The wall and fencing erected in 2013 was subject to retrospective consent for which we were not given the opportunity to object to.</p> <p>The consent given was for a brick wall no higher than 1 metre with either 3 foot or 4 foot maximum fencing.</p> <p>This wall has now been raised by additional brickwork and concrete gravel boards well above the 7'3" height granted.</p> <p>I feel that this wall has been erected knowing that prior consent should have been sought.</p> <p>The plan submitted to you is not to scale.</p> <p>I have very strong doubts that the extended wall has any foundations at all suitable for taking the weight of all the soil packed behind it.</p> <p>Safety is a very strong issue here especially as this road is on a junior school route.</p> <p>I also believe there are restrictive covenants that this construction breaches.</p>
BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD	<p>BTC comment</p> <p>The wall is overbearing and out of keeping with the street scene. It is much too high and seriously impinges on the amenity of neighbours. Consent should not be granted and the proposals previously approved should be implemented as a</p>

	<p>matter of urgency. A site visit by a Planning Officer is also requested.</p> <p>CS11, CS12.</p>
<p>9 WHITEWOOD ROAD, BERKHAMSTED, H P4 3LJ</p>	<p>This application does not differ from the previous application except for the addition of a laurel hedge to the east. All our previous objections still strongly apply, ie the wall is overbearing and far too high. Visible cracks are now showing top to bottom which reinforces our previous view that this retaining wall was not constructed in accordance with building regulations and still presents a safety hazard.</p>
<p>13 WHITEWOOD ROAD, BERKHAMSTED, H P4 3LJ</p>	<p>This work has been carried out without consultation or consideration. The height of the wall and fence dominate the entire road. The materials used have no sympathy with their surroundings and it has changed the character of the road from a pleasant green outlook to one of overlooking a compound. No amount of Laurels will soften the impact this development has had on Whitewood Road.</p>

5d 4/00624/18/FHA FRONT EXTENSION INFILLING EXISTING AREA, RAISED CENTRAL AREA AND CREATION OF A CROWN ROOF.

LANCRESSE, RUCKLERS LANE, KINGS LANGLEY, WD4 9NQ





PROPOSED NORTH WEST ELEVATION (1:100 @ A1)



PROPOSED SOUTH EAST ELEVATION (1:100 @ A1)

4/00624/18/FHA	FRONT EXTENSION INFILLING EXISTING AREA, RAISED CENTRAL AREA AND CREATION OF A CROWN ROOF.
Site Address	LANCRESSE, RUCKLERS LANE, KINGS LANGLEY, WD4 9NQ
Applicant	Mr Singh and Mrs Gill, Lancresse
Case Officer	James Gardner
Referral to Committee	Contrary view of Kings Langley Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The development would satisfactorily integrate with the character of the area and would not have an adverse impact on the residential amenity of the surrounding properties.

2.2 The increase in the size of the dwelling is to provide additional accommodation for the applicants growing family and has been justified in Green Belt terms on the basis of "Very Special Circumstances".

3. Site Description

3.1 The application site is located on the northern side of Rucklers Lane, Kings Langley. The bungalow is set back from the highway by approximately 40 metres and occupies an elevated position. To the front there is a substantial area of block paving and a detached brick-built carport

3.2 The bungalow is constructed of brick and flint and has two forward projecting wings with hipped roofs to either end. The rear garden rises steeply and contains a number of mature trees.

4. Proposal

4.1 Planning permission is sought for the construction of a front infill extension, a central gable on the front and rear elevations and alterations to the main roof.

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, CS5, CS8, CS9, CS11, CS12, CS25, CS29, CS31, CS32, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 21, 22, 51, 57, 58

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. **Constraints**

- 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**

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Green Belt Impact Assessment
- Impact on Appearance of Dwelling and Street Scene
- Impact on Residential Amenity
- Impact on Trees and Landscaping
- Impact on Highway Safety
- Other Material Planning Considerations

Policy and Principle

9.2 The application site is located within the Metropolitan Green Belt wherein development is generally resisted. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

9.3 The National Planning Policy Framework (NPPF) allows for the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building, whilst local planning policies (saved Policy 22 and CS5) are supportive of limited extensions provided they are, amongst other things, compact and well-related to the existing building and have no significant impact on the character and appearance of the countryside.

9.4 A comparison must be made with the original building as it existed on 1 July 1948. There are a number of ways in which an extended property can be compared to an original building in order to assess whether or not an addition is disproportionate in size. The additional floor area added to the original building is one commonly used indicator; however, other factors, including the proposed additional cubic content, the increase in footprint and any increase in height are also relevant and capable of being taken into account.

9.5 In this case a comparison between the original footprint and the proposed footprint is considered to be a reasonable way of forming an opinion as to proportionality.

9.6 From examining the historic planning files, it has been possible to ascertain that the original footprint of Lanresse comprised approximately 95 sq. metres. Extensions in 1986 and 1990 increased the footprint by an additional 63 sq. metres. As a result, in its current form, Lanresse has been increased by a total of 66.3%. This application proposes an area of 210 sq. metres, which would equate to a total increase in footprint of 120%.

9.7 The NPPF does not provide a definition of what is and what is not proportionate; each case must be judged on its own merits. However, it is considered that the increase proposed by this application would not be proportionate and therefore constitutes inappropriate development.

Green Belt Impact Assessment

9.8 Plan number 1172 SK520 shows what could be built under permitted development and includes a single storey rear extension and a single storey side extension. In total, this would result in the dwelling having a total footprint of approximately **258 sq. metres.**

9.9 Plan number 1172 SK521 shows what could be built under the householder prior approval scheme. Assuming no objections were received from neighbouring properties, the extensions would be permitted development. If objections were received, the local planning authority would only be able to consider matters pertaining to residential amenity, not whether or not the extensions integrated with the character of the area or were inappropriate in size in a Green Belt location. As above, single storey side and rear extension are proposed, although in the case of the rear extension, it has a greater depth (8 metres). In total, this would result in the dwelling having a total footprint of approximately **295 sq. metres.**

9.10 The PD and prior approval fall-back positions introduce a greater level of sprawl across the site than that proposed by the planning application and are thus important material planning considerations.

9.11 Following the introduction of the NPPF the size criterion (30% limit) within saved Policy 22 can be given very little weight in the application process. The qualitative elements of the policy are, however, still relevant and are as follows:

- (a) The extension is compact and well-related to the existing building in terms of design, bulk, scale and materials used;
- (b) The extension is well-designed having regard to the size and shape of the site and retains sufficient space around the building to protect its setting and the character of the countryside.
- (c) The extension is not visually prominent on the skyline or in the open character of the surrounding countryside.
- (d) The extension does not prejudice the retention of any significant trees and hedgerows.

9.12 In visual terms the extensions proposed are very similar to those in the process of being completed at Flinton (approved under 4/02724/16/FHA and therefore the Council does not have any major concerns with what is being proposed. The design for this application has evolved slightly since first submission and now includes a "green roof" on the areas of crown roof, softening the (limited) view of the development from the footpath to the rear and helping it to successfully integrate into the wooded nature of the area.

9.13 There would be no increase to the height of the main roof. The new gables would extend approximately 0.65 above the height of the main roof, but this would be limited to a very small section of the property.

9.14 The planning application is proposing a total footprint of approximately **210 square metres**, which is significantly below the potential 258 and 295 square metres that would result if the applicant were to exercise his PD rights. There would, of course, be an increase in volume as some of the alterations include providing additional habitable accommodation in the roof space. However, this is not considered to be especially harmful as it is only when looking at the property from the side that the additional mass would be noticeable and, as outlined above, height increased are limited.

9.15 Planning Inspectors have given considerable weight to the PD fall-back position, noting that there merely has to be the potential for the development to be implemented. However, it is understood that, owing to the need for more space (i.e. a growing family and the necessity of having family members close at hand) there is a high likelihood that the PD extensions would be constructed should permission be refused.

9.16 The bungalows at Rucklers Lane are architecturally interesting and unique and therefore should, so far as possible, be carefully managed to ensure that their special qualities are not eroded over time. In order to comply with the requirements of the General Permitted Development Order, the PD schemes are necessarily bulky and lack architectural finesse. Implementation of either of these schemes would be detrimental to the character and appearance of the dwelling. Whilst individually the dwellings may not be worthy of listing, it must be acknowledged that, together, they form an attractive group.

Conclusion

9.17 The PD fall-back position is being put forward by the applicant as a 'very special circumstance'. In light of the potential impact on the Green Belt and the associated degradation of the character of the area which would inevitably result, the case officer is of the view that the applicant's special VSCs are persuasive and the current scheme outweighs the harm to the Green Belt.

Impact on Appearance of Dwelling and Street Scene

9.18 The design incorporates front and rear facing central gable which include Juliet Balconies with glazed balustrades. Hip details are to be retained on all exposed roof elevations, ensuring that the visibility of the crown roof is kept to a minimum. Glimpsed views of the roof structure would be possible from the public footpath to the rear. However, the use of a 'green roof' would mitigate any negative effects and aid assimilation.

9.19 The proposed materials - matching roof tiles, matching brick detailing, aluminium bi-fold doors - do not give rise to any concerns.

9.20 While the extensions and alterations will inevitably result in a slightly bulkier appearance, it is important to note that the dwelling will be seen in the context of a substantial plot within an area that is heavily treed, set back from the highway by over 40 metres, and which occupies an elevated position. Thus, any additional bulk and mass within the roof structure will not be evident.

9.21 As a result, the development accords with saved Appendix 7 of the Dacorum Borough Local Plan (1991 - 2011) and Policy CS12 of the Dacorum Core Strategy (2013)

Impact on Residential Amenity

9.22 Policy CS12 of the Core Strategy states that, inter alia, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.23 The application site and the dwellings in the immediate surroundings sit within spacious plots and as such the potential for severe overlooking is less likely to occur. However, it is noted that Velux rooflights are proposed to be inserted on the north-eastern and south-western roof slopes which face Wood Edge and Leaside. These windows would be located approximately 11.35 metres and 19.35 metres away from the respective properties. Consequently, were planning permission to be forthcoming, it is considered appropriate to include a condition requiring the windows to be fitted with obscure glazing and retained in perpetuity.

9.24 The size of the roof structure would be increased, but there would be very little change in height. Therefore, impact on neighbouring properties would not be significant.

Impact on Trees and Landscaping

9.25 The development would result in the loss of some structured, cultivated landscaping immediately outside the front door of the dwelling. However, none is significant or deemed worthy of retention.

Impact on Highway Safety

9.26 The proposal would not have any obvious highway safety implications. The scale of the development is not sufficient to warrant a Construction Management Plan.

10 Other Material Planning Considerations

Permitted Development Rights

10.1 The Government's Planning Practice Guidance provides useful advice to Local Planning Authorities as regards the use of conditions:

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.

10.2 Paragraph 53 of the NPPF states that planning conditions should not be used to restrict permitted development rights unless there is clear justification to do so, while paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects.

10.3 These tests must all be satisfied each time a decision to grant planning permission subject to conditions is made.

10.4 Specific guidance in relation to conditions which remove permitted development rights is also provided in the Planning Practice Guidance:

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.

10.5 The application site is located within the Green Belt which is an area of development restraint. The extent of the extensions proposed by this planning application are considered to be acceptable on the basis of the very special circumstances put forward by the applicant; namely, the extent of built form which could be constructed under permitted development.

10.6 On this basis it would be inappropriate not to restrict future use of permitted development rights. Should permission be granted, Classes A, B, D and E would be removed as these allow for the extension of a dwelling.

Ecology

10.7 A Preliminary Bat Assessment (PBA) was carried out at the property between 9th June and 14th June 2018. No evidence of bats was discovered within the roof void or on the exterior of the building; neither were any potential bat roosts found. All roof and ridge tiles and flashings around the chimneys and eaves were found to be well sealed. As a result, the professional view of the consultant is that the likelihood of the property supporting a bat roost is negligible and the proposals are unlikely to impact on bats or their roost sites.

CIL (Community Infrastructure Levy)

10.8 The application is CIL liable as it would result in the creation of more than 100m² of new habitable floor space.

11. Conclusions

11.1 Cumulatively the extensions proposed would not be proportionate to the size of the original dwelling. Plans submitted by the applicant show what could be built without the requirement for planning permission. However, it is considered that the sprawl caused by the PD fall-back position, coupled with the detrimental impact this would have on the character of this architecturally interesting dwelling and the area as a whole, weights in favour of an approval.

11.2 In design terms the proposal is acceptable, taking its cues from the local vernacular while offering a slightly modern interpretation. There would be no obvious implications for the residential amenity of surrounding properties.

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

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

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

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

1172 SK100D
1172 SK101A

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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, D & E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the visual amenity of the locality and the open character of the Green Belt.

- 4 **The rooflights on the north-eastern and south-western roof slopes shall be permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings, in accordance with Policy CS12 of the Dacorum Core Strategy.

Article 35 Statement

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

This application was supported by the following:

100C
101

Appendix A

Consultation responses

Kings Langley Parish Council	Objection
The Council OBJECTED to this application because it is too large a development for the site; added to the previous development, this would constitute an increase of 134% in the Green Belt.	

Appendix B

Neighbour notification/site notice responses

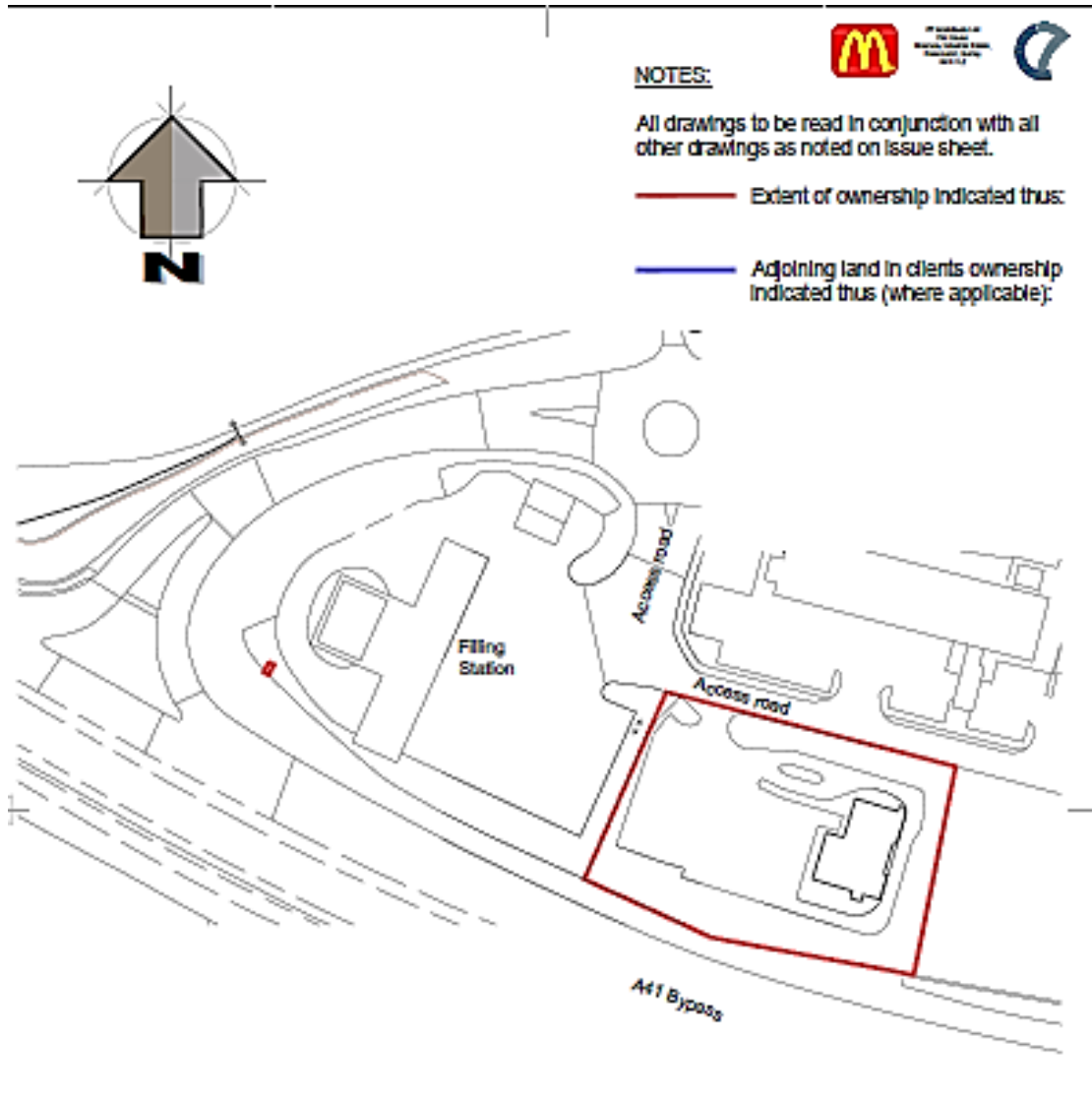
Objections

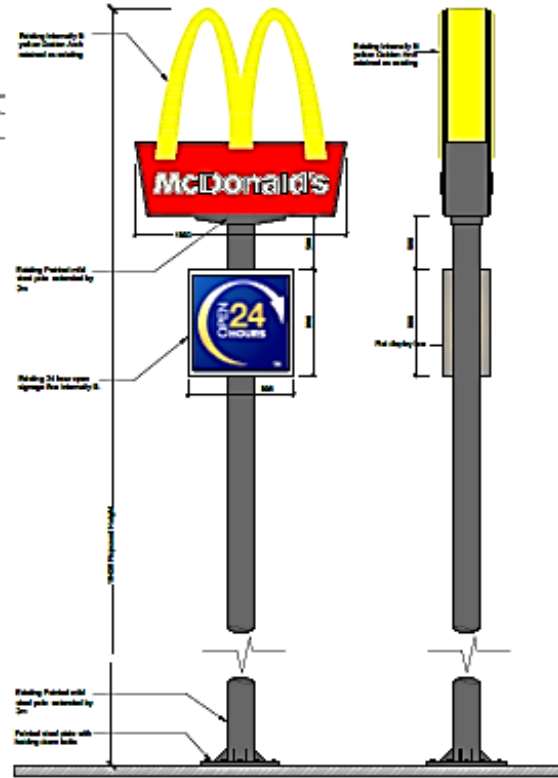
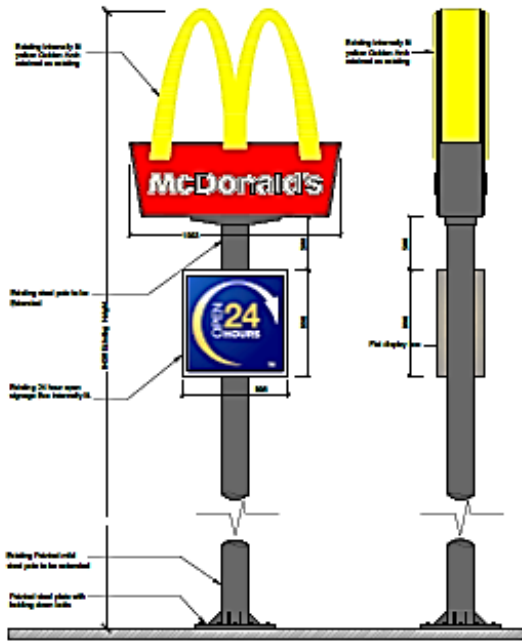
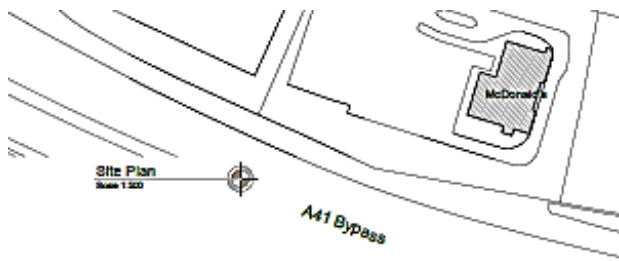
Address	Comments
Herts and Middx Wildlife Trust, Grebe House, St Michael's Street, St Albans,,AL3 4SN	Objection: Bat survey required before application can be determined. Once a suitable survey has been submitted and approved, the objection will be withdrawn provided any required actions are applied in the planning approval.

	<p>The design of the building is extremely suitable for bats, it is situated in close proximity to high value feeding and roosting habitat and there are records of bats from the near vicinity. If present the development would result in breaches of the legislation protecting bats and their roosts. Therefore there is a reasonable likelihood that bats may be present.</p> <p>ODPM circular 06/05 (para 99) is explicit in stating that where there is a reasonable likelihood of the presence of protected species it is essential that the extent that they are affected by the development is established before planning permission is granted, otherwise all material considerations cannot have been addressed in making the decision. Survey information should accord with BS 42020.</p>
--	--

5e 4/01382/18/ADV EXISTING SIGN TO BE INSTALLED ON NEW 8.5M POLE.

MCDONALD'S RESTAURANT, 3 STONEY LANE, HEMEL HEMPSTEAD, HP1 2SB





4/01382/18/ADV	EXISTING SIGN TO BE INSTALLED ON NEW 8.5M POLE.
Site Address	MCDONALD'S RESTAURANT, 3 STONEY LANE, HEMEL HEMPSTEAD, HP1 2SB
Applicant	MCDONALD'S RESTAURANTS LTD, 11-59 HIGH ROAD
Case Officer	Rachel Marber
Referral to Committee	Contrary views of Bovington Parish Council

1.Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed replacement advertisement sign would not result in detrimental impact to the visual appearance of the surrounding street scene, Green Belt, residential amenity of adjacent properties or the safety and operation of the highway and passing pedestrians. Thus, the proposed adheres with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 and Policies 56 and 112 of the Local Plan (2004), the NPPF (2018) and the Supplementary Guidance for Advertisements (2004).

3. Site Description

3.1 The application site comprises a single storey McDonalds restaurant in a service area just off the A41. The Site, which is within the Green Belt and south of the village of Bourne End, forms part of a complex along with Premier Inn hotel and Total petrol station.

4. Proposal

4.1 Advertisement Consent is sought to replace the existing advertisement sign pole of 6.480 metres high with one which is 8.480 metres high.

5. Relevant Planning History

4/00649/18/FUL THE CONSTRUCTION OF A NEW REMOTE CORRAL TO THE NORTH OF THE SITE FINISHED WITH A 2.2M CLOSE BOARD TIMBER FENCE SURROUND.

Granted
30/04/2018

4/00126/18/FUL REFURBISHMENT OF RESTAURANT WITH A 90.5 SQUARE METRE EXTENSION.

Granted
07/03/2018

4/00127/18/ADV INSTALLATION OF NEW ADVERTISING POLE SIGN.

Granted
02/03/2018

4/01880/13/NM NON MATERIAL AMENDMENT TO PLANNING PERMISSION

- A 4/00550/13/FUL (RECONFIGURATION OF THE CAR PARK, ALTERATIONS TO DRIVE-THRU TO PROVIDE SIDE-BY-SIDE ORDER POINT, INSTALLATION OF TWO CUSTOMER ORDER DISPLAYS WITH ASSOCIATED CANOPIES, INSTALLATION OF A RETAINING WALL TO ALLOW FOR ADDITIONAL CAR PARKING SPACES AT SOUTH SIDE OF THE STORE, CONSTRUCTION OF A NEW ISLAND AND RECONFIGURED KERB LINES, AND ALTERATIONS TO THE EXISTING SIGNAGE WITH ADDITIONAL SIGNS).
Granted
01/11/2013
- 4/00550/13/FUL RECONFIGURATION OF THE CAR PARK, ALTERATIONS TO DRIVE-THRU TO PROVIDE SIDE-BY-SIDE ORDER POINT, INSTALLATION OF TWO CUSTOMER ORDER DISPLAYS WITH ASSOCIATED CANOPIES, INSTALLATION OF A RETAINING WALL TO ALLOW FOR ADDITIONAL CAR PARKING SPACES AT SOUTH SIDE OF THE STORE, CONSTRUCTION OF A NEW ISLAND AND RECONFIGURED KERB LINES, AND ALTERATIONS TO THE EXISTING SIGNAGE WITH ADDITIONAL SIGNS.

Granted
23/05/2013
- 4/00551/13/ADV RECONFIGURATION OF EXISTING SIGNAGE SUITE INCLUDING THE REMOVAL AND RELOCATION OF SIGNS PLUS ADDITIONAL SIGNAGE, WHICH INCLUDES 5 FREESTANDING SIGNS, 2 HEIGHT RESTRICTORS, 2 CUSTOMER ORDER DISPLAYS (COD) AND 1 SIDE BY SIDE DIRECTIONAL.

Granted
23/05/2013
- 4/00902/11/FUL CHANGES TO ELEVATIONS INCLUDING NEW ROOF AND ADDITIONAL CLADDING TO DRIVE THRU BOOTHS

Granted
25/07/2011
- 4/00903/11/ADV FIVE ILLUMINATED ROOF LEVEL SIGNS

Granted
27/07/2011
- 4/00378/09/ADV TWO REPLACEMENT INTERNALLY ILLUMINATED APPENDAGE BOXES

Granted
03/06/2009
- 4/02823/07/ADV REPLACEMENT SIGNAGE COMPRISING 3 INTERNALLY ILLUMINATED QUAD POSTER BOXES, NON-ILLUMINATED GOLDEN ARCH FIXED TO ROOF AND INTERNALLY ILLUMINATED TEXT SIGNAGE AFFIXED TO ROOF

Granted
08/01/2008

4/02824/07/FUL ALTERATION TO BUILDING FACADE
Granted
31/12/2007

4/02446/07/ADV EIGHT INTERNALLY ILLUMINATED SIGNS

Granted
06/12/2007

6. Policies

6.1 National Policy Guidance (2018)

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

6.2 Adopted Core Strategy (2013)

CS12 - Quality of Site Design

6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

56 - Roadside Services
112 - Advertisements
Appendix 3 - Layout and Design of Residential Areas

6.4 Supplementary Planning Guidance / Documents (2004)

Supplementary Planning Guidance for Advertisements

7. Constraints

- GREEN BELT
- AREA OF SPECIAL CONTROL FOR ADVERTS

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and Principle
- Impact on Appearance of Street Scene
- Impact on Highway and Pedestrian Safety

Policy and Principle

9.2 The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

9.3 Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

9.4 The display of advertisements is controlled through a specific approval process and separate planning permission is not required in addition to advertisement consent. Under section 222 of the Town and Country Planning Act 1990 (as amended), planning permission is deemed to be granted for any development of land involved in the display of advertisements in accordance with the Regulations.

Impact on Street Scene

9.5 Saved Policy 112 of the Local Plan (2004) and Supplementary Planning Guidance for Advertisements (2004) states that express consent to display an advertisement should be given (other than within a conservation area) provided that it is sympathetic in size, appearance, design and position to the site on which it is displayed; is not unduly prominent; and does not detract from the amenity and character of the surrounding area. Saved Policy 56 of the Local Plan (2004) states that the visual impact of illumination and advertisement displays must be appropriate to the site's location in relation to the open countryside. In areas which require special protection on grounds of amenity, the council may apply more stringent control over the display of certain types of advertisements by making such areas the subject of a Special Control Order.

9.6 The proposed advertisement pole sign would replace an existing sign with a larger one in order for the advertisement to be visible above the landscaping alongside the A41 bypass. As such, the proposed advertisement would retain the same plot positioning as the existing sign and relate to the A41 bypass in terms of orientation and positioning. The advertisement sign would also clearly relate to the McDonald's service station restaurant and be read in the context of the other surrounding advertisements for the other service station uses. The area will not appear cluttered.

9.7 As such, the proposal would have marginal further impact to the character and appearance of the immediate street scene and surrounding countryside. It is further considered that the proposal would not result in a significant visual detriment when considered in conjunction with the context of the site and nature of advertisement.

Impact on Highway Safety

9.8 Saved Policy 56 of the Local Plan (2004) states that the illumination of advertisement displays must be appropriate to the site location and should not distract highway users. Saved Policy 112 of the Local Plan (2004) requires that advertisements do not adversely affect highway and public safety.

9.9 The advertisement sign would be internally illuminated at a level of 600.00cd/m which is considered acceptable.

9.10 HCC Highways were consulted on the proposed sign and provided the following summative comments: 'This application is for the existing sign to be installed on new 8.5m pole...Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways'. As such the proposed replacement advertisement sign is not expect to result in detrimental impact to highway or pedestrian safety.

10. Conclusions

10.1 The proposed replacement advertisement sign would not result in detrimental impact to the visual appearance of the surrounding street scene, Green Belt, residential amenity of adjacent properties or the safety and operation of the highway and passing pedestrians. Thus, the proposed adheres with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 and Policies 56 and 112 of the Local Plan (2004), the NPPF (2018) and the Supplementary Guidance for Advertisements (2004).

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

Conditions/Reasons for Refusal

No	Condition
	<p>1. This consent is granted for a period of five years commencing on the date of this notice.</p> <p>Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.</p> <p>2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.</p> <p>Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.</p> <p>3. No advertisement shall be sited or displayed so as to: -</p> <p style="padding-left: 40px;">(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);</p> <p style="padding-left: 40px;">(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or</p> <p style="padding-left: 40px;">(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.</p> <p>Reason: To comply with the provisions of the Town and Country Planning (Control</p>

of Advertisements) (England) Regulations 2007.

4. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

7. The intensity of illumination shall be controlled at the level as illustrated and described on the submitted plans/ application form and is to be retained such that it will not cause glare beyond the site boundaries.

Reason: In the interest of public safety and visual amenity, in accordance with policies CS11 and CS12 of the Dacorum Core Strategy (2013) and Saved Policies 56 and 112 of the Dacorum Local Plan (2004).

8. The development hereby approved shall not be carried out other than in accordance with the following approved plans/documents:

Application Form
0912-0517-23 Rev D
0912-0517-01 Rev C

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

Informative

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
--	---------

Appendix A

Consultation responses

HCC 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:

The proposals are not considered to result in any adverse impact on the public highway, subject to the conditions and informative notes below

CONDITION

1. The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Professionals in PLG05 The Brightness of Illuminated Advertisements (2015).

Reason: The above condition is required in the interest of public safety and visual amenity.

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 Existing sign to be installed on new 8.5m pole

It is to replace the existing 6.480m pole with one which is 8.480m high, to support the existing double sided illuminated moulded yellow acrylic "golden arch" over an illuminated red panel with white text "MCDONALD'S".

The site is on land within the curtilage of the applicant at the Bourne End Service Area on the A441 which is a primary distributor, accessed from Stoney Lane, which is an unnumbered "C"

classified road.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

Bovingdon Parish Council

Objection

Too obtrusive - total height of pole plus sign is 34.5 feet. Existing signage is sufficient and junction signs could be utilised to show additional information i.e. McDonald's, which is more in keeping with its rural setting.

Bourne End Village Association

Objection

1. Increased height will be distracting at a vital point in the road.
2. The slips road on and off the A41 are the sole access to the 45 new homes.
3. Sign out increase obtrusiveness in the Green Belt.
4. The existing sign is already visible and achieves the advertising required.

5f 4/01563/18/FHA CONVERSION OF GARAGE INTO HABITABLE LIVING SPACE.

54 HARDY ROAD, HEMEL HEMPSTEAD, HP2 5EG



LOCATION PLAN 1:1250



EXISTING FRONT ELEVATION 1:50



PROPOSED ELEVATION 1:50

4/01563/18/FHA	CONVERSION OF GARAGE INTO HABITABLE LIVING SPACE.
Site Address	54 HARDY ROAD, HEMEL HEMPSTEAD, HP2 5EG
Applicant	Nargis Sultan, 54 Hardy Road
Case Officer	Rachel Marber
Referral to Committee	Applicant is a member of DBC staff

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed garage conversion through size, position and design would not adversely impact upon the visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7 and Policies 57 and 58 of the Dacorum Local Plan (2004), Policies CS4, CS8, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2018).

3. Site Description

3.1 The application site is located to the south side of Hardy Road in Hemel Hempstead, Adeyfield North Area Character Appraisal (HCA23) and comprises a modern semi-detached dwellinghouse granted permission in 2015 (4/03357/14/FUL).

3.2 Hardy Road comprises predominately 1950/60s semi-detached and terrace properties of relatively uniformed design and period. The application site and immediately adjacent more recent properties appear somewhat discordant within the street scene.

4. Proposal

4.1 The application seeks permission to convert the garage into a habitable room.

5. Relevant Planning History

Address: 97 ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5EB

Land Parcel 94890

Ref:

Related Site History

4/02494/17/DRC DETAILS OF CONTAMINATION AS REQUIRED BY CONDITIONS 6 AND 7 OF PLANNING PERMISSION 4/02224/16/ROC (VARIATION OF CONDITION18 (SURFACE AND FOUL WATER DRAINAGE SYSTEM) OF PLANNING PERMISSION 4/03357/14/FUL (CONSTRUCTION OF TWO 3-BED DWELLINGS WITH ACCESS FROM HARDY ROAD)
Granted
21/11/2017

4/02224/16/RO C VARIATION OF CONDITION18 (SURFACE AND FOUL WATER DRAINAGE SYSTEM) OF PLANNING PERMISSION 4/03357/14/FUL (CONSTRUCTION OF TWO 3-BED DWELLINGS WITH ACCESS FROM HARDY ROAD)

Granted
02/11/2016

4/01242/16/DRC DETAILS OF SITE INVESTIGATION & GEO ENVIRONMENTAL REPORT, LANDSCAPING, ELECTRICAL LAYOUT AND FOUL DRAINAGE AS REQUIRED BY CONDITIONS 6 (PARTS (A) AND (B) , 9 ,17 AND 18 (FOUL DRAINAGE ONLY) OF PLANNING PERMISSION 4/03357/14/FUL (CONSTRUCTION OF TWO 3-BED DWELLINGS WITH ACCESS FROM HARDY ROAD)
Granted
01/07/2016

4/04084/15/DRC DETAILS REQUIRED BY CONDITION 2 (MATERIALS) AND 3 (SURFACE MATERIALS) ATTACHED TO PLANNING PERMISSION 4/03357/14/FUL - CONSTRUCTION OF TWO 3-BED DWELLINGS WITH ACCESS FROM HARDY ROAD
Granted
17/02/2016

4/03357/14/FUL CONSTRUCTION OF TWO 3-BED DWELLINGS WITH ACCESS FROM HARDY ROAD
Granted
12/02/2015

Permitted Development Rights for garage conversions were removed within conditions 12 and 14 of this permission.

6. Policies

6.1 National Policy Guidance (2018)

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

6.2 Adopted Core Strategy – (2013)

CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

57 - Provision and Management of Parking
58 - Private Parking Provision
Appendix 3 - Layout and Design of Residential Areas
Appendix 5 – Parking Provision
Appendix 7 - Small-scale House Extensions

6.4 Supplementary Planning Guidance / Documents

- Area Based Policies (May 2004) - Residential Character Area HCA23: Adeyfield North

7. Constraints

Residential area of Hemel Hempstead

8. Representations

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix A

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Street Scene
- Impact on Residential Amenity
- Impact on Highway Safety
- Community Infrastructure Levy

Policy and Principle

9.2 The application site is located within a residential area, wherein accordance to Policy CS4 of the Core Strategy (2013) the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed extension upon the character and appearance on the existing dwellinghouse, immediate street scene and residential amenity of neighbouring properties.

Impact on Street Scene

9.3 Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2018) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.4 The proposed garage conversion would result in a minor alteration of replacing the single garage door with a window, which is similar in appearance to the existing dwelling. This would have nominal impact to the appearance of the parent dwelling and therefore visual amenity of the street scene.

Impact on Residential Amenity

9.5 The NPPF (2018) outlines the importance of planning in securing high standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.6 Due to the nature of the proposed alterations no loss of outlook, privacy or daylight and sunlight to neighbouring residents would result.

9.7 It is not considered that the use of the garage as a habitable room would result in significantly further noise and disturbance to neighbouring residents. The property would remain in use as a residential dwelling for the same quantum of people. Further, it is considered that use of this room as habitable accommodation would result in less disturbance to neighbours than use as a garage.

9.8 Thus, the proposed work would not detrimentally impact the residential amenity of neighbouring properties.

Impact on Highway Safety

9.9 Policy CS12 of the Core Strategy (2018) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2018) 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 adequate provision of spaces for ultra-low emission vehicles. Policies CS8 of the Core Strategy (2013) and saved policies 57, 58 and appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.10 The application does not seek to increase the dwelling size but would result in the loss of one off street parking space as a result of the garage conversion. DBC maximum standards require 2.25 parking spaces for a 3 bed property. The one off street parking space within the hard standing driveway serving the parent property would fall short of this maximum policy standard. Nonetheless, on-street parking is available and the site is located within a relatively sustainable area, with bus stops on Adeyfield Road servicing routes 748 and 758, located a 10 minute walk away. As such, the proposed garage conversion is not considered to significantly impact upon the safety and operation of adjacent highway.

Community Infrastructure Levy

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

10. Conclusions

10.1 The proposed garage conversion through size, position and design would not adversely impact upon the visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7 Policies 57 and 58 of the Dacorum Local Plan (2004), Policies CS4, CS8, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2018).

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

No	Condition
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	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Planning Application for 54 Hardy Road received 06/07/18</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development; in accordance with Policy CS12 of the Core Strategy (2013).</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

Appendix A

Neighbour notification/site notice responses

Address	Comments
20 Laurel Close	<p>Objection</p> <p>My concern is the parking facility with regards to the public highway, as their driveway already has 2 cars parking there, plus visitors use the corner space of Laurel Close when they arrive, which restricts the space we need to turn in the main road and also blocks any pedestrians as they have to walk in the main road which is dangerous as it is on a slight bend.</p> <p>Also another concern is the noise and disturbance that may result if any further people move into this property and inhabit the newly developed living space as it will get too noisy for us as neighbours</p>
<u>52 Hardy Road</u>	<p>Objection</p> <p>I have had to speak to my neighbours repeatedly about the noise levels they make in their house which I can hear as late as 11.30 pm during the working week including slamming doors, children running up and down stairs, loud talking on the phone in the garden early in the morning at weekends. I politely knocked and asked them to be more quiet and each time this was met with denial of any noise they were making</p>

until finally I reported this to Environmental Health (case number 552865) and was told to keep a noise diary. I wrote a letter to my neighbours at number 54 to let them know how their noise was making me feel. On another occasion, shortly after writing to them, when I knocked about the noise, I was met with a hostile reception and told to 'write it on your noise list'. I fear that with extra living accommodation the noise levels will increase with more doors slamming and further stairs to reach bedrooms. I have had no apology and complete disregard for me as a neighbour.

This week the neighbour knocked my door and asked for someone visiting my house to move their car as he couldn't get onto his driveway. At some times there are three cars parked there - two on the drive and one in front of these when they have guests. I have one parking space on my drive and so anyone visiting me relies on using the pavement or has to block my car in because of their complaints about where my guests park their car. With extra living space and no application to build a driveway on their land as it's not wide enough this will mean the garage which is the only other feasible parking space will not be an option. More noise last night - banging around until midnight!!! They have turned out to be ignorant people with no regard whatsoever for their fellow neighbours, any building work they undertook would be carried out in the same inconsiderate way and I very strongly object.

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