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DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 13 JUNE 2019 AT 7.00 PM
DBC COUNCIL CHAMBER - THE FORUM

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

Membership

Councillor Guest (Chairman)	Councillor Oguchi
Councillor Maddern	Councillor McDowell
Councillor Riddick	Councillor Uttley
Councillor C Wyatt-Lowe (Vice-Chairman)	Councillor Woolner
Councillor Beauchamp	Councillor Symington
Councillor Durrant	

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

AGENDA

- 1. MINUTES** (Pages 5 - 33)
To confirm the minutes of the previous meeting.
- 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) 4/01866/18/FUL - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF FIVE 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS - 57 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ (Pages 34 - 92)
- (b) 4/02286/18/MFA - CONSTRUCTION OF 268 FLATS AND 1404.5 SQUARE METRES OF OFFICE SPACE SPLIT ACROSS SIX BLOCKS, WITH ASSOCIATED CAR PARKING, LANDSCAPING AND AMENITY SPACE. - PLOTS 2 & 3 KIER PARK, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 4FQ (Pages 93 - 237)
- (c) 4/03260/18/FUL - EXTENSION AND ALTERATION TO EXISTING BUILDING INCLUDING THE INSERTION OF TWO ROOF DORMERS AND FENESTRATION. CHANGE OF USE TO A 1-BED DWELLING. (AMENDED SCHEME). - FORMER TELEPHONE REPEATER STATION, DUDSWELL LANE, DUDSWELL (Pages 238 - 260)
- (d) 4/02781/18/MFA - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 21 ONE-BED FLATS - MILBOR ENGINEERING HEMEL HEMPSTEAD LTD, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE (Pages 261 - 360)
- (e) 4/03028/18/FUL - TEMPORARY CHANGE OF USE TO NURSERY AND CONSTRUCTION OF SINGLE-STOREY SIDE/REAR EXTENSION - 6 ALSTON ROAD, HEMEL HEMPSTEAD, HP1 1QU (Pages 361 - 405)
- (f) 4/00630/19/FUL - CHANGE OF USE OF VACANT BARN TO DWELLING. - THE BARN, NETTLEDEN ROAD, FRITHSDEN, HEMEL HEMPSTEAD, HP4 2RF (Pages 406 - 430)
- (g) 4/00658/19/MFA - DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 15 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1 SHOP) UNIT AND PARISH STORE ROOM, ALTERATIONS TO VEHICLE AND PEDESTRIAN ACCESSES - GARDEN SCENE CHIPPERFIELD, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EG (Pages 431 - 468)
- (h) 4/03077/18/FHA - PROPOSED CAR PORT - KILBRACKEN, HUDNALL COMMON, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QW (Pages 469 - 477)
- (i) 4/00891/19/FHA - CONSTRUCTION OF NEW CAR PORT - WOODLAND VIEW, ROSSWAY, BERKHAMSTED, HP4 3UD (Pages 478 - 486)

6. APPEALS (Pages 487 - 493)

7. ARTICLE 4 AREAS FOR PROTECTING DACORUM'S EMPLOYMENT AREAS (Pages 494 - 556)

DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

28 MAY 2019

Present:

MEMBERS:

Councillors Guest (Chairman), Wyatt-Lowe (Vice-Chairman), Maddern, Riddick, Beauchamp, Durrant, Oguchi, McDowell, Uttley, Woolner and Symington

OFFICERS:

R Freeman (Lead Planning Officer), C Gaunt (Legal Governance Team Leader), A Parrish (Lead Planning Officer), S Whelan (Group Manager - Development Management and Planning) and C Webber (Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00 pm

198 MINUTES

The minutes of the meeting held on 4 April were confirmed by the Members present and were then signed by the Chairman.

199 APOLOGIES FOR ABSENCE

There were no apologies for absence or substitutions.

200 DECLARATIONS OF INTEREST

Councillor Guest asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application.

201 PUBLIC PARTICIPATION

Councillor Guest reminded the members and the public about the rules regarding public participation.

202 4/03026/18/MFA - DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE - LAND AT JUNCTION OF DURRANTS LANE &, SHOOTERSWAY, BERKHAMSTED

Sara Whelan introduced the report to members and said that the reason the application had been referred back to the committee was due to the discovery that the masterplan for the site was not in fact adopted, as suggested in the officer's report.

She continued that this is a material change to the policy context that members need to be aware of prior to making a decision.

The Case Officer, Robert Freeman, presented the report.

Thomas Ritchie spoke in objection of the application.

Town Councillor Anthony Armytage spoke in objection of the application.

David Bainbridge spoke in support of the application.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Riddick to **DELEGATE** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation **SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT**.

Vote:

For: 6 Against: 3 Abstained: 2

Resolved: That planning permission be **DELEGATED WITH A VIEW TO APPROVAL SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT** with heads of terms and subject to the conditions:

Heads of Terms

- the provision of 40% affordable housing
- a payment of £75,000 towards the provision of a changing room on land on the opposite side of Durrants Lane (L2) or adjacent to the site.

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><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Borough Core Strategy (September 2013).</p>
3	<p>No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <ul style="list-style-type: none">• hard surfacing materials;• means of enclosure;• soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated

	<p>with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;</p> <ul style="list-style-type: none"> • trees to be retained and measures for their protection during construction works; • A landscape management plan setting out how the landscaping of the site will be managed in perpetuity; • A woodland management plan setting out how public access will be provided to the woodland and how the woodland will be managed in perpetuity; • proposed finished levels or contours; • minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); • proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc). <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>The landscape management plan and woodland management plan will be implemented fully in accordance with the approved details.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
4	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 as amended by the Drainage Addendum dated 18th March 2019. The surface water drainage scheme should include;</p> <ol style="list-style-type: none"> 1. Implementing the appropriate drainage strategy based on attenuation and discharge to deep borehole soakaway 2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event for both the northern and southern sites. 3. Undertake the drainage to include tanked permeable paving, swales/filter strips and basins as indicated in drawings 9662-D-02. <p><u>Reason:</u> To ensure that the drainage of surface water does not provide an unacceptable flood risk to the proposed dwellings or adjacent development in accordance with Policy CS31</p>
5	<p>No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 as amended by the Drainage Addendum dated 18th March 2019. The scheme shall also include:</p> <ol style="list-style-type: none"> 1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of

	<p>manholes.</p> <p>2. All calculations/modelling and drain down times for all storage features.</p> <p>3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.</p> <p>4. Incorporate the use of catch pits, interceptors and additional swale features etc. for highway drainage.</p> <p>5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event</p> <p><u>Reason:</u> To prevent the increased risk of flooding, both on and off site in accordance with Policy CS31 of the Core Strategy.</p>
6	<p>Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;</p> <p>1. Provision of complete set of as built drawings for site drainage.</p> <p>2. Maintenance and operational activities.</p> <p>3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</p> <p><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy CS31 of the Core Strategy</p>
7	<p>No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.</p> <p>Thereafter, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:</p> <p>a) Construction vehicle numbers, type, routing</p> <p>b) Traffic management requirements</p> <p>c) Construction and storage compounds (including areas designated for car parking)</p> <p>d) Siting and details of wheel washing facilities</p> <p>e) Cleaning of site entrances, site tracks and the adjacent public highway</p> <p>f) Timing of construction activities to avoid school pick up/drop off times</p> <p>g) Provision of sufficient on-site parking prior to commencement of construction activities</p> <p>h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.</p> <p>i) Construction or Demolition Hours of Operation</p> <p>j) Dust and Noise control measure</p> <p>k) Asbestos survey and control measure where applicable.</p> <p><u>Reason:</u> In order to protect highway safety and the amenity of other users of the public highway and rights of way as well as in the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policies CS8 and CS12 of the Core Strategy.</p>
8	<p>The dwellings, hereby approved, shall not be occupied until a scheme for the control and fighting of fire (the fire scheme) has been submitted to and</p>

	<p>approved in writing by the local planning authority. This scheme shall incorporate the provision of fire hydrants where necessary.</p> <p>The development shall not be occupied until the fire scheme has been implemented fully in accordance with the approved details.</p> <p><u>Reason:</u> To ensure the provision of appropriate infrastructure in accordance with Policy CS35 of the Core Strategy</p> <p><u>INFORMATIVE</u> - 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.</p>
9	<p>No development shall take place until a Phase II contamination report has been submitted to and approved in writing by the local planning authority. 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 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><u>Reason:</u> To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy.</p> <p><u>Unexpected Contaminated Land Informative</u> In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p>
10	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 9 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the</p>

	<p>approved use.</p> <p><u>Reason:</u> To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p><u>Informative:</u> 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.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
11	<p>No development shall take place until a detailed air quality assessment report assessing the impacts of the proposed development has been submitted to and approved in writing by the Local Planning Authority</p> <p>The air quality assessment shall have regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance and should indicate areas where there are, or likely to be, breaches of an air quality objective. If there are predicted exceedances in exposure to levels above the Air Quality Objectives then a proposal for possible mitigation measures should be included.</p> <p>Any mitigation measures shall be agreed in writing by the local planning authority prior to commencement and shall thereafter be implemented fully in accordance with the agreed mitigation strategy.</p> <p><u>Reason:</u> To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013).</p>
12	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>P18-1593_01L (Site Layout) P18-1593_03.01C (Elevations and Floor Plans for NB52) P18-1593_03.02C (Elevations and Floor Plans for NA44) P18-1593_03.03A (Elevations and Floor Plans for NA44) P18-1593_03.04C (Elevations and Floor Plans for NB41) P18-1593_03.05A (Elevations and Floor Plans for NB41) P18-1593_03.06A (Elevations and Floor Plans for NT41) P18-1593_03.07A (Elevations and Floor Plans for NT41) P18-1593_03.08B (Elevations and Floor Plans for PA44) P18-1593_03.09 (Elevations and Floor Plans for PA44) P18-1593_03.10A (Elevations and Floor Plans for PT36) P18-1593_03.11B (Elevations and Floor Plans for PA34) P18-1593-03.12I (Elevations and Floor Plans for PA30) P18-1593_03.13A (Elevations and Floor Plans for PA25)</p>

<p> P18-1593_03.21A (Elevations and Plans for AA31) P18-1593_03.22A (Elevations and Floor Plans for AA23) P18-1593_03.23A (Elevations and Floor Plans for NB52) P18-1593_03.24 (Elevations and Floor Plans for NT41) P18-1593_03.31B (Elevations for Block A) P18-1593_03.32B (Floor Plans for Block A) P18-1593_03.33D (Apartment Block B) P18-1593_03.34C (Apartment Block B) P18-1593_03.35D (Apartment Block B) P18-1593_03.41I (Single Garage) P18-1593_03.42I (Double Garage) P18-1593_03.43I (Extended Double Garage) P18-1593_03.50I (Bin and Cycle Store) P18-1593_03.51I (Garden Shed) P18-1593_08D (Parking Assessment) P18-1593_11D (Street Scenes) P18-1593_12C (Refuse Strategy) P18-1593_13A (Site Location Plan) P18-1593_15D (Building Heights) P18-1593_16 (Design and Access Statement) </p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>

203 4/02204/18/MFA - DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING. - OLD SILK MILL, BROOK STREET, TRING, HP235EF

Councillor McDowell clarified his position in respect of item 5b and declared his membership of Tring Town Council. He confirmed that he would be approaching the application with an open mind and, therefore, there was no reason he should not partake.

The Case Officer, Andrew Parrish, introduced the report to members and said that the application had been referred to committee due to the contrary views of Tring Town Council.

Katie Kennedy and Nicola Maguire spoke in objection of the application.

Helen Lowe, the planning agent, spoke in support of the application.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern to **DELEGATE** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation.

There was an equality of votes so the Chairman exercised her casting vote and voted for the officer recommendation, so the application was delegated with a view to approval.

Vote:

For: 6 Against: 5 Abstained: 0

Resolved: That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** subject to the following conditions:

- agreement of pre-commencement conditions with applicant, and
- completion of a s106 agreement with the following Heads of Terms - 55 years minimum age restriction, meeting medical or health criteria that justify the extra care accommodation categorisation, provision of fire hydrants, financial contribution towards improvements to the two nearest bus stops to provide easy access kerbing of £16,000.

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><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The premises hereby permitted shall be operated at all times as an Extra Care scheme under Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and shall retain all communal areas, and wardens apartment, as shown on the approved floorplans.</p> <p><u>Reason:</u> For the avoidance of doubt as to the use permitted and because in the absence of affordable housing and other contributions to social and physical infrastructure through CIL contributions, the Council would not have granted a general needs housing scheme on this site.</p>
3	<p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until samples of the materials proposed to be used on the external surfaces of the development (including mortar colour, render colour and brick bond - not stretcher bond) hereby permitted shall have been provided on site as a sample panel at least 1 metre by 1 metre and summary details submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
4	<p>The development shall be carried out in accordance with the approved plans and elevations and notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until 1:20 details of the design and appearance of the following shall have been submitted to and approved in writing by the local planning authority:</p>

	<ul style="list-style-type: none"> • all new windows, external doors and openings (including materials, finishes, cills, window headers, surround details). The details shall include vertical and horizontal cross-sections through the openings to show the position of joinery within the openings; • eaves joinery and rainwater goods, including a typical cross profile of the eaves; • chimneys; • balconies / railings / juliet balconies; • vehicle access gates to the undercroft car park; • bin store; • cycle store; • retaining walls; • vehicular archway, including finished appearance of the internal walls and ceiling; • photovoltaic panels. <p>The development shall be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
5	<p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until details of the extent and form (including materials) of the general repairs to the existing brick and flint wall shown annotated on Drg. No. 18-02-P-07 Rev K including details of how the wall is to be protected from damage during construction / piling works, shall have been submitted to and approved in writing by the local planning authority. The approved details shall be carried out prior to the first occupation of the development.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
6	<p>The chimneys shown on the approved plans shall be constructed as a necessary and integral part of the development.</p> <p><u>Reason:</u> For the avoidance of doubt and to ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
7	<p>Prior to the commencement of the development (including demolition works), the trees shown for retention on the approved Tree Protection Plan 170925-P-32 contained within the Arboricultural Report, November 2018, prepared by TMA shall be protected and works supervised by a qualified arboriculturalist in accordance with details contained therein during the whole period of site demolition, excavation and construction. The tree protection measures shall be</p>

	<p>retained in place, shall not be moved and no materials, plant, soil or spoil shall be stored within the area so protected.</p> <p><u>Reason:</u> In order to ensure that damage does not occur to the trees during demolition works and building operations in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, demolition and buildings works would potentially result in harm to the health and survival of trees to the detriment of the visual amenities of the development and area.</p>
8	<p>Notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until full details of the following shall have been submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> • hard surfacing materials, to include permeable block paving or similar to the access road; • 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; • typical section through the proposed tree planter to the Western boundary; • Irrigation lines; • trees to be retained and measures for their protection during construction works; • measures to 'remediate' the growing conditions of retained trees as recommended in the approved Arboricultural Report; • proposed finished levels or contours; • biodiversity features such as bat boxes; • external lighting; • minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs 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; • details of a management plan for the ongoing maintenance of the landscaped areas. <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted and the management plan implemented in accordance with the details approved therein.</p> <p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and</p>

	<p>maturity to be approved by the local planning authority.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.</p>
9	<p>The development hereby permitted shall be carried out in accordance with the approved sustainability statement and, notwithstanding any details submitted as part of the application, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until further details in respect of the following matters shall have been submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> • evidence that building materials and timber will be from verified sustainable sources; • how water consumption will be minimised during construction; • plans and details of the proposed rainwater harvesting system; • plans and details of the proposals to minimise CO2 emissions from the use of the building and maximise the energy efficiency performance of the building fabric; <p>The approved measures shall be provided before any part of the development is first occupied and they shall thereafter be permanently retained.</p> <p><u>Reason:</u> To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Core Strategy September 2013 and adopted Supplementary Planning Guidance.</p>
10	<p>The development shall be carried out in accordance with the relative levels and heights shown in relation to adjoining buildings and land on Drg. Nos. 18-02-P-21 E, 18-02-P-22 C and 18-02-P-24 D and 18-02-P-29 C.</p> <p><u>Reason:</u> For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013.</p>
11	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle, cycle and mobility scooter parking, circulation and access shown on Drawing No. 18-02-P-07 Rev K shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. All residents' parking shall be unassigned. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the carriageway.</p> <p><u>Reason:</u> To ensure the adequate and satisfactory provision of off-street parking facilities, satisfactory access into the site and to avoid the carriage of extraneous material or surface water into the highway in the interests of highway safety in accordance with saved Policies 51, 54 and 58 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.</p>
12	<p>20% of the undercroft parking bays hereby permitted shall include provision for Electric Vehicle charging (active external socket) with 20% passive external</p>

	<p>socket.</p> <p><u>Reason:</u> To ensure a sustainable form of development in accordance with Policy CS29 and NPPF Para 110 and to ensure that options for residents to choose EV are readily available.</p>
13	<p>The development shall not be occupied until a Servicing and Delivery Plan shall have been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading / unloading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.</p> <p><u>Reason:</u> In the interest of maintaining highway efficiency and safety in accordance with Policy 51 of the Dacorum Borough Local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.</p>
14	<p>No development shall take place until a Construction Management Plan shall have been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.</p> <p>The statement shall provide for:</p> <ul style="list-style-type: none"> • construction vehicle numbers, type, routing; • traffic management requirements; • the parking of vehicles of site operatives, contractors and visitors to avoid on-street parking; • loading and unloading of plant and materials; • storage of plant and materials used in constructing the development; • construction access arrangements; • construction and demolition hours of operation; • timing of construction activities to avoid school pick up/drop off times; • siting and details of wheel washing facilities; • cleaning of site entrances, site tracks and the adjacent public highway; • measures to control dust and dirt during construction; • asbestos control measures where applicable; • post construction restoration/reinstatement of the working areas and temporary access to the public highway. <p>The details shall include a plan showing the proposed location of these areas. The approved statement shall be adhered to throughout the demolition and construction period.</p> <p><u>Reason:</u> To minimise danger, obstruction and inconvenience to users of the highway and harm to residential amenities in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011 and Policies CS8 and 12 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place at the start of construction.</p>

15	<p>The gradient of the ramps to access footpath no 41 shall not exceed 1:12.</p> <p>Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
16	<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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.</p>
17	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 13 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation</p>

	<p>work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p><u>Reason:</u> To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.</p>
18	<p>Prior to demolition works commencing a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.</p> <p><u>Reason:</u> 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 and 12 of the Dacorum Borough Core Strategy September 2013.</p>
19	<p>No demolition or groundworks shall take place until details of measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.</p> <p><u>Reason:</u> To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013), saved Policy 129 of the Dacorum Borough Local Plan 1991-2011 and Policies 1, 2 and 12 of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to recycle and reduce demolition waste will have been lost to the detriment of sustainability principles.</p>
20	<p>A. With the applicant failing to reference the site energy source in any of the submitted supporting 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.</p> <p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until evidence to demonstrate compliance with these emission limits shall have been submitted to and approved in writing by the Local Planning Authority.</p> <p>B. Prior to installation, details of the boilers shall be forwarded to the Local</p>

	<p>Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).</p> <p>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 and approved in writing by the local authority prior to installation.</p> <p>Reason: To ensure the amenities of the neighbouring premises are protected from increased air pollution arising from the development; in accordance with Policies CS8, 12 and 32 of the Dacorum Core Strategy September 2013.</p>
21	<p>The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by BWB Consulting and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> 1. All finished floor levels of the development to be raised 300mm from existing build levels. 2. The inclusion of proposed flood resilient construction of site levels re-profiled where practicable to encourage pluvial/fluvial runoff and overland flows away from the built development towards the nearest drainage point. 3. The development entrance incorporates flood resilience design in the event of pluvial or fluvial flows from Brook Street 4. Building management and residents to sign up to EA Flood Warning Service and any site evacuation plan 5. Design and construction as per planning drawings and schedule by Hinton Cook Architects of 19/10/18 6. A main river is culverted underneath part of the development site and consideration during development demolition and construction should be made to maintain its function and integrity. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure that during a flood event there is not an unacceptable risk to the health and safety of the occupants and an increased burden is not placed on the emergency services in accordance with paragraph 163 of the NPPF and Policy CS31 of the Dacorum Core Strategy September 2013.</p>
22	<p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) shall have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>

	<p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Piling could result in the fracture of underground services leading to pollution of soil or water contrary to Policy CS32 of the Dacorum Core Strategy September 2013.</p>
23	<p>The development shall be carried out in accordance with the approved Specification Notes Regarding Approved Document Q / Secured by Design Requirements, and notwithstanding any details submitted, the windows and doors shall be PAS 24: 2016, not PAS 24 2012. The measures included shall thereafter be retained and adequately maintained at all times.</p> <p><u>Reason:</u> To ensure a secure and safe form of development for the residents in accordance with Policies CS11 and 12 of the Dacorum Core Strategy September 2013. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%. SBD housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.</p>
24	<p>The development hereby permitted shall be carried out in accordance with the conclusions and recommendations, including the completion of further bat surveys, contained within the submitted and approved Bat Survey Report reference EBD00713 by Ecology by Design dated November 2018. A report of the results of the further bat surveys, and any mitigation, shall be submitted to and approved in writing by the local planning authority in consultation with Herts Ecology before the development is occupied.</p> <p><u>Reason:</u> To ensure that the ecological aspects of the site are properly considered in accordance with Policy CS26 and 29 of the Dacorum Core Strategy September 2013.</p>
25	<p>The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 and the following mitigation measures;</p> <ol style="list-style-type: none"> 1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. 2. Implement drainage strategy based on attenuation and discharge into watercourse restricted to 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event. 3. Undertake drainage strategy to include an attenuation tank and porous surfacing as indicated on the proposed drainage strategy drawing. <p><u>Reason:</u> To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Dacorum Core Strategy September 2013.</p>
26	<p>No development shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval in writing in consultation with the Lead Local Flood Authority. The surface water drainage system will be based on the submitted Flood Risk Assessment, BWB reference</p>

	<p>BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018. The scheme shall also include;</p> <ol style="list-style-type: none"> 1. Detailed engineered drawings of the proposed SUDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. 2. Detail in relation to culverted watercourse including condition assessment. 3. Silt traps for protection for any residual tanked elements. <p><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place at the start of construction.</p>
27	<p>Upon completion of the drainage works for each site in accordance with the timing / phasing arrangements, a management and maintenance plan for the SUDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall include;</p> <ol style="list-style-type: none"> 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. <p><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Core Strategy September 2013.</p>
28	<p>The second floor window in the North West elevation north wing of the development hereby permitted serving the corridor shall be non-opening below a height of 1.7 metres from internal floor level and shall be permanently fitted with obscured glass.</p> <p><u>Reason:</u> In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
29	<p>The upper half landing window in the southern wing of the North West elevation of the development hereby permitted shall be non-opening and shall be permanently fitted with obscured glass.</p> <p><u>Reason:</u> In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
30	<p>The development shall not be occupied until details of a privacy screen to be affixed on or adjacent to the balconies hereby permitted in respect of second floor apartment Nos. 25 and 41, shall have been submitted to and approved in writing by the local planning authority. The approved screens shall be installed as an integral component of the development prior to first occupation of the apartments concerned and shall thereafter be permanently retained in position.</p>

	<p><u>Reason:</u> In the interests of the residential amenities of the adjacent dwellings at 130, 132 and 134 Kingsley Walk in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
31	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 14 Class A</p> <p><u>Reason:</u> To enable the local planning authority to retain control over the development in the interests of safeguarding the street scene and the character and setting of the adjoining listed building in accordance with saved Policy 119 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
32	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>18-02-P04 A 18-02-P05 B 18-02-P-07 K 18-02-P-10 B 18-02-P-11 C 18-02-P-12 B 18-02-P-13 A 18-02-P-15 18-02-P-21 E 18-02-P-22 C 18-02-P-24 D 18-02-P-26 18-02-P-27 18-02-P-28 18-02-P-29 C 18-02-P-30 24205_08_020_02</p> <p><u>Reason:</u> 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 pre-application stage and 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>

INFORMATIVES:

Environmental Health

Un-expected Contamination - In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

Thames Water

Foul Water Drainage - 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>.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Water supply - Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water does NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, 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>

Lead Local Flood Authority

Long Marston Brook runs in a culvert below properties on Brook Street. The applicant is advised that should any future planning application for the wider Old Silk Mill site come forward, the LLFA will seek the culverted watercourse to be opened up where possible.

Environmental Health

Piling Works

If piling is considered the most appropriate method of foundation construction, prior to commencement of development, a method statement detailing the type of piling and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with and to comply with Dacorum Borough Councils Policies

Noise on Construction/Demolition Sites

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites. And the best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.

Construction hours of working – plant & machinery

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays

Dust

As advised within the application documentation, dust from operations on the site should be minimised by spraying with water or by carrying out other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, Produced in partnership by the Greater London Authority and London Councils.

Bonfires

Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.

Highways

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development->

	<p>management.aspx</p> <p>AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx</p> <p>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/business-and-developer-information/development-management/highways-development-management.aspx</p> <p>AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx</p>
33	<p>The development shall not be occupied until a Fire Evacuation Plan together with details to demonstrate that the development will be fully Equality Act 2010 compliant has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the details approved and the Fire Evacuation Plan adhered to thereafter.</p> <p><u>Reason:</u> To ensure a safe and accessible form of development for all future occupants and easy access for emergency services in accordance with Policy CS8 of the Dacorum Core Strategy September 2013 and paragraphs 108 and 127 of the National Planning Policy Framework.</p>

204 4/01863/18/FUL - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY EXTENSION AS A SEPARATE DWELLING. - 1 AUSTINS MEAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0JX

Robert Freeman introduced the report to members on behalf of the Case Officer and said that the application had been referred to committee due to the contrary view of the Parish Council who object on the grounds of overdevelopment and lack of amenity area.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Riddick to **GRANT** the application in line with the officer’s recommendation.

Vote:

For: 9 Against: 0 Abstained: 2

Resolved: That planning permission be **GRANTED** 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><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The 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 No.1 Austins Mead, Bovington (as indicated in section 7 of the application form submitted with this application).</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Borough Core Strategy (September 2013).</p>
3	<p>No development, other than groundworks and demolition, shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <p>a) Hard surfacing materials b) All on site vehicular parking areas c) Details of surface water interception and disposal d) Means of enclosure e) Boundary treatment f) Soft landscape works g) Refuse storage.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development, to safeguard the visual character of the immediate area and in order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises, in accordance with</p>

	Core Strategy (2013) Policy CS12.
4	<p>Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p><u>Reason:</u> In the interest of highway safety, in accordance with Core Strategy (2013) Policy CS8.</p>
5	<p>Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the vehicle crossover, which will be restricted to a double width, i.e. as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.</p> <p><u>Reason:</u> In the interest of highway safety, in accordance with Core Strategy (2013) Policy CS8.</p>
6	<p>The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development, shall be paved and shall be used for no other purpose.</p> <p><u>Reason:</u> To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining highway, in accordance with Core Strategy (2013).</p>
7	<p>The development hereby permitted shall not be occupied until the double width crossover has been constructed in accordance with approved drawing 2018-3 Rev.B (04 April 2019).</p> <p><u>Reason:</u> In the interests of highways safety in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).</p>
8	<p>The window at first floor level on the south elevation of the dwelling hereby permitted (labelled L/H Side Elevation on plan no. 2018-4 REV A) shall be permanently fitted with obscured glass and non-opening below a level of 1.7m above internal floor level.</p> <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings, in accordance Core Strategy (2013) Policy CS12.</p>
9	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:</p> <p>Schedule 2 Part 1 Classes A, B, C and E</p> <p><u>Reason:</u> To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the privacy of 27 Austins Mead and to retain the rear amenity space as a garden for the new dwelling, in accordance with Core Strategy (2013) Policy CS12 and Saved Appendix 3 of the Local Plan (2004).</p>
10	The development hereby permitted shall be carried out in accordance with the

following approved plans/documents:

2018-3 REV. B (received 4 April 2019)

2018-4 REV. A

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

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

The meeting was adjourned at 20:50

The meeting reconvened at 21:00

205 4/02980/18/FHA - NEW REAR DORMER AND ALTERATIONS TO TERRACE - 7 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF

The Case Officer, Robert Freeman, introduced the report to members and said that the application has been referred to committee in view of the recommendation of Berkhamsted Town Council.

It was proposed by Councillor Maddern and seconded by Councillor Riddick to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 10 Against: 0 Abstained: 1

Resolved: That planning permission be **GRANTED** 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><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The 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><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy</p>
3	<p>The dormer window hereby approved shall be permanently fitted with obscured glass (Pilkington Privacy Level 3 or equivalent) to a height of 1.7m above finished floor level unless otherwise agreed in writing by the local planning authority.</p> <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011.</p>
4	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>201 Revision B 202 Revision C 203 Revision A</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>

	<p><u>Article 35</u></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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>
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206 4/00177/19/FUL - CONSTRUCTION OF 1 X ONE-BEDROOM DWELLING TO THE SIDE OF 8 PARKFIELD. (AMENDED SCHEME). - ADJACENT TO 8 PARKFIELD, MARKYATE, ST ALBANS, AL3 8RD

Robert Freeman introduced the report to members on behalf of the Case Officer and said that the application has been referred to committee due to the contrary views of Markyate Parish Council.

It was proposed by Councillor Woolner and seconded by Councillor Maddern to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 7 Against: 3 Abstained: 1

Resolved: That planning permission be **GRANTED** 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><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>100 Rev A 101 Rev A Design and Access Statement</p> <p><u>Reason:</u> 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 dwelling hereby permitted shall match in size, colour and texture those used on the existing building, as detailed in the submitted application form.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development; in accordance with Policy CS12 of the Core Strategy (2013).</p>
4	<p>The window at first floor level in the rear elevation of the dwelling hereby permitted shall be permanently fitted with obscured glass.</p>

	<p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings and application site; in accordance with Policy CS12 of the Core Strategy (2013).</p>
5	<p>Prior to occupation of the dwelling hereby permitted details of new tree planting works shown on plan ref: 100 Rev A shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include details of species, plant sizes and proposed numbers/densities where appropriate.</p> <p>Planting works should be carried out prior to occupation of the dwelling permitted.</p> <p>Any trees, hedges or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><u>Reason:</u> 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 (2013).</p> <p><u>Article 35 Statement</u></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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

207 4/00182/19/FHA - SINGLE STOREY REAR EXTENSION - 1 CHANTRY VIEW, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EH

Robert Freeman introduced the report to members on behalf of the Case Officer and said that the application had been referred to committee due to the contrary view of Chipperfield Parish Council.

It was proposed by Councillor Woolner and seconded by Councillor Uttley to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 9 Against: 1 Abstained: 1

Resolved: That planning permission be **GRANTED** 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><u>Reason:</u> 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</p>

	Purchase Act 2004.
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the application form.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area, in accordance with Core Strategy (2013) Policies CS12 and CS27 and Saved Policy 120 of the Local Plan (2004).</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Location Plan 101 102 103 104 105 106</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35 Statement</u></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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p><u>INFORMATIVE</u></p> <p>The contaminated land record shows that the land is partly located on a former contaminated land use i.e. Ex-Ackwell Simmonds Yard and Smithy as well as been on a radon affected area where 3 - 5% of homes are above the action level. There is a possibility that this activity may have affected the application site with potentially contaminated material. Therefore, the developer is advised to keep a watching brief during ground works for any potentially contaminated material especially where the proposed development area has not been previously remediated. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.</p>

208 APPEALS

That the following appeals were noted:

- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING INQUIRIES**

E. DISMISSED

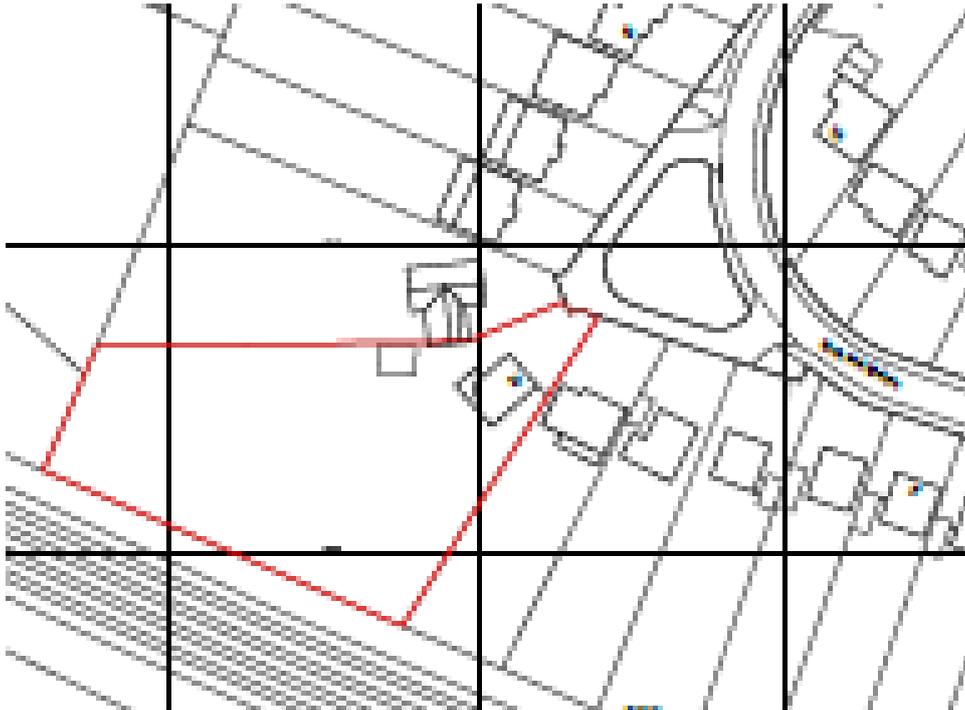
F. ALLOWED

The Meeting ended at 9.17 pm

Agenda Item 5a

**Item 5a 4/01866/18/FUL DEMOLITION OF EXISTING BUILDINGS AND
CONSTRUCTION OF FIVE 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED
LANDSCAPING AND ACCESS.**

57 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ



Item 5a 4/01866/18/FUL DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF FIVE 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS.

57 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ



4/01866/18/FUL	DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF FIVE 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS
Site Address	57 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ
Applicant	Mr & Mrs Fullagar, 57 South Park gardens
Case Officer	Jason Seed
Referral to Committee	Objection from Berkhamsted Town Council on the grounds of overdevelopment, impact on the character of the surrounding area, inadequate access, impact on surrounding amenity and impacts of noise on occupiers of the new dwellings.

1. Recommendation

1.1 That planning permission be **GRANTED** subject to the conditions which are recommended at the end of this report.

2. Summary

2.1 The application proposes 5 dwellings with associated amenity space and parking within land comprising of an existing residential garden. The development meets with all of the Council's relevant standards in respect of amenity provision, parking and impact upon neighbours and is considered to be policy compliant as discussed within this report.

3. Site Description

3.1 The application site comprises an irregular shaped land parcel which currently serves as rear amenity space for No. 57 South Park Gardens. The site is situated to the immediate north of a railway line and residential properties are located to the immediate north and east. The land to the west / north-west appears to be in recreational use.

4. Proposal

4.1 The application seeks full planning permission for 5 detached two storey properties with associated amenity space and parking.

5. Relevant Planning History

5.1 None

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

NP1, CS4, CS8, CS9, CS11, CS12, CS17, CS18, CS27, CS29, CS31, CS32, CS35.

6.3 Saved Policies of the Dacorum Borough Local Plan (DBLP)

10, 12, 13, 15, 18, 21, 51, 55, 62, 100, 116, 118.

7. Constraints

- 45.7M AIR DIR LIMIT
- HALTON DOTTED BLACK
- CIL1
- AREA OF ARCHAEOLOGICAL IMPORTANCE
- EA Source Protection Zones 2 and 3
- Former Land Use
- RAILWAY (100M BUFFER)

7.1 It should be noted that the site is also situated to the immediate east of an area designated Open Land.

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and Principle of the Development;
- Design and Density;
- Impact on the Street Scene and Character of the Area;
- Internal Environment;
- Impact upon Neighbouring Properties;
- Access and Impact on Highway Safety / Parking Provision;
- Impacts on Archaeology;

- Amenity Provision;
- Impact on Open land Designation;
- Refuse Storage, Collection and Servicing;
- Land Contamination;
- Trees and Landscaping;
- Source Protection Zones and Drainage;
- Sustainability, and;
- Developer Contributions.

Policy and Principle

9.2 Policy CS1 of the Core Strategy states that the market towns and large villages will accommodate new development for housing provided that it is of a scale commensurate with the size of the settlement and the range of local services and facilities, helps maintain the vitality and viability of the settlement and the surrounding countryside and causes no damage to the existing character of the settlement or its adjoining countryside.

9.3 Furthermore, Policy CS4 states that in the Borough's towns, residential areas appropriate residential development is encouraged.

9.4 It is therefore considered that the principle of the development is acceptable, subject to the satisfactory addressing of other material planning considerations.

Design and Density

9.5 The proposed development is to be accessed via a new 4.8m wide access road which is located within a similar area to the existing access. An existing chalet bungalow and associated outbuilding are to be demolished with the demolished dwelling to be replaced by a new and repositioned unit. Four further dwellings located within a 'horse shoe' configuration will be constructed with off-street parking provided for each unit at the front or side of the relevant dwelling, in addition to 5 garages, one for each unit.

9.6 Each unit is to be provided with private amenity space to the rear and additional trees are proposed within the front of the site to soften the impacts of the proposals and to enhance their overall aesthetic. A refuse collection point is located inside of and adjacent to the site access and boundary treatments are provided, including a 3m high acoustic fence which is to be located along the southernmost boundary to mitigate the noise which emanates from the adjacent train line.

9.7 The house which is proposed to occupy Plot 1 is a two storey, four bedroom detached property which is orientated as such that the side elevation fronts the street scene. The property would have gabled ends and a pitched roof with fenestration which is largely well-proportioned and balanced.

9.8 Plots 2 - 5 will be occupied by dwellings of a more ambitious design, with two-storey front gables, covered porch areas, and well-balanced and proportioned fenestration. The

properties would all provide 4 bedrooms and would sit within the site as two 'pairs' which would be separated by two external garages, gates and associated landscaping.

9.9 The site area is 0.26 hectares, with 5 dwellings proposed. This provides a density figure of 19.23 dwellings per hectare (dph).

Impact on Street Scene and Character of the Area

9.10 Policy CS12 of the Core Strategy states that on each site, development should integrate with the streetscape character. Furthermore, Policy CS11 states that within settlements and neighbourhoods, development should respect the typical density intended in an area and enhance spaces between buildings and general character.

9.11 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. Densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. Housing proposals will not be permitted if the density of the scheme would adversely affect the amenity and / or existing character of the surrounding area.

9.12 With regards to the street scape character, it is noted that the building which is to be demolished is to be replaced by a gable-ended dwelling, with this end facing the street scene which will minimise the views available of this property and will ensure that its perceived scale is not incongruous with the street scene.

9.13 Partial views of Plots 2 and 3 will be visible from the street scene. However, these are considered to be glimpse, and the ridge heights of these properties will be lower than the property to the immediate north which reduces the perceived scale of these buildings. The proposed 'gap' which would be lost is considered to be minimal and only experienced / evident when viewed directly from the front of the site. As such, the impact of the proposed development upon the street scene is not considered to be significantly adverse. It is considered that a condition requiring the submission of further details in respect of materials is necessary in this instance to ensure a high-quality finish to the development which integrates within the surrounding area.

9.14 The site is situated within the Castle Hill Character Area (BCA13) as defined by the Council's Area Based Policies document. The Character Appraisal for the area states that the density within the area is 'very low' (less than 15 dwellings per hectare). Parking is accommodated within individual private curtilages and infilling may be acceptable, according to the Development Principles.

9.15 The Development Principles state that there are no special design requirements, detached dwellings are encouraged, should not exceed two storeys, medium to large scale houses are appropriate and encouraged, new development should follow the existing layout structure. The building line must be maintained. Spacing should be

provided within the medium range (2m to 5m) and the density should be compatible with the character within the existing density range (less than 15 dwellings/ha).

9.16 The proposal will result in a density of 19.23 dph on the application site, which is greater than the preferred density of up to 15dph as suggested in the character appraisal. However, the site density is still below the 30dph advocated under Saved Policy 21 of the Dacorum Local Plan. Furthermore, taken as a whole the dwelling density on South Park Gardens with the proposed development would still be below 15dph.

9.17 Furthermore, both local and national planning policies emphasise the need to optimise the use of urban land. It is therefore considered that the proposed density and overall design is acceptable in meeting these objectives whilst not fundamentally and / or adversely impacting upon the character of the area.

Internal Environment

9.18 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.

9.19 The application is accompanied by a Railway Noise and Vibration Report. Section 6 of the report concludes as follows:

- External noise levels in the proposed gardens may be up to 67db, exceeding the upper guidance levels of 55db by 12 db;
- To meet minimum reductions for noise levels inside dwellings, sound insulation to provide minimum reductions of 32db and 44db to the most exposed living rooms and bedrooms respectively is necessary;
- Vibration Dose Values are significantly below (better than) the 'low probability of adverse comments' threshold.

9.20 Section 6.1 of the report recommends the installation of an acoustic fence. Although a 5m high fence is recommended, the proposed 3m high fence is considered to provide some localized protection against railway noise.

9.21 The report also considers that the noise which the existing neighbouring gardens experience is comparable to of the new gardens. It is therefore considered that it would be unreasonable to refuse planning permission on the basis of the impact of noise upon the amenity areas, particularly once the proposed acoustic fence mitigation is taken into account. Furthermore, the Council have approved other developments within similar proximity to railway lines (with similar proposed mitigation) so it would be further unreasonable to refuse this application for stated reasons in respect of noise impacts.

9.22 With regards to the internal environment, mitigation measures are proposed within the report. It is considered that a condition will be required to further secure and assess

the particulars of this mitigation. The full wording of the condition will be reported to the Development Management Committee in advance of determination.

9.23 Finally, the report concludes that no special vibration mitigation is required. It is therefore considered that, subject to an appropriate condition, no conflict with Paragraph 170 of the NPPF will arise.

Impact upon Neighbouring Properties

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

9.25 Saved Appendix 3 of the DBLP states that there should be sufficient space around residential buildings to avoid a cramped layout and maintain residential character, to ensure privacy and to enable movement around the building for maintenance and other purposes. The minimum distances of 23 m between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy.

9.26 The properties which have the potential to be affected by the development are located to the east and north-west of the application site, properties No. 55 and 59 South Park Gardens respectively.

9.27 With regards to No. 55, the dwelling which is proposed to be located closest to the site's westernmost elevation would be located closer to the boundary than the existing property. Whilst it is noted that the westernmost elevation contains windows at ground / roof level (contained within a dormer), none of these windows are considered to be primary light sources. Furthermore, the topography of the site, the impact upon the property of the existing dwelling and the orientation of the site already result in a similar relationship between these properties to that which would exist post-development. A 45 degree plan has been taken which demonstrates that the rear (southernmost) windows of No. 55 would not be adversely impacted upon in terms of loss of daylight / sunlight, overshadowing and visual intrusion.

9.28 In respect of the relationship between No. 59 and the proposed development, it is considered that sufficient separation is provided to ensure that no adverse impacts are experienced by No. 59. The rear (western) elevation of this property is situated 35.5m from the front elevation of Plot 5, 3.49m from Plot 4 and 30.4m from Plot 3. The relationship between the southernmost (side) elevation and Plot 1 is similar to the existing situation, although a greater separation distance is now provided due to the locating of Plot 1 closer to the easternmost boundary of the site.

9.29 Given the separation distances between the proposal site / new dwellings and surrounding properties, no adverse impacts will result in terms of loss of privacy, subject to a condition removing certain permitted development rights from selected sites

(discussed later) and a further condition requiring the provision / retention of obscured and un-openable glazing at first floor levels.

9.30 Whilst it is acknowledged that the net increase of 4 dwellings at the site would have the potential to introduce a degree of disturbance at the site, it is not considered that this would be of such severity as to warrant a refusal of planning permission. The development is for residential development and as such, disturbance would be limited to the type of activities which would be typical of a residential area. Vehicular parking is located so that any noise associated with its usage would be largely attenuated by the presence of the dwelling within Plot 1 and the new trees which are proposed to be planted along the site's northern boundary.

9.31 It is therefore considered that the proposals comply with the requirements of Policy CS12 in respect of impact upon neighbouring properties.

Access and Impact on Highway Safety / Parking Provision

9.32 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.

9.33 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.

9.34 Finally, Policy CS12 states that on each site, development should provide a safe and satisfactory means of access for all users and provide sufficient parking and sufficient space for servicing.

9.35 The development is to be accessed via a 4.8m wide two-way access which is to be located within a similar position to the existing access. The Highway Authority has been consulted on this arrangement and no objection has been raised, subject to the imposition of a condition which secures the submission of further information in respect of the material to be used to construct the parking areas and to manage surface water. Informatives are also provided and these are recommended to be attached to the decision notice should planning permission be granted.

9.36 With regards to parking, the site is located within Zone 4 as identified within the Council's Accessibility Zones SPG. Saved Appendix 5 of the DBLP states that for properties of 4 or more bedrooms, a maximum of 3 spaces should be provided for each property. The proposal comprises five x 4 bedroom properties, resulting in a maximum parking standard of 15 spaces.

9.37 The proposal provides a total of 16 external parking spaces (which includes 2 visitor parking spaces) in addition to five vehicular garages. Whilst it is noted that this quantum exceeds the Council's maximum standards, the level of provision has been provided to address local concerns. As such, it is considered that, on balance, no objection is raised in this regard.

9.38 It is therefore considered that, on balance, the proposed level of parking is acceptable.

Impacts on Archaeology

9.39 As previously noted, the site is designated as an Area of Archaeological Importance.

9.40 Policy CS27 of the Core Strategy 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.

9.41 The Historic Environment Advisor has been consulted on the application and has stated that in this instance it is considered that the development is unlikely to have a significant impact on heritage assets of archaeological interest. This is mainly due to its distance from known archaeological remains.

9.42 As such, it is considered that the proposals do not conflict with Policy CS27 of the Core Strategy.

Amenity Provision

9.43 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. Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 m. Ideally a range of garden sizes should be provided to cater for different family compositions, ages and interests. Generally all gardens should be of a width, shape and size to ensure the space is functional and compatible with the surrounding area.

9.44 Saved Appendix 3 does not specify where the depth of the garden should be drawn from. The proposal plans illustrate that the minimum depth is achievable when taken from favourable locations within the site. However, if taken from the centre of the ground floor elevation to the site boundary, Plots 3, 4 and 5 would fail to provide sufficient depth to meet the 11.5m requirement. However, due to the non-prescriptiveness in terms of where measurements should be taken from, it is considered reasonable to assess the amenity provision on its overall usability.

9.45 Each amenity area would provide a spacious rear environment of sufficient depth and width to provide a satisfactory and usable family-friendly environment. The mix of

garden sizes would meet with the objectives of Saved Appendix 3 in that they would be both functional and varied.

9.46 Whilst it is noted that the proposed garden depths are not of comparable dimensions to those within the surrounding area, it is not considered that they would not be 'incompatible' as their presence does not adversely impact upon neighbouring gardens in any way.

9.47 It is therefore considered that sufficient amenity space is provided.

Impact on Open Land Designation

9.48 Policy CS4 of the Core strategy states that in open land areas the primary planning purpose is to maintain the generally open character. Development proposals will be assessed against relevant open land policies. Policy 116 of the DBLP seeks to protect Open Land within towns and villages.

9.49 Whilst noting that the site is located immediately adjacent to land designated as Open Land, there is no policy requirement / protection in respect of the development of neighbouring sites. As such, no conflict arises with the relevant Open Land policies as detailed above.

Refuse Storage, Collection and Servicing

9.50 Saved Appendix 3 of the DBLP states that the needs of statutory undertakers, emergency services and essential delivery and disposal vehicles should be taken into account, and the emergency services and local authority should be consulted regarding acceptable distances from vehicle to reception point.

9.51 With regards to providing access to service vehicles, the Highway Authority has not raised any objection to the proposals and as such, it is considered that no issues are envisaged in this respect.

9.52 Each property is to be supplied with its own refuse storage area, with a communal collection point to be provided to the immediate south of the site's access. These arrangements are considered to be acceptable.

Land Contamination

9.53 The site is covered by the Former Land Use designation. Policy CS32 of the Core Strategy states that any development proposals which would cause harm from a significant increase in pollution will not be permitted.

9.54 The Council's Scientific Officer has been consulted on the application and has raised no objection, subject to conditions and informatives as detailed within the consultation response contained within this report.

9.55 The conditions in respect of contamination assessments are considered necessary. However, those recommended in respect of the requirement of a Construction Management Plan and Demolition Method Statement are not considered to meet the test of necessity and are therefore not recommended to be attached to any planning permission which may be granted.

Trees and Landscaping

9.56 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.

9.57 The application site does not contain any trees which are covered by Tree Preservation Orders and the landscaping within it does not warrant any special protection. However, there are a number of mature trees within the site which make an overall positive contribution towards it. Paragraph 6.14 of the submitted Planning, Design and Access Statement states that the proposed development will retain the significant trees on the site which are primarily located on the rear boundary with the railway line. Additional tree planting is proposed throughout the development to enhance the development.

9.58 As limited details are provided within the submission in this respect, it is considered necessary to secure the submission and approval of details pertaining to tree protection, retention and proposed landscaping by planning condition. Subject to such a condition, the proposals would comply with the relevant section of Policy CS12 of the Core Strategy.9.68

Source Protection Zones and Drainage

9.59 Policy CS31 of the Core Strategy states that development will be required to minimise water runoff, secure opportunities to reduce the cause and impact of flooding and avoid damage to Groundwater Source Protection Zones.

9.60 With regards to drainage, whilst limited information has been provided in this respect, it is considered that, given the scale and nature of the proposed development, this matter can be assessed adequately through the assessment of information required to be submitted by the relevant parking and landscaping conditions. A relevant informative provided by Thames Water is advised to be added to the decision notice should planning permission be granted.

9.61 With regards to the Groundwater Source Protection Zone, Affinity Water have stated that the zone corresponds to Berkhamsted Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

9.62 They have therefore advised that 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. An informative to this affect is therefore recommended.

Sustainability

9.63 Policy CS29 of the Core Strategy states that new development will comply with the highest standards of sustainable design and construction possible and a number of principles (as identified within the policy) should normally be satisfied.

9.64 The application is not accompanied by a CS29 Checklist. However, the submitted Planning, Design and Access Statement states that in order to meet the sustainability objectives of the Core Strategy the proposal will meet the requirements of Approved Document L1A of the current Building Regulations (2013). In addition the scheme will incorporate Mechanical Heat Recovery Ventilation units (MHRV) and an air source heat pumps will also be installed to each dwelling.

9.65 Whilst it is acknowledged that this information is limited, the NPPG is clear that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. As such, it is therefore considered that given the nature and scale of the proposals, the sustainability of the development can be adequately assessed through the Building Control process.

9.66 The Building Control Department have already provided initial comments in respect of accessibility and these are contained within the representation contained within Appendix 1 of this report.

Developer Contributions

9.67 Policy CS19 of the Core Strategy states that outside of Hemel Hempstead, affordable homes will be provided on sites of a minimum size of 0.16ha or 5 dwellings (and larger). A financial contribution will be sought in lieu of affordable housing on sites which fall below these thresholds.

9.68 However, the NPPG is clear that the provision of affordable housing should only be sought for residential developments that are major developments. For housing development, major development is defined as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. The site / proposal do not meet with these criteria.

9.69 With regards to Community Infrastructure Liability, the site is situated within CIL Charging Zone 1. As such, a charge of £250 per square metre will be applicable to the development, subject to any exemptions which may be applicable.

Other Matters

Removal of Permitted Development Rights

9.70 The NPPG states that 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. On this basis, it is not considered that the implementation of permitted development rights would result in impacts so severe as to warrant their blanket removal. However, it is considered that the introduction of a dormer on the easternmost roof slope would have the potential to result in an unacceptable degree of overlooking of No. 55's rear amenity area (the two windows within the proposed first floor of the relevant elevation are to be conditioned to be obscured and non-opening below 1.7m from floor level). As such, a condition removing Class B permitted development rights is recommended to be applied to Plot 1.

Response to Neighbour Consultation Comments Received

9.71 It noted that a substantial volume of objections have been received in response to the neighbour notification / site notice consultations. However, it is important to note that following the original consultation on 06/08/2018, two further consultations were undertaken (23/10/2018 and 21/12/2018) following the receipt of amended plans.

9.72 The majority of the matters raised have already been discussed within this report. However, in relation to those comments which have not been addressed elsewhere in this report, these are identified / discussed below.

- Damage to the 'green triangles' outside of the site during construction / from use for future parking;
- Precedence for other similar developments within the area;
- Disruption during construction;
- Impacts upon local infrastructure.

9.73 The 'green triangle' referred to above does not form part of the application site and is situated to the north-east of the proposed access road. The Highway Authority has been consulted on this application and has raised no objection on these grounds. Furthermore, any damage to this area would be an offence under the Highway Act 1980.

9.74 In respect of parking concerns, as already discussed within previous section of this report, the proposal provides in excess of the Council's maximum parking standards. It is not therefore considered likely that unauthorised parking on the green triangle would result.

9.75 Whilst concerns over precedence are acknowledged, there is no provision in planning law / policy for precedence to be a material planning consideration. Each planning application is determined on its own merits and with reference to the particulars of the proposal / surrounding area. This matter cannot therefore form a consideration of the subject proposal.

9.76 It is accepted that a moderate degree of disturbance could be caused during construction. However, a degree of disturbance is almost-always inevitable within any construction project and as such, very limited weight is attached to this consideration. However, the Council's Environmental Health Team only permit construction during certain periods to minimise the disturbance which is experienced by neighbouring occupiers. An informative is therefore recommended to be attached to the decision notice (should planning permission be granted) which draws the applicant's attention to the permitted hours.

9.77 Whilst noting the concerns regarding infrastructure, the site is subject to the CIL Zone 1 charging which will result in the receipt of a substantial payment towards infrastructure improvements.

10. Conclusions

10.1 Planning permission is sought for the construction of 5 dwellings with associated amenity space and parking within land comprising of an existing residential garden. The proposals would respect / reflect the density and character of the local area, and each unit would be provided with adequate parking and amenity space.

10.2 Subject to the imposition of the recommended conditions, the proposals would not result in an unacceptable impact upon neighbouring properties. Further assessment / information in respect of land contamination, building materials, landscaping and noise mitigation is required; such matters are recommended to be secured by condition.

10.3 The proposed units would make a valuable contribution to housing stock within the area through the optimisation of an existing site. The application is therefore recommended for approval.

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

Conditions

No	Condition
1	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: Reason: For the avoidance of doubt and in the interests of proper planning.

3	<p>No construction of the superstructures hereby approved shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.</p>
4	<p>Prior to first use, the new parking areas hereby approved shall be surfaced in porous paving or material or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.</p> <p>Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety in accordance with Policy CS8 of the Core Strategy.</p>
5	<p>No development (excluding demolition and groundworks) shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p>

	Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy.
6	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Core Strategy.</p>
7	<p>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:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measures for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); 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.</p>

	<p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy.</p>
8	<p>Details of the acoustic fence will be submitted to and approved by the local planning authority prior to first occupation of the any dwelling hereby approved. The approved fence will be fully erected prior to first occupation of any dwelling hereby approved and will be retained and maintained for the lifetime of the development.</p> <p>Reason: To ensure that the amenity of future occupiers is protected in accordance with Paragraph 170 of the National Planning Policy Framework.</p>
9	<p>The windows at first floor level in the easternmost elevation of Plot 1 hereby permitted and the flank elevations of Plots 2, 3, 4 and 5 shall be non-opening below 1.7m from floor level and shall be permanently fitted with obscured glass for the lifetime of the development.</p> <p>Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Core Strategy.</p>
10	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (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 on the property identified as Plot 1 without the prior written approval of the local planning authority:</p> <p>Schedule 2, Part 1, Class B</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity in accordance with Policy CS12 of the Core Strategy.</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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES</p>

Highway Authority

Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf.

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Storage of materials

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

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

Obstruction of the highway

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

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

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

Land Contamination

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

Thames Water

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

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>.

Affinity Water

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Berkhamsted 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 site 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".

Construction Times

The applicant is advised that the Council's Environmental Health Team only permit construction activities during the following times:

Monday to Saturday - 7:30am to 6:30pm
Sundays and Bank Holidays - no noisy activities allowed.

Appendix 1

Consultation responses

Berkhamsted Town Council

The Committee's objections previously submitted prevail. The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties.

Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.

The Committee emphasised that the Noise Report supports its view that the noise in the rear gardens would be excessive and very large acoustic fences would need to be erected as a result.

CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.

Building Control

Part B Access, Approach Road and Camber Gradients.

Confirmation that gradients are within HCC Highway Design Guide. Hertfordshire Fire and Rescues Service vehicles can operate adequately within these design parameters.

Confirmation that make up of access road can with stand 19 tons

Min turning circle/Hammer head between kerbs is 16.8m

Part M

Confirmation of level access is provided to properties.

Strategic Planning

We do not wish to comment on this application. Please refer to policies/guidance in the DBLP/Core Strategy/Site Allocations as appropriate.

Highway Authority

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

Condition 1:

Before being brought in to use the new parking areas hereby approved shall be surfaced in porous paving or tarmacadam or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.

Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety. Advisory Note.

Informative: I recommend inclusion of the following advisory note to ensure that any works within the highway are to be carried out in accordance with the provisions of the highway Act 1980.

New or amended crossover – construction standards

AN1) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Storage of materials

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and->

pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

Obstruction of the highway

AN3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

AN4) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Planning Application:

The development proposal is for demolition of existing buildings and construction of six , four bedroom detached dwellings with associated access and landscaping. Site and surrounding:

The application site is a roughly triangular shaped piece of land, with a site area of some 0.26ha located on the west side of South Park Gardens Berkhamsted. The site comprises the two storey property at 57 South Park Gardens and its curtilage. The site is in a residential area and falls within the Castle Hill character area. The site backs on to a railway line embankment and there are detached dwellings to the north and south of the site.

Local Road Network

The site access is off South Park Gardens which a local access road is serving a number of large detached properties. The road adjacent to the application site is in a triangular shape around an oval shape amenity area.

Accessibility

The site is not in a highly sustainable location for alternative mode of transport. The nearest bus route is off Bridgewater Road. However the proposed development is within the residential neighbourhood. Berkhamstead railway station is within walking distance and Berkhamstead Town centre provides all the necessary daily facilities

Capacity and Safety

The proposed development is from one single dwelling to six dwellings and the parking is from 3 spaces to proposed 18 spaces. This is a significant intensification of existing use of the site. However, South Park gardens is not a busy road serving access to few properties. The highway network in the vicinity of the site does not have a significant accident record. The additional trips are unlikely have any material impact on the capacity of the local road network. Vehicular Access and parking

The proposal is to serve the site 4.1m access road off South Park Gardens. This road will remain un-adopted and the applicant should make necessary arrangement for its long term maintenance of the road. The access road is 4.1m wide which is the minimum width required for two cars to pass one another. No details are provided on the proposed new access and the applicant should contact the highway authority to carry out any work on public highway. The proposal is to provide 18 parking spaces. The applicant should make provision in drainage facilities within the site to ensure surface water is not discharged on to public highway.

Conclusion

The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes

Historic Environment Advisor

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal. This is mainly due to its distance from known archaeological remains.

Growth & Infrastructure Unit

Growth & Infrastructure 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 1 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.

Scientific Officer

Please be advised that we have no objection to the proposed development in relation to Air Quality and Land Contamination.

However, with the development located on a radon affected area where 1-3% of homes are above the action level and also within 74m of two former contaminated land use

respectively i.e. gasworks and saw mill/timber yard, the following planning conditions and informative are recommend should planning permission be granted whilst I also recommend that comment form my colleague Stuart Nixon be sought on the applicant submitted Railway Noise and Vibration Survey and Assessment with reference DLW/7167 prepared by AIRO dated 25th July, 2018 considering the closeness of the development site to West Coast Mainline Railway.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain

quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). Construction Management Plan Condition

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

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 survey and 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 Condition

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 developer.

Affinity Water

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 within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Berkhamsted 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 site 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".

Thames Water

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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

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.

Appendix 2

Neighbour Notification /Site Notice Responses

Objections

Address	Comments
36 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ	While having no objection in principal to an additional house on the site, 6 extra houses would result in a density not in character with this area. density cannot simply be measured by the spacing between the houses at the side. Also there will be no access to overflow parking for visitors/maintenance vans other than adjacent to other houses in SPG. The likely result will be parking on the greatly valued green space at the entrance to no.57. and loss of amenity to current residents. The access road to 57 is also single track and likely to lead to cars meeting head on and driving over the green space to pass in comfort, causing damage to the turf.
3 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1JA	This isnt strictly an objection but more of a query. I feel that South park Gardens was developed as a family road with community areas. The 2 triangles of grass are used by families and children to play and I am concerned that the additional traffic for 6 extra properties [potentially 12

	<p>extra cars] in a close off one of these community triangles will change the way the road functions as parents wont be able to let their children play out as safely. Admittedly One 'close' may not make a difference to the street, so the next question is - if this planning permission is approved, this will open the door to other similar applications and the street could become a warren of mini closes as every garden is south park has the space for at least 2 -3 properties if their current property is demolished. How can this be restricted if a precedent is set with this application being approved? Thank you for considering my concerns / queries re the impact of future planning when considering this one</p>
<p>21 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1JA</p>	<p>I object to this development on a number of grounds:</p> <ol style="list-style-type: none"> 1. This would ruin the character of the road of each house having an equal plot and the triangles at the end of road defining the "Gardens" 2. increased traffic and parking on the road - all new developments never have enough parking spaces so would move cars out in the road 3. Disruption from construction - the road is quite narrow and the large constructions vehicles would ruin the grass triangle and be unsafe for pedestrians 4. Safety - there are many children who live on South PArk Gardens and it is cut throuhg for people walking to town and the increased traffice during and after build would increase the safety risk 5. Character of the houses - they new builds would not be in the same distinct shape and character of the 1960's buildings that we have all had to stick in our own renovations 6. This would set a predence that anyone could knock down their house and have multiple dwellings replacing it
<p>45 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1HZ</p>	<p>The road to access number 57 and neighbouring houses is only single track and does not offer the possibility to pass other vehicles. The likelihood of vehicles driving onto the green space to avoid each other and damaging the grassed area is increased. Additionally, the likelihood of cars and large service vehicles parking on the green space and damaging the grassed area will also increase. Due to the above reasons, a significant feature of South Park Gardens that has endured since 1961 and one that</p>

	<p>all residents value and appreciate is in danger of being degraded.</p>
<p>26 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ</p>	<p>I object to the proposed development. It is not in keeping with the nature of South Park Gardens, and will lead to lack of community and family use of the triangular gardens due to the increased traffic and resulting impact on the current safe nature of the triangular garden.</p> <p>The road is not a through road and is designed and built around a limited volume of traffic and is very safe for children. This will be significantly impacted.</p> <p>This development will set a precedent for the road which could quickly lead to similar developments and in turn detrimentally change the nature of our road.</p> <p>There appears to be very limited car parking available for the proposed new houses, which would inevitably lead to overspill on the rest of the road to the detriment of road safety.</p> <p>There would be unacceptable overlooking of the existing neighbour's garden and rear of house.</p>
<p>27 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1JA</p>	<p>I object to the proposed development for the following reasons.</p> <ol style="list-style-type: none"> 1. The proposed development would alter the character of the road forever. Currently the plots are spread out evenly which makes the road a very pleasantly designed road. If granted this proposed development would be a cramped addition to one end of the road. 2. Six four bedroom detached houses could potentially add another twelve to eighteen cars to the road. This is a big concern as it would increase the traffic flow in the road. A road that was not designed for large amounts of traffic. 3. The increased traffic flow would increase the risk of accidents to pedestrians using the road to access the public footpath to the town. 4. The access to the proposed development is inadequate. My concern is that for this to be improved the grass island would have to be reduced in size dramatically. 5. I am also concerned that if granted this proposal will set precedent for others to do the same. We could in

	<p>years to come end up with a number of closes in the road each with pockets of houses. This would in my view destroy the original design of the road. Something which I am very much against happening.</p>
<p>17 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1JA</p>	<p>I wish to object to the size and scale of the proposed development at 57 South Park Gardens. I believe the plans are out of character of the existing layout of the road and neighbouring houses, they represent an over-development of the plot, with a high density/bulk massing of homes detrimental to the local area. The road around the green to the proposed development is not sufficient for the increased traffic to the additional properties consisting of a single file road which does not allow vehicles to pass each other, these smaller roads were designed to provide access to only the 6/7 existing houses. The extra traffic created by six extra dwellings and associated visitors would create noise, disturbance, pollution and highway safety concerns to what is a relatively quiet non through road with a high percentage of children and older residents as well as a popular pedestrian route into town. I am also concerned at the precedent this would set for other potential developments on the street as most properties are set within larger plots which would again irreversibly change the character of the road and community.</p>
<p>75 BRIDGEWATER ROAD, BERKHAMSTED, HP4 1JB</p>	<p>We think this application is totally inappropriate, for the following reasons.</p> <ol style="list-style-type: none"> 1) The proposed access to the development is completely inadequate for a group of six 4-bedroom houses. Entrance is through a narrow opening between the neighbouring properties, which is barely wide enough for one car. And even to get to this opening involves driving round a narrow loop road, and then making a right angle turn. In view of the likely number of vehicles going to and from these houses, we suggest that there would be significant safety issues for other drivers and pedestrians [eg children going to school may have to walk in the road in conflict with refuse collection vehicles that are struggling to manoeuvre the narrow road.] 2) This proposal, if approved, would set a dangerous precedent: it could lead to a flood of applications from owners in the surrounding area (e.g. South Park Gardens and Bridgewater Road) to demolish their properties and build six detached houses in their place. This would significantly change the character of the area. This, in

	<p>turn, will lead to more and more traffic congestion and also put a strain on services like sewerage.</p> <p>3) We are shocked to see how close the proposed houses are to the neighbouring properties on either side. At least one existing house will look out at a wall just a couple of meters away. And the neighbouring houses will suffer from increased traffic passing very near them. There will also be increased parking in the street, and possibly also on the grass triangle, because there does not seem to be adequate parking space provided (eg for visitors, deliveries and tradesmen.)</p> <p>4) No other houses in this area are so close to the railway line as in the proposed development. It is both environmentally and socially inappropriate to build family houses with this proximity to danger.</p>
<p>51 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ</p>	<p>Within the documents supplied it states any development should "respect the typical density intended in the area and enhance the spaces between buildings and general character". This over development does not fulfill this recommendation. The proposed density for this location is totally out of character with SPG</p> <p>The majority of houses on the south side are chalet style and these proposed steep pitched houses are out of keeping with those neighboring.</p> <p>I also have a major concern about the green which defines SPG. It will undoubtedly be damaged as the road around it is single track, 3m wide and does not allow for vehicles to pass, let alone construction trucks. I can find no provision for the green being restored/protected after or during the development.</p>
<p>55 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ</p>	<p>Objections from 55 South Park Gardens</p> <p>Noncompliance with BCA13 Area Based Policies (SPG p296). Access by 3m track round island of Green Open Space with no pavement, yellow line parking restriction & 1 parking space. Access impossible for construction vehicles (as bin lorry) unless by tight bend at No. 63. Safety concerns & barrier to Emergency Services. None of this considered. Green Open Space to be car park during & after construction. Loss to local children and an eyesore. Becomes a roundabout without signs or pavement. Density high so no normal road & pavement. Out of keeping with street scene. 6 houses</p>

	<p>Replacing 1 sets precedent. Plot1 not on existing footprint is 2m from No55 patio so dominating, noisy, overshadowing, privacy loss. Huge increase in traffic on 3m</p> <p>Wide track. Parking spill over to main street already plagued by cars parked by owners walking to town. Noise from 'flanking' at railway fence ignored by AIRO survey. Boundary fence to destroy 50 years old hedging.</p> <p>Full letter posted, site visit offered.</p>
<p>55 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>Access to the site is via the existing narrow 3.1 m wide road around an existing 'Green'. In addition to the yellow parking restriction lines, there is also a single parking space. The space is often occupied thereby allowing only cars to pass - heavy construction vehicles will find it impossible. Entry to the site will be restricted to the very tight bend and to exit the site would have to be by reversing. With hugely increased traffic during and post construction this is dangerous. There are no pavements around the Green or in the new development. The limited access would affect Emergency Services access.</p> <p>The 'Green' is likely to be destroyed/ used as a car park during construction. This is dangerous and a huge loss to the local children mine included. It is Council owned, maintained and protected. It would become a roundabout without signs or pavement. The narrow 3.1 m wide road around it is only capable of taking one vehicle at a time. Currently we all come and go safely using both ends. This would change drastically.</p> <p>The proposed housing density is extremely high and completely out of keeping with the street. This high density is why there is no space for a proper road/ pavement.</p> <p>Over time many houses in SPG have been extended/remodeled but never demolished and replaced with 5 new houses. If this application is approved it sets an undeniable precedent.</p> <p>Plot 1 house, rather than being in the existing footprint of No.57 it is 1m from my boundary fence and within 2 to</p>

	<p>3ms of my patio. Its closeness to my house would have a dominating and over shadowing impact - ruining the private environment that I have now.</p> <p>Increased traffic would become a huge issue. Each new home has the potential to have 2/3 cars. This increases daily street traffic. All of the houses in SPG will feel the effect.</p> <p>With increased traffic movement comes the need for increased parking. The proposed new street combined with 3.1m single track around the Green Open Space means there can no on road parking for visitors to the proposed development. Parking would spill over into main SPG which is already plagued by cars being parked by owners then walking to town. This development would simply worsen an existing situation.</p> <p>The 3 m high acoustic fencing will affect me. While possibly reducing some of the train noise to the proposed development, it will in fact increase the noise felt by me. The fence does not cause the noise to vanish, it moves it round the ends/top of the fence (to a process known as 'flanking')</p> <p>The existing hedgerows between my garden and the development will be affected and more than likely destroyed for a boundary fence. This hedging is 50 years old and is not easily or quickly re - established.</p> <p>As the site falls into the Castle Hill (BCA13) Character Area there needs to be compliance with all of the principles stated in Area Based Policies Supplementary Planning Guidance Notes. It is clearly stated (p296) that the opportunities for redevelopment and plot amalgamation would not normally be permitted.</p>
<p>6 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1JA</p>	<p>Head of planning Decorum Borough Council</p> <p>Dear Sir/Madam RE: 4/01866/18/FUL 57 South Park Gardens</p>

I am writing to object to the planning permission being sought for the development of 6 new 4 bed houses on the plot of 57 South Park Gardens.

Material considerations for objection:

1. Layout and Density of development

The development of 6 small houses is a gross overdevelopment of this corner plot. The planning team are reminded that South Park Gardens was designed specifically for low density housing comprising of chalet bungalow style and small houses sited in generous plots to allow residents green space and very little over-looking of neighbours.

2. Noise or other disturbance

During construction: the scale of construction will cause significant construction traffic, large amounts of noise and dust that will have a very detrimental effect on all residents in the street but especially those either side of the development for 12 months or more.

For new residents: despite the noise surveys, the practical design of 5 of the houses being so close to the railway line will mean the new properties have very high levels of train noise for the residents internally, with practical implications meaning opening windows etc will not be possible without a large amount of noise disruption to the new residents.

3. Adequacy of infrastructure

Sewage and water infrastructure will be put under further considerable strain in a street with a history of problems with sewage drainage blockages due to the topography of the road.

We also question the impact on the general infrastructure of the town - especially schools, doctors, dentists etc being put under strain with another 6 families when the development in the town is already under significant growth strain with other new housing developments.

4. Precedent creation

This is a key point to this objection. If the planning team grant permission to change the style of development in South Park Gardens and allows this application of multiple dwellings on one plot in a different building style

	<p>to the two current types of houses then this sets a precedent for all residents to develop these large plots for two or more houses. This dangerous precedent will destroy the atmosphere of this quiet calm street and ruin the original architects vision for the development of the road.</p> <p>5. Car Movements/Traffic Capacity of road network The narrow roads of South Park Gardens, specifically around the greens were designed to carry only traffic for the original housing quantity, leaving both greens safe for children's play and community gathering. The main South Park Garden road, opposite the development is already a difficult blind corner to negotiate if traffic is driving in both directions. 5-10 new car of new residents in the corner of the green would put too much pressure on the narrow single file roads and cause safety concerns to all residents young and old alike.</p> <p>In summary we feel that this application is wholly inappropriate for Berkhamsted and especially for this road where strict planning rules in the past have allowed the original feel and look of the street to be retained. This application must be rejected.</p> <p>Your sincerely</p> <p>Matthew and Elizabeth George 6 South Park Gardens Berkhamsted Herts HP4 1JA</p>
<p>28 SOUTH PARK GARDENS, BERKHAMSTED,,, HP4 1HZ</p>	<p>We object to the following proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. Road access to No. 57 is single track, so not suitable for passing other vehicles. 2. There is limited parking and turning space, so delivery vehicles/ rubbish collection vehicles etc will struggle to access the new single track road. This will lead to people parking on the green, rubbish bins being left on the green, and increased concerns for road safety 3. The new homes are not in the character of the other existing properties which all other developments have needed to adhere to. 4. Concerned that this development will set a precedent for the road and further development. Each of the

	<p>existing houses on the street could be demolished and replaced with 2 - 3 properties of a similar size to those proposed in this application; and further development of this kind would fundamentally alter the character of South Park Gardens.</p> <p>5. Concerned about safety for all the children who live on the road, and frequently use the green areas to play. Increased traffic will inevitably compromise this.</p>
<p>63 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>The proposed development does not maintain the character of the area as it is harmful to the amenity of the adjoining neighbours and other residents of SPG for the following reasons:</p> <p>There will be an increased danger to children who play on and around the green owing to the dramatic increase in traffic using the access road.</p> <p>The access road that runs around the green is 3m wide at the narrowest and is an average of 3.1m wide which does not allow vehicles to pass each other when approaching the site. There is no footpath around the green or into the development. The attractive green is likely to be damaged and spoilt irreparably by vehicles parking and trying to pass each other by mounting the kerbs.</p> <p>The existing density of housing is approximately 12 dph. The development proposes a density of 23 dph which is excessive for this location and will be totally out of character with SPG. Overflow parking will inevitably cause obstruction on the roadway bend at the western end of SPG with a resultant increase in traffic and pedestrian accidents.</p> <p>The majority of the houses on the south side are chalet style. Those proposed will be out of character to those neighbouring.</p> <p>The communal bin store adjacent to 59 SPG is likely to attract vermin and foul odours next to the road which will further detract from the character of SPG. The store is necessary owing to the extremely poor access to the development by service vehicles.</p> <p>Core Strategy S1 5.10 determines that the development 'causes no damage to the existing character of the settlement or its surrounding countryside'. This proposal does damage the existing character of SPG.</p> <p>Policy CS11 5.14 (a) states the development should 'respect the typical density intended in an area and enhance spaces between buildings and general</p>

	<p>character'. This development does not fulfil this recommendation. Whilst a maximum of 3 houses would be acceptable the current proposal is totally out of character.</p>
<p>16 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1JA</p>	<p>For the attention of Mr Jason Seed, case officer</p> <p>Dear Sir</p> <p>Reference: 4/01866/18/FUL</p> <p>Proposed Demolition of Existing Buildings and Construction of 6 dwellings with associated landscaping and access</p> <p>I write in connection with the above planning application. I have examined the plans and I know the site well, having lived on the road for 11 years. I wish to object strongly to the development of these houses in this location.</p> <p>South Park Gardens is a small, intimate road with an abundance of houses already. Development proposals should be considered carefully: infilling will ruin the character of the road, while estate development will overwhelm it. The protection of the small green in front of the houses there as well as the mature trees should be in the interest of the council as it will disrupt the safety of those walking down this path to the town on a daily basis.</p> <p>Pressure for the development is considerable and I understand that the council is in favour of developing any green space we have left in this town. But there is also a lack of infrastructure and South Park Gardens cannot accommodate even small increases in traffic, without affecting the safety of pedestrians, the increase of cars on the road and the character of the road.</p> <p>We hope that the council will take this larger concerns, which affect the entire population that use this road as pedestrian access to the centre of town into consideration.</p> <p>Yours faithfully,</p>

	T. Bohn
24 SOUTH PARK GARDENS,BERKHAMS TED,,HP4 1HZ	<p>We object to these plans to build six houses in place of one for the following reasons.</p> <p>The development is completely out of character with the rest of the road.</p> <p>Road access is single track and not suitable for passing. The road currently works due to the low density of housing around the green amenity space. The increase in traffic may result in accidents.</p> <p>Potential access for utility vehicles may be difficult.</p> <p>There will be a lack of parking by the proposed properties which may lead to parking on the main road where there is a blind bend.</p> <p>The green amenity space which is used as a safe play space for children will no longer be so safe</p> <p>South Park Gardens is used by a lot of pedestrians walking into town who will be adversely affected by additional traffic.</p> <p>For the direct neighbours of the proposed development there will be a significant negative impact.</p> <p>The proposed properties will be very close to the railway line.</p>
59 SOUTH PARK GARDENS,BERKHAMS TED,,HP4 1HZ	<p>This development fails on every level in Policy CS11/12</p> <ol style="list-style-type: none"> 1 Density. 6 units on this small site is overdeveloped and pure greed in squeezing in both Plots 1 and 6. Whilst the Council need more plots this is not the site to exceed density standards 2. Access. designed initially for access to simply 6 plots it is not wide enough to handle at least 12 more cars. 3. Parking. with 6 houses crowded on there is not enough on site parking. this will spill onto POS and road. 4. Lack of privacy. Plots 1 and 6 will seriously impede on Private space of 55 and 59. 5.Design. a majority of houses are Chalet style and NOT 2 storey houses.
71 SOUTH PARK GARDENS,BERKHAMS TED,,HP4 1HZ	<ol style="list-style-type: none"> 1.Strongly object to this "garden infill" which is not in character to South Park Gardens. 2.The access road to the proposed new development is far too narrow and does not allow passing. Too narrow for many commercial vehicles. 3.The new development creates another road to cross for pedestrians, including children, using the tunnel under the railway in this road walking to and from the town and schools. 4.Approval for this development will create a dangerous precedent for the future.

	<p>5.This proposed development will create extra noise and disturbance from owned and visiting vehicles.</p> <p>6.Loss of privacy to existing residents in South Park Gardens.</p>
<p>61 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1HZ</p>	<p>Our objections to the proposed development are as follows:-</p> <p>Access - The access road running around the green is approximately 3m wide, so vehicles approaching/leaving the site would be unable to pass each other. Large vehicle access is already difficult, refer to the problems that dustcarts currently experience, particularly on the tight bend. Any vehicles parked on the road would block access. The green is likely to be used as a temporary car park by construction vehicles and later a permanent one due to the restricted access to/on the site. This will ruin the green area which contains mature trees which are very likely to be damaged by vehicular access.</p> <p>Character of area - Policy CS11 5.14(a) states that the development should "cause no damage to the existing character of the settlement or its surrounding countryside" the proposed development design is out of keeping with the existing character of the area and does not blend with the surrounding properties.</p> <p>Density - The proposed density of the housing is 23dph, almost double the existing density of approximately 12dph.</p> <p>Safety - Residents, including young children and the elderly, walk down SPG to the footpath to the town. Children play on the green and will be at risk. Increased vehicular traffic and unauthorised parking will cause safety issues, particularly as the current speed of vehicles travelling round the corners in the road is often excessive and the increased traffic from the proposed development will increase the risk of accidents.</p> <p>Flooding - the proposed development is at the bottom of a hill, next to the railway embankment and is likely to flood and become waterlogged. The proposed development has a large amount of hardstanding thus restricting the amount of open ground available for absorption of excess surface water causing potentially serious environmental issues.</p>

18 SOUTH PARK
GARDENS, BERKHAMSTED,, HP4 1HZ

For the attention of Mr Jason Seed, case officer

Dear Sir

Reference: 4/01866/18/FUL

Proposed Demolition of Existing Buildings and
Construction of 6 dwellings with associated landscaping
and access

With regard to the proposed planning application, I wish
to object to the proposal on the following basis :

1. Density - the increase in dwellings on the plot to 6 is out of keeping with the density of the rest of the street.
2. Access - having consulted the plans, the access for construction vehicles during the build seems insufficient. In addition, if the development is permitted, it appears that the access for emergency vehicles or refuse lorries will also be inadequate.
3. Safety - as a family with a young child, this is a concern for during the construction process when large lorries will be moving around SPG and also after with the increase in traffic flow.
4. Precedent - this development would create a dangerous precedent given that the rest of SPG is generally smaller chalet style houses with green space around them. If the application is permitted then it could create a precedent allowing every homeowner to apply for permission to build 2 or more houses on each plot. This would destroy the character of the street by allowing residents to create a densely populated warrant of small cul de sacs.
5. Infrastructure - it is not clear whether the sewerage and water infrastructure is adequate for a development of this kind. The street has had various issues with blockages to the drains over the past few years. Indeed I note that work appears to be ongoing currently in this regard.

In our opinion, the application is wholly and utterly unsuitable for a quiet , less densely populated area.

Yours sincerely,

Gregor Smith

	18 South Park Gardens
11 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1JA	<p>We object to the proposed development for the following reasons:</p> <ul style="list-style-type: none"> - House density - the proposed development of 6 new houses on this plot is an over development and not in keeping with the current, equal plot density of all other houses in SPG. - House design - the style of houses do not follow the chalet style design of the neighbouring properties; a design which has been retained by all other SPG homeowners of this type of property when extending/renovating. - Access - there is insufficient access for construction vehicles and the likelihood for damage to the road and green caused by heavy goods vehicles manoeuvring, particularly during construction. Moreover the limited access for emergency service vehicles is a safety concern. - Increased traffic from the new households poses a safety risk for pedestrians and motorists (potentially up to 20 cars in the future based on an estimate of 4 cars per 4 person-family for each of the 5 new dwellings). - Increased noise disruption to neighbouring properties - not only would there be increased general domestic noise from the comings and goings of an additional 5 families, there would be increased vehicular noise from the potential ~20 cars and increased train noise from the loss of existing trees/shrubs. - Loss of privacy to neighbouring properties. <p>South Park Gardens is a community road with safe access to green space for all families; this development is inappropriate and will be detrimental to the unique character and atmosphere of the road.</p>
39 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1HZ	As resident of South Park Gardens we strongly object to this planning application on the following basis:

	<p>1. This development would not be in keeping with the road and would increase the traffic and potential thru traffic into what is a quiet residential road.</p> <p>2. We feel the increased industrial traffic/ machinery will be a danger to our children.</p> <p>3. The noise and building work would cause significant disruption.</p>
<p>69 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>Objecting on the grounds of:</p> <ol style="list-style-type: none"> 1. Increased parking requirement will add to blockage of pavements and damage to the triangular green when this is used as "overflow" parking. 2. Restricted access to new properties will cause traffic problems in the road. 3. Concerned this may be the thin end of the wedge for more to come. What is the odd bit of extra driveway pointing towards the garden of no. 59 for? 4. Development is out of character with the rest of the street, and will cause an apparently sound house to be needlessly demolished. <p>Also have observed the following:</p> <p>We did not become aware of this planning application until last Sunday, 26th August (a Bank Holiday weekend!). This has only given us 2 days to respond. The only notification we have had was a notice stuck to a telegraph pole, even though we live close enough to be directly affected by traffic/parking problems. A friend who does not live in this road but who walks down it regularly also has no recollection of seeing this notice before 26th August.</p> <p>The application does not appear to have taken into account a possible issue with flooding due to surface water run-off. (see relevant map at https://flood-warning-information.service.gov.uk/long-term-flood-risk/map).</p>

	<p>There does not appear to have been a radon risk assessment (I understand this is now obligatory even where the risk is considered low).</p>
<p>65 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>The proposed development density is out of character with the remainder of SPG. Policy CS 11 states that, within settlements and neighbourhoods, development should "respect the typical density intended in an area and enhance spaces between buildings. The proposal clearly fails these tests. Further it is at odds with NppF para 58 - it does not add to the overall quality of the area, establish a strong sense of space, or respond to local character.</p> <p>The narrow single lane roadway to the rear of the green space at the south east corner of SPG will not accommodate the (at least doubling) in vehicle movements. There is no pavement for pedestrian safety. Refuse vehicles cannot navigate this roadway.</p> <p>The proposed development would take 9-12 months, thus a prolonged period of disruption for neighbouring residents. Contractors vehicles will invariably park on the green space, causing further damage. Post development the green space would invariably become an overflow car park.</p> <p>As others have noted all plots on SPG, in simple space terms could accommodate additional dwellings. The proposed development would set a precedent that, if continued, would destroy the nature of SPG.</p> <p>As a point of procedure we are surprised not to have received postal notification of the proposed development. We believe that the public notice was only installed externally in the last week or so leaving minimal time for a fully considered response. Further, local residents opinions should perhaps have been sought in tandem with the pre-application consultancy, to ensure that such opinions are not just reviewed as an "afterthought".</p>
<p>10 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1JA</p>	<p>Objection to the proposed development.</p> <p>South Park Gardens was designed as, and remains, an open 'garden' street.</p>

The four public 'green' areas were an important feature of that designs and left for residents to enjoy and use: people can and do walk on them, children can play on them in relative safety, folk can just enjoy them for what they are and they have been used for community gatherings.

Though these 'greens' could be more daintilly maintained they are valued areas and should be left unaffected by any development plans in S.P. Gdns.

This particular development cannot be built without some considerable impact on the relevant corner 'green'; the circumventing road is entirely inadequate in size shape or, most probably, in build strength for construction vehicles or as a through road to the proposed new houses.

That cannot change without significantly impacting on the size and shape of the 'green' and that would be unacceptable.

While SPG is open at both ends it is not a through road to any destination. It has fairly blind right angled bends at either end and the flow of traffic can already be an issue; as we see when people choose to drive through it rather to quickly in order to avoid congestion or problems on Bridgewater Road.

This development could well bring an extra twelve cars all focused on one corner vying for space through a narrow portal to leave or return to those proposed houses.

I agree with all the other comments about parking, nature of the street, the approximate shape and form of the housing, maintaining the nature of the town and development being appropriate to the existing built environment.

Philip and Shirley Nash both object to a new housing development at 57 South Park Gardens.
Objection to the proposed development.

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Objection to the proposed development.

South Park Gardens was designed as, and remains, an open 'garden' street.

The four public 'green' areas were an important feature of that designs and left for residents to enjoy and use: people can and do walk on them, children can play on them in relative safety, folk can just enjoy them for what they are and they have been used for community gatherings.

Though these 'greens' could be more daintilly maintained they are valued areas and should be left unaffected by any development plans in S.P. Gdns.

This particular development cannot be built without some considerable impact on the relevant corner 'green'; the circumventing road is entirely inadequate in size shape or, most probably, in build strength for construction vehicles or as a through road to the proposed new houses.

That cannot change without significantly impacting on the size and shape of the 'green' and that would be unacceptable.

While SPG is open at both ends it is not a through road to any destination. It has fairly blind right angled bends at either end and the flow of traffic can already be an issue; as we see when people choose to drive through it rather to quickly in order to avoid congestion or problems on Bridgewater Road.

This development could well bring an extra twelve cars all focused on one corner vying for space through a narrow portal to leave or return to those proposed houses.

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<p>1 CORAM CLOSE, BERKHAMSTED ,,,HP4 2JG</p>	<p>This plan would result in over development of the site. I believe it causes damage to the existing character of the area.</p> <p>Under CS11 this development does not respect the typical density intended in the area, nor does it enhance spaces between buildings and general character. Access to the site is likely to damage the existing open space, causing a change in the streetscape.</p> <p>The proposed development is not compatible with the character of the area, having the appearance and density of a modern estate.</p> <p>House 1 is located unnecessarily close to the neighbours boundary.</p> <p>House 6 is located unnecessarily close to the neighbours boundary, and the neighbour will be overlooked due to the position of the proposed property.</p> <p>It is not at all appropriate for 6 medium sized 2 storey houses to have a communal waste area. Each property should have the space and means for proper waste disposal, recycling and other bins, for which they take responsibility.</p>
<p>12 SOUTH PARK GARDENS, BERKHAMSTED ,,,HP4 1JA</p>	<p>This is over development of the site, with poor access to the road. The concomitant increase in traffic will make the road less safe for the many children who live in South Park Gardens. There will almost inevitably be damage to the very attractive green in front of the property, both during the build and later if it gets used (as it will) for parking. The whole development is not in keeping with the architecture of the road.</p>
<p>19 SOUTH PARK GARDENS, BERKHAMSTED ,,,HP4 1JA</p>	<p>South Park Gardens is a residential close, designed for no-through traffic, whose public road is little more than single-width, and with a steady flow of pedestrian traffic, including school children en route for Ashlyns, Bridgewater, and Victoria Schools, taking the public footpath that leads to and from the high street.</p>

	<p>The addition of 24 residents and between 10 and 12 cars on a site with minimal access and served by a private road that, in turn, leads to a blind corner, would distort the original design and over-stretch the layout and functionality of South Park Gardens. Road parking is already problematic in that vehicles have to be half-parked on pavements in order to allow passing room for road traffic, and more traffic will increase the likelihood of a vehicle collision or pedestrian-related accident because of the blind corners at both ends of South Park Gardens.</p> <p>More importantly, gas and sewerage mains pipes run along the foot of the gardens on the south side of South Park Gardens; what impact might these planned buildings have on this British Gas-owned land, on which residents are not permitted to build nor grow certain foodstuffs?</p> <p>Counting the For Sale boards currently on display within a half-mile radius of South Park Gardens, there are six properties on offer which prompts the question whether there is a real need for an additional six properties, or is this just development for money's sake rather than an attempt to meet a genuine housing need?</p>
<p>19 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1JA</p>	<p>South Park Gardens is a residential close, designed for no-through traffic, whose public road is little more than single-width, and with a steady flow of pedestrian traffic, including school children en route for Ashlyns, Bridgewater, and Victoria Schools, taking the public footpath that leads to and from the high street.</p> <p>The addition of 24 residents and between 10 and 12 cars on a site with minimal access and served by a private road that, in turn, leads to a blind corner, would distort the original design and over-stretch the layout and functionality of South Park Gardens. Road parking is already problematic in that vehicles have to be half-parked on pavements in order to allow passing room for road traffic, station taxis use the road as somewhere to 'hover' or turn around until the next train pulls in, shoppers park their cars and walk through to the high street, and increased traffic will increase the likelihood of a vehicle collision or pedestrian-related accident because of the blind corners at both ends of South Park Gardens.</p>

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<p>63 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>After viewing the revised application it would appear that very little has changed. The new proposed 3m high acoustic fence will be ineffective as the railway track is in excess of 3m high up on an embankment. To build 6 new houses within 10m of the railway line will provide intolerable noise levels. No other houses in this area are as close to the railway line. It is environmentally and socially inappropriate on the grounds of noise and danger to the prospective occupants.</p> <p>The entrance width to the proposed development has been slightly increased. This will be of no real benefit as the access slip road around the green is only 3.1m wide. My previous objections remain on the grounds that it will be harmful to the existing residents of South Park Gardens and it is out of character with the existing area. The proposed density is almost double that of the existing housing and will be totally out of character.</p> <p>The increase in traffic will provide a greater risk to children that play on or around the green.</p>
<p>61 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>The revised plans indicate that there is very little change to the original submission and consequently I must strongly reiterate my initial objections. The plan is detrimental to the residents and environment in South Park Gardens.</p> <p>It is very close to the very busy mainline railway which will result in excessive noise levels to the proposed properties, particularly with regards to their gardens and any open windows.</p> <p>Access to the development will stress the existing narrow (approx 3.1 metre) road around the green and increase the hazard to the children who use the green.</p>

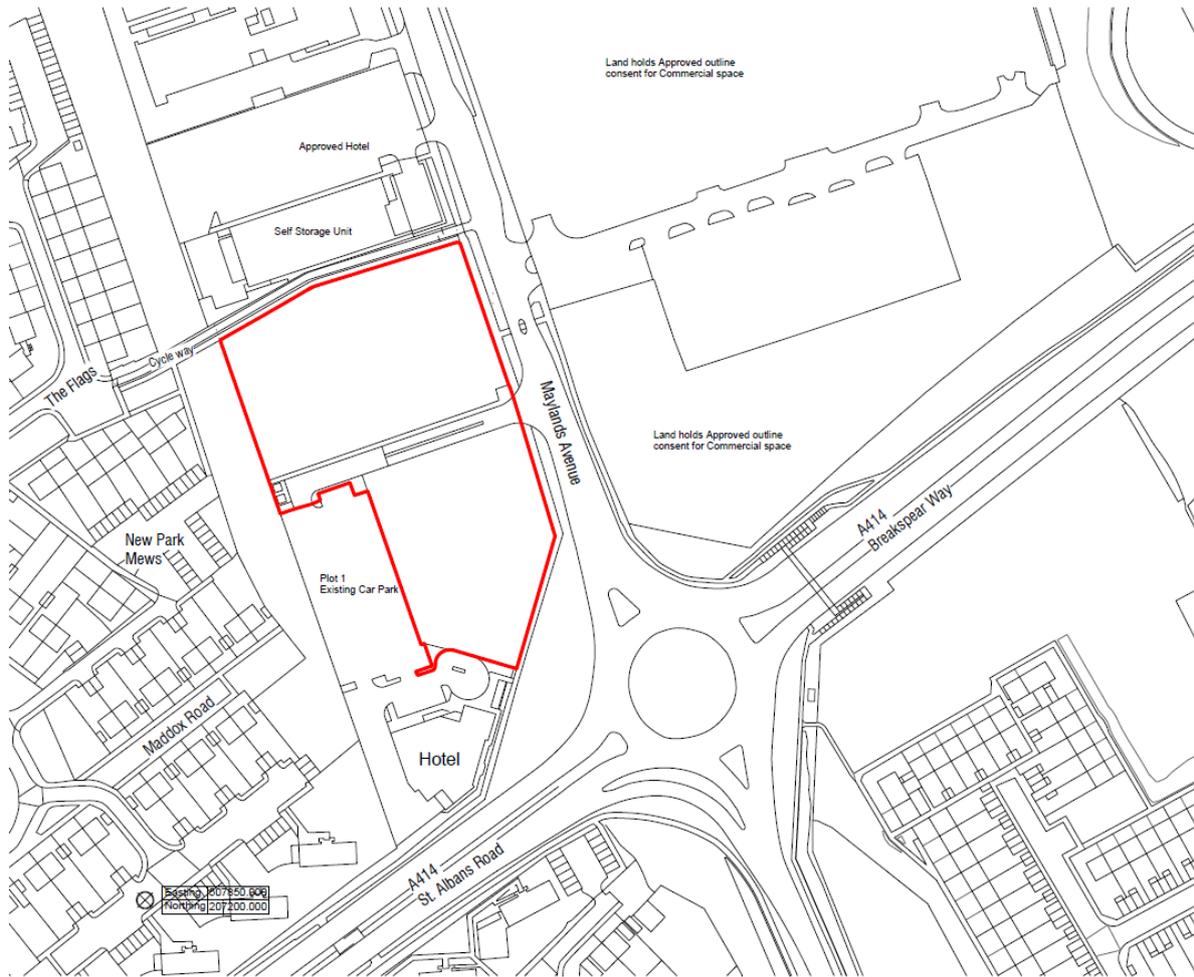
<p>BERKHAMSTED TOWN COUNCIL,CIVIC CENTRE,161 HIGH STREET,BERKHAMSTE D,HP4 3HD</p>	<p>29-10-18 TP Committee meeting : Objection</p> <p>Despite recent amendments the proposals continue to represent an overdevelopment of the site and do not respect the character of the surrounding area. Notwithstanding the widened estate road, access to the six detached dwellings proposed, each with four bedrooms, is very narrow and therefore inadequate given the scale of the development. The proposals would impact adversely on the amenity of surrounding and adjacent properties. Additionally, the houses would be very close to the West Coast Main Line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable. The increased use of tandem parking, which is difficult to manage, would also lead to problems with increased on street parking which might seem an easier option to manoeuvring vehicles in and out of parking spaces.</p> <p>CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.</p>
<p>61 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1HZ</p>	<p>This is simply a minor modification to the six dwellings application submitted previously. My previous objection stioll stands, concerning over development, traffic and proximity to the railway</p>
<p>65 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1HZ</p>	<p>Our objections to the revised proposals are exactly as our comments upon the original proposals. The revised proposals do not address any concerns. This remains a significant and inappropriate over-development of the site.</p>
<p>5 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1JA</p>	<p>Absolutely the wrong thing to do, this is a residential area - not a building site and the disruption this would cause would be unbearable to all those already living here. The fact that it is even being put forward is quite unbelievable. This is purely a project to line the pockets of the developers and should definitely not be given permission to continue. We already have substantial disruption just caused by houses in South Park Gardens being re-modelled and something as big and unnecessary as this would be intolerable.</p>
<p>63 SOUTH PARK GARDENS,BERKHAMS TED,,,HP4 1HZ</p>	<p>The revised application reverts to the original 5 dwellings which still represents substantial overdevelopment of the back garden of number 57. Presumably the developer will continue with this garden grabbing, money making scheme until the planning committee are bullied into</p>

	<p>accepting it to the detriment of the other residents in SPG. The very slick presentation by the developer to the committee is at odds with the interests of the rest of the residents as can be seen by the objections to the scheme.</p> <p>My previous comments regarding overdevelopment, proximity to the railway, danger to pedestrians and very poor access have not changed.</p>
<p>51 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p>	<p>I object to this revised over-development.</p> <p>Nothing has really changed in these new plans, It is a white-washing of the original objections by 38 people and should not be allowed to go ahead.</p> <p>Furthermore, there is no provision in these plans for the repair to the green space which will inevitably be destroyed by builders' lorries etc gaining access to the site, on a very narrow awkward road.</p>
<p>75 BRIDGEWATER ROAD, BERKHAMSTED, HP4 1JB</p>	<p>I can't see how the new proposals change anything. All the previous objections remain valid. The developers seem to be mocking the planning process.</p> <p>Another concern I would add is that the sewerage system in this part of Berkhamsted is already overloaded, as is obvious if one takes a walk down the path leading under the railway on a hot day. Adding all these extra houses would only make this worse.</p>
<p>BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD</p>	<p>Objection</p> <p>The Committee's objections previously submitted prevail.</p> <p>The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties. Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.</p> <p>The Committee emphasised that the Noise Report supports its view that the noise in the rear gardens would</p>

	<p>be excessive and very large acoustic fences would need to be erected as a result.</p> <p>CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.</p>
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**Item 5b 4/02286/18/MFA CONSTRUCTION OF 268 FLATS AND 1404.5
SQUARE METRES OF OFFICE SPACE SPLIT ACROSS SIX BLOCKS, WITH
ASSOCIATED CAR PARKING, LANDSCAPING AND AMENITY SPACE**

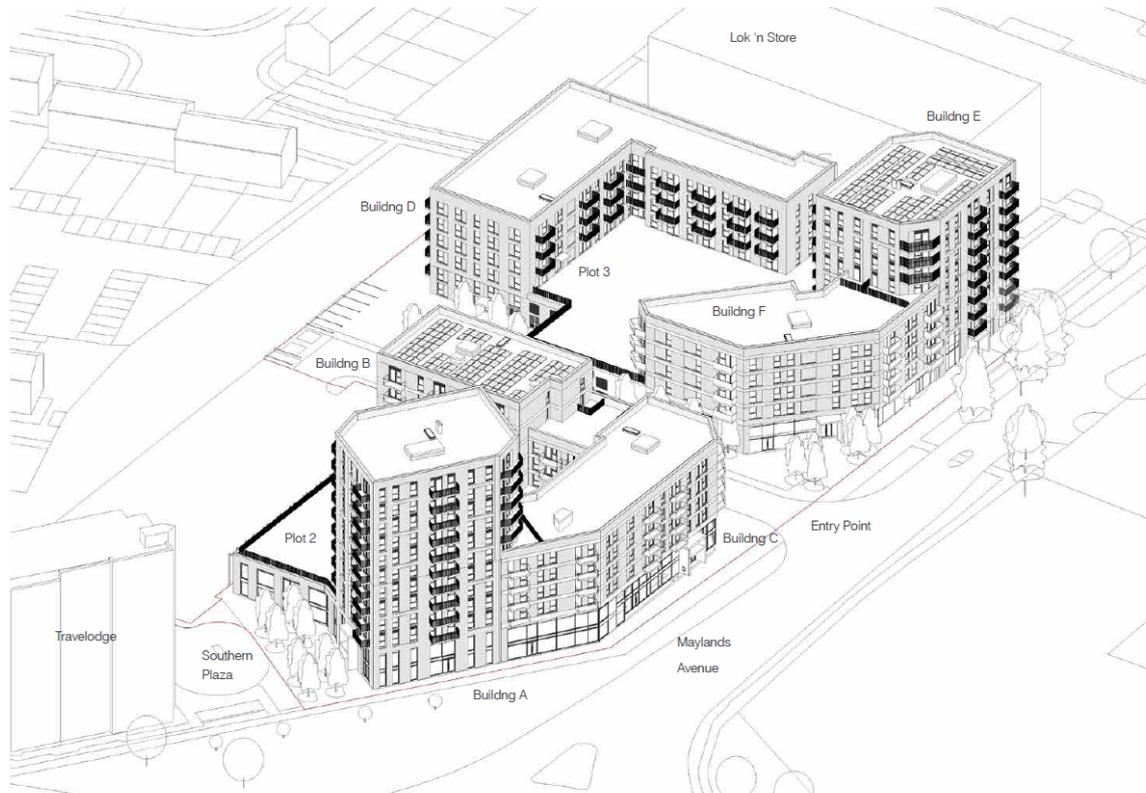
PLOTS 2 & 3 KIER PARK, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 4FQ



Existing Site Location Plan - Scale 1:1250

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4/02286/18/MFA	CONSTRUCTION OF 268 FLATS AND 1404.5 SQUARE METRES OF OFFICE SPACE SPLIT ACROSS SIX BLOCKS, WITH ASSOCIATED CAR PARKING, LANDSCAPING AND AMENITY SPACE.
Site Address	PLOTS 2 & 3 KIER PARK, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 4FQ
Applicant	Kier Property
Case Officer	Rachel Marber
Referral to Committee	Large scale major which is linked to a proposed obligation under s.106 of the Town and Country Planning Act (1990).

1. Recommendation

1 That planning permission be **DELEGATED TO THE GROUP MANAGER WITH A VIEW TO APPROVAL** subject to 21-day notification with the Secretary of State and a S.106 agreement for the following Heads of Terms:

- £26,000 for the bus stop improvements
- £2,000 travel plan review
- £30,000 car club parking space
- 35% affordable homes (94 affordable units) comprising a mix of 75% affordable rented and 25% shared ownership

1.2 The application, if granted, is subject to a call-in from Secretary of State as the development constitutes a departure from the Borough's Development Plan.

2. Summary

2.1 The proposal seeks permission for 268 flats and 1404.5 sq.m of office space.

2.2 The application site is located within an Employment Area.

2.3 Relevant economic reports demonstrate that there is currently limited demand for B1 office use, with the proposal maximising the amount of B1 use currently viable in the present market. Therefore, a flexible approach to the mix in use of site for residential and commercial is considered acceptable.

2.4 The proposed development would make a significant contribution to the Borough's housing target and would prevent further Green Belt land from being released for development as a result. The development would also include a large contribution to affordable housing, which weighs further in favour of development. On balance, the principle of development is considered acceptable.

2.5 The proposed development would range up to 6 – 12 storeys in height. The proposal design is not considered to be of particularly high architectural quality however, it is noted that it would appear an enhancement on the adjacent travel lodge

building and would provide a landmark commercial face to Maylands Business Park. The development is considered acceptable to the character and appearance of the street scene.

2.6 A daylight and sunlight assessment demonstrates that no significant loss of daylight or sunlight to neighbouring residents would result from the proposed development. Due to the degree of separation of the development from neighbouring properties no significant loss of privacy would result.

2.7 The development would fail to secure sufficient BRE sunlight and daylight standards for future residents of some units. However, para 123 of the NPPF (2019) states that a flexible approach should be taken in applying policies or guidance relating to daylight and sunlight, where the development makes efficient use of a site.

2.8 Noise and air quality concerns generated from the development have been mitigated by way of conditions and subject to consultation with the Environmental Health team.

2.9 The development would require 340.75 parking spaces in accordance with maximum standard. 334 parking spaces would be provided comprising 268 spaces for residential units and 66 spaces for the office element. Given the push for more sustainable forms of transport, flexible parking arrangements within the site and no objection from Hertfordshire County Council Highway Authority, the development is not considered to result in severe detriment to Highway safety or operation.

2.10 Contributions for highway improvements, travel plan monitoring and a car club scheme would also be secured as part of the development in addition to the CIL charge.

2.11 On balance, the proposal is considered policy compliant.

3. Site Description

3.1 The application site is situated on the western side of Maylands Avenue within the Maylands Gateway Regeneration area, as defined within the Maylands Masterplan. The site comprises plots 2 and 3 of the Kier Park site, which covers approximately 1 hectare of land on a corner plot adjacent to the St Albans Road/Breakspear way round-a-bout. Site land levels fall by approximately 3 metres from north to south. Plot 1 comprises the hotel and associated uses granted within app ref: 4/02124/08/MOA. Plot 3 of the application site is currently vacant. The site falls within a General Employment Area. Bounding the site to the west are large residential areas comprising the New Town extension completed in the 1980s, and to the north of the site comprises a self-storage unit.

4. Proposal

4.1 The application seeks permission for the construction of 268 flats comprising 1 and 2 bed units and 1404.5 sq.m of B1 office space with associated parking and landscape works.

5. Relevant History

Address: FORMER BREAKSPEAR HOUSE, MAYLANDS AVENUE, HEMEL
HEMPSTEAD, HP2 4TD

Land Parcel 74448

Ref:

Related Site History

4/00504/18/SCE SCREENING OPINION

15/03/2018

Prior to determining this current 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. 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.

The proposals which are being considered under this planning application are largely consistent with the information which accompanied the Screening Opinion request. Therefore, 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.

4/01031/15/MFA DEVELOPMENT OF A BUILDING TO COMPRISE A LIDL FOODSTORE WITH
B1(A) OFFICE FLOORSPACE AT FIRST FLOOR LEVEL, WITH ASSOCIATED
CAR PARKING.
Refused
30/10/2015

4/00239/11/FUL EXTENSION TO APPROVED ACCESS ROAD, HARD STANDING AND
RELOCATION OF ELECTRICITY SUBSTATION
Granted
07/06/2011

4/002 SUBMISSION OF RESERVED MATTERS
35/11 (HOTEL DESIGN, LANDSCAPING,
/RES LAYOUT AND SCALE) PURSUANT TO
OUTLINE PLANNING PERMISSION
4/00333/11/ROC (VARIATION OF
CONDITION 12 (DETAILS OF PUBLIC
ART) OF PLANNING PERMISSION
4/02124/08 (HOTEL AND OFFICES))
Granted
18/05/2011

4/021 HOTEL AND OFFICES
24/08
/MOA
Granted
18/06/2010

6. Policies

National Policy Guidance (2019)

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

Adopted Core Strategy (2013)

Hemel Hempstead Place Strategy
NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS14 - Economic Development
CS15 - Offices, Research, Industry, Storage and Distribution
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS26 - Green Infrastructure
CS28 - Carbon Emission Reductions
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS34 - Maylands Business Park
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 31 - General Employment Areas
Policy 51 - Development and Transport Impacts
Policy 57 – Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 76 - Leisure Space in New Residential Developments
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Policy 111 - Height of Buildings
Policy 118 - Important Archaeological Remains
Policy 129 - Storage and Recycling of Waste on Development Sites
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision
Appendix 6 – Open Space and Play Provision

Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of Car Parking Standards (July 2002)
Planning Obligations (April 2011)
Affordable Housing (Jan 2013)
Hemel Hempstead Urban Design Assessment (2010)
Maylands Gateway Development Brief (2013)
Maylands Master Plan (2007)
Maylands Business Park Design Strategy (2013)
Maylands Business Park Improvements Specification
Refuse Storage Guidance Note (2015)
Dacorum Regulation 123 List

7. Constraints

Maylands Business Park
General Employment Area

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

9.1 The main planning issues to consider are:

- Principle of Development
- Presumption in Favour of Sustainable Development
- Impact to Street Scene

- Impact on Residential Amenity

- Impact on Highway Safety and Parking Provision

- Impact on Trees and Landscaping
- Dwelling Mix
- Sustainability
- Protected species
- Flood Risk and Site Drainage
- Contaminated Land and Air Quality
- Archaeology
- Refuse Collection
- Secure by Design
- Planning Obligations & Legal Agreement
- Consultation Response

Principle of Development

Employment Use

9.2 The application site is located within an employment area where the following national and local policies apply:

9.3 Paragraph 8 of the updated National Planning Policy framework (NPPF) (2019) outlines an economic objective of planning to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity. Paragraph 80 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

9.4 Policy CS1 of the Core Strategy (2013) outlines that Hemel Hempstead will be the

focus for homes, jobs and strategic services in order to retain the separate identity of the town and to maintain a balanced distribution of employment growth, with growth and rejuvenation in the Maylands Business Park. Policy CS4 of the Core Strategy (2013) states that in general employment areas appropriate employment generating development is encouraged.

9.5 Policy CS14 of the Core Strategy (2013) supports this outlining that sufficient land will be allocated to accommodate growth in the economy of approximately 10,000 jobs between 2006 and 2031. Most employment generating development will be located within town, local centres and General Employment Areas. Hemel Hempstead will be the main focus for new economic development uses, which will be used to support the regeneration of the Maylands Business Park and Hemel Hempstead town centre.

9.6 Policy CS15 of the Core Strategy (2013) designates a minimum area of land to be identified and retained for B class uses, comprising a General Employment Area. This area will be managed so that a target of around 131,000 sq.m of additional office space can be met between 2006 and 2031. Development proposals that include provision for small businesses will be encouraged. General Employment Areas will be protected for B-class uses.

9.7 Policy CS34 of the Core Strategy (2013) sets out the principles guiding development in the Maylands Area. The application site falls within the Maylands Gateway which is specifically designated for securing HQ offices and other complementary uses. The vision for the Gateway is set out in the Maylands Master Plan (2007) and Maylands Gateway Development Brief (2013) which sees the Gateway as a key part of Maylands becoming a 'green' business park. This brief gives increased flexibility over the type of jobs to be provided (classes B1, B2 and B8), but does not support residential development, except adjacent to Hales Park.

9.8 Saved Local Plan (2004) Policy 31 also requires the retention and promotion of existing and new office uses within employment areas. Saved Policy 31 of the Local Plan (2004) notes the application site is designated as a Core Office location within the General Employment Area and therefore seeks a focus of B1, B2 and B8 development within this area.

9.9 The Hemel Hempstead place strategy within the Core Strategy (2013) sets out the vision for Maylands is to rejuvenate and grow the business area and promote the use of green energy. Maylands Business Park in East Hemel Hempstead will be the home to a vibrant, dynamic and premier business-led community. It is envisioned as the first choice investment location for offices and industrial development, capitalising on its strength as a sub-regional economic hub. Maylands Gateway offers around 29.7ha of developable land. This will deliver a large proportion of the Borough's employment needs over the plan period.

9.10 However, the Council's economic reports: The South West Hertfordshire

Economic Study (2016) and the Dacorum Employment Land Availability Assessment (2017) and paragraph 60 NPPF reason that where employment generated land uses are unviable in accordance with market signals and future demographic trends, alternative uses and subsequent benefits should be considered.

9.11 The South West Hertfordshire Economic Study (2016) outlines that while the economy has grown, this does not appear to have been reflected in commensurate increases in the supply of offices and other types of industrial development. The Economic Study estimated a need for an additional 13 hectares of land for office development in Dacorum by 2036. Although demand for office space at Maylands has not been as strong as other locations in recent years, over the longer term Maylands Business Park is considered to represent as an attractive office location which could address a significant proportion of the demand for office floorspace identified for Dacorum. It could also potentially address a proportion of the displaced demand from investors who have been unable to find space in other locations. The South West Hertfordshire Economic Study (2016) concludes that an exclusively office led development could potentially result in an oversupply of office space in this location, and a development with a greater proportion of B8 space would be expected to attract greater market interest.

9.12 The Dacorum Employment Land Availability Assessment (2017) sees limited demand for new office development, at least in the short term in Dacorum. This is because Maylands suffers from poor public transport access which renders it less attractive than competing office locations elsewhere in the sub-region, including Watford and St Albans. As such, during the time of this report the Maylands Gateway had an office vacancy rate of 7,576 sq.m. The report continues to advise that significant public sector intervention would be required to turn the fortunes around of Maylands. This *could* be achieved by the Enviro-tech Enterprise Zone which was set up in 2017 to implement a package of improvements, including the upgrading of Junction 8 to improve access from the M1, which would boost the desirability of the area for employment land uses in the future. This *may* improve the potential for intensification of Maylands Gateway as an industrial location, with some potential for office development at the end of the plan period.

9.13 A Brasier Freeth's Planning Report has been submitted alongside the planning application. This report highlights a four year oversupply in office floorspace and under demand of grade A office buildings in Hemel Hempstead. This report also states that office rents are too low in Hemel Hempstead for an office-base scheme to be viable. This report outlines that the poor access of the application site reduces further the demand for office provision in this location. The site is also shown to have been extensively marketed for office space with offers for several planning uses, although none of these have been secured. Given the above, the report emphasises that 9,000sq.ft -11,000sq.ft is the most appropriate offer for this site and that the 15117.9 sq.ft of office space proposed is in excesses of this recommended level. The proposal would also allocate this office space for smaller businesses, which there is greater

demand for within this area.

9.14 Page 16 of the report highlights that Kier was approached and provided offers from several other companies after the planning application was submitted which would have provided employment provision on site, (although not necessary B1 use) or a wholly affordable residential scheme. The reason these offers were not secured further by Kier appear to consist of reasons such as: 'the buildings would not be a landmark building, the site would have been split, the planning application had already been submitted, did not provide the Kier Property Board with sufficient certainty', etc. These are not considered good enough reasons to justify refusal of these offers which the LPA consider may have been a preferred option to the current proposal.

9.15 It is also acknowledged that within the immediate area of the application site there has been a great change to the built environment, with a move away from office base employment, to more B2 and B8 uses for warehouse and storage use. Nevertheless, employment uses are retained. The LPA are also aware of the significant depletion in the Borough's employment land supply due to office to residential permitted development conversions.

Summary

9.16 The proposed residential use of this site would result in the loss of employment land, in the Gateway location serving the Maylands Business Park. The site is therefore an important site strategically both in terms of its visual contribution to the employment environment, and for providing increased jobs within the Maylands Business Park. The proposed use of the site for only 5% employment floor space with 91% residential use, would therefore be contrary to the policies identified above which seeks to protect the application area for employment use.

9.17 The economic reports demonstrate that there is currently limited demand for B1 office use within this area with the proposal maximising the amount of B1 use currently viable in the present market. However, there is investment being made to improve the desirability of the area and therefore the Council consider that the long-term potential for office demand in the Maylands Gateway will have increased by the end of the planned period and will provide an important role in meeting the Borough's employment figures.

9.18 In short, the Council have mind to the wider economic situation in the current office market and would allow for some degree of flexibility over the mix of commercial and residential uses on the site provided that the proposal offers significant benefits to the Borough which would justify this departure from the Development Plan.

Residential use

9.19 Balanced against the need to retain employment allocated land within the

Borough, Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for homes. Furthermore, para 117 the NPPF (2019) encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Para 121 of the NPPF (2019) also states that Local Planning Authorities should also take a positive approach to applications for alternative uses on land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.

9.20 Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas. The application site is situated within an urban area in close proximity to Hemel Hempstead town centre. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing land uses. There are also services and facilities available within close proximity of the site.

9.21 Taking all of the above into account, the proposal could make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17), which would greatly assist in meeting housing targets and prevent larger green belt releases in the future.

Balancing Exercise

9.22 Paragraph 8 of the NPPF (2019) identifies three aspects of sustainable development: social, economic and environmental. Due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF (2019) is engaged. Paragraph 11 of the NPPF states that decisions should apply a tilted presumption in favour of sustainable development unless policies in protected areas of particular importance provide a clear reason for refusing the development proposed; these policies of protected/restricted areas are clarified within footnote 6.

9.23 Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date" when the LPA cannot demonstrate a five year supply of deliverable housing sites.

9.24 It must therefore be considered whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, as outlined in paragraph 11 of the NPPF (referred to as 'the tilted balance' in favour of sustainable development).

Environmental

9.25 The application site is situated within the urban area of Maylands Business Park, in close proximity to the town centre. As such, the infrastructure in the immediate area has been developed to provide reasonably good transport links for existing residents. There are also services and facilities available within close proximity of the site. Taking this into account, the proposal would be environmentally sustainable. The proposal would be located on a brownfield site and would develop a site which has been left vacant since 2007, when Kier purchased the land. The proposal also incorporates green initiatives such as solar panels, green roofs and green walls, which would result in some small Environmental gains from the development.

Social

9.26 The proposal would make a valuable contribution to the Borough's housing supply providing 268 new homes, thereby facilitating the Government's aim of boosting the supply of housing. The proposal would also meet the Council's affordable housing policy criteria of 35% affordable units (94 units) at a tenure split of 75% social rented and 25% shared ownership. Further public realm contributions would also be secured for bus stop improvement works. Therefore, there would be social benefit from the proposal.

Economic

9.27 The proposal would result in the loss of employment land, for predominately residential use thereby resulting in the loss of employment infrastructure to the immediate area and increased deficit in Dacorum's employment target, to which Maylands Business Park, and Maylands Gateway specifically makes an important contribution. Although, a small element of employment provision would be provided, the scheme would not deliver the amount of economic gains expected for this location. Although, small increase in local expenditure would result from the residential habitation of the site. Overall, proposal would result in the loss of long term employment provision, which would weigh against the proposal.

Conclusion

9.28 Taking into consideration all of the above, the Council are aware of the current economic clement and lack of demand for B1 office space. The proposal seeks the optimum amount of B1 floorspace which is currently viable and therefore would deliver small economic gains. Further, the proposal would secure a substantial number of required homes, including a large contribution to affordable housing, on a brownfield site. The scheme would also result in a landmark development on a plot which has been vacant for over 10 years. It is therefore considered that the negative impact which would result from the loss of this strategic employment site in the long term, would be outweighed by the benefits of the proposal. Therefore, on balance, the proposed development is considered acceptable in principle in accordance with the provisions of

the NPPF (2019), Policies CS1, CS14, CS15, CS17 and CS34 of the Dacorum Core Strategy (2013), Hemel Hempstead Place Strategy (2013), Saved Policies 10 and 31 of the Dacorum Borough Local Plan (2004) and guidance within the Maylands Master Plan (2007) and the Maylands Gateway Development Brief (2013).

Impact to Street Scene

9.29 Paragraph 124 of the revised NPPF (2019) 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.

9.30 Paragraph 120 of the NPPF (2019) states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

9.31 Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies 10, 18, 21 and Appendix 3.

9.32 The Core Strategy policies are supplemented by advice contained within the Maylands Masterplan, where the site falls within the “Maylands Gateway” which is identified as a first rate business park where very high quality, individually designed buildings, set within a landscaped setting and utilising high quality materials is a defining principle. Buildings should create an active frontage, company signage should be integrated into the building design and car parking should be avoided on the frontages with the potential for undercroft provision explored.

9.33 The application site currently comprises an area of cleared land adjacent to Maylands and Breakspear Way. Nearby are the relatively tall buildings of the Travel Lodge hotel and a self-storage business. Opposite is the Aviva regeneration site. To the rear of the site is a housing development dating from the construction of the new town. Due to the height of the propose development it is considered that the development would also be visible from longer distance views on St Albans Road, Breakspear Way, Leverstock Green Road, Leverstock Green Way and from the M1.

9.34 The proposed development comprises two main sites of built form divided by a spine road running through the middle of the scheme, providing access into the site. Three separate modulated blocks are apparent within each site. These building heights range from 12 to 6 storeys in height in order to break up mass and bulk of built form. Given the surrounding site context, and location in Hemel Hempstead, no objections

are raised in regards to the proposed height of the development, in accordance with Saved Policy 111 of the Local Plan (2004). The development would accommodate undercroft parking in the ground and first floor with commercial surrounding this at street scene level. The remaining floors would be utilised for residential accommodation.

9.35 Plot 2 would contain Buildings A, B and C. Building A would be 12 storeys in height to create a 'marker' building into the entrance of the business park. Plot 3 would contain Buildings D, E and F. Building E would also be a marker building when viewed from within Maylands Business Park. The landmark buildings would have a vertical emphasis with the connected secondary blocks of horizontal design, in order to create a distinction between the two. The Marker Buildings are also to be clad in wire cut facebrick to create a further distinction from the remainder of the proposed buildings which are predominantly to be clad in a sand faced brick. However, the LPA are concerned these blocks are not distinctive enough from the main 'marker' towers. As there would be a lack of breaks, shadow lines or change in materials and detailing (with only two brick bond types proposed) the proposal could appear somewhat monolithic and overpowering to the streetscape. Having said this, given the quality of development within the immediate environment it is not considered that the design of the scheme would be significantly harmful in order to warrant a refusal.

9.36 The design of the buildings would have a commercial frontage to Maylands Avenue comprising glass curtain walling. However, sections of this active frontage would be false as a result of the car parking external ventilation required. It is considered that while not optimising the entire ground floor of the development with commercial use is not ideal, a fake screen would give some illusion of this. The proposals will incorporate a plinth to separate the commercial element from the residential units above. Full height windows to the apartments coupled within a large opening within would also assist in giving the development less of a domestic appearance. It is therefore considered that the proposal would contribute to the visual appearance of the commercial environment of the Maylands Business Park; providing a successful 'face' to the Maylands Gateway.

9.37 The development would follow the build line of adjacent development. This close proximity (approximately 2-4 metres) to the Maylands Avenue in combination with the scale of the proposal would provide a strong presence within the street scene which would help increase the sense of urbanisation and activity within the employment area.

9.38 The development would address corners of the site with chamfered edges, although this would be more successful with deeper chamfering. The proposal also uses chamfered edges and an open plaza, accessible to the public, to relate to the travel lodge development (plot 1). The commercial element of the scheme within building A would also be accessible adjacent to plot 1 and therefore create a visual link and continuity between both development phases. This in turn would also assist in providing high quality, public realm improvements to the area.

9.39 Similar concern is raised regarding the cycle route running north of the site, connecting Maylands Avenue to The Flags. This cycle path will become enveloped between two buildings of significant height and mass. Block D would be located only 4 metres away from the northern boundary of the site. This would result in the development enclosing the cycleway and public footpath between two developments; the application site and adjacent self-storage unit. This has the potential to create quite an oppressive and dark environment for users of this cycle/foot path. Nevertheless, the cycle path is relatively wide, at 5.6 metres, and the residential units of blocks D and E would provide natural surveillance for users of this footpath. Furthermore, the development has been designed with a 13 metre gap between blocks D and E at second floor level in order to provide visual relief for users of this public right of way.

9.40 The development would also use green walls and landscaping to soften the appearance of the development from within the application site itself.

9.41 The proposed scheme would have a density of 268 units per hectare. It is therefore considered that the proposals make the most efficient use of urban land in accordance with the NPPF (2019) and Saved Policies 10 and 21 and will assist the Council in meeting its future housing target.

9.42 Overall, the proposal design is not considered to be of particularly high architectural quality however, it is noted that it would appear an enhancement on the adjacent travel lodge building and would provide a landmark commercial face to Maylands Business Park. The proposed visual appearance of the development is considered in accordance with the NPPF (2019), Policies CS10, CS11, CS12 and CS34 of the Core strategy (2013), Saved Policies 10, 18, 21 and Appendix 3 of the Local Plan (2004), the Maylands Master Plan (2007) and the Maylands Gateway Development Brief (2013).

Impact on Residential Amenity

9.43 The NPPF (2019) 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.

9.44 The application site sits on Maylands Avenue which comprises predominately employment, retail and warehouse uses. The only residential properties within the immediate vicinity on the proposal reside within Adeyfield South residential character area, which sits to the immediate rear of the application site.

9.45 Blocks A and B of the proposed development would be located approximately 51

metres away from the side elevation of the closest property No. 8 Greenway, this separation distance is considered sufficient and raises no significant concern in regards to loss of outlook or privacy serving these properties.

9.46 Block D would be located 32 metres approximately away from the flank elevations of the closest properties Nos. 26, 26a and 27 The Flags. This block would be 5 storeys high at this boundary, at a height of 19 metres. DBC have no side to rear separation distance standards and given the 15 metre high boundary trees at this location this relationship is considered to be acceptable in outlook and privacy terms.

9.47 It is considered that the development would be visible from properties at The Flags, Greenway, New Park Mews and Maddox Road due to the proposed scale of the development. However, the proposal would retain a sufficient separation distance from these neighbouring residents so as not to result in significant detriment to their residential amenity.

9.48 A daylight and sunlight assessment was carried out on the closest surrounding residential properties and was submitted with the full planning application, this demonstrates that no significant loss of daylight or sunlight to the surrounding residential properties habitable rooms or garden space would result from the proposed development.

9.49 Turning to the living conditions the proposal would afford future residents, a Daylight Sunlight Assessment was also carried out and submitted for selected flats within the proposed development. This assessment shows that not all proposed units would receive a sufficient level of daylight and sunlight in accordance with BRE standards; only 64 rooms from the assessed 93 (69%) would meet the average daylight factor BRE target values. Of the 93 rooms assessed for daylight distribution only 77 (83%) would meet the BRE target values. Of the 30 external amenity areas tested, 28 (93%) would meet the BRE overshadowing target criteria on the spring equinox (21 March). Although the report justifies this by stating that the *majority* of the rooms not meeting BRE criteria are bedrooms and therefore not primary living space, it is noted that the studio apartments also do not meet this criteria. Nevertheless, regard also has to be given to para 123 of the NPPF (2019) which states that local planning authorities when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

9.50 Concerns are also raised regarding the quality of environment within the northern enclosed gallery access serving as access to flats within block D in terms of natural light serving this corridor and potential anti-social behaviour which may result.

9.51 Within plot 2 the relationship between flats would be located 21 -30 metres approximately away from opposite rear primary windows (albeit at a slightly obtuse angle), around the internal podium. This is considered to secure a sufficient level of

amenity provision to prevent overlooking between apartments. Within plot 3 block E would be located 13 metres approximately away from the flank elevation of block D. Nevertheless, as this is a side to rear relationship, which DBC have no minimum standard for, it is considered acceptable. Block F would be located 29- 30 metres approximately from Block D, which is also considered to secure an acceptable degree of overlooking and privacy between departments. Plots 2 and 3 would also be located 20 metres away from each other, which is considered acceptable.

9.52 The east facing units within Block D would be located 10.5 metres approximately away from the adjacent 15 metre high tree bank. This distance is considered sufficient to secure a reasonable outlook from the primary living rooms within these flats. The north facing flats within Blocks D would be located 13 metres approximately away from the adjacent self-storage unit, which although not an ideal relationship due to close proximity, is not considered sufficiently harmful to future residents' outlook to warrant refusal of the application. Minor concerns are also raised regarding the relationship of balconies within the scheme, and resulting overlooking and loss of privacy between units. This mainly relates to the relationship of concern units within Block D and Block B with Block C at third and fourth floor.

9.53 Saved Appendix 3 of the Local Plan (2004) states that for a multiple occupancy residential development an amenity area at least equal to the footprint of the building should be provided. External amenity provision has been allocated to the development by way of central podium (which has been designed to mitigate noise and disturbance), private roof terraces within each plot and private balconies. This level of external amenity provision is considered acceptable, with other external amenity space (such as Coppinsfield sports ground, High Street Green and Leverstock Village Green) located within a 1 kilometre radius of the site.

Noise

9.54 A noise assessment was submitted alongside the planning application to demonstrate that a sufficient level of amenity for future occupiers would be maintained given the surrounding land uses within the employment area and road traffic. Dacorum Borough's Environmental Health team were consulted on this assessment and consider that provided windows remain closed within front facing flats an acceptable acoustic level would be achieved. This requires a sufficient level of comfort to be achieved in the flats in order to ensure that residents are not required to open windows for climate control. Therefore, the installation of mechanical ventilation has been conditioned which provides for thermal comfort, not just background noise. Windows serving these front facing flats will remain openable however, this would be the future occupiers choice if they want them opened. Further concerns regarding external noise levels for private balconies were also raised from the Environmental Health's noise officer. Para 6.2.2 of the submitted noise assessment highlights this by stating, 'the measured daytime ambient noise levels exceed the BS 8233 guidance noise levels for balconies (50 to 55 dB LAeq); as such any balconies should ideally be designed

accordingly in order to achieve the guidance levels.’ In response to this a statement has been submitted demonstrating the development has been engineered to best reduce noise levels and that any further alteration to balcony design would not improve noise levels. It is noted that the removal of the balconies from the scheme would overcome this concern however, the LPA are of the view that balconies are an added luxury of the scheme and their removal would not be providential for future residents. Instead, it is considered that balconies are retained with the option for future occupiers to use them at their discretion and therefore the scheme will not be recommended for refusal on these grounds. In short, the balconies are not considered intrinsic to the design of the development. The remaining finding of the noise report shows that the proposed development (including construction stage) would not generate significant noise and disturbance to neighbouring residents, subject to the appropriate mitigation measures set out.

9.55 On balance, the proposed development is not considered to result in a significant loss of outlook or daylight and sunlight to surrounding residential properties and it is considered that the standard of amenity provision which would be secured for future residents is not significantly low so as to warrant a refusal of the application. The proposal is therefore considered in accordance with the NPPF (2019) Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004).

Highway Safety and Parking Provision

9.56 Policy CS34 of the Core Strategy (2013) requires developments in Maylands Avenue to support more sustainable forms of transport. Saved Policy 51 of the Local Plan (2004) outlines that development should have no significant impact upon the nature, capacity and use of the highway network, the provision of routes and facilities for pedestrians, cyclists and passenger transport users or on-street parking. Development proposal should take into consideration transport measures which would reduce the dependency on cars.

9.57 Paragraph 109 of the NPPF (2019) states 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. This severe impact would need to be demonstrated by evidence.

9.58 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) 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.

Parking

9.59 The application site falls within Zone 4 where parking provision between 75 - 100% of maximum standard should be taken for non-residential development. The proposal seeks to provide 268 flats and 1404.5sq.m of office space. This would require 340.75 parking spaces for the residential element, at maximum standard (this figure incorporates visitor parking spaces). 268 parking spaces have been provided for the residential element of this space which would fall 72 spaces short of this standard. 41 parking spaces would be required at 100% of maximum standard for the commercial element of the scheme. 66 car spaces have been provided to support the B1 office space which exceeds maximum standard; totally 334 car parking spaces overall. The 72 commercial spaces can be used by the residential units during weekends and evenings. In addition, there would also be a club car space, secured by way of S.106 agreement, to off-set the short fall in residential spaces further. A further 11 motorcycle spaces would be available to further off-set the shortfall in spaces. Lay-by spaces would also be provided with capacity for a further 6 cars.

9.60 Some commercial spaces are tandem designed, although not ideal the commercial units would derive a system to manage this.

9.61 More sustainable forms of transportation would also be available with provision for 288 cycle spaces allocated within the scheme, 268 for residents and 20 for employees of the commercial units. This meets maximum standard of 1 cycle space, per residential unit and 19.8 cycle spaces require for B1 office use (1 cycle space per 500 sq.m of office space and 1 per 10 full time staff). Clear glass would be allocated to cycle areas on street level with Maylands Avenue, which would advertise the use of bicycles over cars. Hemel Hempstead is serviced by the National Cycle Network with a traffic-free route entering from the north to south Hemel Hempstead. The shared cycleway on the north western boundary of the site is part of this National Cycle Route and allows for easy access to cyclists. Five bus routes also serve the area of the application site which operates a reasonable service (four per hour) on the weekdays.

Travel Plan

9.62 Paragraph 111 of the NPPF (2019) states that all developments which generate significant amounts of movement should be required to provide a travel plan and transport statement/assessment so that the likely impacts of the proposal can be assessed.

9.63 A travel plan has been submitted alongside the planning application to further support a shift away from car use. The Travel plan seeks for a reduction in car usage, traffic speed and road safety and more environmentally friendly delivery and freight movements. Initiatives include home delivery services, a welcome pack for new residents highlighting local public transportation and a care share database which matches those who live and work in the same locality. As this is not a full travel plan

(with a full package of measures and targets outlined), two conditions have been attached to the permission requesting further travel plans for both the residential and commercial elements of the scheme. Monitoring of these travel plans has also been secured by way of S.106 agreement. This will monitor the success of the travel plan at encouraging more sustainable forms of transport and suggest, if necessary, measures which would be most effective at achieving these aims and objectives if not realised within the first few years of development occupation.

Transport Assessment

9.64 A Transport Assessment was also submitted alongside the planning application. This assessment demonstrates that the vehicular movements generated from the proposed development would be less than the vehicular movements generated from the previously approved office scheme (app ref: 4/02124/08/MOA). This office use would generate 1166 daylight movements, which comparatively the current proposal would generate a total of 902 daily trips a day (weekly).

9.65 The office scheme has been implemented and therefore forms a fall-back position in consideration of the highway impacts of the current proposal. Moreover, the growth in traffic since this scheme was granted in 2007 to June 2017 is 16% (1.6% per annum). When calculating the additional vehicular volumes the following adjacent newly granted developments were also factored using TEMPRO to determine forecast growth rates for the years 2023: Heart of Maylands (4/00676/14/MFA), Maylands Avenue (4/03157/16/MFA), Maylands Gateway (4/00064/17/MFA), KFC and Hotel (4/02981/17/MFA), Diamond Point (4/03421/15/MFA), Wood House (4/03252/15/MFA) and Spring Park (4/03054/17/MFA).

9.66 Taken the above into consideration, the proposed development would increase traffic movements on the road by 0.8%-1.7%, with no further queues on the public highway generated from the proposed development.

9.68 Servicing (including refuse collection) and delivery would take place on the spine road serving the development, where vehicles can pull into the lay-by when required. Full details of the servicing and delivery plan has been requested by condition.

9.69 A construction management plan has also been recommended as a condition to ensure construction vehicles would not have a detrimental impact on the vicinity of the site to prevent on-street conflict and impacts to the highway safety.

Highways Comments

9.70 Hertfordshire County Council were consulted on the submitted Transport Assessment, Travel Plan and plan drawings and provided the following comments:

- Walking and cycling are viable travel options for potential future residents of the

- development and the locality is conducive to both.
- Given the accessibility of the site by sustainable transport modes, the level of parking provision provided is considered acceptable.
 - Full travel plans for both residential and commercial uses should be requested by condition.
 - TRICs database has determined that the total vehicle trip generation for the proposed development is: AM Peak: total of 109 two-way trips, PM Peak: total of 101 two way trips.
 - The permitted development for this site generated more traffic.
 - Over the study period, there were a total of 17 collisions, with thirteen classified as slight and four classified as serious, with no fatalities.
 - Swept path analysis has been carried out by the applicant showing refuse and delivery vehicles entering / exiting the site in a forward gear

Fire Safety

9.71 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. This has been recommended as condition.

Summary

9.72 Given this push for more sustainable forms of transport and initiatives to encourage this, flexible parking arrangements within the site and no objection from Hertfordshire County Council Highway Authority ; it is considered that the parking level proposed within the site is considered acceptable and that the development would not generate significant increase in traffic so as to result in severe impact to the operation and safety of the adjacent highway network.

Impact on Trees and Landscaping

9.73 Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.74 An Arboricultural report has been submitted with the application which identifies the existing tree constraints on site. Overall, no category A (high quality trees) were recorded on site, with two individual trees and one group identified as Category B (moderate quality) and one individual tree and five groups classes as category C (low quality). Thus, the constraints to development arising from trees growing on both plots are minimal as neither area has significant trees present. Only smaller landscaped trees will be removed as a result of the proposal with tree protection measures recommended for the three retained trees marked as T1, T2 and G6 (lime and silver birch) in the report. Trees and Woodlands have no objection in relation to the proposed

tree removals and consider the planting scheme outlined in the submitted landscape statement an appropriate mitigation measure to support tree losses.

9.75 The proposed scheme has the potential to provide soft and hard landscaping on site, in addition to public open space. A comprehensive landscaping plan for the new development have been provided in the Landscape Masterplan ref: 782-MP-04 Rev E.

9.76 The frontage to Maylands Avenue will encompass low level planting which would soften the frontage of the development and assist with its integration onto the street scene and ground level. A combination of native tree, hedge and shrub planting (Hornbeam hedges and rows of advanced nurse stock, fastigiated and flowering Liriodendron trees) will feature on each side of the spine road leading into the site. This will emphasise the linearity of the area and help soften the appearance of the development.

9.77 Green walls would also be incorporated on the elevations of both plots 2 and 3, facing the spine road. This would further create and enhance the perception of a green corridor leading into the site. In addition to this, a retaining wall including soft landscaping elements would be introduced onto the northern boundary and the tree belt on the western boundary would be retained. Climber planting would be introduced onto the western elevation of plot 2 facing the Travelodge car park. Overall, the development would maintain and enhance a green external appearance.

9.78 A southern entrance court combining cherry tree planting and self-binding gravel would be available to all residents and provide a soft entrance from the Travelodge site. This would create a public realm within the site but also allow for a cohesive link between the three phases of development. This area also provides external amenity for the commercial units, in line with Saved Appendix 6 of the Local Plan (2004).

9.79 Residents of each block would have access to communal amenity spaces located at podium level above the car parking areas. Apartments directly facing these podiums would have access to a private terrace which would be defined by raised planters.

9.80 A biodiverse roof will be incorporated onto the roof of block D and sedum roofs will be located on blocks C and F. These would enhance the local biodiversity of the site and provide visual interest to the residents residing at a higher level in blocks A and E.

9.81 Maintenance details for the proposed landscaping has also been provided and compliance would be conditioned as part of the landscaping strategy. Landscaping maintenance will take place once monthly between October and March and twice monthly between April and September.

9.82 Details of hard surfacing materials and landscaping planting have been submitted and these are considered acceptable. Details of boundary treatment both within the

site and bordering the proposal has been requested by condition.

9.83 Overall, details submitted regarding the landscaping for the scheme and maintenance measure for this are considered to provide to a high level quality, verdant finish to the scheme.

Open Space Contribution

9.84 Saved Policy 76 of the Local Plan (2004) states that permission cannot be granted for new residential developments over 25 dwellings or 1 hectare in area unless public leisure space is provided. This leisure space contribution should meet a standard of at least 1.2 hectares (3 acres) per 1,000 population, or 5% of the development area, whichever is greater. This play space provision should be local need with specification of contribution detailed in Saved Appendix 6 of the Local Plan (2004).

9.85 This open space and leisure contribution is now secured through CIL as highlighted on the Council's Regulation 123 List and therefore a duplicate contribution of this would not be sought from the developers.

Maylands Improvement Specification

9.86 Public realm improvements are sought in the Maylands Area through the Maylands Business Park Improvement Specification SPG. Of this, the strategic planning team are seeking the following contributions: 1/5th of the cost of sheets 6, 7 and 8 Index linked to 13.02.19, with a total contribution sought of £155,026.07. A viability statement has been submitted with the planning application which demonstrates that the scheme cannot absorb further costs. Further to this, the LPA's preference is for affordable housing to be secured over this S106 contribution. The reason for this is that the Maylands Improvement contribution sought is considered unreasonable to the extent that the amount asked for has not been supported with any rationale and the sheets ask for are not within the immediate area of the application site, as the development area has already been completed.

Dwelling Mix

9.87 Policy CS18 of the Core Strategy (2013) states that new development should provide a range of housing types, sizes and tenures with unit mix determined by market intelligence. The unit mix would comprise 21 studio apartments, 119x 1 bedroom apartments and 128x 2 bed units for a maximum of 3/4 people. The Council's most recent Strategic Housing Market Land Assessment (2016) (SHMA) outlined that smaller (1 and 2 bed) units for affordable housing is most desirable and market demand is highest for 2 and 3 bedroom units. The 1 and 2 bed mix put forward as part of the current application was negotiated with the Strategic Housing team, who advised that in this specific location smaller units are in high demand. Of this housing offer 35%

has been allocated for affordable housing, with a mix of 75% affordable units for rent and 25% shared ownership. This affordable housing mix is compliant with Policy CS19 of the Core Strategy (2013). It is therefore considered that the housing mix put forward would contribute towards the Council's housing need.

Sustainable Construction

9.88 Policy CS29 of the Core Strategy (2013) states that new development should comply with the highest standards of sustainable design and construction possible. A sustainability statement checklist has been included within the submitted Design and Access Statement and includes measures such as; use of PV cells, BREEAM Very Good Ratings under New Construction 2014 for the commercial elements of the scheme, a maximum residential indoor water use rate of 105 litres per person per day achieved through the use of efficient bathroom fittings and use of sustainable build materials. This detailing would ensure that the development is of sustainable build and occupation.

Protected Species

9.89 The presence of protected species is a material consideration, in accordance with the NPPF (paragraph 175), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS26 of the Core Strategy (2013) states that proposals should contribute to the conservation of habitats and species.

9.90 A Preliminary Ecological Appraisal has been submitted along with the planning application which shows that the site has limited potential to support a range of protected species.

9.91 Although, there was no evidence of badgers existing on the site at the time of surveys, a condition would need to be attached requesting a walkover study prior to commencement of any works to ensure that badgers have not begun to use the site while it has remained vacant. Nesting birds are also not considered likely to be present on site due to the limited number of existing trees and scrubs.

9.92 The proposals would provide a level of biodiversity offering through the provision of greenery, green walls and biodiverse roofs.

Flood Risk and Site Drainage

9.93 Policy CS31 of the Core Strategy (2013) outlines that water will be retained in the natural environment as far as possible. Developments are required to avoid Flood Zones 2 and 3, minimise water runoff and secure opportunities to reduce the cause and impact of flooding. Para 148 of the NPPF (2019) states that the planning system

should take full account of flood risk, with para 155 of the NPPF (2019) stating that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Developments should be used as an opportunity to reduce the causes and impacts of flooding. Para 165 of the NPPF (2019) states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

9.94 The application site falls within Flood Zone 1, which has the lowest risk of flooding. A Flood Risk Assessment and Drainage Strategy was submitted alongside the planning application. The submitted Flood Risk Assessment and Drainage Strategy outlines that the site would be drained using a SUDS system with attenuation and flow limiting Hydrobreak in order to limit surface water flow and that the development would not result in further flooding elsewhere in the surrounding area.

9.95 The Lead Local Flood Authority were consulted on this information and have raised no objection to the development on flood risk grounds and consider 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. Three conditions have been recommended to be attached to the permission to ensure that appropriate drainage and site attenuation is carried out.

9.96 Thames Water have also requested that a condition for four water network be attached to the planning permission prior to occupation.

Contaminated Land and Air Quality

9.97 Policy CS8 of the Core Strategy (2013) seeks to improve road safety and air quality.

9.98 Policy CS32 of the Core Strategy (2013) seeks to maintain soil, water and air quality standards and ensure any contaminated land is appropriately remediated.

9.98 Para. 181 of the NPPF (2019) requires planning policies and decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Para. 189 of the NPPF (2019) ensures that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Air Quality

9.99 Policy CS28 of the Core Strategy (2013) states that carbon emission reductions will be sought in the generation and use of energy, building design and construction, and the use of transport as far as possible. In accordance with Policy CS32 of the Core

Strategy (2013) development should maintain existing Air Quality standards. 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.

9.100 Paragraph 170 of the NPPF (2019) reflects this local guidance by stating that new and existing development should not contribute to unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.

9.101 The application site does not fall within immediate proximity of an Air Quality Management zone however, due to the scale of the proposed development and nature of surrounding uses the air quality of the air needs to be carefully considered. The original Air Quality Assessment submitted alongside the planning application shows the impact of the proposed development on local air quality (pollutants to adjacent road network on Maylands Avenue and St Albans Road and air quality of adjacent residents) to be negligible. The Environmental Health team were consulted on this document and considered this to be based on a historic (2017) air quality baseline. The air quality assessment was subsequently revised with a slight adverse impact to air quality as a result of the development identified. The Environmental Health Team confirmed that the revised report shows the development to be very close to an exceedance of the national objective for nitrogen dioxide. In this regard Air Quality mitigation conditions for a travel plan and electric vehicle charging points have been recommended to ensure that the proposed development does not breach national or local air quality standards.

Contaminated Land

9.102 No Contamination documents were submitted alongside the planning application. Nevertheless, the DBC Contaminated Land team were consulted on the proposed development and considered that as the application site falls within a radon affected area where 1-3% of homes are above the action level and due to historic contaminated land use on the site the standard contamination conditions should be attached to the permission.

Archaeology

9.103 Saved Policy 118 of the Local Plan (2004) states that on archaeological sites or monuments of more local importance their settings, physical preservation in situ will be the preferred option and applications may be refused. The County Archaeological Group will be consulted on all planning applications affecting areas of archaeological significance and archaeological potential. Hertfordshire Archaeology were therefore consulted on the planning application, and as the site is adjacent to an Area of Archaeological Significance they consider the proposal likely to have an impact on heritage assets of archaeological interest. Two archaeological conditions have therefore been requested for archaeological excavation and recording to mitigate the

impact of the development on any historic remains which may be present on the site.

Refuse Collection

9.104 Saved Policy 129 of the Local Plan (2004) seeks to ensure that developments have adequate storage for refuse and recycling

9.105 Refuse provision would be stored in the undercroft parking area of both blocks of the development. Separate refuse facilities would be provided for each block and commercial area, a total of six refuse storage areas are proposed on site. The majority of these refuse stores would be graded for external access. For the bins stores which do not have external access, the management company would be responsible for bringing the bins to the roadside collection points ahead of collection day. Further details of refuse collection arrangement has been requested by condition.

9.106 The residential refuse stores would have sufficient provision to accommodate the bin number required in-line with the Refuse Storage Guidance Note (2015).

9.107 Hertfordshire minerals and waste were consulted in relation to the commercial waste refuse storage facilities and have requested a smart waste management plan to be submitted; this has been conditioned as part of the recommendation for approval.

9.108 Refuse collection would be from the spine road which runs through the development, where the refuse collection vehicle would wait in a bay whilst the bins are collected. A TRACK swept path analysis has been submitted to show that the site is suitable to accommodate a refuse vehicle with an over-run edge island.

9.109 Refuse arrangements for the development are considered to be acceptable.

Secure by Design

9.110 The proposed development has been designed with mind to crime prevention. With the following measures (as well as others) incorporated:

- The security to the communal gardens would be controlled so that residents have access to these spaces from their own building; residents would not have access to other building cores which access the same amenity space.
- The under croft parking area would be access controlled.
- Communal entrance doors to all blocks of flats would have access control systems installed with an audio visual link to each apartment.
- Communal post boxes would be installed to entrance halls and covered by CCTV; the local postal officer would have fob access to the entrance halls only.

9.111 The Crime Prevention Officer at Herts Constituency was consulted on the proposed development and confirmed that the entire development would be built to a

Police minimum security standard.

Equalities Act 2010

9.112 The proposed development has been designated to cater for different types of users with 10% of market and affordable units designed for disability. This is reflected by 10% of parking spaces being allocated for wheelchair users.

9.113 All external amenity area and internal areas of the flats would also be wheelchair accessible.

Planning Obligations & Legal Agreement

9.114 Policy CS35 requires all developments to make appropriate contributions towards infrastructure which is required to support the proposal. 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. The application would be CIL Liable.

9.115 In accordance with Policy CS35 of the Core Strategy (2013) and Saved Policy 13 of the Local Plan (2004) planning obligations under s.106 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) will be required to deliver the affordable housing, adoption and maintenance of on-site open spaces and financial contributions towards the physical and social infrastructure requirements generated by the development.

9.116 A S106 agreement to secure the following obligations has been agreed and is currently being processed by DBC and County. This application is recommended for approval subject to the competition of this S106 agreement.

- £26,000 for the bus stop improvements
- £2,000 travel plan review
- £30,000 car club parking space

Affordable units

9.117 The Council's planning policies indicate that a housing scheme of this scale at this site should include at least 35% affordable housing, in accordance with Policy CS19 of the Core Strategy (2013) and the recently adopted Affordable Housing Supplementary Planning Document. The mix of affordable housing should comprise a 75/25% tenure split between rented and intermediate tenures. For this site the affordable housing requirement would therefore be for: 94 affordable units with 70 socially rented units and 24 shared ownership.

9.118 A viability assessment was submitted alongside the planning application which

originally demonstrated that the proposed development would be unviable to make a full affordable housing contribution. Instead 20% affordable homes were put forward with 100% of this being shared ownership. Through negotiations with the developer and appraisal of this viability assessment from an independent consultant acting on behalf of the Council this figure was amended. The scheme now meets the policy compliant affordable housing amount and tenure mix. An amended viability assessment was resubmitted to reflect this proposed changed and the independent consultant verified the costings as being achievable with a 12% developer profit.

9.119 The proposal is considered policy compliant in regards to affordable housing and S.106 contributions.

Consultation Response

9.120 The main concerns received as a result of the proposed development are addressed below:

Parking- The parking provision assessment has been made within the 'Highway Safety and Parking Provision' section above. The policy guidance for parking numbers outlined within Saved Appendix 5 of the Local Plan (2004) includes visitor provision and is a maximum standard. It is acknowledged that public transport in the immediate vicinity is not great, with no close access to a train station. However, the bus, cycle and pedestrian routes serving the immediate area are considered adequate to off-set the shortfall in parking provision.

Traffic Impact has been underestimated- The traffic impacts of the proposed development highlight within the Transport Assessment have been generated through professional trip-generating software and verified by Hertfordshire Highways who analysed the relevant documents.

Height - It is acknowledged that the height of the development would exceed that of adjacent properties however, the policy guidance for this area seeks a landmark development in this location. It is further considered that a 12 storey high building (maximum 37 metres high) in this location would be out of character, or harmful to the visual amenity of the area.

Loss of privacy- the proposed separation distance of the development to neighbouring residents at the Flags, and other adjacent roads, far exceeds the 23 metre minimum guideline outlined in Saved Appendix 3 of the Local Plan (2004). The separation distances to neighbouring residents are considered acceptable, with the height of the proposed development factored.

Loss of daylight and sunlight to properties - A daylight and sunlight report was submitted for immediately adjacent residents of the development site. This shows a negligible loss to daylight and sunlight serving these properties as a result of the development.

Lack of infrastructure - The development will make a contribution towards improving local infrastructure. The development is liable for a CIL payment which will be put towards primary and secondary education facilities, health facilities (such a GP

practices and hospital facilities), social and community facilities, open space, waste services and strategic transport projections. The development will also make a direct highway improvement contribution to the immediate area and affordable housing contribution. Please see 'Planning Obligations & Legal Agreement' section.

Further noise and air pollution - this has been assessed within the 'noise' and 'air quality' sections.

Light pollution- A condition requesting external lighting details has been attached to the recommendation so that the LPA can control the level of light pollution omitted from the development.

Impact on bats and ecology- This has been addressed within the 'Protected Species' section above.

Anti-social behaviour in cycle/footpath path - The proposed development has been designed with mind to crime prevention measures, please see 'Secure by Design' section. The proposed development would provide an active residential frontage to the northern cycle/footpath which would help to control/deter anti-social behaviour in this location.

No demand for office space – this has been acknowledged and assessed within the 'principle of development section'. As the site is located within an employment area, the Council are seeking to maximum the amount of office space viable.

9.121 A MP objection to scheme has also been received which supports neighbours' concerns.

10. Conclusion

10.1 The proposed residential use of this site would result in the loss of designated employment land in The Gateway location, serving the Maylands Business Park, which is a departure from Dacorum's Development Plan policies. Factors such as, the current market demand of office use has been taken into consideration in the planning balance. It is considered that the negative impact which would result from the loss of this strategic employment site, would be outweighed by the benefits of the proposal; securing additional new homes on a brownfield site and providing 35% of these homes as affordable housing. The development is therefore considered acceptable in principle in accordance with the NPPF (2019), Policies CS1, CS2, CS4, CS14, CS15, CS17, CS19, CS34 and CS35 of the Dacorum Core Strategy (2013), Hemel Hempstead Place Strategy (2013), Saved Policies 10 and 31 of the Dacorum Borough Local Plan (2004) and guidance within the Maylands Master Plan (2007) and the Maylands Gateway Development Brief (2013).

10.2 The scheme is also considered acceptable in terms of visual impact to the street scene, securing a reasonable standard of amenity for future residents, impact on highway safety and operation and other relevant matters; in accordance with the NPPF (2019) Policies CS8, CS10, CS11, CS12, CS18, CS26, CS28, CS29, CS31 and CS32 of the Core Strategy (2013), Saved Policies 18, 21, 51, 58, 76, 99, 100, 111, 118, 129,

Appendices 3, 5 and 6 of the Local Plan (2004), Hemel Hempstead Urban Design Assessment (2010) and Refuse Storage Guidance Note (2015).

11. RECOMMENDATION

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

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

- £26,000 for the bus stop improvements
- £2,000 travel plan review
- £30,000 car club parking space
- 35% Affordable units (75/25% tenure split between rented and intermediate tenures)

3. That the following conditions, or such other terms as the Committee may determine, be agreed:

- 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:**

Additional Noise Assessment Letter Ref: 60566365 23rd April 2019

Affordable Housing Note 4th April 2019

Revisions to Air Quality Assessment 28th February 2019

Response to Highway comments ADL/LRJ/lS/1981 31 January 2019

Response to Residents Ref: 3094CPL 05 February 2019

16960-02-SC-(10)-01 Rev 6

Air Quality Technical Note 14th December 2018

16960-03-SC-(10)-01 Rev 6

Response to comments on the Air Quality Assessment for Maylands Avenue 30th October 2018

Traffic Note ADL/LRJ/Is/1981 31 October 2018

16960-SW-TP-(10)-38 Rev 1

16960-SW-TP-(10)-32 Rev 1

16960-SW-TP-(10)-33 Rev 1

16960-SW-TP-(10)-35 Rev 1

16960-SW-TP-(10)-36 Rev 1

16960-SW-TP-(10)-34 Rev 1

16960-SW-TP-(10)-37 Rev 1

Parking Note 1981 September 2018

60215703/CL(5)/001 Rev C6

60215703/CL(5)/002 Rev C6

16960-03-TP-(10)-01 Rev 10

Maylands Air Quality Assessment August 2018

Planning Report 14th December 2018

Revised Submission covering letter 14th December 2018

Daylight and Sunlight Report for Plots 2 & 3 Kier Park, Maylands Avenue, Hemel Hempstead 31st October 2018 66275/16/EB/SM

16960-SW-TP-(10)-20 Rev 7

16960-02-TP-(10)-20 Rev 7

16960-03-TP-(10)-02 Rev 8

16960-03-TP-(10)-00 Rev 10

16960-03-TP-(11)-03 Rev 7

16960-02-TP-(10)-06 Rev 8

16960-02-TP-(10)-02 Rev 8

16960-SW-TP-(11)-02 Rev 6

16960-03-TP-(10)-11 Rev 7

782-MP-05 Rev C
16960-02-TP-(11)-04 Rev 5
16960-03-TP-(10)-10 Rev 7
16960-03-TP-(10)-03 Rev 8
16960-SW-TP-(12)-06 Rev 7
782-MP-04 Rev E
16960-02-TP-(10)-04 Rev 8
16960-02-TP-(10)-10 Rev 8
782-MP-06 Rev B
16960-03-TP-(10)-08 Rev 8
16960-SW-TP-(12)-05 Rev 7
16960-02-TP-(10)-03 Rev 8
16960-SW-TP-(12)-04 Rev 7
16960-02-TP-(10)-09 Rev 8
16960-02-TP-(10)-01 Rev 10
16960-SW-TP-(12)-03 Rev 7
16960-02-TP-(10)-08 Rev 8
16960-02-TP-(10)-05 Rev 8
16960-02-TP-(10)-07 Rev 8
16960-03-TP-(10)-05 Rev 8
16960-03-TP-(11)-05 Rev 7
16960-03-TP-(10)-06 Rev 8
16960-03-TP-(10)-07 Rev 8
16960-SW-TP-(12)-02 Rev 7
16960-03-TP-(11)-02 Rev 7
16960-SW-TP-(11)-01 Rev 6
16960-03-TP-(10)-04 Rev 8

16960-02-TP-(11)-01 Rev 5

16960-02-TP-(10)-00 Rev 10

16960-03-TP-(11)-01 Rev 7

16960-02-TP-(11)-02 Rev 5

16960-03-TP-(10)-09 Rev 8

782-MP-07 Rev A

16960-03-TP-(11)-04 Rev 7

16960-02-TP-(10)-11 Rev 8

**Landscape Statement December 2018 Ref: 782 Landscape Statement
Rev. A 2018-12-14**

16960-02-TP-(11)-03 Rev 5

16960-SW-TP-(12)-01 Rev 7

Statement of Community Involvement August 2018

BS5837 Arboricultural Report Ref: 18024 28th August 2018

Design and Access Statement 13 December 2018 Rev 07

Preliminary Ecological Appraisal August 2018

16960-SW-TP-(00)-02 Rev 4

**Flood Risk Assessment and Drainage Strategy Issue 2 Revision A 18th
April 2018**

782-IM-01 - Hard Materials Palette August 2018

782-IM-02 - Planting Palette August 2018

16960-SW-TP-(00)-01 Rev 4

Noise Survey and Assessment August 2018

Planning Statement 31 August 2018

**Daylight and Sunlight Report for Plots 2 & 3 Kier Park, Maylands
Avenue, Hemel Hempstead 28 August 2018 66275/16/EB/SM**

Topographical Survey 10985.dwg Rev 2

Transport Assessment December 2018 ADL/LRJ/1981/14A

Notwithstanding the following Affordable Housing details:

Design and Access Statement pages 7, 96 and 105;

Planning Statement pages 24 and 25; and

Parking Note page 1

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

- 3 **No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority.**

This detail shall include:

- **Joinery details and finish**
- **Rainwater goods**
- **Eaves details**
- **Brickwork**
- **Brickwork bond**
- **Mortar**
- **Fenestration and glazing**

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

Reason: Due to the nature of this condition it necessary to be pre-commencement as materials will be used in construction. This material condition is to ensure a satisfactory appearance to the development; in accordance with Policies CS12 and CS34 of the Core Strategy (2013), Maylands Gateway Development Brief (2013) and Maylands Master Plan (2007).The pre-commencement nature of this condition has been agreed by the applicant.

Materials Informative

Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

- 4 **Prior to occupation of the development hereby permitted details for the**

undercroft parking shutters to be installed within plots 2 and 3 shall have been submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of the relevant plot of the development permitted, works shall be carried out for that plot in accordance with these approved details and retained thereafter.

Reason: To ensure a satisfactory commercial appearance to the proposed development in accordance with Policies CS12 of the Core Strategy (2013).

- 5 Prior to occupation of plot 2 of the development hereby permitted details for the appearance of the false commercial screen to be installed on the South-East elevation of plot 2, block C, shall have been submitted to and approved in writing by the Local Planning Authority.**

Prior to occupation of plot 2 of the development permitted, works shall be carried out in accordance with these approved details and retained thereafter.

Reason: To ensure a satisfactory commercial appearance to the proposed development in accordance with Policies CS12, CS14, CS15, CS34 of the Core Strategy (2013), Saved Policy 31 of the Local Plan (2004), Maylands Gateway Development Brief (2013) and Maylands Master Plan (2007).

- 6 Prior to occupation 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:**

- **plan indicating the positions, design, materials and type of boundary treatment to be erected;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and**
- **trees to be retained and measures for their protection during construction works;**

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area; in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policies 99 and 100 of the Local Plan (2004).

- 7 All planting, seeding or turfing and soil preparation comprised in the approved details in condition 6 shall be carried out in the first planting and seeding seasons following one year post implementation of the**

development hereby approved; and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development; in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policies 99 and 100 of the Local Plan (2004).

- 8 **Prior to occupation of the development hereby permitted a long term Landscaping Work, Biodiverse Green Roof and Green Wall Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the long-term maintenance and specification of the Landscaping Works, Biodiverse Roof Green Roofs and Walls hereby permitted on the development. Details shall include cleaning and general maintenance works/checks which shall commence throughout the lifetime of scheme.**

Maintenance and up-keep of the green roofs shall be carried out in accordance with the approved details for the life-time of the development.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in the long-term; in accordance with Policies CS12 and CS26 of the Core Strategy (2013).

- 9 **Prior to occupation of the development hereby permitted an exterior lighting plan has been submitted to and approved in writing by the local planning authority. These details shall include:**

- **Specifications of lighting including: luminaire and lamp type, beam control, wattage, the use of reflectors, baffles, louvres, cowling (including colouring), lux contours/distribution diagrams and column type/colour;**
- **Site plan showing location of lighting within development;**
- **A lighting statement clarifying the precise lighting impact (both internal and external) in relation to bats and other nocturnal wildlife, nearby housing and cycle path and how the installation minimises light pollution in relation to the control criteria specified by the Institution of Lighting Engineers' 'Guidance Notes for the Reduction**

of Light Pollution’;

- A maintenance programme (after-care); and
- Hours of use;

Exterior lighting works shall be carried out in accordance with the approved details for the lifetime of the development.

Reason: To safeguard and mitigate light pollution and illumination levels from the scheme; in accordance with Saved Appendix 8 and Policy 113 of the Local Plan (2004).

- 10 **Prior to occupation of the development hereby permitted a noise assessment and mitigation / control scheme for the proposed plant shall be submitted and approved in writing by the Local Planning Authority. This noise assessment shall specify and rate sources of noise associated with the proposed plant and detail mitigation measures to be made for its control. Sources of noise include, but are not restricted to general building services plant and emergency generators.**

This noise assessment shall be compiled by appropriately experienced and competent persons.

The development shall be carried out in accordance with the approved noise assessment and mitigation/control scheme prior to first occupation and retained thereafter.

Reason: To ensure satisfactory level of amenity for future occupiers; in accordance with the NPPF (2019), Policies CS12 and CS32 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).

- 11 **Prior to first occupation of the development hereby permitted a scheme of façade protection and alternative ventilation measures for the protection of future residential occupiers from noise shall be submitted to and approved in writing by the Local Planning Authority.**

This scheme shall be compiled by appropriately experienced and competent persons.

Prior to first occupation of the development the scheme of façade protection and alternative ventilation measures shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure satisfactory level of amenity for future occupiers; in accordance with the NPPF (2019), Policies CS12 and CS32 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).

Construction Hours of Working – (Plant & Machinery) Informative

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

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

- 12 **Notwithstanding the details submitted prior to first occupation of the development hereby permitted 20 Electric Vehicle (EV) ready domestic charging points shall be installed within the undercroft parking area.**

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality; in accordance with the NPPF (2019) and Policy CS32 of the Core Strategy (2013).

EV Charging Point Specification Informative

- Each charging point shall be installed by an appropriately certified

electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

- Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

- If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

- 13 **Prior to residential occupation of the development hereby permitted a Residential Travel Plan shall be submitted in accordance with Hertfordshire's Travel Plan Guidance and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.**

Reason: To promote sustainable transport measures to the development in accordance with the National Planning Policy Framework (2012) and Policy CS8 of the Core Strategy (2013).

- 14 **Prior to occupation of the development hereby permitted a Business Travel Plan shall be submitted in accordance with Hertfordshire's Travel Plan Guidance and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be**

implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To promote sustainable transport measures to the development in accordance with the National Planning Policy Framework (2012) and Policy CS8 of the Core Strategy (2013).

- 15 **Prior to commencement of development hereby permitted a Smart Waste Management Plan should be submitted to and approved in writing by the Local Planning Authority. This Smart Waste Management Plan should provide details for both the site preparation and construction 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

Works should be carried out in accordance with the approved details.

Reason: Due to the nature of this condition it necessary to be pre-commencement as details to minimise waste during construction need to be outlined. This condition is to ensure the build is sustainable and waste in minimised; in accordance with Policy CS29 of the Core Strategy (2013). The pre-commencement nature of this condition has been agreed by the applicant.

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

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

- temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Construction or Demolition Hours of Operation;
- l. Dust and Noise control measure; and
- m. Asbestos survey and control measure where applicable.

Reason: Due to the nature of this condition it necessary to be pre-commencement as details as construction details are required. The construction management plan is required in order to protect highway safety, the amenity of other users of the public highway and rights of way; in accordance with Policies CS8 and CS12 of the Core Strategy. The pre-commencement nature of this condition has been agreed by the applicant.

- 17 **Prior to occupation of the development hereby permitted, a Servicing and Delivery Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.**

The servicing and delivery of the development shall be carried out in accordance with these details.

Reason: In the interests of maintaining highway efficiency and safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

- 18 **Prior to first occupation of the development hereby permitted, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The car parking management plan shall include the information prescribed in the Transport Assessment 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 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, 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 Policies CS8 and CS12 of the Core Strategy (2013).

Highways Informatives

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.

- 19 **Prior to occupation of the development hereby permitted a housing and infrastructure phasing plan for the developments use of the wastewater network shall have been submitted to and approved in writing by the Local Planning Authority.**

Development shall be carried out in accordance with this housing and infrastructure phasing plan prior to occupation and maintained therefore.

Reason: To ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development; in accordance with Policy CS31 of the Core Strategy (2013).

Thames Water Informative

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

- 20 **No development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. 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: Due to the nature of this condition it necessary to be pre-commencement in order to provide properly for the likely archaeological

implications of this development proposal; in accordance with the National Planning Policy Framework (2019), Saved Policy 118 of the Local Plan (2004) and the guidance contained in the Historic Environment Planning Practice Guide. The pre-commencement nature of this condition has been agreed by the applicant.

- 21 **Development shall take place in accordance with the Written Scheme of Investigation approved under condition 18.**

The development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition 18 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In order to provide properly for the likely archaeological implications of this development proposal; in accordance with the National Planning Policy Framework (2019), Saved Policy 118 of the Local Plan (2004) and the guidance contained in the Historic Environment Planning Practice Guide.

- 22 **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: Due to the nature of this condition it necessary to be pre-commencement in order to ensure that the issue of contamination is adequately addressed before building works begin; in accordance with Core Strategy (2013) Policy CS32. The pre-commencement nature of this condition has been agreed by the applicant.

- 23 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 22 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 that 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 (2019).

Contamination Informatives:

Paragraph 178 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website

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.

- 24 **Prior to the commencement of development, a Construction Ecological Management Plan shall be submitted and approved in writing by the Local Planning Authority for approval. The Ecological Management Plan shall detail planned mitigation for ecological impacts on the adjacent woodland. Works shall be carried out in accordance with these approved details.**

Reason: Due to the nature of this condition it necessary to be pre-commencement in order to protect the presence of protected species before construction of the development commences, in line with the NPPF (2019) and Policy CS26 of the Core Strategy (2013).The pre-commencement nature of this condition has been agreed by the applicant.

- 25 **Prior to commencement of the development permitted, a Badger survey of the bund shall be carried out and details including an assessment of the impact of the proposed development and any appropriate mitigation measures to alleviate such impacts shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with these approved details.**

Reason: Due to the nature of this condition it necessary to be pre-commencement in order to protect the presence of protected species before construction of the development commences, in line with the NPPF (2019) and Policy CS26 of the Core Strategy (2013).The pre-commencement nature of this condition has been agreed by the applicant.

Ecology Informative

Any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August 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 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

- 26 **The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy carried out by PCS Consulting Engineers Ltd Issue 2 Revision A dated 18 April 2018. The surface water drainage scheme should include;**

- 1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
- 2. Limiting surface water run-off to a maximum of 40l/s for all rainfall events up to and including the 1 in 100 year + climate change even**

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; in accordance with Policy CS31 of the Core Strategy (2013).

- 27 **No development shall take place until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system will be based on the submitted approved Flood Risk Assessment and Drainage Strategy carried out by PCS Consulting Engineers Ltd Issue 2 Revision A dated 18 April 2018. The scheme shall also include:**

- 1. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.**
- 2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.**
- 3. 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 and details of final exceedance routes.**

The development shall be carried out in accordance with these approved details.

Reason: Due to the nature of this condition it necessary to be pre-commencement in order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to prevent the increased risk of flooding, both on and off site; in accordance with Policy CS31 of the Core Strategy (2013). The pre-commencement nature of this condition has been agreed by the applicant.

- 28 **Prior to occupation of the development hereby permitted a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:**

- 1. Provision of complete set of as built drawings for site drainage with maintenance and operational activities.**
- 2. Arrangements for adoption and any other measures to secure the**

operation of the scheme throughout its lifetime.

Works shall be carried out in accordance with these approved details and maintained thereafter.

Reason: In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; in accordance with Policy CS31 of the Core Strategy (2013).

- 29 **Prior to commencement of any built development hereby permitted information on the number and position of fire hydrants shall be submitted to and approved in writing with the Local Planning Authority. The relevant details shall include information on how the hydrants will be incorporated into the mains water services whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus. The fire hydrants shall be implemented prior to occupation of the dwellings hereby approved.**

Reason: In the interests of health and safety; in accordance with Policy CS12 of the Core Strategy (2013).

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation responses

Comments received from consultees:

Thames Water

Waste Comments

Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position for foul water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the

additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.” The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

‘We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: “A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.”

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.

Strategic Housing

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

Therefore, 94 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.

Herts Property

Thank you for your email regarding the above mentioned planning application.

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

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (growth@hertfordshire.gov.uk).

Rights of Way Officer

No Public Right of Way.

Herts Fire and Rescue

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

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

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

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

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is

determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

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

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

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

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

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

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

(ii) Directly related to the development;

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

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

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

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

Minerals and Waste Planning

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.

British Pipeline Agency

Thank you for your correspondence enclosing details of your proposals as listed above.

We are not aware that any of BPA Pipelines apparatus, falls within the vicinity of the above noted location.

However, if the location of your work should change, please contact us immediately, on 01442 218911 or email nickifarenden@bpa.co.uk. Whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

Lead Local Flood Authority

Thank you for consulting us on the above application for the construction of 268 flats and 1095sqm of office space split across six blocks, with associated car parking, landscaping and amenity space.

Following a review of the Flood Risk Assessment and Drainage Strategy carried out by PCS Consulting Engineers Ltd Issue 2 Revision A dated 18 April 2018, we can confirm that we have no objection in principle 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.

The proposed drainage strategy is based upon attenuation and discharge into the Thames Water surface water sewer. The drainage system has been designed to restrict run off from all events to the allowable flow agreed under the original planning approval APP/4/01442/11/ROC. This allows 75l/sec for the whole site, and 40l/sec remaining for plot 2 and 3. The hydrobrake is located in manhole SWMH 14 downstream of a large attenuation tank. The hydrobrake ensures that water is stored to help control the flow prior to discharge into the public surface water sewer surface water system.

A total of 220m³ of net storage is provided upstream of manhole S9 within the undercroft ground floor parking. We note areas of informal flooding has been identified for events above for 1 in 100 year plus climate change and will be located access route and within the ground floor parking areas.

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

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy carried out by PCS Consulting Engineers Ltd Issue 2 Revision A dated 18 April 2018. The surface water drainage scheme should include;

1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Limiting surface water run-off to a maximum of 40l/s for all rainfall events up to and including the 1 in 100 year + climate change event

Condition 2

No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted approved Flood Risk Assessment and Drainage Strategy carried out by PCS Consulting Engineers Ltd Issue 2 Revision A dated 18 April 2018. The scheme shall also include:

1. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
3. 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 and details of final exceedance routes.

Condition 3

Upon completion of the drainage works for each phase in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

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

Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent the increased risk of flooding, both on and off site

Amended Comments

Thank you for consulting us on the above application for the construction of 268 flats and 1095sqm of office space split across six blocks, with associated car parking, landscaping and amenity space.

We note that no additional information has been submitted in relation to surface water drainage or flood risk therefore we maintain our position as stated in our letter dated 03 October 2018.

Herts Archaeology

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

The proposed development site is adjacent to Area of Archaeological Significance no. 38, as identified in the Local Plan. This denotes an area of prehistoric and Romano-British occupation that includes a substantial Romano-Celtic temple and related religious complex dating to the 1st and 2nd centuries A.D. (Scheduled Monument No. 27921), south of Wood Lane End. Excavations in advance of housing development in 1982 and 1983 identified remains including a temple or mausoleum, a bath house and several other buildings [Historic Environment Record no. 94].

Archaeological evaluation in 2016, followed by archaeological excavations c.250m to the north west of the site, in 2017, have revealed the remains of several Roman corn-driers, a tile kiln, a lime kiln, and other industrial evidence [Maylands Gateway - HER no. 31265]. It is likely that these features can be linked to the construction of the temple-mausoleum complex, and that they together comprise an archaeological site of considerable significance.

An archaeological evaluation was undertaken by Oxford Archaeology in 2007 which sampled approximately 5% of the whole of the then development site (i.e. Plots 1, 2 and 3). The results of this investigation suggest a high level of disturbance across the site, particularly where the construction of the former GPO buildings has had a considerable impact. However, despite this a number of significant, albeit truncated, archaeological features were identified. The site therefore has the potential to contain currently unknown archaeological finds and deposits.

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 I recommend that the following provisions be made, should you be minded to grant consent:

1. the archaeological supervision of the removal of soil and overburden to the archaeological horizon, via a 'strip and record' exercise, in areas to be agreed in consultation with the NHBEAT - and the investigation and recording of any

- archaeological features or deposits thereby revealed, prior to the commencement of any groundworks associated with the development;
2. the archaeological monitoring and recording of all other remaining ground works associated with the proposed development - including foundations, service trenches, landscaping, etc. (and also including a contingency for the further investigation and recording of any remains then encountered);
 3. a contingency for the rapid archaeological investigation of any remains encountered during the monitoring programme,
 4. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, the the publication of the results, as appropriate, a publication of these results, and an archive,
 5. 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 para. 199, etc. of the National Planning Policy Framework (2018), and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent 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) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis 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.

If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.

I hope that you will be able to accommodate the above recommendations.

Amended Comments

I have no additional comment to make on these amendments. Our advice to the Planning Authority concerning the application remains unaltered to that contained in our letter dated 3rd October 2018: i.e. we consider that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and we recommend that provision should be made to mitigate the impact of the development via the placing of appropriately worded archaeological conditions on any planning consent, should such consent be granted.

Crime Prevention Officer

Thank you for sight of planning application 4/02286/18/MFA, construction of 268 flats and 1095 square metres of office space split across six blocks , with associated car parking, landscaping and amenity space. Plots 2 & 3 Kier Park , Maylands Avenue, Hemel Hempstead, HP2 4FQ.

I am pleased to see that Security is detailed in the Design and Access Statement (7.5) and it is the intention to build the entire development to the Police minimum security standard Secured by Design , which will meet the requirements of building regulations (Approved Document Q).

I am meeting with the officers who Police Maylands Avenue as we have seen an increase in crime , especially in the Travel Lodge car park (adjacent to the proposed development). It is strongly recommended that this development is built to the SBD standard.

Please contact me if you require any further information.

Amended Comments

From a crime prevention and community safety perspective it is great to see that the commercial car park spaces will increase from 27 to 65 , I have no further comments relating to this application.

Trees and Woodlands

With regard to Planning Application 4/02286/18/MFA - Plots 2 & 3 Kier Park, Maylands Avenue, Hemel Hempstead.

According to the Arboricultural Report submitted for the application many of the existing trees will require removal to facilitate the development. These have been categorised as 'C', and therefore are not of sufficient quality to seek retention. After examining the Landscape Statement outlining the proposed planting scheme, I consider appropriate mitigation is included to support tree losses. Consequently, I have no objections

relating to tree removal.

The proposed distance of block 'D' to the western tree line is a minimum of 10m. Tree roots emanating from the adjacent tree line have the potential to reach greater distances than 10m. As a result, I require a Tree Protection Plan to be submitted that clearly identifies the extent of the root areas of trees adjacent to the building and a suitable method for their protection, where tree roots encroach into the development site.

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 recommends that permission be refused for the following reasons:

Decision

Hertfordshire County Council (HCC) as highway authority wish to object to the proposed development at Plots 2 and 3 Kier Park due to a lack of information to demonstrate that the proposed development would not have a significant impact on the local highway network. The following information is required for consideration:

- Inclusion of further committed development:

- 4/00064/17/MFA
- 4/02981/17/MFA
- 4/03421/15/MFA
- 4/03252/15/MFA
- 4/03054/17/MFA

- Revised site access junction capacity assessment which includes the updated committed development.

- Further junction assessments are required, with at least St Albans Road / Maylands Avenue roundabout considered. Justifying the lack of additional assessment by comparing the proposed development to the previous application, permitted in 2010, is not considered acceptable as the previous application is out of date and the characteristics of the highway network have changed since the previous application was agreed.

- Clarification that servicing does not require the parking spaces to be free from parked cars.

- Visibility from the access should include the adjacent roundabout exit.

While not reasons for refusal on their own, the following are required for consideration and would be conditioned if the application is permitted.

- Full policy review.

- Clarification of whether the permission previously granted is extant or expired.

- Review of most recent five years of collision data.

- Full Travel Plan, including measures to reduce car usage.

- Construction Traffic Management Plan.

Description of the Proposal

The proposal consists of the erection of 268 flats and 1,095 sqm of commercial floorspace split across six blocks with associated car parking, landscaping and amenity space at Plots 2 and 3 Kier Park, Maylands Avenue, Hemel Hempstead.

History

Plots 2 and 3 have previously had permission granted for 6,455sqm of office space with 152 car parking spaces (reference 04/02124/08/MOA). The permission was granted in 2010.

The applicant is required to clarify when the permission was granted in 2010 and whether it is extant or has since expired.

Site Description

The site comprises circa 1 hectare of vacant brownfield land. The site is located on the corner of St Albans Road and Maylands Avenue, Hemel Hempstead.

Analysis

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

A Transport Assessment is required for a development of this scale, in line with the guidance set out in Roads in Hertfordshire: Highway Design Guide (3rd Edition). A Transport Assessment has been provided as part of the application package.

Policy Review

The applicant has not provided evidence of consideration of policy documents in the application submission.

HCC typically requires that the applicant provide evidence of review of the following documents:

- Planning Practice Guidance (PPG);
- Manual for Streets (2007);
- Hertfordshire County Council Local Transport Plan 3 (LTP3) 2011-2031;

- HCC Active Travel Strategy (April 2013);
- HCC Rail and Bus Strategy.

Additionally, pre-application comments requested the review of Hemel Hempstead Urban Transport Plan.

Trip Generation

A trip generation profile for the proposed development (residential and office) has been provided. The applicant has also provided a comparison of the proposed and permitted development trips.

Proposed Development

The applicant used the TRICS database to determine the number of trips the

development is likely to generate.

For the residential trip rate calculation, the applicant used the following parameters:

- 03 - Residential
- C- Flats Privately Owned
- 56-135 units
- Suburban Area

The proposed total person trip rates generated by the TRICS interrogation for the residential land use were summarised in the TA, as were the vehicle trip rates. The vehicle trip generation was determined to be:

- AM Peak: 17 arrivals, 62 departures for a total of 79 two-way trips
- PM Peak: 50 arrivals, 26 departures for a total of 76 two way trips

For the office trip rate calculation, the applicant used the following parameters:

- 02 - Employment
- A - Office
- 186 to 70291 sqm
- Suburban Area

The proposed total person trip rates generated by the TRICS interrogation for the office land use were summarised in the TA, as were the vehicle trip rates. The vehicle trip generation was determined to be:

- AM Peak: 26 arrivals, 4 departures for a total of 30 two-way trips
- PM Peak: 3 arrivals, 22 departures for a total of 25 two way trips

The total vehicle trip generation for the proposed development is:

- AM Peak: 43 arrivals, 66 departures for a total of 109 two-way trips
- PM Peak: 53 arrivals, 48 departures for a total of 101 two way trips

The applicant has also provided trip generation for sustainable modes of transport, including walking, cycling and public transport. It is considered that the majority of trips generated by the development can be accommodated within existing infrastructure.

Trip Distribution

The applicant has provided local trip distribution and assignment diagrams as part of the TA.

The methodology for trip distribution is acceptable. However, the diagrams for '2023 base +committed + proposed development' should be updated to include further committed development (explained further below).

Impact on the Highway Network

Committed Development

As part of the TA, the applicant has considered the following as committed

developments:

- Heart of Maylands (4/00676/14/MFA)
- Land at Maylands Avenue (4/03157/16/MFA)

The following committed developments should also be considered within this assessment:

- 4/00064/17/MFA
- 4/02981/17/MFA
- 4/03421/15/MFA
- 4/03252/15/MFA
- 4/03054/17/MFA

The above committed development should be considered to provide an accurate representation of the future 2023 traffic base.

Growth Rates

The applicant states that TEMPRO has been interrogated to determine the forecast growth rates for the year 2023. For growth over the period 2017 to 2023, the factors 1.0820 and 1.0824 were determined for the morning and evening peak hours respectively.

This approach is considered acceptable.

Traffic Surveys

Traffic survey data (for 2017) was obtained for:

- Maylands Avenue (ATC)
- St Albans Road (ATC)
- Maylands Avenue / Breakspear / Leaverstock / St Albans (MCC)

Junction Assessment

The applicant has undertaken a capacity assessment of the site access only. The results indicate that the operation of the junction would exceed capacity in both peak periods; however, the impact will be contained within the site, i.e. no queuing would occur onto Maylands Avenue.

However, the junction modelling results cannot be agreed until all committed development within the area has been considered.

The applicant does not include any further junction assessments. The applicant justifies this approach by stating that the permitted development for this site generated more traffic.

This approach is not acceptable as the permitted development TA which was submitted in 2008 is no longer considered to be comparable.

The proposed development is forecast to increase traffic traveling southbound on Maylands Avenue by 4%. At a minimum, a capacity assessment of the Maylands Avenue/ St Albans Road roundabout should be completed.

Highway Safety

Personal Injury Collision (PIC) data has been sourced from Hertfordshire for a period covering the past three years, encompassing the local highway network surrounding the site.

Over the study period, there were a total of 11 collisions, with nine classified as slight and two classified as serious, with no fatalities. A serious collision occurred at the site access junction and one occurred at the roundabout junction to the south. Four of the slight collisions occurred at the roundabout, one occurred at the site access, two occurred on the signalised junction with the access to the fitness centre, one collision on the junction 120 metres north of this signalised junction, one collision occurred at the junction with Duxons Turn and two collisions occurred on the junction of Wood Lane End.

It was stated in the TA that the collision at the junction involved a cyclist, which could mean that visibility is an issue at this location. Further details are required with regards to this collision. In addition to this, HCC would like the most recent five years of data to be reviewed to ascertain whether there are any trends in collision in the area that could be exacerbated by additional trips generated by the proposed development.

Highway Layout

Access

There is an existing access to Plots 2 and 3 from Maylands Avenue constructed for the hotel development on Plot 1.

The visibility splays at the access are a minimum of 2.4 metres x 43 metres and hence, comply with current guidance for a road subject to a 30-mph speed limit. However, given the proximity of the roundabout junction with Maylands Avenue / A414 Breakspear Way / St Albans Road to the site access, visibility should be demonstrated to this junction.

Delivery, Servicing and Refuse Vehicles

Swept path analysis has been carried out by the applicant showing refuse and delivery vehicles entering / exiting the site in a forward gear. Refuse vehicles are expected to represent the largest vehicles that will be accessing the site.

It appears from the swept path analysis that the servicing vehicle requires parking bays to be empty to service the site. This should be reviewed and clarification provided.

Accessibility

Public Transport

There are bus stops located on Maylands Avenue, approximately 200m north of the site. These bus stops are provided with a shelter, seats and timetable in the northerly direction but are 'flag only' for southbound journeys. Both bus stops have easy access kerbing.

These stops provide access to 5 bus services which are summarised below:

- 758 - 21 services per day
- 301 - 6 morning services and 4 evening services
- 320 - every 30 mins, reducing to every hour after 19:00
- PB2 - every 30 mins from 16:30.

Additional bus services are available along the A414 Breakspear Way, approximately 300 metres southwest of the site which are served by the same routes as well as services 300/301 which run every hour between Stevenage and Hemel Hempstead from Monday to Sunday, and the H10 service between Hemel Hempstead and Boxmoor/Leverstock Green that run hourly Monday to Saturday.

Hemel Hempstead railway station is situated approximately 6km away in the town centre, but is accessible by bus or taxi. The main terminating destinations accessible from this station include Milton Keynes, Tring and London Euston.

HCC notes that the site is adequately served by bus which provide services to Hemel Hempstead town centre, railway station, London, and surrounding areas. Traveling by bus is deemed a viable method of travel for potential future residents and office employee of the development.

Walking and Cycling

There are footways on both sides of Maylands Avenue and the signalised junction which provides access to the Aviva site includes pedestrian crossing facilities over Maylands Avenue.

Footpaths are provided on both sides of all the roads forming the four arms of the roundabout junction at Maylands Avenue / A414 Breakspear Way / St Albans Road adjacent to the site.

A footbridge is provided across the A414 on its eastern arm. This footbridge provides access to the site for pedestrians approaching from the south and east. For those approaching from the south and west, there is a signalised pelican crossing on the A414, west of the junction.

A shared cycleway/footway runs along the northwest boundary of the site. The shared cycleway/footway provides pedestrian access to Broadfield Primary School (located approximately 1.7 kilometres west of the site), The Queens Square shopping centre (located approximately 1.3 kilometres west of the site) and Adeyfield School (located approximately 1.1 kilometres west of the site).

Hemel Hempstead is serviced by the National Cycle Network with a traffic-free route entering from the north. It runs alongside Hemel Hempstead Road and the A4147 Link Road just

To the north of Maylands Avenue a National Cycle Network route runs alongside Hemel Hempstead Road and the A4147 Link Road before heading south into Hemel Hempstead.

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

Parking

Residential

It is proposed that 268 car parking spaces be provided for the 268 residential units.

The mix of units proposed is as follows:

- 119 x 1 bed units;
- 128 x 2 bed units.

The Dacorum Borough Council Parking Guidance provide the following maximum standards for residential units:

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

Based on the above standards a maximum provision of 366 car parking spaces can be provided. The proposals include 268 car parking spaces, this is significantly 73% of the maximum standards and represents one space per dwelling. Given the accessibility of the site by sustainable transport modes, this is considered acceptable. However, it is ultimately the decision of the LPA to agree parking.

The Dacorum Borough Council Parking Guidance provide the following minimum cycle parking standards for residential units:

- 1 bed units - 1 space per dwelling;
- 2 bed units -1 spaces per dwelling.

Based on the above standards a provision of a minimum of 268 cycle parking spaces is required. The proposals include the provision of 268 cycle parking spaces, this meets the recommended standards.

Office

It is proposed that 27 car parking spaces be provided for the 1,095 sqm Office.

The Dacorum Borough Council Parking Guidance provide the following maximum car parking standards for Offices (B1):

- 1 parking space per 30 sqm.

Based on the above standards, a maximum provision of 36.5 car parking spaces is calculated. The proposals include the provision of 27 car parking spaces which is equivalent to 73% of the maximum provision. Given the accessibility of the site by sustainable transport modes, this is considered acceptable. However, it is ultimately the decision of the LPA to agree parking.

The Dacorum Borough Council Parking Guidance provide the following cycle parking standards for office units:

- 1 short stay spaces per 500sqm; and,
- 1 long stay space per ten full time staff.

Based on the above standards a provision of 14 cycle parking spaces would be

required (based on 120 staff). The proposals include the provision of 20 cycle parking spaces, going above the recommended provision.

The provision of 107 car parking spaces, equivalent to 73% of the maximum provision, is acceptable and is justified considering the site's accessibility. However, it is ultimately the decision of the Local Planning Authority to determine the suitability of parking.

Travel Plan

HCC's Travel Plan Guidance states that a full Travel Plan is required for residential developments of over 80 units. The applicant will therefore need to provide a full Travel Plan prior to occupation of the site. This Travel Plan is actually an Interim Travel Plan rather than a Framework Travel Plan as suggested as it only covers the residential element of the site. The Travel Plan requires more information and development in certain areas. HCC require interim mode shift targets set as an indication of commitment to significant mode shift away from single occupancy car use. These can be amended after the initial survey is undertaken and actual data is known. HCC also require annual review of the plan and there is a lack of clarity over this. Whilst the package of measures proposed is satisfactory, given the size of development it would be appropriate for a wider range of measures to be available in order to promote the use of sustainable modes.

Travel Plan Management

Details have been given of an interim Plan Co-Ordinator. Details of the actual Co-Ordinator is to be provided on appointment, along with those of a secondary contact in the event of any personnel changes. Information regarding the approximate time allocated to the role and frequency on site will also need to be provided.

Package of Measures

The measures suggested are satisfactory but measures to encourage walking are limited. The Travel Plan should include information on safe walking routes to key destinations, local walking groups/buddy scheme, equipment providers. Similarly, information could be provided on local cycle groups and equipment providers with possible investigation of discounts at local cycle shops. The Intalink website should be promoted as this is the main source of public transport information, specifically for Hertfordshire - <https://www.intalink.org.uk/>.

With regards to residential travel pack contributions, please refer to Appendix E of our guidance (www.hertfordshire.gov.uk/travelplans) for suggested amounts that can be used towards vouchers for residents to encourage use of sustainable modes.

Targets, Monitoring and Action Plan

No interim mode shift targets have been provided, paragraph 7.2.3 suggests these will be provided after surveys have been done. HCC require interim mode shift targets as an indication of commitment to challenging but achievable mode shift away from private car use. These targets can be amended once actual baseline data is known.

The Travel Plan review frequency is suggested as every other year in paragraph 4.3.2, whereas Table 7b p22 appears to suggest annual review. Given the size of

development, annual review of the plan after each survey would be appropriate.

It should also be noted that an evaluation and support fee will be sought for the plan and will be secured through S106 Agreement.

Construction

A Construction Traffic Management Plan would be required to ensure construction vehicles would not have a detrimental impact on the vicinity of the site and a condition would be required to provide adequate parking for demolition and construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. A Construction Traffic Management Plan would be required for all phases of the construction, including demolition, excavation and construction of all elements of the building.
Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes would be sought via CIL if appropriate.

Summary

HCC as highway authority has reviewed the application submission and wish to object to the proposed development as there is insufficient information to demonstrate that the proposed development would not have a significant impact on the local highway network. HCC do not agree with the applicant's approach of comparing the impact of the development with the permitted development from 2010 as it is out of date and the character of the highway within the vicinity of the site has changed. Further to this, it has not been justified that the planning permission from 2010 is live or has expired. Additional assessment is required to demonstrate that the proposed development would not have a severe impact on the operation of the highway near the site.

Amended Comments

Amended Comments

Hertfordshire County Council (HCC) as highway authority wish to object to the proposed development at Plots 2 and 3 Kier Park due to the following information required for consideration:

- The refuse vehicle in the drawings is shown to conflict with the central island. HCC would like confirmation that the central island will be designed with over-run areas to accommodate the refuse tracking. If not, the island will need to be redesigned to accommodate the safe manoeuvring of the refuse vehicle.

However, if the Dacorum Borough Council (DBC) as the Local Planning Authority (LPA) wishes to permit the development, HCC would request the following conditions:

Condition 1: Construction Management Plan / Statement

No development shall commence until a Construction Management Plan (or Construction Method Statement) 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 Management Plan / Statement shall include details of*:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 2: Servicing and Delivery Plan

Prior to commencement of the development, the applicant shall submit a Servicing and Delivery Plan to be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

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

Condition 3: Car Parking Management Plan

Prior to first occupation of the development, a Car 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

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

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: Travel Plan - Requested Prior to Use

At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

S106 Agreement

A Travel Plan Statement 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 £2,000 towards the County Council's costs of administering and monitoring the objectives of the Travel Plan Statement and engaging in any Travel Plan Statement Review.

Hertfordshire County Council would seek for S106 developer contributions for the installation of display screens (£8,000 per screen) at the southbound and northbound bus stop, and a shelter at the southbound bus stop (£10,000). A total of £26,000 for the bus stop improvements.

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.

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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.

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Description of the Proposal

The proposal consists of the erection of 268 flats and 1,095 sqm of commercial floorspace split across six blocks with associated car parking, landscaping and amenity space at Plots 2 and 3 Kier Park, Maylands Avenue, Hemel Hempstead.

History

Plots 2 and 3 have previously had permission granted for 6,455sqm of office space with 152 car parking spaces (reference 04/02124/08/MOA). The permission was

granted in 2010.

The applicant is required to clarify when the permission was granted in 2010 and whether it is extant or has since expired.

Site Description

The site comprises circa 1 hectare of vacant brownfield land. The site is located on the corner of St Albans Road and Maylands Avenue, Hemel Hempstead.

Analysis

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

A Transport Assessment is required for a development of this scale, in line with the guidance set out in Roads in Hertfordshire: Highway Design Guide (3rd Edition). A Transport Assessment has been provided as part of the application package.

Policy Review

The applicant has provided a review of relevant national and local policy, including:

- Planning Practice Guidance (PPG);
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- Dacorum Borough Council Adopted Core Strategy 2006-2031 (Sept 2013)
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Trip Generation

A trip generation profile for the proposed development (residential and office) has been provided. The applicant has also provided a comparison of the proposed and permitted development trips.

Proposed Development

The applicant used the TRICS database to determine the number of trips the development is likely to generate.

For the residential trip rate calculation, the applicant used the following parameters:

- 03 - Residential
- C- Flats Privately Owned
- 56-135 units
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The proposed total person trip rates generated by the TRICS interrogation for the residential land use were summarised in the TA, as were the vehicle trip rates. The vehicle trip generation was determined to be:

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- 02 - Employment
- A - Office
- 186 to 70291 sqm
- Suburban Area

The proposed total person trip rates generated by the TRICS interrogation for the office land use were summarised in the TA, as were the vehicle trip rates. The vehicle trip generation was determined to be:

- AM Peak: 26 arrivals, 4 departures for a total of 30 two-way trips
- PM Peak: 3 arrivals, 22 departures for a total of 25 two way trips

The total vehicle trip generation for the proposed development is:

- AM Peak: 43 arrivals, 66 departures for a total of 109 two-way trips
- PM Peak: 53 arrivals, 48 departures for a total of 101 two way trips

The applicant has also provided trip generation for sustainable modes of transport, including walking, cycling and public transport. It is considered that the majority of trips generated by the development can be accommodated within existing infrastructure.

Trip Distribution

The applicant has provided local trip distribution and assignment diagrams as part of the TA.

The methodology for trip distribution is acceptable.

Impact on the Highway Network

Committed Development

As part of the TA, the applicant has considered the following as committed developments:

- Heart of Maylands (4/00676/14/MFA)
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Growth Rates

The applicant states that TEMPRO has been interrogated to determine the forecast growth rates for the year 2023. For growth over the period 2017 to 2023, the factors 1.0820 and 1.0824 were determined for the morning and evening peak hours respectively.

This approach is considered acceptable.

Traffic Surveys

Traffic survey data (for 2017) was obtained for:

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Junction Assessment

The applicant has undertaken a capacity assessment of the site access only. The results indicate that the operation of the junction would exceed capacity in both peak periods; however, the impact will be contained within the site, i.e. no queuing would occur onto Maylands Avenue.

The applicant does not include any further junction assessments. The applicant justifies this approach by stating that the permitted development for this site generated more traffic. This approach is acceptable.

Highway Safety

Personal Injury Collision (PIC) data has been sourced from Hertfordshire for a period covering the past five years, encompassing the local highway network surrounding the site.

Over the study period, there were a total of 17 collisions, with thirteen classified as slight and four classified as serious, with no fatalities. Three of the serious collisions occurred on Maylands Avenue (one at the site access) and one occurred at the roundabout junction to the south. Five of the slight collisions occurred at the roundabout. The remaining slight collisions occurred on Maylands Avenue, three of which occurred at the signalised junction with the access to the fitness centre, and three collisions occurred on the junction of Wood Lane End.

It was stated in the TA that the collision at the junction involved a cyclist, which could mean that visibility is an issue at this location. Further details are required with regards to this collision. In addition to this, HCC would like the most recent five years of data to be reviewed to ascertain whether there are any trends in collision in the area that could be exacerbated by additional trips generated by the proposed development.

Highway Layout

Access

There is an existing access to Plots 2 and 3 from Maylands Avenue constructed for the hotel development on Plot 1.

The visibility splays at the access are a minimum of 2.4 metres x 43 metres and hence, comply with current guidance for a road subject to a 30-mph speed limit. The drawings show that visibility up to the Maylands Avenue / A414 Breakspear Way / St Albans Road roundabout is possible.

Delivery, Servicing and Refuse Vehicles

Swept path analysis has been carried out by the applicant showing refuse and delivery vehicles entering / exiting the site in a forward gear. Refuse vehicles are expected to represent the largest vehicles that will be accessing the site.

The refuse vehicle in the drawings is shown to conflict with the central island. HCC would like confirmation that the central island will be designed with over-run areas to accommodate the refuse tracking. If not, the island will need to be redesigned to accommodate the safe manoeuvring of the refuse vehicle.

Accessibility

Public Transport

There are bus stops located on Maylands Avenue, approximately 200m north of the site. These bus stops are provided with a shelter, seats and timetable in the northerly direction but are 'flag only' for southbound journeys. Both bus stops have easy access kerbing. Neither bus stop has a display screen.

These stops provide access to 5 bus services which are summarised below:

- 758 - 21 services per day
- 301 - 6 morning services and 4 evening services
- 320 - every 30 mins, reducing to every hour after 19:00
- PB2 - every 30 mins from 16:30.

Additional bus services are available along the A414 Breakspear Way, approximately 300 metres southwest of the site which are served by the same routes as well as services 300/301 which run every hour between Stevenage and Hemel Hempstead from Monday to Sunday, and the H10 service between Hemel Hempstead and Boxmoor/Leverstock Green that run hourly Monday to Saturday.

Hemel Hempstead railway station is situated approximately 6km away in the town centre, but is accessible by bus or taxi. The main terminating destinations accessible from this station include Milton Keynes, Tring and London Euston.

HCC notes that the site is adequately served by bus which provide services to Hemel Hempstead town centre, railway station, London, and surrounding areas. Traveling by bus is deemed a viable method of travel for potential future residents and office employee of the development.

Walking and Cycling

There are footways on both sides of Maylands Avenue and the signalised junction which provides access to the Aviva site includes pedestrian crossing facilities over Maylands Avenue.

Footpaths are provided on both sides of all the roads forming the four arms of the roundabout junction at Maylands Avenue / A414 Breakspear Way / St Albans Road adjacent to the site.

A footbridge is provided across the A414 on its eastern arm. This footbridge provides access to the site for pedestrians approaching from the south and east. For those approaching from the south and west, there is a signalised pelican crossing on the A414, west of the junction.

A shared cycleway/footway runs along the northwest boundary of the site. The shared cycleway/footway provides pedestrian access to Broadfield Primary School (located approximately 1.7 kilometres west of the site), The Queens Square shopping centre (located approximately 1.3 kilometres west of the site) and Adeyfield School (located approximately 1.1 kilometres west of the site).

Hemel Hempstead is serviced by the National Cycle Network with a traffic-free route entering from the north. It runs alongside Hemel Hempstead Road and the A4147 Link Road just

To the north of Maylands Avenue, a National Cycle Network route runs alongside Hemel Hempstead Road and the A4147 Link Road before heading south into Hemel Hempstead.

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

Parking

Residential

It is proposed that 268 car parking spaces be provided for the 268 residential units.

The mix of units proposed is as follows:

- 119 x 1 bed units;
- 128 x 2 bed units.

The Dacorum Borough Council Parking Guidance provide the following maximum standards for residential units:

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

Based on the above standards a maximum provision of 366 car parking spaces can be provided. The proposals include 268 car parking spaces, this is significantly 73% of the maximum standards and represents one space per dwelling. Given the accessibility of the site by sustainable transport modes, this is considered acceptable. However, it is

ultimately the decision of the LPA to agree parking.

The Dacorum Borough Council Parking Guidance provide the following minimum cycle parking standards for residential units:

- 1 bed units - 1 space per dwelling;
- 2 bed units -1 spaces per dwelling.

Based on the above standards a provision of a minimum of 268 cycle parking spaces is required. The proposals include the provision of 268 cycle parking spaces, this meets the recommended standards.

Office

It is proposed that 27 car parking spaces be provided for the 1,095 sqm Office.

The Dacorum Borough Council Parking Guidance provide the following maximum car parking standards for Offices (B1):

- 1 parking space per 30 sqm.

Based on the above standards, a maximum provision of 36.5 car parking spaces is calculated. The proposals include the provision of 27 car parking spaces which is equivalent to 73% of the maximum provision. Given the accessibility of the site by sustainable transport modes, this is considered acceptable. However, it is ultimately the decision of the LPA to agree parking.

The Dacorum Borough Council Parking Guidance provide the following cycle parking standards for office units:

- 1 short stay spaces per 500sqm; and,
- 1 long stay space per ten full time staff.

Based on the above standards a provision of 14 cycle parking spaces would be required (based on 120 staff). The proposals include the provision of 20 cycle parking spaces, going above the recommended provision.

The provision of 107 car parking spaces, equivalent to 73% of the maximum provision, is acceptable and is justified considering the site's accessibility. However, it is ultimately the decision of the Local Planning Authority to determine the suitability of parking.

Travel Plan

HCC's Travel Plan Guidance states that a full Travel Plan is required for residential developments of over 80 units. The applicant will therefore need to provide a full Travel Plan prior to occupation of the site. This Travel Plan is actually an Interim Travel Plan rather than a Framework Travel Plan as suggested as it only covers the residential element of the site. The Travel Plan requires more information and development in certain areas. HCC require interim mode shift targets set as an indication of commitment to significant mode shift away from single occupancy car use. These can be amended after the initial survey is undertaken and actual data is known. HCC also require annual review of the plan and there is a lack of clarity over this. Whilst the

package of measures proposed is satisfactory, given the size of development it would be appropriate for a wider range of measures to be available in order to promote the use of sustainable modes.

Travel Plan Management

Details have been given of an interim Plan Co-Ordinator. Details of the actual Co-Ordinator is to be provided on appointment, along with those of a secondary contact in the event of any personnel changes. Information regarding the approximate time allocated to the role and frequency on site will also need to be provided.

Package of Measures

The measures suggested are satisfactory but measures to encourage walking are limited. The Travel Plan should include information on safe walking routes to key destinations, local walking groups/buddy scheme, equipment providers. Similarly, information could be provided on local cycle groups and equipment providers with possible investigation of discounts at local cycle shops. The Intalink website should be promoted as this is the main source of public transport information, specifically for Hertfordshire - <https://www.intalink.org.uk/>.

With regards to residential travel pack contributions, please refer to Appendix E of our guidance (www.hertfordshire.gov.uk/travelplans) for suggested amounts that can be used towards vouchers for residents to encourage use of sustainable modes.

Targets, Monitoring and Action Plan

No interim mode shift targets have been provided, paragraph 7.2.3 suggests these will be provided after surveys have been done. HCC require interim mode shift targets as an indication of commitment to challenging but achievable mode shift away from private car use. These targets can be amended once actual baseline data is known.

The Travel Plan review frequency is suggested as every other year in paragraph 4.3.2, whereas Table 7b p22 appears to suggest annual review. Given the size of development, annual review of the plan after each survey would be appropriate.

It should also be noted that an evaluation and support fee will be sought for the plan and will be secured through S106 Agreement.

Construction Traffic Management Plan

A Construction Traffic Management Plan would be required to ensure construction vehicles would not have a detrimental impact on the vicinity of the site and a condition would be required to provide adequate parking for demolition and construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. A Construction Traffic Management Plan would be required for all phases of the construction, including demolition, excavation and construction of all elements of the building.

Servicing and Delivery Plan

A Servicing and Delivery Plan would be required to outline the delivery and servicing arrangements for the proposed development. The plan should include a scheme for coordinating deliveries and servicing for the proposed development, identification of areas within the development site that would be used for loading and manoeuvring of

delivery and servicing vehicles, and a description of the access to / from the site for delivery and servicing vehicles.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes would be sought via CIL if appropriate.

Hertfordshire County Council would seek for S106 developer contributions for the installation of display screens (£8,000 per screen) at the southbound and northbound bus stop, and a shelter at the southbound bus stop (£10,000). A total of £26,000 for the bus stop improvements.

Hertfordshire County Council would also seek S106 developer contributions for Travel Planning monitoring.

Summary

HCC as highway authority has reviewed the application submission and wish to object to the proposed development as there is insufficient information to demonstrate that the proposed development would not have a significant impact on the local highway network.

Amended Comments

Proposal Construction of 268 flats and 1095 sqm of office space split across six blocks, with associated car parking, landscaping and amenity space.

Amendment Additional information received by applicant. Construction of 268 flats and 1405 sqm of office space split across six blocks, with associated car parking, landscaping and amenity space.

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 (HCC) as highway authority has no objection to the proposed development, subject to conditions.

Condition 1: Construction Management Plan / Statement

No development shall commence until a Construction Management Plan (or Construction Method Statement) 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 Management Plan / Statement shall include details of*:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 2: Servicing and Delivery Plan

Prior to commencement of the development, the applicant shall submit a Servicing and Delivery Plan to be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

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

Condition 3: Car Parking Management Plan

Prior to first occupation of the development, a Car 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

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

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: Residential Travel Plan - Requested Prior to Use

At least 3 months prior to the first occupation / use of the approved development a

detailed Residential Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's

Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.
Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 5: Business Travel Plan Statement- Requested Prior to Use

At least 3 months prior to the first occupation / use of the approved development a detailed Business Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan Statement shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

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 administrating and monitoring the objectives of the Residential Travel Plan and engaging in any Residential Travel Plan Review. As the business element of the scheme requires a Travel Plan Statement, monitoring fees are not required.

Hertfordshire County Council would seek for S106 developer contributions for the installation of display screens (£8,000 per screen) at the southbound and northbound bus stop, and a shelter at the southbound bus stop (£10,000). A total of £26,000 for the bus stop improvements.

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.

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Description of the Proposal

The applicant has submitted an amended proposal which would comprise the erection of 268 flats and 1,405 sqm of commercial floorspace, rather than 1095 sqm of floor space, split across six blocks with associated car parking, landscaping and amenity space at Plots 2 and 3 Kier Park, Maylands Avenue, Hemel Hempstead.

History

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Highway Safety

Personal Injury Collision (PIC) data has been sourced from Hertfordshire for a period covering the past five years, encompassing the local highway network surrounding the site.

Over the study period, there were a total of 17 collisions, with thirteen classified as slight and four classified as serious, with no fatalities. Three of the serious collisions occurred on Maylands Avenue (one at the site access) and one occurred at the roundabout junction to the south. Five of the slight collisions occurred at the roundabout. The remaining slight collisions occurred on Maylands Avenue, three of which occurred at the signalised junction with the access to the fitness centre, and three collisions occurred on the junction of Wood Lane End.

It was stated in the TA that the collision at the junction involved a cyclist, which could mean that visibility is an issue at this location. Further details are required with regards to this collision. In addition to this, HCC would like the most recent five years of data to be reviewed to ascertain whether there are any trends in collision in the area that could be exacerbated by additional trips generated by the proposed development.

Highway Layout

Access

There is an existing access to Plots 2 and 3 from Maylands Avenue constructed for the hotel development on Plot 1.

The visibility splays at the access are a minimum of 2.4 metres x 43 metres and hence, comply with current guidance for a road subject to a 30-mph speed limit. The drawings show that visibility up to the Maylands Avenue / A414 Breakspear Way / St Albans Road roundabout is possible.

Delivery, Servicing and Refuse Vehicles

Swept path analysis has been carried out by the applicant showing refuse and delivery vehicles entering / exiting the site in a forward gear. Refuse vehicles are expected to represent the largest vehicles that will be accessing the site.

The refuse vehicle in the drawings is shown to conflict with the central island. HCC would like confirmation that the central island will be designed with over-run areas to accommodate the refuse tracking. If not, the island will need to be redesigned to accommodate the safe manoeuvring of the refuse vehicle.

Accessibility

Public Transport

There are bus stops located on Maylands Avenue, approximately 200m north of the site. These bus stops are provided with a shelter, seats and timetable in the northerly direction but are 'flag only' for southbound journeys. Both bus stops have easy access kerbing. Neither bus stop has a display screen.

These stops provide access to 5 bus services which are summarised below:

- 758 - 21 services per day
- 301 - 6 morning services and 4 evening services
- 320 - every 30 mins, reducing to every hour after 19:00
- PB2 - every 30 mins from 16:30.

Additional bus services are available along the A414 Breakspear Way, approximately 300 metres southwest of the site which are served by the same routes as well as services 300/301 which run every hour between Stevenage and Hemel Hempstead from Monday to Sunday, and the H10 service between Hemel Hempstead and Boxmoor/Leverstock Green that run hourly Monday to Saturday.

Hemel Hempstead railway station is situated approximately 6km away in the town centre, but is accessible by bus or taxi. The main terminating destinations accessible from this station include Milton Keynes, Tring and London Euston.

HCC notes that the site is adequately served by bus which provide services to Hemel Hempstead town centre, railway station, London, and surrounding areas. Traveling by bus is deemed a viable method of travel for potential future residents and office employee of the development.

Walking and Cycling

There are footways on both sides of Maylands Avenue and the signalised junction which provides access to the Aviva site includes pedestrian crossing facilities over Maylands Avenue.

Footpaths are provided on both sides of all the roads forming the four arms of the roundabout junction at Maylands Avenue / A414 Breakspear Way / St Albans Road adjacent to the site.

A footbridge is provided across the A414 on its eastern arm. This footbridge provides access to the site for pedestrians approaching from the south and east. For those approaching from the south and west, there is a signalised pelican crossing on the A414, west of the junction.

A shared cycleway/footway runs along the northwest boundary of the site. The shared cycleway/footway provides pedestrian access to Broadfield Primary School (located approximately 1.7 kilometres west of the site), The Queens Square shopping centre (located approximately 1.3 kilometres west of the site) and Adeyfield School (located approximately 1.1 kilometres west of the site).

Hemel Hempstead is serviced by the National Cycle Network with a traffic-free route entering from the north. It runs alongside Hemel Hempstead Road and the A4147 Link Road just

To the north of Maylands Avenue, a National Cycle Network route runs alongside Hemel Hempstead Road and the A4147 Link Road before heading south into Hemel Hempstead.

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

Parking

Residential

It is proposed that 268 car parking spaces be provided for the 268 residential units.

The mix of units proposed is as follows:

- 119 x 1 bed units;
- 128 x 2 bed units.

The Dacorum Borough Council Parking Guidance provide the following maximum standards for residential units:

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

Based on the above standards a maximum provision of 366 car parking spaces can be provided. The proposals include 268 car parking spaces, this is 73% of the maximum standards and represents one space per dwelling. Given the accessibility of the site by sustainable transport modes, this is considered acceptable. However, it is ultimately the decision of the LPA to agree parking.

The Dacorum Borough Council Parking Guidance provide the following minimum cycle parking standards for residential units:

- 1 bed units - 1 space per dwelling;
- 2 bed units -1 spaces per dwelling.

Based on the above standards a provision of a minimum of 268 cycle parking spaces is required. The proposals include the provision of 268 cycle parking spaces, this meets the recommended standards.

Office

It is proposed that 65 car parking spaces be provided for the 1,405 sqm Office.

The Dacorum Borough Council Parking Guidance provide the following maximum car parking standards for Offices (B1):

- 1 parking space per 30 sqm.

Based on the above standards, a maximum provision of 47 car parking spaces is calculated. The proposals include the provision of 65 car parking spaces which is equivalent to 138% of the maximum provision. Given the accessibility of the site by sustainable transport modes, this is considered unacceptable. However, it is ultimately the decision of the LPA to agree parking.

The Dacorum Borough Council Parking Guidance provide the following cycle parking standards for office units:

- 1 short stay spaces per 500sqm; and,
- 1 long stay space per ten full time staff.

Based on the above standards a provision of 14 cycle parking spaces would be required (based on 120 staff). The proposals include the provision of 20 cycle parking spaces, going above the recommended provision.

Travel Plan

HCC's Travel Plan Guidance states that a full Travel Plan is required for residential developments of over 80 units. The applicant will therefore need to provide a full Travel Plan prior to occupation of the site. This Travel Plan is actually an Interim Travel Plan rather than a Framework Travel Plan as suggested as it only covers the residential element of the site. The Travel Plan requires more information and development in certain areas. HCC require interim mode shift targets set as an indication of commitment to significant mode shift away from single occupancy car use. These can be amended after the initial survey is undertaken and actual data is known. HCC also require annual review of the plan and there is a lack of clarity over this. Whilst the package of measures proposed is satisfactory, given the size of development it would be appropriate for a wider range of measures to be available in order to promote the use of sustainable modes.

Travel Plan Management

Details have been given of an interim Plan Co-Ordinator. Details of the actual Co-Ordinator is to be provided on appointment, along with those of a secondary contact in the event of any personnel changes. Information regarding the approximate time allocated to the role and frequency on site will also need to be provided.

Package of Measures

The measures suggested are satisfactory but measures to encourage walking are limited. The Travel Plan should include information on safe walking routes to key destinations, local walking groups/buddy scheme, equipment providers. Similarly, information could be provided on local cycle groups and equipment providers with possible investigation of discounts at local cycle shops. The Intalink website should be promoted as this is the main source of public transport information, specifically for Hertfordshire - <https://www.intalink.org.uk/>.

With regards to residential travel pack contributions, please refer to Appendix E of our guidance (www.hertfordshire.gov.uk/travelplans) for suggested amounts that can be used towards vouchers for residents to encourage use of sustainable modes.

Targets, Monitoring and Action Plan

No interim mode shift targets have been provided, paragraph 7.2.3 suggests these will be provided after surveys have been done. HCC require interim mode shift targets as an indication of commitment to challenging but achievable mode shift away from private car use. These targets can be amended once actual baseline data is known. The Travel Plan review frequency is suggested as every other year in paragraph 4.3.2, whereas Table 7b p22 appears to suggest annual review. Given the size of development, annual review of the plan after each survey would be appropriate. It should also be noted that an evaluation and support fee will be sought for the plan and will be secured through S106 Agreement.

Construction Traffic Management Plan

A Construction Traffic Management Plan would be required to ensure construction vehicles would not have a detrimental impact on the vicinity of the site and a condition would be required to provide adequate parking for demolition and construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. A Construction Traffic Management Plan would be required for all phases of the construction, including demolition, excavation and construction of all elements of the building.

Servicing and Delivery Plan

A Servicing and Delivery Plan would be required to outline the delivery and servicing arrangements for the proposed development. The plan should include a scheme for coordinating deliveries and servicing for the proposed development, identification of areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and a description of the access to / from the site for delivery and servicing vehicles.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes would be sought via CIL if appropriate.

Hertfordshire County Council would seek for S106 developer contributions for the installation of display screens (£8,000 per screen) at the southbound and northbound bus stop, and a shelter at the southbound bus stop (£10,000). A total of £26,000 for the bus stop improvements.

Hertfordshire County Council would also seek to secure a fee of £6,000 by Section 106 contributions for Travel Planning monitoring of the residential Travel Plan. A Travel Plan Statement is required for the Business use; however, this would not require monitoring fees.

Summary

HCC as highway authority has reviewed the application submission and has no objection to the proposed development subject to suitable conditions.

DBC conservation

This is currently an area of cleared land adjacent to Maylands and Breakspear Way. Nearby are the relatively tall buildings of the Travel Lodge hotel and a self storage business. Opposite is the Aviva regeneration site. To the rear of the site is a housing development dating from the construction of the new town. We would not object to redeveloping this site and would not object to this including some relatively high rise form of development.

Conflicting Plans

We note that there are conflicts in the plans

16960-03-TP- 10- 01 Stair access to the cycle way differs from the Landscape Master

Plan.

We also note in this location that the site wide sections show a straight vertical drop from the edge of the cycle way but the N and W elevations show a banked section. It would be useful to confirm what is actually proposed for this area.

Application

The proposals are for three larger blocks A, B and E with A being the main tower/entrance feature facing the roundabout. These are to be linked with lower (6 storey) elements C, D and F. The main material proposed to be used is brick. In relation to the separate elements we would comment as follows:

In principle we would question the lack of underground car parking. We raised this at the pre application stage and have noted underground car parking elsewhere in the borough. Recently we have received an application 4/02205/18/MFA for 46 flats near the village of Markyate which accommodates underground car parking. Given that it can be accommodated at this site in the borough outwith the main market towns of Tring and Berkhamsted it would appear that underground car parking is viable for flats.

The Tower (block A)

This is proposed to be the landmark feature of the site and play a prominent part of the entrance to Hemel. We note that one of the corners is chamfered and would question if the other corners should also be similarly chamfered. This would in particular to the round about/ travel lodge elevation allow the tower to perhaps appear more elegant and help turn the corners. We would not object to a slight increase in height to this element given the prominence of the site.

In relation to the detailing we would question a number of proposals. We note brick type 4 extends the full height. It would be questioned in relation to the other brick elements as we are concerned that it weakens the effect of the podium level (brick 2). It may be advisable to start above the podium level. If there remains an intention to anchor it to the ground level it would be recommended that perhaps its width be increased or perhaps it could project slightly at the plinth level to give it a stronger emphasis and therefore re-enforce the plinth rather than visually weaken it.

Adjacent lower blocks

We would be somewhat concerned that this block is not distinctive enough from the main tower in particular the proposals for the external balconies. It would be useful to contemplate certainly for the main elevation to Maylands that the balconies be recessed within the apartments. This would allow the horizontality of this block to be better expressed. To the corner area where the access to the site is formed perhaps this area and the return along the access road could have a different treatment in terms of the balconies. We would also highlight that we have major concerns about the proposed louver elements to the road facing onto Maylands. This is the main entrance into the area and this element would be detrimental to the streetscape of this area. It appears more back of house than the façade to the main access to this area of the town. Therefore it should be reviewed. This should also be considered for the adjacent block on the opposite side of the access road.

Lower Tower

The tower block E should have further consideration with regards to the detailing. In particular we would recommend a plinth element similar to block A. as noted with the above blocks it needs to have a more distinct character when compared to the

adjacent lower blocks.

Balconies/ railings

Given the dominance of these features within the design we would recommend that style varies on the different towers, walkways, podium and lower blocks. This would provide visual interest and help define different characteristics of the blocks.

Green Walls

We note the design aesthetic behind the green wall idea but would recommend that they be combined to form larger continuous areas of green wall to break up the mass of brickwork at ground level. This could be particularly beneficial when considering the west elevation of the main block opposite the Travel lodge Car Park and could indeed be extended to the edge of the vents. The other area which could benefit would be to the podium deck to plot 3 facing the entrance road area. In addition we would question the viability of the green wall on the north west corner of block D which appears to be mainly below ground level. With the walls we would expect a long term maintenance plan to ensure that they benefit the scheme permanently.

Solar panels

The solar panels appear to be a somewhat token effort. For example why is there a relatively limited number of panels and why are some areas of the “ballast roofs” and indeed complete roofs not more intensively used to provide solar power or heating. Block C for example which has the largest surface area of ballast roof has no solar panels. If more intensive use of solar panels is not possible it would be recommended that the roof be either sedum or a green roof to provide appropriate environmental benefits.

Flat Layout Concerns

We note the designs of the layouts and would raise some issues
Block D

We note the outside walkway and the lack of windows from the flats facing this space. This would appear to repeat the mistakes made when designing brutalist estates from the mid 20th century. Windows onto this space would be strongly recommended.

Some flats appear to have particularly poor environments. In particular in building F there is a recessed mono-aspect flat facing NW (noted F3.05 and above) which is recessed from the building line. This would result in a particularly bleak living environment and should be reconsidered.

Landscape

In general we would be most concerned about the proposed landscaping. To the main podiums it appears somewhat lacking in imagination being a large area of grass with some planters round the edge. We would recommend that this be reviewed, more organic forms be explored including a variety of planting and that seating and destinations be provided within the garden areas. To the roofs of the main building it is noted that the roof will be biodiverse. This provides no useful information and it would be recommended that this be reconsidered and a more suitable description be noted. It would also be highlighted that these areas will need maintenance with regards to both weeding and watering in very dry conditions. To the street frontages whilst we support the hedging element the ground cover could perhaps have perennial flowering plants

and grasses which could help to provide rain garden areas.

To the cycle path we note that trees are shown on the drawings however in the landscape assessment it states that a hedge will be used in the widest areas and tree planting will be incorporated where possible. This would appear to suggest that this area has not been carefully considered. Given its increasing use for a cycle route towards the developing east of Hemel this area should be reconsidered and enhanced.

The large “piazza” area appears to be a remnant of the original design. We would recommend that this portion of the site be radically re-considered as at present seems somewhat disjointed and has lost its original purpose.

We would hope that the architects and landscape architects have accurately assessed the wind conditions in particular for the pleached trees on the deck adjacent to the tower where the wind would appear to be funnelled between this and the travel lodge building.

Recommendation The above points should be address and the designs reconsidered in light of the above.

Amended Comments

This is currently an area of cleared land adjacent to Maylands and Breakspear Way. Nearby are the relatively tall buildings of the Travel Lodge hotel and a self storage business. Opposite is the Aviva regeneration site. To the rear of the site is a housing development dating from the construction of the new town. We would not object to redeveloping this site and would not object to this including some relatively high rise form of development.

Application

The proposals are for three larger blocks A, B and E with A being the main tower/ entrance feature facing the roundabout. These are to be linked with lower (6 storey) elements C, D and F. The main material proposed to be used is brick in only 2 bonding types vertical and stretcher bond. Many of our earlier concerns have been addressed through the process of the application and it should be noted that we would not object to the proposals due to the design of the building. It would also be welcomed that the office development now appears visually to the exterior to the entire ground floor plate to the main road. The entrance area and the green walls have also been improved. However in relation to the separate elements we would comment as follows:

The Tower (block A)

We note that details to the tower block design has been amended and it would now appear to sit more comfortably in its location than the original designs. As seen from the original concept drawings the scheme has been somewhat diluted over the development of the scheme with the crown element and rooftop garden area removed although detailing to the brickwork and the vertical elements have been enhanced. The key to the proposals now would appear to be the materials and detailing and this should be conditioned.

Adjacent lower blocks

However we continue to be concerned that these blocks are not distinctive enough from the main tower and follows through the design detail and materials. As there would appear to be a lack of breaks, shadow lines or change in materials and detailing we remain concerned that this could appear somewhat monolithic and overpowering to the streetscape. This would be detrimental to the wider area and not provide the high standard of landmark building envisaged for this highly visible corner entry site.

Lower Tower

The tower block E again appears to reflect the other upper and lower blocks as such we remain concerned that the lack of variety would be detrimental to the overall feel of the new development. This coupled with the lack of variety and detailing causes concern in a similar manner to the development of blocks A,B and C.

Balconies/ railings

Given the dominance of these features within the design we would continue to recommend that style varies on the different towers, walkways, podium and lower blocks. This would provide visual interest and help define different characteristics of the blocks.

Green Walls

We welcome the changes to the green walls and believe that a more acceptable cohesive scheme has been arrived at which we believe would work in an acceptable manner. A long term maintenance plan would need to be agreed as a condition should the proposals be approved.

The Roofs

In relation to green roofs and solar panelled roofs we would welcome the introduction of a more balanced scheme that would be beneficial for the character of the area and to ensure some reasonable sustainable features are included within the site. The management and maintenance of the roofs should be agreed by conditions so that they survive in the long term if the officer is minded to approval the proposal.

Flat Layout Concerns

We note the designs of the layouts and continue to be concerned that some flats appear to have particularly poor environments. In particular in building F there is a recessed mono-aspect flat facing NW (noted F3.05 and above) which is recessed from the building line. Although the amount of glazing has increased we are still most concerned that the internal living space would be somewhat dark, gloomy and depressing reliant on artificial light. We would also note that a large proportion of the flats seem to be below the national space standards ie 37m² for 1 person and 50m² for 2 people. We are therefore concerned that this would not be a particularly pleasant for any future residents given that this is the governments recommended minimum standard. Many appear to be 35.3/35.4m² and 46.5-48.4m². We also note some of the plans appear to have errors e.g. studio C2.04, C3.04, 4.04, 5.03 etc all appear to have doors opening into space rather than a balcony.

Landscape

In general the proposed landscaping in particular to the podium levels would still appear somewhat bland however the proposed sedum roofs and bio-diverse brown roofs are to be welcomed. We remain concerned that the large "piazza" area appears to be a remnant of the original design and could appear more as a roundabout rather

than a designed are if landscape.

Recommendation We do not believe that the building would particularly enhance the architectural quality of the borough however it is noted that it would appear an enhancement on the adjacent travel lodge building. If there is a recommendation to approve we would recommend that sample panels of the external materials be constructed on site for final agreement and a maintenance plan be agreed for the areas of planting and the roof areas which may also need planting and watering depending on the conditions.

Spatial Planning

1. The permitted scheme

The original planning permission for Kier Park (4/02124/08) was for an hotel (Travelodge) and A3/A5 on plot 1 and offices (6,455 sq. metres) on plots 2 and 3. The hotel (Travelodge) and A3/A5 units have been built, so the permission for the offices cannot lapse, but is unlikely to be implemented.

2. Planning policy context

(i) National context

Paragraph 8 in the National Planning Policy Framework (NPPF) states that achieving sustainable development has three overarching objectives, including the following:

“a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity...;

NPPF section 6 provides guidance on building a strong, competitive economy. In particular, paragraph 80 advises that:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development...”

(ii) Dacorum planning policy context

Local Plan (2004)

The site is located in the Maylands Avenue General Employment Area (GEA), which is allocated for business uses (i.e. B1 uses) in saved Local Plan Policy 31. This GEA is designated as a ‘Core Office Location’ in the table in this policy.

Maylands Master Plan (2007)

This master plan was adopted by the Council as a planning policy statement in September 2007. It shows the site as located in the Maylands Gateway character zone. Paragraph 2.2.1 in the master plan states that Maylands Gateway will be a first rate business park for uses such as higher education, HQ offices, conference facilities

and hotel uses.

Maylands Gateway Development Brief (2013)

Further guidance on the future planning of the Gateway site can be found in the revised Maylands Gateway Development Brief, adopted as a planning policy statement in July 2013. The revised brief gives increased flexibility over the type of jobs to be provided, but does not support residential development, except adjacent to Hales Park.

Dacorum Core Strategy (2013)

One of the key aims of the Core Strategy is to encourage employment development on the Maylands Business Park. Core Strategy Policies CS1, CS14, CS15 and CS34 and Figure 18 are particularly relevant. In particular:

- Policy CS1 point c) on Hemel Hempstead refers to “maintaining a balanced distribution of employment growth, with growth and rejuvenation in the Maylands Business Park”.
- Policy CS14 states that “Hemel Hempstead will be the main focus for new economic development uses, which will be used to support the regeneration of the Maylands Business Park and Hemel Hempstead town centre”.
- Policy CS15 indicates that GEAs will be protected for B-class uses and that new office uses will be directed to core office locations and Hemel Hempstead town centre. This policy also sets a target of around 131,000 sq. metres (net) additional office floorspace in the Borough over the plan period and states that the stock of floorspace for industry, storage and distribution should remain broadly unchanged.
- Policy CS34 provides more detailed guidance on the Maylands Business Park and states that specific opportunities for each character zone are identified in Figure 18.
- Figure 18 states with regard to Maylands Gateway that:

“The types of uses suited to this area will primarily be HQ offices, conference facilities and a hotel. There may also be opportunities for other development that accords with its high-status and green character.”

Site Allocations Development Plan Document

The Site Allocations document was on 12 July 2017. However, this plan does not deal with the Maylands Business Park, including the current application site. The site is now being considered in the new Dacorum Local Plan.

New Dacorum Local Plan

In November 2017, the Council published the Issues and Options consultation document on the new Local Plan. Section 7.2 on “how many new jobs are needed in Dacorum by 2036” referred to two important evidence base documents for the new plan i.e. the South West Hertfordshire Economic Study (2016) and the Dacorum

Employment Land Availability Assessment (2017).

The Economic Study estimated a need for an additional 13 hectares of land for office development in Dacorum by 2036. However, the main conclusions in the Employment Land Availability Assessment, including the following:

- Dacorum is not a commercially attractive location for new office development and almost no new offices have been built recently. Office floorspace has been reducing and there is vacant office space. Several buildings have been converted to housing and this is continuing through the Government's 'prior approval' process.
- The Maylands Gateway area, next to Junction 8 of the M1 in Hemel Hempstead, is the only site in the Borough where major office building is proposed. 23 hectares of land remains undeveloped there, but warehousing has recently been allowed on part of the site (and is currently being implemented). Maylands Gateway has good road access, but is poorly served by public transport, partly due to its distance from a train station. This and other factors are likely to continue to limit office development there, at least in the short term.

An update to the South West Hertfordshire Economic Study is currently being prepared. This will contain updated advice on the need for office floorspace in the period to 2036.

3. Should a residential led scheme be accepted?

Residential development on this site is contrary to the Council's planning policies, as explained above. Therefore, the key issue is whether a residential led development should be permitted as an exception to policy. In considering this issue, the following points should be taken into account:

- Despite the extant planning permission for offices, the site has been vacant since 2008.
- The character of the southern part of Maylands Avenue up to the Heart of Maylands site at Wood Lane End is undergoing a major change. It is changing from a traditional industrial area into a mixed use area, including significant retail and residential elements. Particularly significant are the permitted Aviva development opposite the site (largely retail) now under construction and the recently completed Heart of Maylands local centre (mainly retail and housing). The latter is associated with further housing that currently has planning permission and/or is under construction. Also as mentioned above, hotel and A3/A5 uses have been built on Kier Park plot 1, whilst a drive-through restaurant and hotel has been permitted on part of the 47 Maylands Avenue site immediately north of Kier Park.
- Consideration will need to be given in the new Local Plan to possible changes to the boundaries of the GEAs within the Maylands Business Park. It should be noted that the Heart of Maylands residential element forms part of a planned regeneration project – aimed at supporting delivery of a local centre and other environmental improvements. Schemes elsewhere in Maylands Avenue were approved as a result of site specific considerations.

- The application site is on the periphery of the Maylands Business Park and adjoins the established residential area of Adeyfield.
- Since 2006 (the start of the Core Strategy plan period), office floorspace in Dacorum has declined by 75,000 sq. metres. This decline is not consistent with Core Strategy Policy CS15, which proposes a large increase (see section 2 (ii) above).
- The evidence base on employment for the new Local Plan is not yet complete (see section 2(ii) above). Whilst the South West Hertfordshire Economic Study indicated a need for substantial office development in Dacorum, the Dacorum Employment Land Availability Assessment expressed doubts about the viability of office development on the Maylands Business Park (see section 2 (ii) above).
- Brasier Freeth's Planning Report accompanying the planning application refers to the lack of commercial interest for office development on the site in particular and on the Maylands Business Park in general. The report also refers to the high level of vacant office floorspace in Hemel Hempstead. It concludes that the existing approved scheme for offices is not viable.
- Brasier Freeth also looked at the potential for employment floorspace in a new consent. They consider that the majority of the demand for office space in Maylands is for small suites under circa 2,500sq.ft. However, they concluded that that there can only be a small allocation of office space, say no more than 9,000sq.ft – 11,000sq.ft total, based on demand, poor public transport and restrictive parking.
- Initial work on the South West Hertfordshire Economic Study Update shows that the office vacancy rate in South West Hertfordshire has fallen steadily in recent years and is now only 4.3%. Also, office rents have been rising. Speculative office development has become viable again in Watford and the consultants consider that it may again become viable elsewhere in South West Hertfordshire. In addition, recent work by Brasier Freeth for the Council in November 2017 indicates that office vacancy rates in Hemel Hempstead have continued to fall and are now half the level reached in the recession.
- Paragraph 11.11 in the Brasier Freeth report accompanying the application states that: "The impact of Permitted Development Rights has lessened as the "easy wins" have been sold for residential conversion. As a consequence the factor that has driven underlying office demand is no longer a key factor."
- The Council's own evidence on the impact of permitted development rights suggests otherwise. Between 2014 and 2018, there was a loss of 17,300 sq. metres of office floorspace from such schemes, but permission has been granted for the loss of a further 27,800 sq. metres of floorspace. Completed and permitted schemes (if all implemented) are likely to result in the loss of some 3,000 office jobs. Most of these losses are in Hemel Hempstead town centre and the Maylands Business Park.
- The Pre-submission version of the St Albans Local Plan proposes 55 hectares of

employment development at East Hemel Hempstead, on a site bounded by Breakspear Way, Green Lane, Punchbowl Lane and the M1 motorway. The proposals for this site in Policy S6 i) include:

“A significant new Business Park consisting primarily of B1 office accommodation on the southern approximately 17 Hectares of the site.”

This is a major employment development proposal, which would form an extension to the Maylands Business Park.

- With regard to the East Hemel Hempstead proposal, the Dacorum Employment Land Availability Assessment advised that: “...while our market research has not shown support for office development in this location in the short term, particularly given the deliverability issues associated with major office developments in Maylands, there are reasons to expect that this development may come forward during the plan period.”
- The Kier Park site is visually prominent, so a high quality design should be sought irrespective of use. There is also a need to screen the side of the bulky self-storage building being built on the adjacent land to the north. It appears that only office or housing development on Kier Park could deliver a building of the necessary quality.
- Accepting some housing on this site would probably help longer-term to reduce the scale of potential Green Belt releases required. A very high density residential development is proposed on Kier Park plots 2 & 3.

4. Conclusions

The proposed residential led development is clearly contrary to the Council’s planning policies. However, the points made in section 3 above should be taken into account. A balancing exercise should be undertaken to decide whether these points are sufficient to justify making an exception to policy.

On balance, we conclude that a housing led scheme with an office component should be accepted in principle, particularly as the proposed offices would help to meet the clear need for more small office accommodation. However, it is necessary to consider whether the proposed office component is large enough.

Recent evidence from the emerging South West Hertfordshire Economic Study Update and by Brasier Freeth for the Council paint a picture of falling office vacancy rates, increasing rents and the possibility that speculative office development may become viable again. Therefore, we consider that the site may be able to support a somewhat higher quantity of office floorspace than that proposed in the application. We welcome the fact that negotiations are taking place with the applicants aimed at securing this. We would also like to see the provision of an active frontage along the full length of the proposed built frontages to Maylands Avenue.

If it is concluded that the proposed development is acceptable in principle, it should also be assessed against Core Strategy Policy CS19 on affordable housing. This policy requires 35% affordable housing, with 75% of the affordable housing being

rented. However, the viability assessment accompanying the application concludes that the development can provide only 20.8% affordable housing and no rented affordable housing. The views of the Council's Strategic Housing Team should be sought on this mix.

Herts Ecology

The area associated with the application is a previously developed, brown field site now containing a mixture of common grassland, ruderal and scattered scrub species of low ecological value. A Preliminary ecological Assessment (PEA) of the site was carried out by the AECOM ecologists on the 15th February 2018.

Habitats

The woodland adjacent and bordering the west of the site represents a refuge, as well as a foraging and commuting habitat for wild life; including protected species such as bats. This area of a woodland forms a green corridor in an otherwise highly urbanised environment. To protect this habitat from the adverse effects of this development both during and post construction and in line with the recommendations of the PEA, I advise the inclusion of the following **Conditions, submitted to and approved in writing by the local planning authority prior to commencement of works:**

Construction Ecological Management Plan

Prior to the commencement of development, a Construction Ecological Management Plan should be prepared and submitted to the Local Planning

Authority for approval, detailing how it is planned to mitigate for ecological impacts, on the adjacent woodland.

lighting design strategy

Prior to occupation, a lighting design strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall 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 use of the woodland by bats and other nocturnal wildlife.

Post construction disturbance by lighting of the habitat should be avoided and a lighting plan detailing where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can clearly demonstrate that areas to be lit will not disturb or prevent the use of the woodland by bats or other nocturnal creatures.

Badgers

The ecological report also highlights the suitability of this adjacent wood as viable badger habitat and the potential of the use of the bund on the site boundary as a sett location. There are badger records in the area and although the dual carriage way provides a commuting barrier to badgers from any land to the south there is potential that badgers from areas to the north and east may be using the area. To prevent any offence being committed in relation to the badger act 1992 should form I advise the following Informative is added to any permission granted

Prior to commencement of any works on site, a Badger survey of the bund shall be carried out and details including an assessment of the impact of the proposed development and any appropriate mitigation measures to alleviate such impacts shall be submitted to the Local Planning Authority for approval.

Nesting Birds

The clearance of the site will result in the loss of any existing nesting habitats. To avoid harm to these protected species I advise Informative is added to any permission granted:

“Any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August 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 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.”

Ecological enhancements and biodiversity gain.

I support the landscape statement in respect of the proposals to use native species and plant species with wildlife benefit for all the hedges, the mixed planting along the west boundary, and large areas of the groundcover. A landscape plan detailing the number of plants and species relating to this proposal should be submitted as a Condition of Approval, to allow the LPA to assess the efficacy of this proposal in terms of meeting the aims of the NPPF regarding a net gain in biodiversity for the site. The ecological enhancements suggested in the PEA are proportional to the scale of the ecological disturbance caused by the development and should be adopted in full as part of the landscape plan.

DBC Contaminated Land

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/02286/18/MFA for the construction of 268 flats and 1404.5 square metres of office space split across six blocks, with associated car parking, landscaping and amenity space.

Please be advise that we have **no objection to the proposed development in relation to Land Contamination. However, you will need to contact my colleague Stuart Nixon and Neil Polden on the likely impact of the development in relation to Noise and Air Quality respectively.**

However, having given adequate consideration to the submitted Planning Statement, Design and Access Statement and with the proposed development located on a radon affected area where 1-3% of homes are above the action level and also on a landmark historic contaminated land use of an un-specified factory or works site of medium risk and former contaminated land use i.e. depot, the following planning conditions and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be

submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). Construction Management Plan Condition

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

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 survey and 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). 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.

Environmental Health

I refer to the above application. I have read the information provided with the application which considers the air quality impact.

Further information is required as there are some issues with the reporting of results. This is noted when comparing the results of the baseline assessment with the predicted impact of the development.

The impact from air quality is assessed against a baseline of 2017. It assumes no change in background concentrations of vehicle emissions. However the baseline assessment and the opening year results show some unusual figures based on these assumptions. For example at R1 the modelled outcome is a 7 µg/m³ reduction in the annual average for NO₂, but no clear explanation as for the difference in this value. Noting the comparison with R2 this is 5 µg/m³ increase and so something is amiss.

In reality assuming there is no change in background or vehicle emissions, then the likelihood will be an increase at all receptor locations near the roadside due to projected growth. The modelled predictions need to be revisited or explained in further detail.

I've copied the baseline and predicted results (do minimum only) below.

Receptor name	Annual Mean NO2 (µg/m3)	Existing Receptor	Do Minimum NO2 (µg/m3)
R1	36.8	R1	29.2
R2	30.8	R2	35.7
R3	26.9	R3	29.3
R4	28.7	R4	28.5
R5	29.7	R5	23.9
R6	30.2	R6	23.3
R7	31.8	R7	24.5
R8	17.1	R8	17.5
R9	18.9	R9	18.7

The report also makes no reference to mitigation against the development from air quality, and consideration for cumulative impact from other development and nearby AQMAs. I note there is a travel plan, but no direct measures for air quality.

Amended Comments

I've read through the AQ update.

There is quite a change from the original report and with the development we are now very close to an exceedance of the national objective for nitrogen dioxide. Air quality modelling is a best estimate, and in this case I would be taking a precautionary approach and rounding up. Therefore this would indicate that with the scheme there would be a breach of the air quality objective. National planning policy requires that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants as well as our own policy CS32 also advises against harm from a significant increase in pollution.

I am aware from previous comments from Kenny he had flagged air quality mitigation be provided by the development. I would require the same based on the latest revision and to condition the development on this basis. I don't have any conditions of this nature to hand and if we have done anything like this before? I can speak to our local Herts and Beds AQ group for examples?

I have had a read through of the acoustic report.

The assessment of noise with respect to measurement of prevailing noise conditions appears fine. The issue is with regard to recommended mitigation measures which relies upon building façade protection. I also have concerns regarding proposed external areas, balconies, on all flats. The assessment shows a high noise environment across a large part of the development site.

The developer has assessed noise on external amenity areas using guidance contained within BS8233, and derives from previous versions of World Health Organisation guidance. It suggests to avoid the onset of serious annoyance noise levels in outdoor areas should not exceed 55 dBA. The noise assessment ranges from

69 – 83 dBA on the most exposed facades, and quite substantially above this value. There is a suggestion for mitigation around balcony design, but nothing forthcoming as to what reduction might be achievable or alternative proposal for external amenity space where an adequate noise environment cannot be achieved.

For the internal environment the assessment does refer to additional guidance (ProPg). This introduces the principle of good acoustic design. Good acoustic design is defined as not just achieving compliance with recommended internal and external noise exposure standard, but should provide an integrated solution whereby the optimum acoustic outcome is achieved, without design compromises that will adversely affect living conditions and the quality of life of the inhabitants or other sustainable design objectives and requirements.

ProPg does advise against using fixed unopenable glazing for sound insulation purposes as generally unsatisfactory and should be avoided; occupants generally prefer the ability to have control over the internal environment using openable windows, even if the acoustic conditions would be considered unsatisfactory when open. Solely relying on sound insulation of the building envelope to achieve acceptable acoustic conditions in new residential development, when other methods could reduce the need for this approach, is not regarded as good acoustic design.

The mitigation proposed for the development is based on acoustic glazing and a mix of mechanical and background ventilation. Windows are proposed as operable (noting guidance above) but the façade noise levels assessed, in particular at night when sleeping, raise concerns that residents would be unable to rely on natural ventilation (openable windows) for maintaining thermal comfort. Noise could have a detrimental impact on health and quality of life.

The assessment does not demonstrate to the local authority how it minimises the exposure of future occupiers to noise, such as through site engineering design and layout. My review is based on the plan submitted in the acoustic report, below.

We would ask the developer for consideration of alternative design options. This could be internal layout design or single aspect layout.

EV Recharging Infrastructure Condition

Prior to occupation, the development shall incorporate an Electric Vehicle (EV) ready domestic charging point at the ration of one charge point per every 10 residential units.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

Informative

- **EV Charging Point Specification:**
12) Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as

evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

- Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).
 - A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
 - The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
 - If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
 - A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>
- The above condition is considered relevant and reasonable for the following reasons:
- Paragraphs 170 (e), 181 of the NPPF, which refer to the effects (including cumulative effects) of pollution (including air pollution) on health, the natural environment (including air quality).
 - 13) Paragraphs 102 (d), 105 (e) and 110 (e) of the NPPF, which refer to the need to promote sustainable transport including the provision for charging plug-in and other ultra low emission vehicles'.
 - HCC Local Transport Plan (LTP4) 2018-2031 which includes an objective to 'preserve the character and quality of the Hertfordshire environment' and 'make journeys and their impact safer and healthier', as well as its Emissions Reduction Policy 19.
 - Policy CS32 of the Dacorum Borough Council Local Plan – any development proposals which could 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 light, noise or noxious substances, will not be permitted.

Travel Plan Condition

Prior to the commencement of the development details of a residential / commercial travel plan shall be submitted to and approved in writing by the Local Planning Authority.

Measures within the approved travel plan shall be implemented in full within an agreed

timetable set out in the plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable transport and minimising the impact on local air quality

Amended Comments

It has taken a lot of effort for the developer to detail that an alternative balcony design (with the exception of full enclosure) is not achievable.

Their statement is that they you can do no more, meaning you have external amenity spaces quite beyond what is recommended by guidelines. However, if the view of planning is that the balconies are not intrinsic to the design then I would refer to the final line detailed in BS 8233, bold text below. I would not have an objection on the basis that the more critical internal living spaces can be mitigated.

7.7.3.2 Design criteria for external noise

For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

Suggested Condition – noise generated by the development

Before the development hereby approved is occupied, a noise assessment and mitigation / control scheme shall be submitted for the approval of the LPA which specifies and rates sources of noise associated with the development and details measures to be made for its control. Sources of noise include, but are not restricted to general building services plant and emergency generators.

The assessment and mitigation / control scheme shall be compiled by appropriately experienced and competent persons.

The mitigation / control measures shall be implemented in accordance with the approval, appropriately validated before coming into first operation and retained thereafter.

Reason

Policy CS32 – any development proposals which could 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 light, noise or noxious substances, will not be permitted.

Suggested Condition – protection of future residential occupiers from noise

With reference to the AECOM report (Maylands Avenue Noise Survey and Assessment; Project Number 60566365; April 2018) and prior to first occupation of the development hereby approved, a scheme of façade protection and alternative ventilation measures for the protection of future residential occupiers from noise shall be submitted for the approval of the LPA.

The scheme of façade protection and alternative ventilation measures shall be compiled by appropriately experienced and competent persons.

The scheme of façade protection and alternative ventilation measures shall be implemented in accordance with the approval, appropriately validated before coming into first operation and retained thereafter.

Reason

Policy CS32 – any development proposals which could 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 light, noise or noxious substances, will not be permitted.

Construction Hours of Working – (Plant & Machinery) Informative

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

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Appendix B**Neighbour notification/site notice responses**

Objections

Address	Comments
8 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG	<p>: I strongly object to this application on the basis that the building is too tall and will infringe on sunlight and privacy. This will negatively effect the value of my property as who wants to look out into an eye sore. It is higher than all other buildings and is not in line with other buildings and will be an eye sore.</p> <p>The parking will add to the lack of spaces currently available in the area and the parking overflow from the flats will overspill to our streets and make life more difficult to park outside our own houses. As it is a fire engine would struggle to reach my property.</p> <p>We will suffer noise and air pollution as this was unbearable when the travelodge area was developed. The building works could cause structural damage to my property and the amount of dust and noise would be unacceptable.</p> <p>Therefore I strongly object to this application.</p>
3 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH	<p>I would like to know what 'associated parking' means! We all know that there will never be enough parking provided for 268 flats, let alone the proposed offices. The application states 11,787 feet of office space but fails to inform us of the amount of proposed parking.</p> <p>The Flags, a residential street which is situated directly behind the proposed flats, currently does not have enough parking for it's own residents. If the proposed application is granted it is almost certain that the Kier residents and office employees will use The Flags as an overflow car park.</p> <p>I object strongly on this basis.</p>
2 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH	<p>On this planning app. It states there are 268 flats & 11787 feet of officers, but I cant see any carparking. So dose this mean the car and van will be parking in the Flags. This is a residential street which at present does not have enough parking at presents. So once again we are going to have Kier employee and the flat owners parking in the flags cause parking problems, the same as for the Travel lodge.</p> <p>Also over the past number of months there has been a large number of flats built in this area. But I can't find any new schools or doctor's surgery. hence putting more</p>

	<p>strain on the existing services.</p> <p>The entrance is very close to one of the busiest roundabouts in the area and I can't see any traffic management in this allocation. By increasing the traffic in this area, it will cause more vehicles to use the rat runs that are already dangerous with cars cutting through the housing estates.</p> <p>I object strongly on this basis,</p>
<p>57 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,HP2 4HH</p>	<p>This building will be twice the height of all other buildings in the area (which are already intrusive) The twelve stories proposed will adversely affect and overlook an area as far as the football ground.</p> <p>Height should be limited to 6 stories and be at least 30 feet from the back boundary.</p> <p>130 parking spaces is derisory for 268 and over 1000m2 of office space. It will cause overspill of hundreds of cars into already congested adjoining streets. Kier should provide at least one parking space per flat and a separate car park of a similar size for the office build WITHOUT going higher than 5-6 stories in keeping with other developments.</p> <p>I strongly object to this development as it stands.</p>
<p>7 GREENWAY,HEMEL HEMPSTEAD,,HP2 4QG</p>	<p>I refer to the Planning Application made for the Kier Development on Maylands. I am also in receipt of Dossier prepared by Kier sent to all neighbourhood residents.</p> <p>I have read and studied the details of the planning application and feel aggrieved by the size of the proposed building both in number of flats and height of the building structure. I am also aggrieved by the misleading schematic produced by the developers showing incorrect height of the building. The proposed scheme does not provide for adequate parking space so much so that it will encroach on the surrounding streets. I would request planning committee to make a visit in our area and see the already overcrowded parking issue.</p> <p>I would request the Committee not to compromise on the commercial aspect of the project but consider other important issues such as environment, overcrowding and traffic concerns.</p> <p>I sincerely hope that good sense will prevail.</p>
<p>71 LEVERSTOCK</p>	<p>I strongly object to the proposed plans that have been</p>

<p>GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HL</p>	<p>made. The height of the large tower block buildings are not in keeping with the existing buildings already built, the buildings will overlook existing residential homes meaning a huge loss of privacy. Instead of the view of trees, residents will now be forced to look at ugly high rise blocks of flats .</p> <p>The amount of parking provided is nowhere near enough for the amount of proposed homes. Existing residents can expect nearby roads to be clogged with residents and visitors cars from the new development. The amount of cars coming and going from the development will cause traffic chaos at an already extremely busy road and roundabout.</p>
<p>31 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>My major objection is concerning the HUGE overspill of vehicles from the new flats, their visitors and office staff which will inevitably park on the FLAGS as it's the closest and easiest route through the lane to the new development.</p> <p>There is no doubt this overspill will happen and as we're in a cul-de-sac, with already very limited parking, we will not be able to park in our own street let alone outside our own house.</p> <p>The proposed parking on the site is completely inadequate</p> <p>If this development is to go ahead then the council must introduce residence parking for the flags and surrounding roads. Although this will incur costs to the current residence it's a cost worth bearing as the alternative will be horrendous for all concerned.</p> <p>Yes develop and expand but not to the detriment of local residents.....</p> <p>Please learn and don't just approve the planning proposal without considering the locals that have been here for many years</p> <p>I object strongly on this basis.</p>
<p>10 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG</p>	<p>I have a number of key concerns and objections to the proposal for offices and residential development in Maylands.</p>

1. An 11,000 sq ft office devt is going to have 27 car parking spaces assigned to it. Your traffic assessment seems to suggest that the typical number of vehicles coming in and out at peak times associated with this will average around 23. This is completely against experience on the estate. Working at Vanarama further up Maylands, the office is 19,000 sq ft, has 220 employees and 95 spaces. The company managed to rent another 40 from a neighbouring plot. However, our staff continually upset neighbours by parking illegally in their spaces and by using the local retail parks in Mark Road who have now instigated fines and clamping as a result. Surrounding streets are overflowing with parked cars from Maylands employees who cannot park at their offices. Go to Briery Way to see how many cars are parked outside the park during the day. There will be considerably more than 27 employees in an 11,000 ft property and based on your own assessment only 8% are likely to use public transport. Therefore where is the assessment of the number of actual employees likely to be housed in the development and what impact will this have?

2. Just adding 300 additional cars as you are intending to do in your development, will add considerable strain on the area. Your traffic assessments do not seem to cover the time taken to get from Maylands to the M1 junction just down the road. At the peak times covered in your report, it can take 25 minutes to get to and from the motorway. This is ludicrous and will only be made worse by the additional cars without taking into account additional employees in the offices.

3. Parking in residential streets on all sides is under huge pressure. Living in Greenway, we see parking on our road in Maddox Road, the Flags gets unwanted parking as does much of New Park Drive. Progress to Briery Way and surrounding roads you get the same. The fall out on residents is considerable and stressful.

4. We were hugely upset by the building of the Travelodge. This overlooks our house and acts as a real eyesore. You now intend to put an even taller building next to it, which will have a practical impact in terms of light and aesthetic impact on the skyline. Your pictures seem to be misleading. Your elevations show a 12 storey building, yet on your additional documents showing the view from the roundabout and from north and south on Maylands Avenue, you seem to show a 9 storey building at roughly the same height as the Travelodge. If the building is another 4 stories higher I would suggest that

	<p>you stop misleading the public and make clear just how much this will extend above the current hotel building. I cannot protest strongly enough about this and would urge reconsideration.</p> <p>4. You say the rail station is easily accessible. At peak times, it would take around 45 minutes to arrive in Maylands by bus. Walking is between 45 to 60 minutes whilst taxis would be quicker, they would prove expensive for employees and residents on a regular basis at that peak time. The transport network is under great strain and frankly I am puzzled as to how you think this is going to help?</p> <p>5. I struggle to understand why you think we need another 11,000 square feet of office space, when it is obvious walking around Maylands, Mark Road, Maxted Road Boundary Way, just how much office space is currently vacant. Local agents are clear that office space has slowed considerably in the last 12 months and they see little likelihood of this changing in the next year or two.</p> <p>6. I also agree with previous comments - creating another 268 residences is all very well but all services are under pressure. Schools are not plentiful - we have a few primary schools, several with problems due to demographic of kids. In secondary Adeyfield has deteriorated significantly in recent years, Longdean just gets bigger. The other secondaries are the other side of town. GPs cannot cope. We have no local hospital and Watford is creaking. We lack key leisure facilities such as a theatre or youth activities. Our transport network is congested across the town not just at the St Albans Road, Maylands Avenue junction. Adding potentially 400 new residents and a significant number of additional employees will merely exacerbate these issues. I would like to understand how you would deal with these issues?</p>
<p>2 GREENWAY,HEMEL HEMPSTEAD,,HP2 4QG</p>	<p>Twelve stories is far too high for a building in this location: we loose privacy, light and space.</p> <p>The parking schedule is totally inadequate and will result in even more vehicles attempting to park in our already overcrowded streets. Would an underground car park not solve the problem?</p> <p>The location of the proposed development being so close to a major traffic intersection will make an already bad situation even worse.</p> <p>I believe this to be the wrong development, in the wrong place, and strongly object to this plan</p>
<p>3 NEW PARK</p>	<p>This building proposal is too tall and will negatively affect</p>

<p>DRIVE,HEMEL HEMPSTEAD,,,HP2 4QE</p>	<p>the outlook from my property and negatively affect my property value as it will overlook my house.</p> <p>It is being deliberately misleading in the application photos as it is shown as about the same height as an 8 storey building, when it is half as tall again at 12 storeys.</p> <p>There is woefully inadequate parking plans for the amount of housing planned, there needs to be at least a 1 to 1 parking to accommodation ratio or it will completely jam my road amongst others with the car parking for the residents.</p> <p>I fully agree with encouraging less cars, but at an out of town Development that is a long way from the station and town center bus links, whilst appealing to car based commuters being so close to the M1, I think it is completely foolish to expect housing in this location to not rely on at least 1 car per dwelling.</p>
<p>45 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HH</p>	<p>i feel that 12 stories is not in keeping with the area. I think that the flats should not be any taller than the existing travelodge at 8 floors. i recognise the need to build new properties but 12 stories is too much. Given the amount of traffic congestion there already in the area that i am not sure how the infrastructure will be able to support so many additional cars. i am also aware that there will only be 124 parking spaces which will have an impact on the local area as this is insufficient - especially as most flats will be occupied by 2 people who may both have a vehicle. public transport is poor in hemel and therefore a car will be required. The flats will overshadow a number of properties and will be an eye sore as it is so out of character for the area. if the flats were the same height as the travelodge i would be happier with this proposal.</p>
<p>11 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG</p>	<p>I understand the need for new homes and welcome new developments as long as they take into consideration the impact on the surrounding areas.</p> <p>I don't believe this development has considered the impact on residential parking, commuter congestion (especially queuing at J8 in the mornings), capacity of surrounding schools, lack of hospital facilities and doctors.</p> <p>To assume that the new residents of the flats will travel on public transport is ludicrous. Buses are never on time, it take ages to get anywhere and walking to the train station would take up to an hour. Cycling is quicker but I suspect residents wouldn't want to leave their cycles outside overnight in case of theft. What actually will happen is residents will have cars, they will use the train, avoid parking in the station car park because its too expensive and cause parking problems to the residents in Boxmoor.</p>

	<p>The height of the main 12 storey building is misleading in the artistic drawing. It will be visible by all residents in the Adeyfield area and will have a significant impact on the value of the properties in this area.</p> <p>We currently have the unsightly view of the Travelodge from our back garden and it doesn't matter which angle I look out from my garden it is there. The trees that have been planted have not provided any shield against the building. Not to mention the bins are always overflowing and they continually leave the doors jammed open which means the alarms are always on. We have had mice problems and I don't see this getting any better when the new development is built. There will be more big bins overflowing along with more noise and light pollution.</p> <p>My property is already overlooked by the flats that are in Maddox road but when I purchased my house they were already there. I don't think it is right to impose lack of privacy to the local residents who didn't have this issue before.</p> <p>I agree with one of the other comments made that the planning committee should visit the site and surrounding areas at different times of the day, especially from about 6pm when everyone is home and there is nowhere to park, before they make any decisions.</p>
<p>59 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,HP2 4HL</p>	<p>Further to the receipt of Kier's Development Update Newsletter, I am writing to object this proposal.</p> <p>Firstly, the artistic drawings shown are inaccurate in the height of 12 storeys, and do not predict the true scale of the buildings in relation to the Travelodge and its 8 storeys, or the other buildings, and will dwarf the existing buildings in Maylands Avenue. Keir are leading us to believe that their 12 storey build is of a similiar height, or shorter, than the Travelodge!</p> <p>Secondly, it does not show any additional parking facilities other than the existing spaces on the Travelodge site. So where do you propose that the people residing in all these 268 flats, plus the commercial development on the site, will be parking their cars? If additional parking does not exist, this will result in an overspill into the neighbouring area causing an impact on the existing residents of which there is already inadequate parking spaces, never mind the environmental impact. Traffic is already a major issue in the entire area, especially during rush hour. So how will you deal with this environmental impact?</p>

	<p>What about schools/doctors/dentists? Is the council taking into consideration the additional pressure on the already over-stretched services?</p> <p>Thirdly, the neighbouring properties are already enduring light pollution from the orange obtrusive building that is lit for 24 hours a day with no regard to energy conservation. There is also the environmental impact from light pollution, skyglow, and light trespass which will have an adverse health effect on the local residents. See Defra's guidance on sections 101 to 103 of the Clean Neighbourhoods and Environment Act 2005.</p> <p>Kier quote in their vague Newsletter "268 high quality flats, including affordable housing contribution." We have heard all this before. What percentage is affordable housing? What does this actually mean? At what price is it being marketed at? This supposed Newsletter, or blurb, is disingenuous and inaccurate and an insult to the residents.</p> <p>This is purely a development to profit Kier and not profit the local neighbourhood.</p>
32 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH	<p>In am objecting to this development in its current form on the grounds that it gives inadequate parking which will overflow onto already busy residential roads. The planning application states a 1:1 ratio of parking spaces per flat. It also states Dacorum planning regulations state there should be 1.5 spaces per 2 bedroom property and 1.25 spaces per 1 bedroom property. Therefore I submit that this would not meet Dacorum requirement as stated and that the application, would cause immense parking problems in already busy surrounding roads should be rejected in its current form. I would also suggest that households in existing surrounding roads should be consulted about resident only parking.</p>
39 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QJ	<p>This development is too large and not in keeping with the surrounding residential area. The increase in vehicles, both domestic and commercial will result in current quite, residential roads becoming extremely busy and dangerous to the residents living there. It will also create substantial parking problems for residents that have lived there years and who currently pay a lot of money to be able to park near their homes. I strongly object to this planning going ahead.</p>
9 GREENWAY,HEMEL	<p>I have lived in this area for 38 years and the thought of</p>

HEMPSTEAD,,HP2 4QG	<p>these proposed flats going up is quite worrying for me. Its very noisy living in this area now .the travel lodge is terrible for us and so will be to people living in flats next to it.car alarms at all hours .hundreds of bottles suddenly being tipped into skips and people shouting and meeting up in cars and on motorbikes at night.Lorries with there backing up alarms at all hours sometimes very early and very late.Also if you go along to the site with the artists drawing you will see that itis not quite correct.They have a way of making it look like it all going to look ok .You will see that it is all going to look crammed into the space there and look awful.Also drawing the picture at an angle makes it look shorter its all rather crafty.There will not be enough car spaces and people will start parking in the roads behind,this happens already sometimes.I think its a terrible shame and greedy putting up all these flats any space thats found .My granddaughter is 19 and never had a garden,People with not so bright shiny futures get stuck in flats for life ,so down size them and make bigger garden areas or put up two story flats with gardens or those cluster one or two bedroomed houses with the little lawns.i have visited someone in the flats further up maylands ,there are kids roaming around the corridors,its glum.Lets think about people instead of how many flats can go up in one space and about privacy and noise.The wooded area helps a little in summer but not in th winter months.</p>
22 THE FLAGS,HEMEL HEMPSTEAD,,HP2 4QH	<p>I object to this development in it's current form due to problems with parking and road safety issues.</p> <p>I see from the application that there will be one parking space for each residential unit plus spaces for the commercial space. I have concerns that, due to the site's position on the road network, there will be above average levels of car ownership. As no overflow parking area is proposed cars, not able to park on the site, will park on the nearby residential road especially since there is a footpath connecting the site to The Flags.</p> <p>My second concern is the junction onto Maylands Avenue. The site is close to a major roundabout and turning right is difficult and potentially dangerous. Cars turning right into the site will block traffic flow and there is a danger of creating a problem similar to the Aldi entrance on the Redbourn Road.</p> <p>Please consider what could be done to decrease parking in residential areas and look into any road safety measures before granting this permission.</p>
33 THE FLAGS,HEMEL HEMPSTEAD,,HP2 4QH	<p>I object to the size of this development for a number of reasons as follows:</p> <p>The effect it will have on the local infrastructure, currently it can take 30mins plus to get from the roundabout adjacent to the proposed development to the M1</p>

	<p>junction, this will increase with the size of this development and other building works in the area.</p> <p>The affect on parking on the Flags due to the lack of parking spaces in the new development, the area has suffered from workers and builders parking in the area, if getting to the development is grid locked as it is currently we will see an increase in parking in the flags as it is a quick short cut for the new residents of the blocks.</p> <p>The increase of pedestrian using the flags we are already suffering from an increase in people using the flags to access Maylands Road which is causing increased noise and ASB, litter and shouting at all times of the night etc..</p> <p>In short I feel the size and height of this development will affect the whole area and there would seem to be little thought to the affect it will have on local residents or the infrastructure in the area.</p>
<p>4 GREENWAY,HEMEL HEMPSTEAD,,HP2 4QG</p>	<p>12 storeys is still too high. The picture looks like it is the height of the travel lodge but that is impossible as that is only 8 storeys. I am very disappointed that Kier is trying to pull the wool over our eyes. I am also concerned about the parking as I live round the corner. If there is not enough spaces for the amount of flats they are building where will it go. To our neighbourhoods!!</p>
<p>34 SARRATT AVENUE,HEMEL HEMPSTEAD,,HP2 7JF</p>	<p>I object to the planning application for the following reasons:</p> <ul style="list-style-type: none"> - Increased traffic to the local area - Insufficient parking in the current proposed plans - Not in keeping with the area <p>I would like to see that the council consider enforcing that Keir Group are required:</p> <ul style="list-style-type: none"> - Not to touch the tree's that form a natural boundary between the residential area of Adeyfield and the industrial area of Maylands <p>I travel through Maylands on a daily basis and the congestion in the area, and leading to the M1 Motorway is already beyond capacity. The addition of so many extra residential properties is likely to only increase this. Whilst I appreciate a need for increased housing within Hemel Hempstead, consideration should be given to the number of properties that are concentrated within an already heavily congested area.</p> <p>The current plans do not allow sufficient levels of parking for residents and visitors. This will undoubtedly lead to the surrounding residential streets in Adeyfield being used as an overflow car park. Particular consideration should be given to 'The Flags' - HP2 4QH, which has a direct footpath through to the development. This</p>

residential street is already heavily congested at peak times and it is impossible for visitors to find parking. As a result, cars are frequently parked such that emergency vehicles would be unable to reach some properties in the event of a fire. Insufficient parking at the proposed Kier Group site is likely to further worsen the situation as residents of the new development seek alternative parking opportunities. This will without a doubt put more lives at risk in the event of a residential fire.

The height of the building is not in keeping with the existing buildings in Maylands. The existing Travelodge building should form as a marker for the maximum appropriate height of such a development. Having a high rise building like this at the entrance to a low rise town such as Hemel Hempstead is quite frankly an eye sore. When residents wish to make changes to their homes, the council requires that such adjustments be in keeping with the surrounding areas. Such rules should not be allowed to be flouted by large construction companies with money.

There is currently a line of woodland that flows along the edge of Maylands Avenue, and the trees in along here should be protected such that adjustments to the width or height is forbidden. Moreover, consideration should be given to the screening these provide during the summer months.

It is worth noting that the trees do not provide screening during the winter months. As such any balconies or windows above the level of the buildings in the streets the complex that face residential areas will have views over and into the other properties. Consideration for the adjustment of plans so that the balconies are removed should be given. Additional consideration should be given for the use of frosted or privacy glass where the windows look out over the residential properties behind.

Finally, the board should consider whether the plans are seeking the best for the local area or that of Kier Groups profits. Whilst I appreciate the need for additional residential properties within Hemel Hempstead, the appropriateness of cramming so many properties into such a dense and already congested area of town should be considered carefully. I'd ask the planning team to consider whether Kier Group's short term profit margins are more important than the long term visuals of Hemel Hempstead as a town, and the current congestion issues that Hertfordshire County Council are attempting to battle.

41 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QJ	I am worried about the height of the building, the amount of extra traffic it will bring to the surrounding area and also the lack of adequate parking .
13 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG	<p>The amount of flats and not realistic provision of car park will drastically affect the scarce spaces in neighboring road.</p> <p>Potential parking permits in neighboring roads without provision of paid or free car park within 1 miles will affect the home business and social life of neighbours.</p> <p>The increment in road traffic will worsen the already overcrowded road, particularly the roundabout in Mayland avenue and St Albans road at pick hours.</p> <p>the height of the building will affect our privacy due to overlooking.</p>
1 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG	<p>The housing density for this plan is too high. Where are all the residents going to park? The whole plan needs to be reduced in scale. Give everybody, both new and existing residents more space to enjoy. The height of the proposed block will be oppressive to surrounding area. People should not be squeezed together like this.</p>
16 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH	<p>I object with this planning in its current form because there is not enough parking being allocated for these flats. Therefore, this does not meet Dacorum Borough Council's requirement and will have a huge impact on The Flags and the already busy residential roads.</p> <p>The Flags already has inadequate parking for the residence of this cul-de-sac and if at peak times there was to be a fire the emergency services would not be able to get through. By Kier Group proposing to build flats & office space and not supplying adequate parking this will make the situation a lot worse as we have direct access via a public footpath.</p> <p>Although they say they have reduced it by 1 floor it is still larger than the Travelodge & Lok'n'Store on the same site and it's not in keeping with the rest of the buildings in Maylands Avenue.</p> <p>The congestion in Maylands Avenue and surrounding roads off the roundabout is likely to get worse and Kier Group would need to consider making these surrounding roads more accessible as part of this plan.</p> <p>The trees that line the boundary between the Industrial Estate and the residential area of Adeyfield do not provide a screen during the winter months. Therefore, the noise will also have a big impact on the surrounding neighborhood and any Bat roosts in the trees.</p>
31 NEW PARK DRIVE,HEMEL	The information that has been sent is misleading. The images suggest the building will be in line with

HEMPSTEAD,,HP2 4QJ	<p>the current high rise building - the Travelodge. However, after reading its clear the image has been created form a particular angle that makes it look a similar height.</p> <p>The next problem is the severe lack of parking facilities for both residential and business parking.</p> <p>I live behind the proposed build and there is already issue with parking. My neighbours are a four car family, with only one driveway space. We frequently visit the park on Briery way and it is always filled with cars parked that have walked through the alleyway to get to the industrial estate. I have witnessed them doing this in the morning. I know that businesses on the industrial estate have limited parking and often not enough parking for their employees (Vanarama for example)</p> <p>Our street also has an alleyway (opposite my house) that will very conveniently lead to this proposed development. I have absolutely no doubt in my mind that both residents, residents partners, friends and family and business employees will use this road to access the development at all times of the day.</p> <p>Whilst i appreciate that affordable housing is needed - it seems that it is all being built in the same area without the planning and thought for the surrounding area and people who have worked hard to purchase their properties. I know that in the future if we decide to move potential buyers will be put off by parking issues and an overlooking high rise development.</p> <p>Careful consideration also needs to be made about rubbish facilities - we are already experiencing problems with rats (in lofts and gardens) because of the food developments. Large bin areas will add to this problem.</p> <p>Also, we are a hugely developing town that has very limited access to essential facilities. This amount of people will add even more pressure to the struggling Watford hospital. We can't even offer an A&E to all these residents.</p>
57 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,HP2 4HH	<p>I have already commented on the parking disaster this will cause. I walk past this site every day walking the dog. The roundabout is virtually gridlocked most days between 8 and 9. This and the other development on the other side of the road is going to make this worse.</p> <p>Kier have been very mendacious and inaccurate in both</p>

	<p>the publicity info and also, I believe, in the side elevations in the planning submission. The 12 storey block will be half the height again of the Travelodge which is already intrusive and will be on a slightly higher elevation. The 10 storey block on the other end will be almost twice the height of the lok'n'store and BSI, which. These will dwarf the entire area and create an eyesore to the whole of Adeyfield. It would also create a precedent the wil be many more such developments..</p> <p>The 'statement building' argument is claptrap. This is a cheap block of flats. No doubt the argument for having the Travelodge at 8 storeys was that it would be a 'statement at Hemel Gateway' Hemel doesn't need another cheap nasty 'statement' building.</p> <p>This development should be reduced to 6 storey, like the similar developments on Maylands, with NO reduction in the parking provided.</p>
<p>13 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>The proposed development is likely to adversely impact traffic and parking in the local area. There is already huge congestion in this area at peak times which means even a short journey needs to be planned to avoid sitting in queues. The residents' parking in the nearby streets is already a problem, particularly in the evenings and weekends. Additional requirements for residential parking in the neighbourhood due to inadequate provision on the proposed new development would mean additional strain on the availability of spaces in the streets around our houses and inevitably dangerous parking on pavements with limited emergency access.</p> <p>There are already proposals for massive residential and commercial development In and around Hemel Hempstead and I would hope that consideration would be made on the impact this would have on the infrastructure, e.g. schools, hospital, and other public amenities.</p>
<p>84 NINIAN ROAD,HEMEL HEMPSTEAD,,,HP2 6NB</p>	<p>This area is already built up enough during peak times as it is, this will cause road works, road closures, less parking etc causin this main stretch of hemel becomming even more of a nightmare. the roundabout is a mess at the best of time let alone once this starts get goin.</p> <p>where is there goin to be atleast 2 spaces per flat goin to be accomodated? the parking is bad enough around that area as it is.</p> <p>i hugely disagree with more flats being stuck here because an area of land is there to be used, maylands already has plenty of builds goin up and is already</p>

	<p>becoming an overly populated area for the space it has.</p>
<p>171 FENNYCROFT ROAD,HEMEL HEMPSTEAD,,,HP1 3NP</p>	<p>The parking will not be sufficient and will cause an over-spill into the surrounding residential roads. There are already too many commuters trying to exit Hemel via the M1, Will there be any infrastructure changes to accommodate 250+ flats trying to exit the property via Maylands onto an already over crowded exit route? Not to mention where their children are going to school or what doctors surgery they are going to use?</p> <p>It is also too tall and going to overlook all the surrounding residential streets, I would like some privacy in my parents back garden (new park drive) which will be forcibly removed by this development, it will also block out AM light by casting a shadow over the houses directly impacting quality of life by preventing sunshine reaching properties in the mornings.</p>
<p>31 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QJ</p>	<p>First issue: Misleading information. It's hard not to feel like local residents are being duped as to the exact nature of the height of the buildings proposed for construction. The images appear to show that the building will be the same height as the Travelodge. But dig a little deeper and it will clearly be taller - are we seriously supposed to feel like we're being given "all the information" when you resort to these shambolic deception tactics?</p> <p>Second issue: Parking, which will be an ever-worsening nightmare. What are the plans? Where are the residents of 268 flats and 1095 square metres of office space going to park? In my road? In the surrounding roads? This has clearly not been thought through.</p> <p>Third issue: Walking traffic. Opposite our house in an alleyway that connect through to the proposed placement of this building. Is New Park Drive set to become a car park and place to traipse throughout the day? What about kids - who already cause problems in the area with motorbikes and general bad (sometimes criminal) behaviour?</p> <p>Fourth issue: Vermin. The presence of restaurants is already causing issues for people in the road. More people means more rubbish means more vermin. Again, there's been no thought spared for this problem. And if there has, it should be shared, right?</p> <p>Fifth issue: Pressure on local amenities including hospitals, schools, doctors, police, fire, etc. Our local services are already overstretched. This development just means more people and more burden. It's not right, and current residents should not have to pay an even</p>

	<p>higher price for local service access.</p> <p>In summation, even if the images and information already given wasn't incredibly misleading, this development is only going to put more pressure on residents and services in the local area. It is short-sighted and opportunistic, and could not have been a worse place to develop (considering the development already taking place in this area). My objection to this project couldn't be stronger.</p>
<p>11 HILLDOWN ROAD,HEMEL HEMPSTEAD,,,HP1 3JE</p>	<p>I live on the other side of Hemel Hempstead, however my family home, owned and occupied by my parents, will be directly, negatively, affected by the proposal in it current format.</p> <p>I acknowledge the need for additional houses, and indeed development, in the area, and agree that the currently unoccupied site that Kier Property are proposing to develop would be a good site to do so.</p> <p>I disagree strongly with the proposed height of the buildings, in particular the marker buildings. As the Design and access statement explains, the buildings across the site will all be designed at different heights to blend well with the current infrastructure, which I think is a positive decision.</p> <p>I don't agree, however, that any of the buildings should be noticeably taller than the current Travelodge building that's already in place. The 'design and access statement' explains that the surrounding buildings will be used as 'shoulder height' for the proposed new building, however I feel the description here is inadequate as the proposed buildings are stated to be up to 12 storeys high, which is using the phrase 'shoulder height' very leniently when this is more than double some of the buildings already in place (which are being used as a 'shoulder height' reference).</p> <p>To clarify, I don't believe that any building should be more than a maximum of 1 storey taller than the Travelodge building; this is based on the objects received when the Travelodge was built originally, regarding the height of the hotel. The residents have already had to accept this 'giant' building overlooking them, and it would be disrespectful to ask them to accept even taller building ruining their views (not to mention the negative affect on their property value or indeed their levels of sunlight!).</p>

In the start of the provided 'development update newsletter', as provided in the application, the site is called "highly visible" and there is comment stating that "a marker building of prominence" is required to match this. I'd like to politely remind the developers that, yes, it is a highly visible site, from ALL angles that include many residential areas, and its understandable that many of these residents would not want to look out of their windows to see a whole development, let alone one that towers above their property by a monstrous amount. I am also concerned by the need to make a building 'prominent'.

I also urge Kier Property to revisit the parking plan for the development. I have read the parking note provided by ADL Traffic and Highways Engineering LTD, and whilst I acknowledge the Dacorum Car Ownership by Type of Dwelling (2011 Census) data, I believe it to be very short-sighted to use only this data when designing the available parking for the development. The location of the development leads it to be desired by commuters and those wishing to access the M1, who are likely to own their own cars and require at least one car parking space per dwelling. Alongside the high likelihood of more than one car per household, there are currently not plans to accommodate the proposed 40 full time members of staff who will be working on the development, or indeed any visitors of those who live in any of the properties. I strongly urge Kier Property to consider extra parking facilities, or less dwellings to reduce this need.

I don't recall reading any plans to support the vehicles accessing the M1 - it's apparent that the traffic from the development will need to access the main road and indeed the Motorway, and with the current layout of the roads adjacent to the roundabout, this is going to be difficult to do with an influx of vehicles, causing huge delays for all commuters in that area. I believe this needs further thoughts about the affects of adding an extra over-200 dwellings into an already busy area.

I support the proposal to include office space and commercial use of the land also, as this acknowledges the need to increase all nearby services with an influx of residents in the area. I don't believe that consideration has been given to other areas of growth that need to be in line with residential growth, such as the increase of schools and education centres. That area of Hemel Hempstead already has hugely oversubscribed primary schools that are being forced to take extra students into the school (with no extra support from the council), and an influx of new children will all need (and deserve) a top

	<p>quality education that they don't have to travel miles for.</p> <p>I urge Kier Property to reconsider the height of the buildings and the negative impact this could have on local residents privacy, sunlight levels and property value. I urge them to reconsider the lack of parking and the negative affect this will have on the surrounding areas, particularly the residential areas directly surrounding the development. I urge them to give consideration to the traffic implications of the spine road leading directly out into the main road, and the levels of vehicles who will be using this. I urge them to give consideration to the affect of such a large number of properties and the quality of life for those new residents, particularly children and their right to a good quality, local, education.</p> <p>I agree that the land has potential growth opportunities, and am supportive of the current site being redeveloped, but believe very strongly that this redevelopment must not come at the cost of the current residents who have called this area their homes for many years.</p>
<p>64 POYNDERS HILL,HEMEL HEMPSTEAD,,,HP2 4PH</p>	<p>I object to this planning of the Kier building as the added vehicles to an already very congested area in the industrial area of Hemel Hempstead would cause a complete standstill of traffic. I have to get to the motorway from where I live in the rush hour and just those two miles can take longer than my whole journey at the moment, it would be impossible if this application goes ahead. This planning is not viable. I hope you think again. I strongly object.</p>
<p>1 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>I live in the Flags which lies behind this proposed project I object to the project based on the impact it will have on local residents. I have lived here since 1983 and my in laws before from when these houses were built in 1964</p> <p>The impact will be the parking of cars in the Flags and surrounding streets. This is happening now where I see people park and walk through. This is from existing companies so with these new flats and offices being built it will definitely happen more and more. The planning info that we had through our door said there will be adequate parking but this is probably based on 1 car per flat. The same was done for the Kodak tower and many had to park in Park Road or the Sports Centre as nowhere to park</p> <p>This is an old issue as Lucas and before that when Rotax workers used the street to park and after a campaign you the council put up resident only parking signs which solved the problem</p> <p>This time there will a bigger parking problem and we</p>

	<p>residents are the ones who will be affected. I strongly object to this development. More flats but less schools and no hospital and no one can see an issue in that alone! Flats further up by Tesco have squatters and drug waste left outside (as shown on social media) so will these flats attract the same tenants? Crazy money making schemes with no concern for what our town is becoming</p>
<p>24 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>I am objecting to the recent plans to build flats and offices behind my house.</p> <p>I feel the application has misleading photos, showing the building a lot lower than it will be. the travelodge is 8 storeys high and this will be 12. It is shown in the picture to be the same height. The majority of buildings across Maylands are a lot lower in height than these plans. I feel privacy will be lost to such a lovely quiet, private neighbourhood.</p> <p>I am also very concerned about where all these people who will be living and working there will park. Majority of 1 bedroom flats will now have 2 adults living in them, with 2 cars. There aren't even enough spaces for 1 per flat and 1 per anticipated member of staff in the offices. This could really affect a lot of local residents in The Flags and other streets surrounding. If this plan does go ahead, I feel it would be acceptable for us to expect our road will be made residents only, to protect such a lovely quiet road and not cause us any problems parking near our houses.</p> <p>Also I would like to question about part of the plans, as it is not very clear to me. It looks as if there will be an entrance/access from the alley way going between lol n store and the flats, to get to the development. This will encourage people even more to park this end, if they have an easy access from there. It will also cause a lot more noise disruption with people coming and going, and give people living in the flats a place for hanging about smoking or drinking after a night out.</p>
<p>4 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG</p>	<p>Kier have revised their plans since the neighbourhood consultation, however it is incorrect for them to convey the opinion that they have support from the local neighbourhood. Most people are against the development.</p> <p>They make statements that local transport is good, but their own business consultants have stated that transport is poor, so it would not be any use for prospective</p>

	<p>commuters from the development. The train station is over 3 miles away and is not easily walkable on a daily basis. Nor is it commutable by bike daily, due to the hills that must be encountered to get there, some steep. The bus service is inadequate, driving residents towards greater car ownership, or use of the 1 club car between the 100 or so who statistically do not own a car.</p> <p>Their parking provisions are inadequate for the proposed residents, given the standard of properties they intend to provide. They have also not made provision for visitors to the properties, who no doubt would not park on Maylands Avenue (a busy main road) but may well park on (in)convenient side roads (The Flags, New Park Mews, Maddox Road, New Park Drive). The overall effect on these already congested side streets would be appalling. Indeed, at certain times of day, Maylands Avenue itself is heavily congested, with tailbacks from the Travel Lodge all the way to Wood Lane End and beyond (and vice versa). Turning right out of the development is currently not easy which may cause people to take either unnecessary risks (potential accidents), or turn left and then perform U turns at the first traffic lights. Kier's documents indicate convenient rush hour access to M1 Junction 8. It can take up to 1 hour to get to Junction 8 from the roundabout by the Travelodge during peak periods.</p> <p>Kier have made many mentions about the protection given by the mature trees with a canopy of 20 metres, but their development exceeds this height. The documents that Kier have circulated around the neighbourhood purport the buildings to be the same level as Lok N Store, but the plans show that some of the buildings exceed this by at least two stories, which will lead properties in The Flags, New Park Drive, New Park Mews, Greenway and Maddox Road to be overlooked. Additionally, these trees are not evergreen, so between Autumn and Spring the protection is significantly reduced, with increase overlooking and presumably increased noise pollution.</p> <p>Keir's Site Location Plans contain inaccuracies. Three documents have marked "Greenway" as "Maddox Road" (44819901, 44819902 and 44820280). What other inaccuracies or miscalculations are elsewhere?</p>
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<p>21 MASONS ROAD,HEMEL HEMPSTEAD,,HP2 4QP</p>	<p>I object to this building being any higher than the properties adjacent to it, travelodge and storage unit. It will be an eyesore for residents and is not in keeping if the rest of the area.</p> <p>In addition another 250 approx. dwellings with one or two cars each will have a significant impact on congestion in</p>

	<p>the area as well as local parking.</p> <p>The location is an industrial area with limited amenities for more housing.</p> <p>The number of flats and overall height of the buildings needs to be addressed and reduced. it should not always be about making money, peoples well being and the environment should be considered.</p>
<p>7 NEW PARK DRIVE,HEMEL HEMPSTEAD,,HP2 4QE</p>	<p>Maylands Avenue was originally designated land for industry and businesses moving out from London. It is worryingly becoming more and more residential.</p> <p>Too many new homes being built in Hemel and our services are continually being stretched. We need a new hospital not more houses/flats!!! Where will children go to school? Are new schools planned?</p> <p>I live in New Park Drive and fear the increase in traffic down my once quiet road. Cars use our road for a cut through and speed round the bend I live on. The new development will bring a greater volume of traffic. I would favour speed humps put in.</p> <p>Not enough parking for proposed development and residents will spill into New Park Drive. Do you propose issuing residents with parking permits?</p> <p>Artist impression is wrong and completely misleading. Travel Lodge is 8 storeys high and new development will be 12. Much higher than drawing suggests and will invade resident privacy. A correct drawing to scale MUST be issued to those this impacts on.</p>
<p>LITTLE COXPOND FARMHOUSE,LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,HP2 4HL</p>	<p>We have just returned from holiday to find that we have only until today to object to the proposed Kier application. Having taken the trouble to explain why the proposed height of the building was totally unacceptable and the parking was totally inadequate we were informed that we had been timed out and our complete message was deleted.</p> <p>Suffice it to say that should this application be passed without very substantial modification we will have no hesitation in instructing our solicitors to instigate legal proceedings.</p>
<p>14 GREENWAY,HEMEL HEMPSTEAD,,HP2 4QG</p>	<p>The development has not been shown to scale in the drawings as it will be far higher than the current travelodge. The buildings will over look all the houses</p>

	<p>behind in the new park drive area giving us no privacy at the front of our houses. I believe there is also a planned roof terrace giving us even less privacy.</p> <p>There are fewer than 1/2 a parking space per flat which is completely unrealistic in this day and age as most household have at least one car and this also doesn't allow for any parking for the retail units.</p> <p>I currently drive to Welwyn every day and it takes at least 20 minutes every morning to queue along Breakspear way. The traffic deteriorated further with the closure of the road where the cemetery is and once this retail park has opened, traffic in and out of hemel will be at a standstill at rush hour. Another development of more than 250 homes will cause even more traffic to an already over congested road network.</p>
<p>23 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>The proposed buildings will invade on the privacy of my back garden due to the number of stories. Having a young family, privacy is important to me.</p> <p>The sun light will be blocked by the proposed buildings, due to the position of my house and where the sun shines through, this will mean I will lose nearly all natural sunlight from my garden and rear of my house</p> <p>As the site will be on an already highly congested main route to/from the area (it can take 30 - 40mins to reach the M1 most mornings), there is huge potential to make it impossible to travel at peak times.</p> <p>As the proposed buildings are some what higher than the current buildings around it, it will be an eyesore and may put people off buying houses in the neighbouring area.</p> <p>Having been born in this town and lived here my whole life, I believe people want houses, not flats or apartments</p> <p>The proposed development area does not adequately accommodate for car parking, with most properties having at least one or two cars, this will mean people will use the neighbouring streets, which are already busy for current residents</p>
<p>37 HIGHLAND DRIVE,HEMEL HEMPSTEAD,,,HP3 8PT</p>	<p>I strongly object to the proposed construction for plots 2 & 3 Kier Park Maylands Avenue HP2 4FQ citing the road infrastructure is unable to accommodate the resultant extra traffic flow.</p> <p>I live adjacent to the Maylands avenue roundabout, the traffic noise is already disproportionately loud and constant day and night, I am unable to have my windows facing the road open for this reason and the heavy black residue from exhaust emissions.</p> <p>I use public transport to travel home from work and the 320 bus can take up to 30 minutes to travel the length of Maylands Avenue in rush hour and the roundabout is constantly gridlocked when there are problems with any of the motorways surrounding us.</p> <p>Add to this problem the new shopping centre due to open</p>

	soon opposite this proposed site, the additional vehicles associated with 268 new flats, one or two cars per flat, is just totally unacceptable for the present road system.
10 BURLEIGH ROAD,HEMEL HEMPSTEAD,,,HP2 4PT	There are so many new housing and commercial developments being built on or around Maylands Avenue, it has lost its purpose as an industrial estate. The roads are fit to bursting point as it is, so unless you are planning to turn Maylands Avenue and Leverstock Green roads into dual carriageway with traffic light junctions, the town will not be able to cope with the increased amount of traffic on these roads and will be standstill for pretty much the whole day. Not a very environmentally friendly approach to town planning, is it really??
FERNDALE,GROSVENOR TERRACE,HEMEL HEMPSTEAD,,,HP1 1QJ	I object to the planning application for the following reasons: <ul style="list-style-type: none"> - Increased traffic to the local area and will affect access to and from the M1 which is already congested - Insufficient parking in the current proposed plans which would affect the surrounding area parking. - Insufficient plans to increase other amenities that Hemel Hempstead would need i.e. hospital, schools, etc
26 EAST MIMMS,HEMEL HEMPSTEAD,,,HP2 5XR	Whilst I understand that we do need new houses and flats in Hemel Hempstead I feel that this development will create a number of issues: 1) The high of the flats will overshadow the existing residents of Greenaways and New Park Drive. This will effect the light into their gardens and properties and thus effect their quality of life. It would be preferable for the high of the flats to be restricted to the same height as the Travel Lodge. 2) The proposed number of parking spaces for the residents of the flats is far too low. People buying these properties are highly likely to commute as they are based near the motorway and the train station allows for easy and quick access to London. These people will have cars and with not enough parking spaces available people will park around the New Park Drive area and this will prevent local residents from parking near their properties. This is particularly not fair for elderly residents or families with children. 3) If the residents in the flats have children there are not enough primary school spaces locally and with School budgets being cut this will add additional pressure on local schools. 4) The traffic around the Industrial estate is already

	<p>heavily congested and to add this amount of additional properties on top of all the other the other new flats being built on the Industrial Estate will just make traffic unbearable.</p>
<p>9 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QQ</p>	<p>I hugely disagree with the size of this building I moved here to get away from a concrete jungle, I have been very happy living here for the past 7 years if this building goes ahead I will be looking out my front room window and see this monstrosity, I have a tree outside my home and blocks a lot of light if this thing goes up i may as wall move into a cave. Bring it down in line with the height of the surrounding buildings please.</p>
<p>36 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HJ</p>	<p>Maylands Avenue is the gateway to the Industrial Estate and is not a residential area. Kier's literature is very misleading - the perspective of the picture is wrong as it depicts the height of the proposed development of 12 storeys as being the same height as the Travelodge which is only 8 storeys high.</p> <p>Maylands Avenue and the roundabout at the junction with St Albans Road is always totally congested at peak times in the morning and evening during the week. It serves everyone coming in to and out of the town from the M1.</p> <p>Increased traffic means increased air pollution.</p> <p>The proposed parking provision is totally inadequate. Virtually all flat owners will require one parking space and a very high proportion will require two spaces. It also does not take into account adequate parking provision for business use. Where will everyone park? Local streets will become "car parks" and will be dangerous for pedestrians and children alike. Current local residents will not be able to park outside their own homes.</p> <p>The local infrastructure does not support a development of this size - there are insufficient local school places and doctors' surgeries to support an influx of residents of the number proposed. When we attended the consultation meeting at Adeyfield Community Centre, we were surprised to be told by a lady from Kier that the new residents could use the One Stop Doctor on the Industrial Estate - she had obviously not done her research as this is a private facility not an NHS surgery.</p> <p>We do not agree with the key benefits claimed by Kier in their literature and feel strongly that the height of the</p>

	<p>proposed development should be reduced to conform to the height of other neighbouring buildings in the local vicinity.</p>
<p>51 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HH</p>	<p>Height - misleading photograph on latest Development Update Newsletter Parking - Unacceptable parking provision</p>
<p>37 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QJ</p>	<p>I strongly object as the height of the block would exceed those in immediate area and be an invasion of privacy to local residents including myself. Furthermore, there are not sufficient parking spaces for the residents. There are already people parking in New Park Drive to go to work in offices on Maylands due to lack of parking facilities and public car parks - this obviously impacts us and things will only get worse when the other developments are put in place on Maylands as there has been no real thought to infrastructure to an area that is and has always suffered with great congestion. The Maylands area is an industrial estate and whilst I appreciate the needs for more housing especially social housing, this is not an appropriate or realistic place to build high rise flats.</p>
<p>3 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QE</p>	<p>Objection on the grounds : I understand that we need to provide extra housing and am not being unreasonable, but I feel that trying to put that many people into such a small amount of space is not forward thinking. People generate transport and movement, especially where this proposal is situated right next to a motorway and nowhere near a railway station so you would definitely need a car to live there. With half the amount of parking spaces to flats proposed, this will encourage people to abandon their vehicles in and around surrounding residential roads and main roads within the industrial estate that will snarl up an already very busy area. The height of this proposal is still too tall, even though it has been reduced. We were told they wanted it to be imposing and stand out as a statement building when entering the Industrial estate, but I suspect the architects would not design such a tall building plus a roof garden overlooking their own property. Even changing the colour to a gradual sky blue on the back overlooking streets and putting less windows on that side would at least look as if they had half considered resident's feelings. Along with the above there is congestion on the already busy roundabout that is at a standstill most weekday mornings and the lack of schools, as the local ones nearest to this development are full. Please reconsider the size of this project and be realistic with parking.</p>

10 MADDUX ROAD,HEMEL HEMPSTEAD,,HP2 4QF	<p>Number of parking spaces. All we were told is parking is existing which already is used. You have flats, businesses going up and it will greatly effect the already congested parking in Maddox road and new park drive and all the others because there is a walk through by the storage company which they will use.</p> <p>You need lots more parking spaces as we know another housing plot is where the garages are behind your plot. So 100,s of new homes but no parking is being added.</p>
48 NEW PARK DRIVE,HEMEL HEMPSTEAD,,HP2 4QE	<p>I object to the proposed planning application for the following reasons:</p> <ol style="list-style-type: none"> 1. The height of the proposed building is twice the heights of similar developments in this area. 2. The number of car parking spaces allocated is totally inadequate for a development of this size and therefore the surrounding streets will have to be used for overflow parking which is totally unfair on the residents who live in the surrounding streets.
2 HARRIER CLOSE,HEMEL HEMPSTEAD,,HP3 0FW	<p>I strongly object to this proposal. The industrial estate is already cojested enough as it is this will just add to the problem. As Maylands is an industrial estate I believe there should be no residential housing here in my opinion.</p>
12 MARNHAM RISE,HEMEL HEMPSTEAD,,HP1 3JL	<p>Where are the children going to go to school? The schools in this area are already over subscribed.</p> <p>How is all the traffic going to be directed around the roundabout in front? It is already very congested with long delays in the mornings and afternoons.</p> <p>Where are all the cars/visitor going to park? Most households have more than one car.</p>
49 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,HP2 4HH	<p>Understand the need for more dwellings in general, however Maylands avenue is an industrial estate and by its placement was not designed for Residential. The congestion at the Maylands avenue roundabout serving M1, Leverstock Green & Hemel Hemsptead is already an issue at times, this will just compound the issue several fold. The height of the buildings should be no taller than the Travelodge, in fact these should be considerably lower as they impact on peoples privacy in the adjacent long established residential area. Parking also appears to be inadequate and likely impact locally. Further consideration needs to be given to adjacent residents by arriving at some form of compromise on height and parking. Finally the residential part of this application is to far from schools and services (Its an industrial area). Its the responsibility of the Council to improve the image of Hemel Hempstead, this application does the opposite. This development is likely to contribute to Hemel Hempstead being put back on top spot voted worst town in the country.</p>

<p>47 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HH</p>	<p>The Buildings are too high and will overlook and interfere with the enjoyment of existing dwellings. The height also causes concerns due to fire evacuation ie Grenfell scenario. The roads are already congested and parking will definitely be an issue.</p>
<p>40 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HJ</p>	<p>We are already over shadowed by the hotel and the proposed 8 stories development was to be very unwelcome. The recent proposal of 12 stories is totally Unacceptable and detrimental to the houses of leverstock green road. Not only in the shadow cast by its stature our view will be considerably compromised this in turn will have a negative impact on the value of the properties in the shadow of this development.</p>
<p>55 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HH</p>	<p>Dear Sir / Madam. Although I am not a direct neighbour of this planned construction I have concerns over the height of the building. Our house and garden are currently private and not over looked. I'm concerned that this new development will remove our privacy. I'm also concerned about the lack of parking being provided to this development. Roads in our area are already becoming congested with parked vehicles. Building this development with only a small number of parking spaces (compared to the number of planned homes) will increase the on road parking requirements in the area. I would like to see the building lowered in height to the same as they storage units next door. I feel for the residence of the home closer to the planned site as the height of the building and number of people moving in with cars to park will affect them greatly.</p>
<p>3 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>I note in the letter I received today from Dacorum Borough Council, the proposal is now 1404.5 sq metres of office space. This is a considerable increase of the initial proposal of 1095 sq metres! How can a 28.3% increase be justified? It seems to me that all of the comments made on this website voicing concerns about parking, privacy and traffic continue to be unheard. The latest 'additional information' shown on the website states "an additional 721 vehicles per day is unlikely to cause a significant impact". This beggars belief - whoever penned these remarks has obviously not been in a vehicle on the dual carriageway during rush hour traffic. At times it can take longer to reach the entrance to Junction 8 of the M1 than it takes for the rest of the journey into London.</p>

	<p>I continue to object but sadly now have little faith that any objections will be taken into consideration.</p>
<p>10 GREENWAY,HEMEL HEMPSTEAD,,,HP2 4QG</p>	<p>Having seen 60 comments objecting to your development, imagine my surprise to see that you are proposing to expand the office space available rather than reviewing the whole project.</p> <p>I come back to comments I made previously.</p> <p>Firstly there is no demand for additional office space in Hemel. The Marketing Report attached clearly demonstrates this, showing that only 106k sq ft are being moved per annum and this is projected to be below 80k in 2019. Furthermore, problems with transport, accessibility, poor landscaping etc are making Maylands less attractive to potential tenants who are more likely to take up space in Watford and St Albans.</p> <p>Brasier Freeth confirm that marketing efforts for the site to date have seen little interest. So why build offices when we are simply going to add to the nearly 400k sq ft of currently vacant space in Hemel?</p> <p>The report clearly states that public transport is not up to scratch. In fact the passage below is damning:</p> <p>'Bus routes to Hemel town centre, Watford and Rickmansworth are limited and considered not to be fast or frequent. By way of example, the bus route to Hemel mainline station is the ML1 running every 30 minutes. As a consequence, business people very often pay for taxis . Bus routes to St Albans, Harpenden, Berkhamsted and Chesham would require changing to a second bus along the route.</p> <p>The air quality report also estimates increases in traffic along Maylands South and St Albans Road by 1100 and 1178 vehicles a day. This is clearly ludicrous in an already congested zone.</p> <p>Both reports clearly contradict the traffic report provided as part of the application. I trust this will be taken very seriously by the planning committee.</p> <p>Nowhere in this application are the frequently quoted concerns about hospitals, GPs, schools or leisure facilities covered. Where will the residents of these 267 flats (presumably around 500 people) go?</p>

	<p>The council will have to do wonders to convince the local community that approving this application is in the interests of our town and not just Kier Group or anyone else with a financial stake. They certainly need to explain very clearly how this influx of people is going to be well serviced without causing major disruption.</p> <p>Business estates should not be mixed with residential areas. Working environments should be pleasant, spacious and allow people to be productive. But they should not infringe on people's personal living space, something that is happening more and more around the Maylands estate.</p> <p>This feels like another example of big corporate business running roughshod over hardworking citizens who simply want to live peacefully and comfortably in their local community, rather than having their locality ruined by high rises, traffic congestion, noise and light pollution and everything else that is generated by a major development such as this.</p> <p>Yes, build more housing in Hemel but do it in residential areas. And don't build more offices - give us a hospital, something every single person in this town would vote for.</p>
<p>57 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,HP2 4HH</p>	<p>Cannot see any improvement. Still way too obtrusively high, still too many flats, more office space (more cars), still woefully inadequate parking which will have a horrendous knock on effect to a large area of Adeyfield. 6 storeys is the maximum reasonable height, with the same amount of parking. Should be refused out of hand - they are just fiddling with details. Very stressful for all neighbours.</p>
<p>34 SARRATT AVENUE,HEMEL HEMPSTEAD,,HP2 7JF</p>	<p>Further to the comments made previously there appears to have been no consideration for the comments around parking. Moreover, the plans appear to increase the office space which was originally planned. It may be worth pointing out that the entirety of the old Dixons Carphone building has remained empty since they departed, and therefore additional office space is unlikely to be required.</p> <p>Parking. I refer to the travel plan which Kier have commissioned to address the parking issues. Section 1.2.1 states the aim of the travel plan to 'achieve a reduction in car use and an increase in walking, cycling and public transport use. By choosing to travel by more sustainable modes, residents will reduce congestion,</p>

emissions, air pollution and the use of finite fuel reserves, whilst improving health and fitness if selecting walking or cycling for their travel requirements where possible'. Firstly, in order for more people to utilise public transport, improved public transport infrastructure needs to be in place. Which currently it is not. Busses in Hemel Hempstead are unreliable, inconvenient and infrequent. As a result many of the residents for these flats are likely to utilise a car.

Moving on, section 1.2.1. The main objective of the travel plan is to 'reduce the traffic generated by the development to a lower level of car trips than would be predicted for the proposed site without the implementation of the travel plan'. So Keir are hopeful that the development will reduce the amount of cars being used, however clearly have no plans on how they are going to do this. You can't just encourage people to walk and cycle and then hope for the best. At 6:30am on 09/01/2019 the A414 leading to the M1 was already queuing with traffic - this is now normal for a working weekday. Kier Group hoping that people will walk or cycle simply isn't good enough.

My prediction is that the existing local residents will be the ones who are no longer able to access their properties, as people will use the surrounding streets as overflow car parks. This development allows for parking provisions of 1 space per unit, which provides no parking facilities for anyone residing in the properties with more than one vehicle. Moreover, any visitors will be required to overflow into neighbouring streets which are already hugely congested.

Section 3.3.2 states that there are 21 services a day on the Arriva Bus service to London. Travel on this service during peak times is already at capacity and this service would not be able to facilitate such additional numbers. Moreover, the other busses are infrequent and unreliable often late or not turning up.

The revisions to this application are embarrassing to say the least. Kier have failed to address the concerns of residents and continue to live in an idealistic world about the number of people that will use public transport instead of a car. It's almost as if they have chosen to shout the same message a little louder with their fingers in their ears not listening to residents. I stand behind my initial comments that such lack of parking present a danger to life as emergency vehicles will not be able to access some properties when the parking worsens after this development is complete.

	<p>Finally, I do not appreciate having to provide a response to a letter within 14 days, when the letter has been predated the 3rd, and then posted out 2nd class a day later. It is quite clear that some residents will not have sufficient time to provide further commentary because of this intentional delay. Rachel Marber should be held accountable for her lack of punctuality in sending on these letters.</p>
<p>16 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>The council have not listened to any of the residents concerns around this development. The number of car parking spaces is too few for the number of units both residential and office space being made available. The surrounding roads are already too busy and this block of flats isn't going to help that</p>
<p>48 GREEN DELL WAY,HEMEL HEMPSTEAD,,,HP3 8PX</p>	<p>Our main concern is the increased levels of traffic on already busy and stretched roads. Maylands has never been intended to be residential, yet every current development seems to be residential, as the revenue from this is far more beneficial for the developer and council alike. The increased noise and pollution from the many additional cars cannot benefit the health and well being of the residents that would live there or those that live in the surrounding roads.</p> <p>The amount of parking is totally inadequate, with just one space per flat, most households consist of two adults, who both drive and both have a car, where will the additional cars park? This is totally unrealistic in this day and age! Our view is they will start clogging up the surrounding roads making it completely unbearable and congested for those already currently living there. If you can't supply enough parking don't build so many flats! We understand the need for more housing but considered development is what we need here. On the land opposite this site are retail units and warehouses which will increase traffic and noise, let alone the addition of 268 flats! It may seem like a great idea to fit in so many flats into a small unused space as this but it feels like a pure monetary gain rather than social or community gain. Where are the additional facilities like doctors surgeries, dentists, and most importantly schools. Where will all these people go?? This has not been considered in the slightest.</p> <p>The fact that Maylands is not a dual carriageway or being developed to deal with increased traffic, at peak times this whole area will just become a car park and restrict access to our house and road. We are annoyed and</p>

	<p>frustrated that this development is being considered and feel that even though there are many objections the council will still give it the green light.</p>
<p>32 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>I reiterate my comment from October 2017.</p> <p>While the parking for commercial premises has increased, the parking for residential premises has not and my previous comments have been completely ignored. I therefore state them again in the hope someone will listen,</p> <p>The parking for residential premises is utterly inadequate and will spill onto already busy surrounding roads. The planning application still shows a ration of spaces to flats of 1:1. It also states that Dacorum planning regulations state there should be 1.5 spaces per 2 bedroom property and 1.25 per one bedroom property. I therefore again submit that this proposal does not meet Dacorum's parking requirements,would cause immense on already busy roads and should therefore be rejected. I would also suggest that households in existing surrounding roads should be consulted about resident only parking.</p>
<p>17 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QQ</p>	<p>I do not see why the height of the development is out of keeping with neighbouring buildings,and as such is over developing the area of the site.</p> <p>Also I feel there will be insufficient parking</p>
<p>36 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HJ</p>	<p>As stated in your attachments to the planning application, the development still retains a commercial appearance. Maylands Avenue is not a residential area but a commercial area and as such cannot support a residential development of 268 flats.</p> <p>Whilst commercial parking has more than doubled from 27 to 65 spaces, provision for residential parking does not seem to have been increased! It is naive to assume each of the 268 flats will only have one car! Where are these 268 vehicles supposed to park?</p> <p>The increased traffic in Maylands South and St Albans Road will only add to the existing traffic congestion and air pollution which is both a ridiculous idea and a health hazard. The area is also dangerous for pedestrians with the only pedestrian pelican crossing being situated further along Maylands Avenue.</p> <p>As Brasier Freeth's report points out, there is very poor, if any, demand in the town for commercial lettings so there is little prospect of filling the vacant units. Indeed, a large number of schemes previously proposed for this site</p>

	<p>have already "fallen by the wayside", in part due to current planning use categories. It is in a prime location for passing commercial/industrial traffic and yet even the large on-site advertisement hoardings and other extensive advertising seem to have so far failed to attract prospective tenants!</p> <p>Public transport in the Maylands area is very poor and there are no facilities (such as schools or doctors' surgeries) for residential use in the area. Brasier Freeth's report confirms this.</p> <p>The development is still too high and the whole scheme is out of keeping with the rest of the surrounding area - it should not be allowed to go ahead.</p>
<p>59 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HL</p>	<p>There appears to be little change to the amended application other than increase the office space from 1095 square metres to 1404.5 square metres and again 268 flats.</p> <p>None of the previous objections have been taken into account. The building is still far too high in relation to the other flats and buildings in Maylands. The provision for adequate parking spaces has not been addressed which will only lead to the overflow of cars parking in the surrounding residential area as has been the case at Cupid Green.</p> <p>Why the increase in office space when there are buildings still vacant in Maylands and by their own admission Kier have said they were unable to develop the site in 10 years as there was no appetite for office space.</p> <p>This site will only increase the impact on the environment, air pollution, public and health services not to mention the increase to congestion in this area.</p> <p>Kier is a company with a strong presence in the Dacorum area. This is also a company heavily debt laden with a slump in its share price with investors looking to remove the chief executive and finance director. It's no wonder they want to rid themselves of this site after 10 years, irrespective of the impact on the area.</p>
<p>56 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QQ</p>	<p>The height of the proposed flats are out of context with the surrounding properties and should only be as high as the orange storage building which we can also see from our living room.</p> <p>There is insufficient parking at the flats which will impact on the roads nearby as it is the norm for 2 adults to have a car each. Where will they park?</p> <p>Where are children in the properties going to go to school as the nearest is Leverstock Green which is already oversubscribed?</p>

	<p>During rush hour traffic the industrial estate is gridlocked, these buildings are only going to make the situation worse!!</p>
<p>3 NEW PARK DRIVE,HEMEL HEMPSTEAD,,,HP2 4QE</p>	<p>This proposal concerning block A is still too tall. The Travelodge is apparently 29.5M high. The plans (2.11) state "The Travelodge building, Woolmer Drive apartment buildings and BSI building to the immediate north of our site have facilitated the identification of a zone where taller buildings between 20m and 30m might be located" yet the Tower A will potentially be over 40M high as it is at least half as tall again compared to the Travelodge. Also note the plans for the other new hotel between LokNStore and the BSI building is 22.3M high - making Tower A completely out of character with both their Strategic context and normal peoples view of the area.</p> <p>Section 2.15 states that the Travelodge was subject to a reserved matters application that REDUCED its height from the planned 34.5M to the actual 29.5M - how can the new application be considered valid if it substantially breaches the current 30M height of adjacent buildings. The plans tell me how deep the window cills are (150mm) and what bricks will be used, but nowhere does the actual height of Building A - or any other building get a mention. Misleading outline sketches showing the hotel as a solid block no doubt roughly scaled to the height of the small glass atrium on the roof above the staircase. Also the plans mention the new development being "slightly taller" than the Travelodge (at 8 stories) when the new tower will be 12 storeys. Thankfully the roof garden has been removed, but the windows have been enlarged increasing the amount they overlook my House/garden - thus impeding further on my privacy and devaluing my property - It will be scandalous if these plans are passed in this state.</p> <p>The report from Brasier Freeth points out the severe lack of public transport for this area, yet the plans state "currently several bus routes", there are 4, only 1 of which runs at weekends. The Travel plan shows 2 are morning/evening only Mon-Fri and the other one only server central London making these blanket statements a blatant misdirection. 2 Bed flats with poor public transport links but close to the Motorway will attract professionals that want road links, where in a high proportion of cases more than 1 car will be in the household. Add to that the fact that there is already practically no places available close to the development for Primary</p>

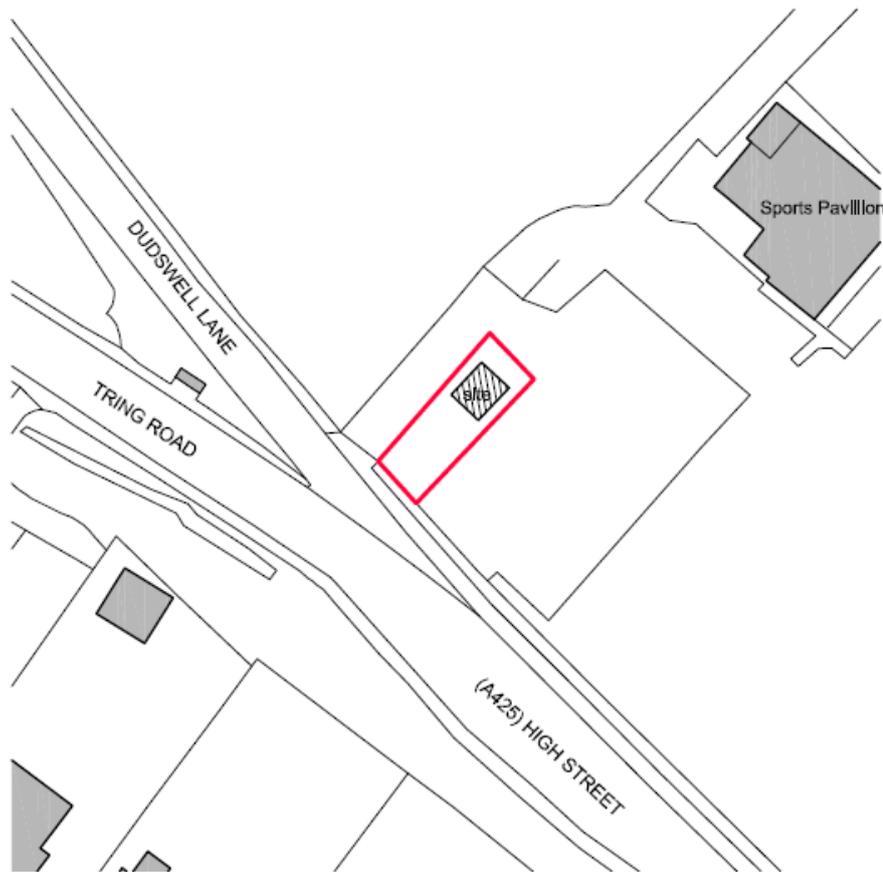
	<p>aged school children, so the addition of over 260 flats without the provision of more schooling means many parents will NEED a car just to get young children to school. The travel plan stating 2 miles is an acceptable walking distance for under 8 Yr old children is in all honesty a fantasy that is far removed from any fact based reality of modern parents.</p> <p>Maylands Plaza is just up the road and this shows the problem where not enough car spaces have been created for this social housing. This is evidenced with overnight/weekend parking in Duxons Turn which previous to the opening of the plaza was virtually non existent out of office hours. This is likely to get worse once Kylna court is completed in Wood Lane. Add to that the Car parking standard showing 366 spaces needed for this number of apartments but only 73% being provided and AGREED BY DBC - where do the council think these other 98 cars are going to be parked? Transport links are not good in this area so cutting car parking below accepted standards shows the DBC's complete lack of regard for existing local residents, leading to the conclusion that none of the planning team nor local Councillors actually live anywhere near this proposed development.</p>
<p>31 THE FLAGS,HEMEL HEMPSTEAD,,,HP2 4QH</p>	<p>After reading all The revised plans I can see that none of the previous objections have been taken into account.</p> <p>We stand by all our previous comments!</p> <p>Maylands according to the sign is a Business Park and not a residential estate! 268 flats with the lead building being much taller than any other building in the whole of maylands is still to tall, this will likely be a eyesore!!</p> <p>268 flats with not enough parking is going to cause neighbouring streets to be used by both these residents and their visitors, The Flags will be used to park their cars and than walk straight down the alleyway to the flats! This in a road where cars already double park because of the lack of spaces!</p> <p>To think that the residents are going to walk or use public transport is at best wishful thinking, the infrastructure is not in place and being situated where it is the residents will more than likely need a car!</p> <p>The roads around the area are only going to get busier and at the moment going anywhere near Maylands in the morning/evening is a very slow process!</p>

	<p>Also not sure why plans are still in place for offices when the report clearly states that there is no requirement for office space as there are many empty offices already in Hemel Hempstead.</p> <p>I would like to know what is the point of the consultation process if you do not listen to any of the residents concerns. There have been over 70 objections and as far as I can see all Concerns have been ignored!!!</p>
<p>45 LEVERSTOCK GREEN ROAD,HEMEL HEMPSTEAD,,,HP2 4HH</p>	<p>I think the revised plans still don't take into account the issues we as residents have raised:</p> <ol style="list-style-type: none"> 1. Building too tall and not in keeping with area 2. Traffic already a complete nightmare - trying to get to the M1 in the morning takes forever and that's without the increased traffic - not only by this specific development but all the other developments currently taking place. 3. Where will people park? Naive to believe that flats will only have 1 car 4. Currently we seem to be converting office spaces to flats in many places in Dacorum, clearly there is no need for additional office space so why build it if no market 5. Maylands is meant to be a business park, not residential 6. Public transport connections are poor meaning people will use cars - especially when so far away from the station <p>I oppose this proposed development.</p>

Agenda Item 5c

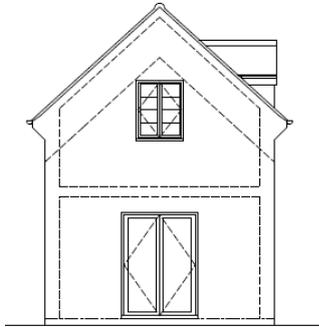
Item 5c 4/03260/18/FUL EXTENSION AND ALTERATION TO EXISTING BUILDING INCLUDING THE INSERTION OF TWO ROOF DORMERS AND FENESTRATION. CHANGE OF USE TO A 1-BED DWELLING. (AMENDED SCHEME).

FORMER TELEPHONE REPEATER STATION, DUDSWELL LANE, DUDSWELL

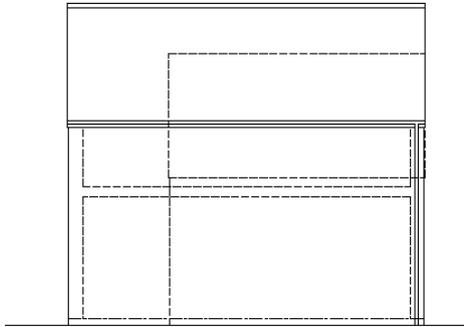


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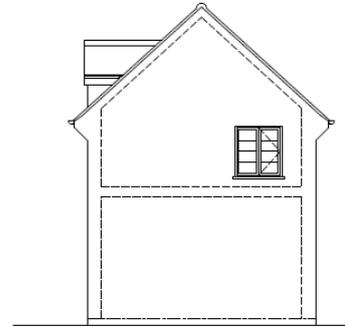
FORMER TELEPHONE REPEATER STATION, DUDSWELL LANE, DUDSWELL



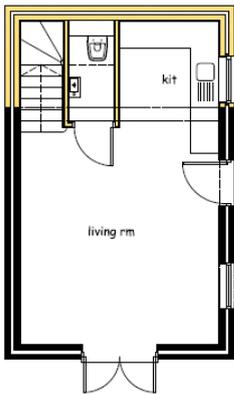
FRONT ELEVATION (South West)



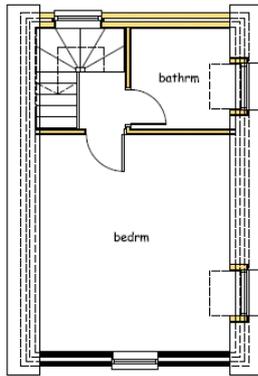
SIDE ELEVATION (North West)



SIDE ELEVATION (North East)



GROUND FLOOR PLAN



SIDE ELEVATION (North East)



4/03260/18/FUL	EXTENSION AND ALTERATION TO EXISTING BUILDING INCLUDING THE INSERTION OF TWO ROOF DORMERS AND FENESTRATION. CHANGE OF USE TO A 1-BED DWELLING. (AMENDED SCHEME).
Site Address	FORMER TELEPHONE REPEATER STATION, DUDSWELL LANE, DUDSWELL
Applicant	Mr. P. Doyle
Case Officer	Rachel Marber
Referral to Committee	Called in by Cllr Pringle

1. Recommendation

That planning permission be **GRANTED**

2. Summary

2.1 The proposed change of building use to residential and two storey rear extension, raise in building's ridge height and associated dormer windows through size, position and design would not adversely impact upon the openness of the Green Belt, visual amenity of the existing building, immediate street scene, residential amenity of neighbouring properties or highway safety. The proposal is therefore considered in accordance with the NPPF (2019), Policies CS5, CS8, CS11, CS12, CS17 and CS32 of the Core Strategy (2013), Saved Policies 18, 21, 22, 34, 51, 57, 58, 99, 100, 118 and Appendices 3 and 5 of the Dacorum Local Plan (2004) and the Northchurch (BCA19) Residential Character Area (2004).

3. Site Description

3.1 The application site comprises a detached former telephone repeater station, which is now used for storage (B8 use). The site has an existing access located to the north side of Dudswell Lane, Northchurch, in very close proximity to the junction with Tring Road. The application site resides within the designated Green Belt. Wrapping around the rear of the site is Northchurch sports club, the remainder of the area is characterised by different house types and open fields.

4. Proposal

4.1 The application seeks permission for the following works:

- Two storey 2 metre deep rear extension;
- Raise in the building's ridge height by 1 metre;
- Insertion of side two dormers windows;
- Fenestration alterations; and
- change the use of the building into a one bed dwelling (C3 use).

4.2 The extension work has already been approved under application ref: 4/00537/18/FUL therefore, the main issue for consideration under this application is the change of use from storage to residential.

5. Relevant History

4/00715/19/SDA CHANGE OF USE FROM B8 STORAGE USE TO C3 RESIDENTIAL USE
Delegated
Pending consideration

4/00537/18/FUL EXTENSION AND ALTERATION OF EXISTING BUILDING INCLUDING THE
INSERTION OF TWO ROOF DORMERS AND FENESTRATION.
Granted
20/04/2018

4/00049/18/FUL EXTENSION AND ALTERATION OF EXISTING BUILDING INCLUDING THE
INSERTION OF TWO ROOF DORMERS AND FENESTRATION. CHANGE OF
USE TO 1 BED DWELLING.
Withdrawn
16/03/2018

6. Policies

6.1 National Policy Guidance (2018)

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

6.2 Adopted Core Strategy – (2013)

CS5 - Green Belt
CS8 - Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS32- Air, Soil and Water Quality

6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 22 - Extensions to Dwellings in the Green Belt and the Rural
Area
Policy 34 - Other Land with Established Employment Generating
Uses
Policy 51 - Development and Transport Impacts

Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100 – Tree and Woodland Planting
Policy 118- Important Archaeological Remains
Appendix 3- Layout and Design of Residential Areas
Appendix 5- Parking Provision

6.4 Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area (Northchurch (BCA19)
Accessibility Zones for the Application of Car Parking Standards (July 2002)

7. Constraints

Green Belt
Special control for adverts

Adjacent to Northchurch (BCA19) residential character area

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

9.1 The main issues to consider are:

- Principle of Development
- Principle of Development in the Green Belt
- Effect on Appearance of Building and Street Scene
- Effect on Amenity of Neighbours
- Impact on Trees and Landscaping
- Impact on Highway Safety and Parking Provision
- Archaeology
- Contamination
- Consultation Responses
- Community Infrastructure Levy (CIL)

Principle of Development

9.1 The application site is a windfall site located just outside the town of Northchurch. As such, the infrastructure in the immediate area has been reasonably developed to provide good transport links for existing residents.

9.2 Overarching Policies CS1 and CS4 of the Core Strategy (2013) supports developments within towns and large villages. Decisions on the scale and location of development are made in accordance with the settlement hierarchy outlined in Table 1. Tring, together with Berkhamsted, are identified as a 'second tier' market town with limited opportunity for development. The main focus for development in the borough is Hemel Hempstead. Policy CS4 clarifies that in town centres and local centres 'a high density of development linked to the achievement of sustainable objectives is generally supported'. The rural character of the borough is therefore to be conserved. However, development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt will be supported.

9.3 Saved Policy 19 of the Local Plan (2004) states that the conversion of other building to incorporate flats or houses will be permitted for the reuse of buildings in the countryside. The proposed new dwelling would provide for a small one bed unit in-line with Saved Policy 18 of the Local Plan (2004).

9.4 The application site does not fall within a General Employment Area and therefore the site use for a storage facility (which falls under a B8 use class) is not protected for employment retention. Furthermore, the change in use of this storage unit is permitted without formal planning permission under Schedule 2, Part 2, Class P of the General Permitted Development Order (2015); this forms a strong fall-back position. Therefore, this loss of this storage facility to residential is considered acceptable.

9.5 Taking all of the above into account, the proposed conversion of the building to residential use would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, the principle of change to residential use is acceptable in accordance with the NPPF (2019), Policies, CS1, CS4, CS15 and CS17 of the Core Strategy and Saved Policies 18 and 19 of the Local Plan (2004).

Principle of Development in the Green Belt

9.6 The site lies within the identified Green Belt, where the Green Belt Strategy is set out in the NPPF (Section 13: Protecting Green Belt Land). Therefore, the most relevant paragraph of the NPPF in regards to Green Belt land is Paragraph 145. This states that the construction of new buildings in the Green Belt should be regarded as inappropriate development, other than in a number of exceptions including the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

9.7 Paragraph 146 in the NPPF (2019) extends this by saying that material changes in use of land are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

9.8 Policy CS5 of the Dacorum Borough Council Core Strategy (2013) confirms, amongst other things, that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt. It also indicates that extensions to existing buildings and building for the uses defined as appropriate in national policy will be permitted subject to the effect on the character and appearance of the countryside, the rural economy and maintenance of the wider countryside.

9.9 Saved Policy 22 of the Local Plan (2004) states that limited extensions in the green belt are permitted provided they are compact and well-related to the existing building in terms of design, bulk, scale and materials used, have regard the size and shape of the site and retains sufficient space around the building to protect its setting and the character of the countryside.

9.10 Control over the size of the extension will be more tightly applied at more isolated locations in the countryside and at the edges of existing settlements, but may be more relaxed at the centre of these settlements.

9.11 With regards to the above policies proportionate extensions to an existing building in the Green Belt are considered acceptable provided that it has no significant impact on the character and appearance of the countryside. The Green Belt assessment for the proposed extensions were considered under application ref: 4/00537/18/FUL and thought to be proportionate to the existing dwelling. This permission has already been implemented and therefore forms a fall-back position for this planning application. Nevertheless, for the avoidance of doubt this assessment is outlined below.

9.12 The proposed extensions would increase the floorspace and volume of the existing building. As such, the proposed floorspace calculations for the property are as follows:

	Original	Proposed
Foorpsace	44 sq.m	61.36 sq.m = +39.5%
Volume	237.6 m3	392.7 m3 + 1.72 (dormers) = 394.4 = +66%

9.13 Given the above calculations the proposal would result in a proportionate addition in terms of floorspace increase, but would double the existing building's volume. Nonetheless, it is considered that the proposed extension would be commensurate

with the size, situ and shape of the existing building, retaining the existing width, roof form and pitch. It is also considered that the proposed extensions would not harm the appearance of the countryside due to application site being surrounded by the hardstanding car park and associated buildings of the Northchurch sports club. As such, as the proposed extension would not result in visual harm to the character and openness of the Green Belt and would retain to some extent the visual form of the existing building. The extensions are therefore considered proportionate and acceptable in Greenbelt terms.

9.14 The change of use of the existing building to residential is also considered acceptable in principle in the Green Belt provided it preserves openness and does not conflict with the purposes of including land within it. The change of use would not result in any further external alterations to the building to what has been previously approved. The site is already surrounding by fencing and boundary treatment and facilitates an off street parking space. Nevertheless, a landscaping condition has been recommended in order to control the level of harm which may result from residential use of the site (such as fencing, residential paraphernalia etc.). This landscaping condition would also ensure that soft landscaping around the site is replaced in order to retain the verdant aspect character. No significant increase to hard surfacing of the site is proposed.

9.15 The proposal would not result in the unrestricted sprawl of a large built-up area, cause neighbouring towns to merge into each other, harm the setting and special character of historic towns, result in further encroachment of the countryside (as the site is surrounded by the car park serving Northchurch sports club) or make urban regeneration any less likely. Therefore, no further harm to purposes of the Green Belt would result from the proposal.

9.16 As the application site falls within the designated Green Belt the presumption in favour of sustainable development is not engaged in accordance with footnote 6 of the paragraph 11 of the NPPF (2019).

9.17 As such, the proposed extension and change of use of the site to residential is considered acceptable in principle in the Green Belt as no further harm to openness or purposes would result.

Effect on Appearance of Building and Street Scene

9.18 Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2019) 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.

9.19 The existing Telephone Repeater Station is a circa 1940's single storey red brick built structure with a gabled clay tile roof with swept eaves supported on projecting

brick eaves. It is a simple, unassuming building, set back 14.5 metres approximately from Dudswell Lane; reducing its visual prominence further. The building is not of significant architectural merit to be considered as a non-designated heritage asset.

9.20 The proposed works to the building would be visible from both Dudswell Lane and the adjacent sporting facility. The proposed works would change the character of the appearance of the property quite significantly but nonetheless, the resultant building would remain a small, relatively unassuming structure, set well back from the street scene.

9.21 The DBC conservation officer was consulted on the planning application and consider the proposed extensions and residential conversion of the building acceptable. A detail of material condition has been requested to ensure that the proposed extension satisfactory matches/ compliments the existing building. A further condition has requested windows to be metal framed with a grey finish in-line with the conservation officer's recommendation.

9.22 Bins would be kept to the rear of the property, away from the street scene.

9.23 As a result there is not considered to be a significant adverse impact to the street scape or appearance of the existing building as a result of the proposed extension work, or change of building use.

Effect on Amenity of Neighbours

9.24 The NPPF (2019) 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.

9.25 Due to the isolated nature of the site, with no immediately surrounding neighbouring properties, the proposal would not result in detrimental impact to neighbouring residential amenity. The change in use of the site to residential is also considered to result in less noise and disturbance to the immediate area.

9.26 Turning to the amenity of future occupiers, Environmental Health were consulted on the planning application and consider that a residential development in this location has potential to be impacted by road traffic noise from the adjacent highway and parking area serving the sports club. Therefore, a condition requesting a noise impact assessment to be submitted outlining noise levels and appropriated mitigation measures (such as mechanical ventilation) has been recommended.

9.27 The internal floor space for the total dwelling would be 50.9 sq. approximately

which meets National Space Standards requirement for a one bedroom property which required 50sq.m of floor space. The bedroom size would also meet national space standard of 11.5 sq.m measuring 16.3 sq.m.

9.28 The new dwelling would have no private external amenity space. Nevertheless, this can be off-set by the close proximity of the site to open countryside, sporting facilities (immediately adjacent) and Northchurch Common (20 minute walk).

9.29 The level of privacy enjoyed by future occupants is also considered to be acceptable.

9.30 As a result, in regards to residential amenity, the proposal is acceptable.

Impact on Trees and Landscaping

9.31 Saved Policies 99, 100, 101 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.32 The application site has potential to provide both hard and soft landscaping. No significant trees reside on site and their removal would not significantly disadvantage the character and appearance of the immediate area. Nonetheless, a landscaping plan condition has been attached to the recommendation for grant permission. It is considered that the efficient placing of site boundary treatment and landscaping would significantly improve the visual appearance of the proposal and ensure no harm results to the appearance of the Green Belt.

Impact on Highway Safety and Parking Provision

9.33 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) 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.

9.34 Hertfordshire County Council Highways originally objected to the planning application on highway safety grounds due to conflict of the site access in relation to the junction of Tring Road and Dudswell Lane. However, Hertfordshire Highways re-reviewed the application and removed their objection to the proposal for the following reasons:

- The site access is existing.

- The site already has permission for office/storage space and the utilisation of one parking space under application ref: 4/00537/18/FUL. The proposed change of building use to residential use would not result in a significant increase in vehicle movements which would result in severe highway impact.
- The office/storage use generates more trips than the residential use with usually larger vehicles and transit vans.
- There have been no recorded Personal Injury Accidents (PIAs) for the past 5 years at this junction.
- The addition of one new, one bed dwelling would not result in a significant increase in traffic.

9.35 Given the above the proposed development would not result in severe additional impact to highway safety or operation above the existing, or fall-back level in-line with paragraph 109 of the NPPF (2019).

9.36 The proposal seeks permission for a one bed property which would require 1.25 spaces at maximum standard in-line with Saved Appendix 5 of the Local Plan (2004). The application site has sufficient parking provision for one domestic car, which would fall marginally short of this maximum policy standard. The site is also located in close proximity to public transport with bus stops serving routes 500, 501, 502 and 520, which operate a frequent service, immediately outside the application site. Therefore, this level of parking provision is considered acceptable.

Archaeology

9.37 Saved Policy 118 of the Local Plan (2004) states that County Archaeological Group will be consulted on all planning applications affecting areas of archaeological significance and archaeological potential. Where the Council considers that physical reservation of archaeological remains in situ is not merited, planning permission will be subject to satisfactory provision being made for excavation and recording. Hertfordshire Archaeological were consulted on the planning application and consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest.

Contamination

9.38 Policy CS32 of the Core Strategy (2013) seeks to maintain soil quality standards and ensure any contaminated land is appropriately remediated. The DBC Contaminated land team were consulted on the planning application. As the development is located on a radon affected area where 1-3% of homes are above the action level as well as on a former contaminated land use i.e. Landfill/Refuse site, a contaminated land informative has been added to provide awareness of this.

Consultation Responses

9.39 Several concerns were received as a result of the application. The main concerns are addressed below:

- Increase in traffic
- Dangerous junction
- Dismissed appeal for No.5 Tring Road APP/A1910/W/18/3207998

9.40 These concerns have been addressed within the impact on highway safety section above.

9.41 The appeal regarding No.5 Tring Road was dismissed on grounds of the new access road serving the 5 new properties which would not provide safe and suitable access to the development. The Inspector also raised concerns regarding safety of access to the site given the Tring Road / Dudswell Lane junction; the oblique access to the residential curtilage of Kings Lodge; bus stops on both sides of the road, one immediately opposite the site entrance; the access to the Northchurch Sports Ground and pre-school nursery; and the Former Telephone Repeater Station, all in close proximity. In this regard the Inspectorate concluded to refuse permission due to no Road Safety Audit. It was the perceived increase in intensity from the additional units which was considered as posing an unacceptable risk to Highway Safety. However, it is important to note that this development was for 5 new dwellings, accessed from Tring Road. This proposal is for one new unit, which will utilise an existing building, with access off Dudswell Lane.

Community Infrastructure Levy (CIL)

9.42 Policy CS35 of the Core Strategy (2013) requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

Conclusion

9.43 The proposed change of building use to residential and two storey rear extension, raise in building's ridge height and associated dormer windows through size, position and design would not adversely impact upon the openness of the Green Belt, visual amenity of the existing building, immediate street scene, residential amenity of neighbouring properties or highway safety. The proposal is therefore in accordance with the NPPF (2019), Policies CS5, CS8, CS11, CS12, CS17 and CS32 of the Core Strategy (2013), Saved Policies 18, 21, 22, 34, 51, 57, 58, 99, 100, 118 and Appendices 3 and 5 of the Dacorum Local Plan (2004) and the Northchurch (BCA19) Residential Character Area (2004).

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>DOY/19/04 DOY/19/01 DOY/19/03 Planning, Design and Access Statement</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>Prior to occupation full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; and 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 prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual verdant aspect character of the immediate area; in accordance with Policies CS5 and CS12 of the Core Strategy (2013).</p>
4	<p>Any trees, hedges or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. No new tree or hedgerow planted in accordance with condition 3 shall be pruned or cut in any manner within 5 years from the date of the occupation of the dwelling hereby approved, other than in accordance with the approved plans and details, without the prior written approval of the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area; in accordance with policy CS12 of the Core Strategy (2013).</p>

5	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development; in accordance with Policy CS12 of the Core Strategy (2013).</p> <p>Materials Informative</p> <p>Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p>
6	<p>Windows of the development hereby permitted shall be metal framed with a grey finish.</p> <p>Reason: To ensure a satisfactory appearance to the development; in accordance with Policy CS12 of the Core Strategy (2013).</p>
7	<p>The bathroom window at first floor level in the North East elevation of the extension hereby permitted shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the residential amenities of the application site; in accordance with Policy CS12 of the Core Strategy (2013).</p>
8	<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. For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p>

	<p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development; in accordance CS32 of the Core Strategy (2013).</p>
9	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 8 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development; in accordance with Policy CS32 of the Core Strategy (2013).</p> <p>Contamination Informative:</p> <p>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.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
10	<p>Prior to commencement of the development hereby permitted a noise assessment shall have been submitted to and approved in writing by the Local Planning Authority. This noise assessment should be carried out on each habitable room and should identify design mitigation measures, where required.</p> <p>The development shall be carried out in accordance with these approved details.</p> <p>Reason: To ensure satisfactory level of amenity for future occupiers, in accordance with Policy CS12 of the Core Strategy (2013).</p> <p>Environmental Health Informatives</p> <p>1.) The applicant is advised to ensure that all reasonable steps have been taken to investigate and where appropriate, remediate against the possibility of gas migration affecting the development site, prior to the occupation of the</p>

development. In addition to the above, the developer is also advised to keep a watching brief during ground works on the site for any other potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

2). All noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

3). Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

4). The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Ecology Informative

In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

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.

Appendix A

Consultation responses

T&Ws

Trees within the proposed development site are not of sufficient amenity value to be considered a constraint to the development. As such I recommend approval of the application.

LLFA

Thank you for consulting us on the above application for the extension and alteration to existing building including the insertion of two roof dormers. Change of use to a 1 bed dwelling.

As it is a minor application the Lead Local Flood Authority is not a statutory consultee. However we can offer advice to the Local Planning Authority to place them in a position to make their own decision regarding surface water and drainage.

Having reviewed the information submitted in support of this planning application, we have no objections on flood risk grounds. We have no records of flooding in the location and the EA maps of surface water flooding show that the risk of flooding surface water is low on this development.

Northchurch PC

No Comment

Environmental Health Noise

The location of the development site has the potential to be impacted by road traffic noise. The application is not supported by any information which considers noise due to road transportation sources. Noise is recognised with national planning policy and supporting documents (Noise Policy Statement of England, Planning Policy Guidance: Noise) as relevant to planning due to impacts on health and quality of life. Plans for the development note habitable spaces with windows looking out onto the road.

I would recommend this development is subject to a planning condition which requires an assessment of noise impact prior to commencement. I suggest this be addressed prior to commencement as the development may require an alternative, and mechanical, means of ventilation (in place of or in addition to opening windows) to provide an adequate level of amenity. Alternative control mechanisms may be to reorient the internal layout so that the living space and bedroom is located at the rear and shielded by non-habitable spaces.

I have suggested a condition below.

Suggested Condition
Prior to development commencing the applicant shall submit to the LPA an assessment of noise exposure to transportation noise. Where the assessment identifies that mitigation measures are required to protect occupiers from noise, the assessment shall provide an outline mitigation statement having regard to the proposed design. Any scheme of mitigation shall also be subject to approval by the LPA, and once approved shall be in accordance with the approval prior to first occupation and retained thereafter.
Reason
Policy CS32 – any development proposals which could cause harm from a significant increase in noise (in a water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise or vibration are not permitted.

Environmental Health Contaminated Land

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/03260/18/FUL for the extension and alteration to existing building including the insertion of two roof dormers and fenestration for a change of use to a 1-bed dwelling.

Please be advise that we have **no objection to the proposed development in relation to Land Contamination.**

However, with the development located on a radon affected area where 1-3% of homes are above the action level as well as been on a former contaminated land use i.e. Landfill/Refuse site, the following planning condition and informative are recommend should planning permission be granted.

1). Gas and un-expected Contaminated Land Condition

Our contaminated land record shows that the land is located on a radon affected area where 1-3% of homes are above the action level as well as been on a former contaminated land use i.e. Landfill/Refuse. There is a possibility that this may have affected the application site with potentially contaminated material. Therefore, the applicant is advised to ensure that all reasonable steps have been taken to investigate and where appropriate, remediate against the possibility of gas migration affecting the development site, prior to the occupation of the development.

In addition to the above, the developer is also advised to keep a watching brief during ground works on the site for any other potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

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.

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

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

3). Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

4). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

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 recommends that permission be refused for the following reasons:

Hertfordshire County Council (HCC) recommends refusal of the proposed development.

COMMENTS

This application is for Extension and alteration to existing building including the insertion of two roof dormers and fenestration. Change of use to a 1-bed dwelling. (amended scheme).

The site is located at the junction of Dudswell Lane, an unclassified local access road, with Tring Road, a busy "A" classified Principal Road, the A4251, with a speed limit of 30mph in the local vicinity and adjacent to a private driveway leading to the car park for the nursery and sports facilities.

A site visit was conducted on 29-01-2019.

REASON FOR REFUSAL

The reasons for refusal are as follows:

The Gazetteer shows that Tring Road is an "A" classified Principal Road with a 30mph speed limit, while Dudswell Lane is an unclassified local access road. The proposal would cause a point of conflict with other users of the highway, including vehicles, pedestrians and vulnerable users.

1. Drawings "Plan Existing" and "Plan Proposals" fail to show that the crossover is more than 15m from the nearest junction as recommended in HCC's Residential Dropped Kerbs; Terms and Conditions.

Although there is an existing parking space on site, it has not been used in many years, as the parking space is overgrown and in a bad state of repair. In addition, there are street furniture and trees compromising the visibility. The intensification of use for a one bed dwelling, with potentially two trips per day, compared to that for maintenance of a telephone repeater station, or storage, as is the stated use in the D&A statement for the 1990s, is unacceptable in Highway Terms.

The site visit also confirmed that the crossover as shown in the drawings "Plan Existing" and "Plan Proposals", is not constructed to current HCC standards and is unacceptable for any intensification of use in Highway terms.

The link below refers:

<https://www.hertfordshire.gov.uk/media-library/documents/highways/dropped-kerb-terms-and-conditions.pdf>

2. The same drawings also indicate that while a vehicle is able to enter the site in forward gear, it will have to reverse to exit the site, since there is no available turning space on site. This is would involve reversing into Tring Road, which is a busy A road and is against the regulations set out in:

Roads in Hertfordshire: Highway Design Guide 3rd Edition, Section 2: Highway Layout and Strategies, Chapter 9: Permitted Road Connections and Frontage Access Table 2.9.1.1

Which states that from a minor to a major road, Vehicles should be able to enter/leave the highway in forward gear.

The link below refers:

<https://www.hertfordshire.gov.uk/media-library/documents/highways/development-management/section-2-highway-layout-and-strategies-highways-design-guide.pdf>

3. However, the applicant should be advised that if they were to construct a new access from the driveway to the NW side of the property, which is already used by vehicles connected with the local sports club and the nursery and has an egress/ingress on Dudswell Lane which appears to operate without any Highway issues, this would enable vehicles for the proposed property to enter and leave the adjacent highway in forward gear and would be acceptable to HCC as Highway Authority. A new parking space would also need to be constructed, perpendicular to the proposed dwelling and any access to the SE boundary of the site made good.

CONCLUSION:

HCC as Highway Authority recommends that this application be refused for the reasons given above.

Amended Comments

I have now reviewed our formal comments to the above submitted application. Previous highways responses to the site concerned were also taken into account. My comments to the application are as follow:

The site is accessed via existing crossover off Dudswell Lane with a hardstanding in situ for vehicle parking. Dudswell Lane is a unclassified local access road and links to a 'Principal Road' Tring Road (A4251). The proposals are to utilise existing access and parking arrangements. The site also benefits from a planning permission for office/storage space (Ref: 4/00537/18/FUL).

I acknowledge that the existing VXO on Dudswell lane serving the site is not at an ideal location bearing in mind close proximity of Tring Road (A4251) junction. This led to Valerie's recommendation for refusal. Having checked the accident data, it reveals no recorded Personal Injury Accidents (PIAs) for the past 5 years at this junction. I consider that the nature of the proposed development is of a small scale with an existing access provision, and is unlikely to intensify vehicular movements when comparing with the current planning permission approval. I am therefore overruling Valerie's recommendation for refusal.

In view of the above, the Highway Authority would like to withdraw its previous objection to the application and recommend to grant approval on Highways grounds. This decision is entirely based upon the fact there is an existing VXO provision, and that the site already benefits from a planning permission for office/storage space (Ref: 4/00537/18/FUL).

I hope the above clarifies County Council's position.

My sincere apologies to any inconvenience caused. Please do not hesitate to contact me if you require any further information/clarification.

Herts Archaeology

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.

Conservation

The Telephone Repeater Station is a circa 1940's single storey red brick built structure with a gabled clay tile roof with swept eaves supported on projecting brick eaves. It is a simple, unassuming building, set back slightly from Dudswell Lane, close to its junction with Tring Road. It is within the Green Belt.

The application proposes converting the former Telephone Repeater Station to a 1 bedroom house. The extension and raising of the eaves height would follow the existing wall lines and it is unlikely that the materials will be sufficiently well matched to give a seamless appearance to the resulting mix of old and new brickwork. This should be given further consideration.

Is the building structurally suitable for conversion in this way?

If the proposal is considered acceptable the windows should be metal framed and preferably have a grey / dark finish (to prevent the building from having an overly domestic appearance).

A number of trees / shrubs will have to be removed to facilitate this change of use and the change in boundary treatment will have some impact upon the character of the local area and should be considered.

Herts Ecology

Hertfordshire Environmental Records Centre (HERC) has no species or habitat information for this property. However, there is a record of a known bat roost within 500m of the site. The telephone exchange is located close to the River Bulbourne and Grand Union Canal and there are a number of other high value ecological sites nearby. The nearest Local Wildlife Site (LWS), are within a 1 km of the application site and include: Hamberlins Wood & Breeche's Wood LWS, Little Dickshill Wood & Great Dickshill Wood LWS, Grassland E. of Swags Spring LWS. Ashridge Commons & Woods SSSI, and a further five LWS are also within a 2 km radius of the site.

The photos accompanying the application show a simple brick gable ended building with a pitched tiled roof. All the existing windows are bricked up and the vents covered. The roof and door also appear well sealed. The photos; taken in the spring, show the creeper/ivy covering the building to be dead and so unsuitable as a refuge for bats. Despite the area's high potential to support bats, based on the condition of the building and apparent dearth of opportunities for entry, I do not consider any surveys are required.

As a precaution, the following **Informative** should be attached to any consent given:

“In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.”

Further to the above I am not aware of any other ecological constraints with regards the site and the application can be determined accordingly."

Appendix B

Neighbour notification/site notice responses

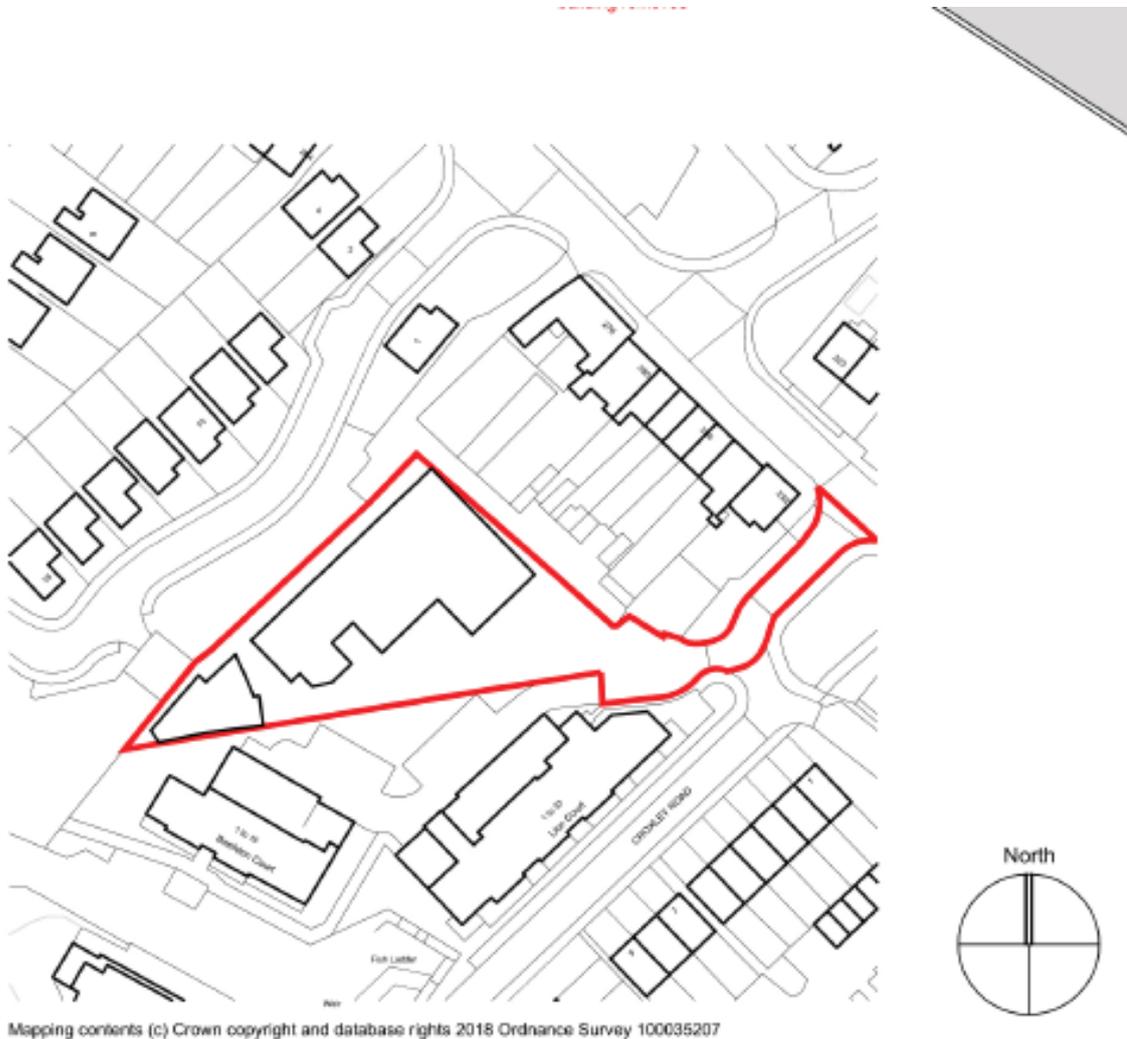
Objections

Address	Comments
1 TRING ROAD, DUDSWELL, BERKHAMSTED, HP4 3SF	<p>This is almost unbelievable. Planning was granted for an unoccupied building. Now suddenly, it is a dwelling in the exact spot on the road where a number of local residents are fighting an application by 5, Tring Road to increase the traffic many fold at an extremely dangerous junction. Work is already going ahead on increasing the risks here by the addition of two four bedroom dwellings going up at 3, Tring Road, directly opposite this application. We have much official evidence of highly speeding traffic at this point, some vehicles exceeding 60mph on a regular basis. The driveway for this application joins the highway at an incline and directly where this junction is at its most dangerous, with a Kindergarten attached. What on earth are Highways thinking of? Have they been to this site? Have they seen the real risk other than from Google in an office chair? Junctions, bus-stops provoking crossing of double white lines, Sports ground, Kindergarten, 6 roads and drive exits for scores of cars daily, speeding trucks, vans and cars, many cyclists, all intersect at exactly this point. Please arrange for Highways to come and inspect the site and if not, let us have a name whose decision this is so that we can let them know personally when the next accident happens here. I am happy to supply Highways with a copy of a professional speed survey carried out recently by a company that many Authorities use. It makes harrowing reading.</p>
3a Birch Road, Northchurch, HP4 3Q	<p>What a surprise! Having been granted planning application for an office, they now want to build a house. This will only add traffic to the dangerous junction, we are currently objecting to the build of 4 houses to the rear of 5 Tring Road, 3 Tring Road will become 2 four bedroom houses and now this application. This junction consists of 5 road and drive exits, this includes a nursery (5 days a week), bus stops and lay by.</p>

	<p>A respected professional speed survey was completed recently and provided proof of the excessive speeds that this junction experiences.</p> <p>I have attached a photograph I took during a rush hour morning, this clearly shows the danger that happens on a regular basis – a bus collecting school children, a vehicle overtaking across double white lines and a car exiting the nursery attempting to turn right towards Tring. If you add the possibilities of 19/20 extras vehicle attempting access to the junction, I hope you understand that this junction will be more a danger to life or limb than it is now!</p> <p>Another point is that to access the repeater building you have to drive in and reverse out or vice versa.</p> <p>Let's imagine a car reversing out of the repeater building, a school / local bus in the bus stop, parents leaving the nursery, the normal rush hour traffic, cars leaving Dudswell Lane and cars leaving the proposed developments all at the same time, which is extremely possible, then carnage could ensue.</p> <p>What benefit is there of changing use of this building apart from adding to the possibility of a serious accident.</p>
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**Item 5d 4/02781/18/MFA DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF 21 ONE-BED FLATS**

**MILBOR ENGINEERING HEMEL HEMPSTEAD LTD, BELSWAINS LANE, HEMEL
HEMPSTEAD, HP3 9XE**



LOCATION PLAN 1:1250

**Item 5d 4/02781/18/MFA DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF 21 ONE-BED FLATS**

**MILBOR ENGINEERING HEMEL HEMPSTEAD LTD, BELSWAINS LANE, HEMEL
HEMPSTEAD, HP3 9XE**



SOUTH EAST 1:100



4/02781/18/MFA	DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 21 ONE-BED FLATS
Site Address	MILBOR ENGINEERING HEMEL HEMPSTEAD LTD, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE
Applicant	Hobbs Developments Ltd, Aston House
Case Officer	Rachel Marber
Referral to Committee	Contray views of Nash Mills Parish Council

1. Recommendation

- 1 That planning permission be **DELEGATED TO THE GROUP MANAGER WITH A VIEW TO APPROVAL** subject to satisfactory bat surveys and S.106 agreement for the following Heads of Terms:
 - Highway Improvement contribution of £16,875

2. Summary

2.1 The proposed residential use of the site is considered acceptable in principle. The proposal would result in substantial benefit by securing additional new homes on a brownfield site, helping to meet the Council's housing target. The development is therefore considered in accordance with the NPPF (2019), Policies NP1, CS1, CS2 CS4 and CS17 of the Core Strategy (2013), Saved Policies 10, 31 and 34 of the Local Plan (2004) and Site Allocations 2006-2031 Map Books.

2.2 The scheme is also considered acceptable in terms of visual impact to the street scene, impact on non-designated heritage assets, securing a good standard of amenity for future and neighbouring residents, impact on highway safety and operation and other relevant matters; in accordance with the NPPF (2019), Policies CS8, CS10, CS11, CS12, CS18, CS19, CS26, CS27, CS28, CS31, CS32 and CS35 of the Core Strategy (2013) and Saved Policies 21, 18, 57, 58, 99, 100 and Appendices 3 and 5 of the Local Plan (2004).

3. Site Description

3.1 The application site is located to the south side of Belswains Lane accessible from Croxley Road. The site is located within a formally designated general employment area.

3.2 Large, mature Poplar trees form the north-west boundary of site. Immediately to the north of the site, along Belswains Lane, are 16th century cottages. These are not listed, but considered to be non-designated heritage assets.

3.3 The application site comprises an industrial building presently occupied by an

engineering and vehicle dismantling operation. The immediate area comprises the recent redevelopment of the former Nash Mills estate granted within app ref: 4/01382/09/MFA (Sappi development).

4. Proposal

4.1 The application seeks permission for the construction of a four storey building comprising 21 one bed flats.

4.2 29 parking spaces would be accommodated within the site to facilitate the development.

5. Relevant History

No Relevant Planning History

6. Policies

6.1 National Policy Guidance (2019)

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

6.2 Adopted Core Strategy (2013)

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS28 - Carbon Emission Reductions
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 31 - General Employment Areas
Policy 34 – Other Land with Established Employment Generating Uses
Policy 57 – Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision

Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of Car Parking Standards (July 2002)
Planning Obligations (April 2011)
Affordable Housing (Jan 2013)
Hemel Hempstead Urban Design Assessment (2010)
Dacorum Regulation 123 List

7. Constraints

Predominantly residential area of Hemel Hempstead
The Site Allocations Map removed the application site and wider land from the Nash Mills General Employment Area

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

The main planning issues in the determination of this application would be:

Principle of Development
Impact to Street Scene
Impact on Non-Designated Heritage Assets
Effect on Amenity of Neighbours

Highway Safety and Parking Provision Impact on Trees and Landscaping

Other material planning considerations

- i) Presumption in favour of Sustainable Development
- ii) Protected species
- iii) Contaminated land
- iv) Air Quality
- v) Flooding and Drainage
- vi) Planning obligations & legal agreement CS18 & CS19
- vii) Consultation responses

Principle of Development

9.1 The application site was removed from the Nash Mills Employment Area within the Site Allocations 2006-2031 Map Book therefore the loss of the site for employment use is not protected via policy. Further, the application site does not comprise a storage or distribution site over 2 hectares in size, in accordance with Saved Policy 31 of the Local Plan (2004). Saved Policy 34 of the Local Plan (2004) states that alternative non-employment development of an employment site will be acceptable if the proposal accords with the development strategy and urban structure outlined below.

9.2 Thus, the application site is a windfall site located within the residential town of Hemel Hempstead. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site.

9.3 Policy CS1 of the Core Strategy (2013) states that Hemel Hempstead will be the focus for homes and Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

9.4 Furthermore, the National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Saved Policy 10 of the Local Plan (2004) and Policy CS2 of the Core Strategy (2013) also seeks to optimise the use of brownfield land available within urban areas. The application site comprises a brownfield site within the existing residential settlement of Hemel Hempstead. The development of the application site would prevent further Green Belt releases in the future.

9.5 Taking all of the above into account, the proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, given that the development would be located in a sustainable location the principle of development is acceptable in accordance with the NPPF (2019), Policies, CS1, CS2, CS4, CS17, of

the Core Strategy (2013), Saved Policies 10 and 34 of the Local Plan (2004) and Site Allocations 2006-2031 Map Book.

Impact to Street Scene

9.6 Paragraph 124 of the revised NPPF (2019) 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.

9.7 Paragraph 120 of the NPPF (2019) states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

9.8 Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies 10, 18, 21 and Appendix 3.

9.9 The application site falls between the residential new town zone and employment zone in accordance with the Hemel Hempstead Urban Design Assessment (2010). In the residential new town zone there may be opportunities to develop four-storey buildings on block sites of increased density. Modern styles and materials are also encouraged in order to enliven the neighbourhoods. While it is important that the neighbourhoods maintain a diversity of typologies this zone could potentially become slightly more dense, ranging from medium to very high densities. The employment zone can also accommodate new buildings of up to four storeys high with residential buildings usually constructed from brick. High density development is also encouraged within this zone.

9.10 The application site comprises a two and a half storey industrial building. The surrounding land use comprises a more recent residential development of two to three storey terrace houses and four/ five storey apartment blocks of uniformed architectural style and material. There is an evident character to the new development.

9.11 The proposal seeks to demolish the existing industrial unit and construct a four storey apartment block with under croft parking partly at ground floor level. The existing industrial building is of two storeys post war period design, with little architectural interest or merit; no objection is raised to its demolition.

9.12 The replacement apartment block would relatively retain the same neat corner plot positioning as the existing industrial building. Although, the built form of the

apartment block would be more concentrated within one section of the site.

9.13 The design of the apartment block would be modern and would somewhat reflect the adjacent new development in terms of flat roof design, projecting elements and material palette and therefore look in-keeping with the character and appearance of the area.

9.14 The development has been modulated in height so that it would not appear as a stark, bulky addition in the street scene; with projecting balconies also proposed to add further interest and definition to different elements of the development. The design of the proposal underwent several design revisions through discussions with the Conservation and Design Officer who now considers the final scheme to '*sit comfortable in the context and not detract from the wider built environment*'. Due to the flatted units of the Sappi estate situated in close proximity to the application site and varied design of properties within the immediate area, there is no regular form to the layout of buildings within the immediate site context which needs to be followed. Material details have been requested by condition to ensure a high quality of build. A condition has also been recommended requesting that flat roof be used as a biodiverse/ green roof and for details of this. This would enhance the visual appearance of the scheme as well as result in biodiversity gains.

9.15 The proposed development would not be visible from Belswains Lane and therefore would not be read from this street scene context. The development would be visible from Kingfisher Drive however, as it would be situated further away from this site boundary (approximate 5 metres distance) the proposed development would be read as only 1.45 metres higher than the existing industrial building from this perspective. It is also considered that the proposed development would replace the existing building with a better quality, more architecturally interesting build.

9.16 The proposed development would result in a density of 116 dwellings per hectare. Which although is high, meets national and local policy guidance push for optimal, efficient use of brownfield land to secure new homes within urban areas. This concentration of development is not considered to be out of character with the surrounding area. This is reflected in the NPPF (2019), Saved Policies 10 and 21 of the Local Plan (2004) and the Hemel Hempstead Urban Design Assessment (2010).

9.17 Access to the site is softened by grass verge and landscaping, which would prevent a hard edge from being formed between the two new development sites. Concerns are raised in regards to the close boarded boundary fence which is proposed to run along the access of the development site, and abut the boundary with the Sappi development. This is considered to create a visual barrier between the two developments and cause conflict between vehicle movements between the two sites. A condition requesting landscaping and boundary treatment has been requested in order to resolve this concern and devise a more appropriate solution.

9.18 The majority of parking would be undercroft and therefore not visible from the street scene; the remaining on-site parking spaces would be broken up with soft landscaping.

9.19 To summarise, the proposed development is considered to be of relatively high quality, well thought-out design which would assimilate well into the surrounding environment of the recent Sappi development.

Impact on Non-Designated Heritage Assets

9.20 To the immediate north of the site sit properties Nos. 280- 292 Belswains Lane which are circa 16th century and considered non-designated heritage assets. Policy CS27 of the Core Strategy (2013) outlines that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Paragraph 197 of the NPPF (2019) states that the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The DBC conservation officer considers the proposal would have limited impact on the setting of these non-designated heritage assets and therefore the less than substantial harm is attributed to the impact on the development on these assets.

9.21 Paragraph 196 of the NPPF (2019) 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. The benefits of the scheme would be securing 21 new homes on a brownfield plot within a sustainable location. This benefit is given significant weight as it would reduce the amount of Green Belt land required for release in the future. There would also be the economic benefits of the construction including jobs secured in building the development and in the manufacture of building materials. People living in the homes would spend money in the local area including the shop and public houses and would participate in community activities, they would help to support local services; these benefits of the scheme would carry modest weight given the loss of the employment site.

9.22 Overall, the combined public benefits would be significant to outweigh the less than substantial harm to non-designated heritage assets.

Effect on Amenity of Neighbours

9.23 The NPPF (2019) 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.

9.24 The development would be located to the rear of properties Nos. 286 – 276 Belswains Lane at a distance of 27 metres to the first three storeys of the proposed development; the fourth floor would be located over 39 metres away from these properties. DBC rear-to-rear separation distance standard outlined within Saved Appendix 3 of the Local Plan (2004) requires a minimum separation distance of 23 metres in order to provide sufficient privacy and outlook to neighbouring residents. This separation distance may increase depending on character, level and other factors. This separation distance is considered sufficient to retain sufficient standards of outlook, daylight and sunlight and privacy serving these neighbouring residents.

9.25 Similarly, the application site would be located 29 metres approximately away from the front elevations of Nos. 6 – 14 Kingfisher Drive. Again, this distance is considered acceptable especially given that the proposed development would only be perceived as 1.45 metres higher than the existing industrial building,

9.26 The proposed development would also be located at oblique angles to the apartment blocks: Basildon Court and Lion Court. These buildings would be located 24-30 metres away from the proposed development which is considered acceptable in same regards.

9.27 Number 1 Kingfisher Drive would be located at an oblique angle, 19 metres away from the proposal, which again, given the site relationship is considered acceptable in terms of loss of daylight, sunlight, outlook and privacy to these neighbouring residents.

9.28 Turning to the living conditions the proposal would afford future residents. Units have been designed to be dual aspect where possible. Some units would have north-facing aspect only. Which although is not ideal must be given to para 123 of the NPPF (2019) which states that local planning authorities when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site. Outlook from these north aspect flats are considered to be acceptable given the 5 metre separation distance to site boundary. Moreover, shading diagrams have been submitted alongside the planning application to demonstrate that the mature trees along the north-west boundary of site would not result in significant overshadowing to future residents of these units. The loss of outlook to future residents as a result of this tree line is also not considered to be significant, due to only three flats anticipated to be affected.

9.29 The Environmental Health noise team were consulted on the planning application and raised no objection to the residential use of the site on grounds of noise and disturbance grounds for future or existing residents.

9.30 Saved Appendix 3 of the Local Plan (2004) states that for a multiple occupancy residential development an amenity area at least equal to the footprint of the building should be provided. The proposal would provide only 231.5 sq.m of external amenity provision for the proposed development which is significantly less than the 600 sq.m footprint of the proposed development. However, the majority of units proposed (18 out of 21) would have access to a balcony. The site also has easy access to the canal side and sits within close proximity to other areas of open space, such as the Nash Mills Parish Council playground, which is a three minute walk away.

9.31 In summary, the proposed development is considered acceptable in terms of level of amenity maintained and secured for neighbouring and future residents.

Highway Safety and Parking Provision

9.32 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) 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.

9.33 The proposed development seeks to utilise the existing access within the site and the private access off the Sappi development (Croxley Road) off Belswains Lane. Hertfordshire Country Council Highways was consulted on the planning application due to the intensification of site use, and provided the following summative comments:

- The site has an existing access from Croxley Road/ Lion Court which is be utilised for the proposed development. This access is acceptable.
- A swept path analysis should be requested by condition to illustrate that all vehicles (including waste and emergency vehicles) accessing the site can easily turn around and egress the site in forward gear.
- The level of parking is considered to be acceptable.
- The access arrangements would enable emergency vehicles to access the site within 45 metres from all units.
- Apsley station is approximately 1.6km (1 mile) from the site and therefore within reasonable cycling distance with pedestrian routes to the station reducing the distance by 1km. The application site is considered to be located in a sustainable location.
- Developer contribution of £16,875 for Towpath improvement works between Two Waters Road and Red Lion Lane should be sought.
- The development would not have a significant or detrimental impact on the local highway network.

9.34 Hertfordshire Fire and Rescue have raised no objection to the proposed development on fire safety grounds.

9.35 The proposal seeks to provide 21, 1 bedroom flats which would require 27 (26.25) off street parking spaces (this figure incorporates visitor parking spaces). The application seeks to provide 29 parking spaces, which includes 2 visitor spaces. This exceeds DBC maximum standards in the hope to elevate the parking pressures within the immediate area. No details of cycle storage provision has been submitted alongside the planning application. 21 cycle spaces should be provided in-line with Saved Appendix 5 of the Local Plan (2004); details of where this cycle parking would be facilitated within the site has been recommended by condition.

Impact on Trees and Landscaping

9.36 Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.37 The proposed scheme has the potential to provide soft and hard landscaping on site. Well placed landscaping would improve the hard edges of the scheme and could be used to soften the appearance of the development. The submission of a comprehensive landscaping scheme has been requested by condition.

9.38 Only two low amenity trees are proposed to be removed from the site with re-planting proposed. A tree survey, assessment and shading diagram were submitted alongside the planning application. The shading diagram demonstrates that the mature polar trees along the north-west boundary of site would not result in significant overshadowing and loss of daylight and sunlight to future residents of these units. Therefore, there should be no undue pressure from future residents to fell the adjacent trees in the future. The tree survey and assessment demonstrate that the proposed development would not impact upon the root protection area of these adjacent trees. Recommended tree work (reduction in height to original points) to maintain the health of the north-western trees has been identified within the Tree Condition Survey. Adequate protective tree fencing to be installed on-site and to remain during construction has been shown on plan ref: 1836-01-Rev 4.

9.39 The DBC Trees and Woodlands team were consulted on the planning application and stated that the impact of the development on high quality site trees is minor, although further details of replanting works are required. The Tree Officer considered that the five Poplar trees to the north-western boundary would have an impact on both screening and shading the development however, the shading diagrams submitted alongside the planning application demonstrates that this impact would not be significant, and would be late afternoon, in summer months only.

9.40 The development falls below the threshold (25 units) required to provide a leisure

contribution in accordance with Saved Policy 76 and Appendix 6 of the Local Plan (2004).

Other Material Planning Considerations

- Presumption in favour of Sustainable Development

9.41 Paragraph 8 of the NPPF (2019) identifies three aspects of sustainable development: social, economic and environmental. Due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF (2019) is engaged. Paragraph 11 of the NPPF states that decisions should apply a tilted presumption in favour of sustainable development unless policies in protected areas of particular importance provide a clear reason for refusing the development proposed; these policies of protected/restricted areas are clarified within footnote 6.

9.42 Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date" when the LPA cannot demonstrate a five year supply of deliverable housing sites.

9.43 It must therefore be considered whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, as outlined in paragraph 11 of the NPPF (referred to as 'the tilted balance' in favour of sustainable development).

Environmental

9.44 The application site is situated within an existing residential area of Aspley in Hemel Hempstead, on brownfield land. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Taking this into account, the proposal would be environmentally sustainable.

Social

9.45 The proposal would make a valuable contribution to the Borough's housing supply providing 21 new homes, thereby facilitating the Government's aim of boosting the supply of housing. Further, public realm contributions would also be secured for Towpath improvement works. The proposal would however, fail to deliver the Council's affordable housing policy criteria of 35% affordable units at a tenure split of 75% social rented and 25% shared ownership. Further, the scheme would only deliver 12% profit to the developer, according to Dacorum's independent viability consultant. This makes the scheme high risk, and reduce the likelihood of the development actually being built. Overall, this reduces the social benefit the proposal would deliver.

Economic

9.46 The proposal would result in the loss of employment land, for residential use thereby resulting in the loss of employment infrastructure to the immediate area and increased deficit in Dacorum's employment target. Although, a small element of employment provision would be secured through the construction phase of the development and economic gains of future residents utilising the local services, this is not considered to outweigh the level of employment provision currently on the site.

Conclusion

9.47 Taking into consideration all of the above, the proposal would result in small Environmental and Social gains however, the LPA would emphasise that the loss of the existing employment use and no affordable housing contribution would significantly lessen the weight given in favour of the development.

i) Protected Species

9.48 The presence of protected species is a material consideration, in accordance with the NPPF (paragraph 175), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS26 of the Core Strategy (2013) states that proposals should contribute to the conservation of habitats and species.

9.49 A bat survey was submitted alongside the planning application. This survey demonstrates that the existing building has a low likelihood of bats being present. However, further bat emergence/re-entry surveys are required in order to confirm this Hertfordshire Ecology was consulted on the planning application and agree with these findings. The application cannot be approved before the three further bat emergence/re-entry surveys are submitted and considered satisfactory by Hertfordshire Ecology specialist.

ii) Contaminated Land

9.50 Policy CS32 of the Core Strategy (2013) seeks to maintain soil quality standards and ensure any contaminated land is appropriately remediated. The DBC Contaminated land team were consulted on the planning application. As the development is located on a radon affected area where 1-3% of homes are above the action level as well as on a former contaminated land use i.e. plastic factory, the standard contaminated land conditions and informatives have been recommended with the grant consent.

iii) Air Quality

9.51 Policy CS28 of the Core Strategy (2013) states that carbon emission reductions will be sought in the generation and use of energy, building design and construction, and the use of transport as far as possible. In accordance with Policy CS32 of the Core Strategy (2013) development should maintain existing Air Quality standards. 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.

9.52 Paragraph 170 of the NPPF (2019) reflects this local guidance by stating that new and existing development should not contribute to unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.

9.53 The application site falls within 1.0 and 1.2 miles respectively, of two of the council's Air Quality Management Zones. As a result an Air Quality report has been requested by condition. This report should show areas where there are, or likely to be, breaches of an air quality objective, and include proposals for possible mitigation.

iv) Flooding and Drainage

9.54 Policy CS31 of the Core Strategy (2013) outlines that water will be retained in the natural environment as far as possible. Developments are required to avoid Flood Zones 2 and 3, minimise water runoff and secure opportunities to reduce the cause and impact of flooding. Para 148 of the NPPF (2019) states that the planning system should take full account of flood risk, with para 155 of the NPPF (2019) stating that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Developments should be used as an opportunity to reduce the causes and impacts of flooding. Para 165 of the NPPF (2019) states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

9.55 The majority of the application site falls within Flood Zone 1 however, small sections of the site fall within flood zones 2 (north eastern boundary and eastern end of site) and 3 (western end of site). As these zones fall only on the periphery of the application site the sequential and/or exception test is not considered necessary in this instance. A Flood Risk Assessment and Drainage Strategy was subsequently submitted with the planning application. This Assessment outlines the low probability of flooding on-site however, mitigation measures have been outlined to ensure the finished floor level of units is raised above natural ground levels of the site. The proposed drainage strategy would manage runoff from the site in lined permeable paving, which would filter runoff before it is discharged. The Lead Local Flood Authority was consulted on this submitted information and have raised no objection to the proposed development, considering the site can be adequately drained and mitigate any potential existing surface water flood risk. Three conditions have been requested and attached to the recommendation to reduce the risk of flooding further.

v) *Planning Obligations & Legal Agreement CS18 & CS19*

9.56 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. The application is be CIL Liable.

Contributions

9.57 In accordance with Policy CS35 of the Core Strategy (2013) and Saved Policy 13 of the Local Plan (2004) planning obligations under s.106 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) will be required to deliver the affordable housing and financial contributions towards the physical and social infrastructure requirements generated by the development.

9.58 A S106 agreement to secure the following obligations has been agreed and is currently being processed by DBC and County. This application is recommended for approval subject to the competition of this S106 agreement for a Highway Improvement contribution of £16,875.

Affordable units

9.59 The Council's planning policies also indicate that a housing scheme of this scale at this site should include at least 35% affordable housing, in accordance with Policy CS19 of the Core Strategy (2013) and the recently adopted Affordable Housing Supplementary Planning Document. Therefore, 7.35 units should be provided for affordable housing. With a tenure mix of the affordable housing provision comprising 75% affordable rented and 25% shared ownership, in line with DBC Affordable housing SPD.

9.60 A viability assessment was submitted alongside the planning application to demonstrate that the development costs of the scheme made it unviable to provide any affordable housing. This viability assessment was independently reviewed by an external viability consultant on behalf of Dacorum, whom agreed that the scheme was unviable to deliver 35% affordable housing and that the developer would only achieve a profit of 12.4%. The LPA are satisfied with the evidence submitted to demonstrate that the scheme cannot make an affordable housing contribution.

vii) *Consultation responses*

9.61 Several concerns were received as a result of the proposed development. The main concerns are addressed below:

Insufficient Parking Provision in immediate area: The development delivers above the maximum standard of parking provision required by policy in order to try and help elevate the parking problem within the immediate area by facilitating parking for surrounding residents within the development site.

Loss of light and privacy to properties on Kingfisher Drive and Basildon Court: This has been addressed within the 'Effect on Amenity of Neighbours' section above. Sufficient separation distances are retained around the site, to adjacent neighbours, in order to prevent a significant loss of daylight, sunlight and privacy levels to neighbouring residents from resulting. The proposed development would also not be significant in height (approximately 9 metres), with the fourth floor set in and away from neighbouring properties.

Not in character with immediate area: The visual appearance of the development has been discussed within the 'Impact to Street Scene' section above.

Increase traffic making roads unsafe: Hertfordshire Highways were consulted on the planning application and have raised no objection to the proposed intensification of site use on the grounds that the development would not result in severe highway impact.

Inadequate infrastructure and resources (hospitals, sewage system)- The development will make a contribution towards improving local infrastructure. The development is liable for a CIL payment which will be put towards primary and secondary education facilities, health facilities (such as GP practices and hospital facilities), social and community facilities, open space, waste services and strategic transport projections. The development will also make a direct highway improvement contribution to the immediate area. Please see 'Planning Obligations & Legal Agreement' section.

Noise and disturbance from use and during construction- The Environmental Health noise and pollution team were consulted on the planning application and have raised no objection to the proposed works. The residential use of the site, for 21 units, would not result in significantly further noise and disturbance to adjacent residents given the existing residential surroundings. The noise and disturbance during construction would be temporary and mitigated through the request of a construction management plan condition.

Negative impact to Poplar trees on Kingfisher Drive- The development would be constructed outside the Root Protection Area of these trees. Please see 'Impact on Trees and Landscaping' section above for full assessment.

Impact on local wildlife- Three further surveys have been requested by condition to ensure that the proposed development would not result in detrimental impact to local wildlife. These additional surveys would need to be considered satisfactory by the Hertfordshire Ecology team before the development permission is granted.

Conclusion

10.1 The proposed residential use of the site is considered acceptable in principle. The proposal would result in substantial benefit by securing additional new homes on a brownfield site, helping to meet the Council's housing target. The development is therefore considered in accordance with the NPPF (2019), Policies NP1, CS1, CS2

CS4 and CS17 of the Core Strategy (2013), Saved Policies 10, 31 and 34 of the Local Plan (2004) and Site Allocations 2006-2031 Map Books.

10.2 The scheme is also considered acceptable in terms of visual impact to the street scene, impact on non-designated heritage assets, securing a good standard of amenity for future and neighbouring residents, impact on highway safety and operation and other relevant matters; in accordance with the NPPF (2019), Policies CS8, CS10, CS11, CS12, CS18, CS19, CS26, CS27, CS28, CS31, CS32 and CS35 of the Core Strategy (2013), Saved Policies 21, 18, 57, 58, 99, 100 and Appendices 3 and 5 of the Local Plan (2004) and Hemel Hempstead Urban Design Assessment (2010).

11. RECOMMENDATION

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

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

- Highway Improvement contribution of £16,875.

3. That the following conditions or such other conditions as the as the Committee may determine, be agreed:

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:**

WH/1836/501

WH/1836/502

Tree Condition Survey 30th November 2017

Arbtech TPP 01 Con October 2018

A1619-T 17th January 2019

Arbtech AIA 01 Rev A

Flood Risk Assessment and Drainage Strategy January 2019

Arboricultural Method Statement 1 November 2018

Planning Design and Access Statement EA/AT/2018.016/Rpt04 October 2018

Bat Survey- Preliminary Roost Assessment 04/10/18

Arbtech TPP 01 Demo October 2018

D0418-Tr1 17th April 2018

1836 08

1836 06 Rev 6

1836 05 Rev 6

1836 03 Rev 7

1836 02 Rev 4

1836 01 Rev 6

1836 04 Rev 4

1836 07 Rev 1

D0418-MB-E2 17th April 2018

D0418-MB-E1 17th April 2018

D0418-G 17th April 2018

D0418-1 17th April 2018

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

- 3 No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority.**

This detail shall include:

- Joinery details and finish**
- Rainwater goods**
- Eaves details**
- Brickwork**
- Brickwork bond**
- Mortar**
- Fenestration and glazing**

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

Reason: Due to the nature of this condition it necessary to be pre-

commencement as materials will be used in construction. This material condition is to ensure a satisfactory appearance to the development; in accordance with Policies CS12 of the Core Strategy (2013). The pre-commencement nature of this condition has been agreed by the applicant.

Materials Informative

Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

- 4 **No development shall take place until details of the green roof 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.

Reason: Due to the nature of this condition it necessary to be pre-commencement as materials will be used in construction. This material condition is to ensure a satisfactory appearance and biodiversity enhancement to the development; in accordance with Policies CS12 and CS26 of the Core Strategy (2013). The pre-commencement nature of this condition has been agreed by the applicant.

- 5 **The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.**

Reason: In the interests of the residential amenities of the adjacent dwellings; in accordance with Policy CS12 of the Core Strategy (2013).

- 6 **Prior to occupation 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:**

- **plan indicating the positions, design, materials and type of boundary treatment to be erected;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and**
- **hard surfacing materials.**

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 (2013) and Saved Policies 99 and 100 of

the Local Plan (2004).

- 7 **All planting, seeding or turfing and soil preparation comprised in the approved details in condition 6 shall be carried out in the first planting and seeding seasons following one year post implementation of the development hereby approved; and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards.**

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development; in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policies 99 and 100 of the Local Plan (2004).

- 8 **Prior to occupation of the development hereby permitted a long term Landscaping Work and Green Roof Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the long-term maintenance and specification of the Landscaping Works and Green Roof hereby permitted on the development. Details shall include cleaning and general maintenance works/checks which shall commence throughout the lifetime of scheme.**

Maintenance and up-keep of the green roof and landscaping shall be carried out in accordance with the approved details for the life-time of the development.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in the long-term; in accordance with Policies CS12 and CS26 of the Core Strategy (2013).

- 9 **The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy carried out by EAS reference 2042/2019 dated January 2019 and the following mitigation measures:**

- 1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
- 2. Implement drainage strategy based on infiltration and include lined permeable paving as indicated on the proposed drainage strategy**

drawing.

3. Restrict the runoff from the site to 1 l/s for all rainfall events up to and including the 1 in 100 year + climate change event

Reason: To reduce the risk of flooding to the proposed development and future occupants, by ensuring the satisfactory storage of/disposal of surface water from the site; in accordance with Policy CS31 of the Core Strategy (2013).

10 **No development shall take place until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system will be based on the submitted approved Flood Risk Assessment and Drainage Strategy carried out by EAS reference 2042/2019 dated January 2019. The scheme shall also include:**

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

2. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

The development shall be carried out in accordance with these approved details.

Reason: Due to the nature of this condition it necessary to be pre-commencement in order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to prevent the increased risk of flooding, both on and off site; in accordance with Policy CS31 of the Core Strategy (2013). The pre-commencement nature of this condition has been agreed by the applicant.

11 **Upon completion of the drainage works for the development hereby permitted a management and maintenance plan for the SuDS features and drainage network shall be submitted to and approved in writing by the Local Planning Authority. This 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.

The development shall be carried out in accordance with these approved details and maintained thereafter for the lifetime of the scheme.

Reason: In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site for the lifetime of the development; in accordance with Policy CS31 of the Core Strategy (2013).

- 12 **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: Due to the nature of this condition it necessary to be pre-commencement in order to ensure that the issue of contamination is adequately addressed before building works begin; in accordance with Core

Strategy (2013) Policy CS32. The pre-commencement nature of this condition has been agreed by the applicant.

- 13 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 12 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 that 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 (2019).

Contamination Informatives:

Paragraph 178 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

Un-expected Contaminated Land Informative: In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

- 14 **Prior to demolition works commencing a Demolition Method Statement**

shall be submitted to and approved in writing by the Local Planning Authority. This Demolition Method Statement should include the following details:

-a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development; and

- a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance.

The demolition of the existing building shall be carried out in accordance with these approved details.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way as well as in the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Core Strategy (2013) Policy CS8.

15 Prior to commencement of the development hereby permitted an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The Air Quality Report shall include the following details:

- areas where there are, or likely to be, breaches of an air quality objective;

- mitigation measures if there are predicted exceedances in exposure to levels above the Air Quality Objectives;

- The source of energy among others such as impact of the construction vehicles and machinery to the proposed development; and

- The post construction impact of the development to the existing development.

The development shall be carried out in accordance with these approved details and mitigation measures outlined.

Reason: Due to the nature of this condition it necessary to be pre-commencement as mitigation measures would need to be used in construction of the development. In order 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). The pre-commencement nature of this condition has been agreed by the applicant.

16 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning

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

- a. Construction vehicle numbers, type, movements, routing;**
- b. Access arrangements to the site;**
- c. Traffic management requirements**
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e. Siting and details of wheel washing facilities;**
- f. Cleaning of site entrances, site tracks and the adjacent public highway;**
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
- h. Provision of sufficient on-site parking prior to commencement of construction activities;**
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;**
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;**
- k. Construction or Demolition Hours of Operation;**
- l. Dust and Noise control measure; and**
- m. Asbestos survey and control measure where applicable.**

Reason: Due to the nature of this condition it necessary to be pre-commencement as details as construction details are required. The construction management plan is required in order to protect highway safety, the amenity of other users of the public highway and rights of way; in accordance with Policies CS8 and CS12 of the Core Strategy. The pre-commencement nature of this condition has been agreed by the applicant.

17

No development shall commence until a swept path analysis shown on a scaled plan, has been submitted to and approved in writing by the Local Planning Authority. This swept path analysis should include details of:

- the largest anticipated vehicles that will access the site e.g. waste collection; fire tender. b. Surface materials to be used for the access roads; and

- take into consideration that the access roads would need to act as shared surface road providing access for vehicles, cyclists and pedestrians.

The development shall be carried out in accordance with these approved details.

Reason: Due to the nature of this condition it necessary to be pre-commencement as details required for construction are required. This is to ensure suitable, safe and satisfactory planning and development of the site in accordance with Policies CS8 and CS12 of the Core Strategy (2013).The pre-commencement nature of this condition has been agreed by the applicant.

- 18 **Prior to occupation of the development hereby permitted, a Servicing and Delivery Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.**

The servicing and delivery of the development shall be carried out in accordance with these details.

Reason: In the interests of maintaining highway efficiency and safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

- 19 **Prior to occupation of the development hereby permitted details of cycle storage facilities to accommodate 21 bicycles shall be shown on scaled plans submitted to and approved in writing by the Local Planning Authorities.**

These details of cycle storage provision shall be carried out prior to first occupation of the development hereby permitted.

Reason: To ensure sustainable forms of transport are available to future residents in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

Thames Water Informative

Waste Comments

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

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

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

'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."

Affinity Water Informative

You should be aware that the proposed development site is located 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 site 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".

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation responses:

Thames Water

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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

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

'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.

Environmental Agency

This application falls under our Flood Risk Standing Advice (FRSA) so we will not be providing a formal detailed response. However I thought I would flag up that part of the site that appears to be where residential units are located does fall within Flood Zone 2. Under the FSRA this requires applications to submit a Flood Risk Assessment (FRA) and one has not been submitted in support of this application. The planning statement states that the Site is within Flood Zone 1. While this is true for most of the site is it not correct for the whole site.

Strategic Housing

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, 9 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.

Amended Comments

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

Therefore, 9 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.

Lead Local Flood Authority

Thank you for consulting us on the above application for the demolition of existing buildings and construction of 27 one-bed flats.

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

1. A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.
2. Drainage plan including location of all the drainage features.
3. Where infiltration is proposed, evidence of ground conditions/ underlying geology and permeability including BRE Digest 365 compliant infiltration tests should be provided.
4. Detailed calculations of existing/proposed surface water storage volumes and flows with Initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change.
5. Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant water company that they have the capacity to take the proposed volumes and run-off rates.

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

Informative to the Applicant/LPA

There is an ordinary watercourse located within the vicinity of the site. Please note any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

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

We ask to be re-consulted with the results of the surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate surface water drainage assessment has been submitted. Please note if the LPA decides to grant planning permission we wish to be notified for our records.

Amended Comments

Thank you for consulting us on the above application for the demolition of existing buildings and construction of 27 one-bed flats.

Following a review of the Flood Risk Assessment and Drainage Strategy carried out by EAS reference 2042/2019 dated January 2019 submitted in support of the above application, we can confirm that we have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

The site is located mainly in Flood Zone 1 however there is a small part of the north eastern boundary and access in Flood Zone 2 and a small area to the west of the site in Flood Zone 3. The area in Flood Zone 3 currently benefits from defences.

Due to the high groundwater levels and information from a nearby site relating to the risk of solution features locally means that infiltration is not being recommended. The proposed drainage strategy will manage runoff from the site in lined permeable paving outfall would be limited to 1l/s and runoff would be directed to the Thames Water surface water sewer in Kingfisher Drive. The existing discharge runoff rate has been estimated as 25l/s therefore the proposed drainage system offers significant improvements to existing scenario.

The proposed drainage strategy has been modelled in WINDES MicroDrainage for a 1 in 100 year (+40%CC) rainfall event using which demonstrates that a minimum sub-base depth of 436mm is required to manage up to and including the 1 in 100 year (+40%CC) storm event. The outfall from the lined permeable paving will be restricted by an orifice plate or vortex control. To restrict the runoff from the site to 1 l/s, a 27mm orifice plate is required. We therefore recommend the following conditions to the LPA should planning permission be granted.

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy carried out by EAS reference 2042/2019 dated January 2019 and the following mitigation measures;

1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Implement drainage strategy based on infiltration and include lined permeable paving as indicated on the proposed drainage strategy drawing.
3. Restrict the runoff from the site to 1 l/s for all rainfall events up to and including the 1 in 100 year + climate change event

Reason

To reduce the risk of flooding to the proposed development and future occupants.

Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted the Flood Risk Assessment and Drainage Strategy carried out by EAS reference 2042/2019 dated January 2019. The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
2. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

Condition 3

Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include;

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/disposal of surface water from the site.

Informative to the LPA

We note that the Hemel relief culvert runs through the site, we would advise the LPA to consult Thames Water in relation to any concerns they may have.

Please note if the LPA decides to grant planning permission we wish to be notified for our records.

Affinity Water

Thank you for notification of the above planning application. Planning applications are referred to us where our input on the issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located 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 site 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".

Herts Property

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within 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.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (growth@hertfordshire.gov.uk).

Canal & River Trust

No Comment

Environmental Health

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/02781/18/MFA for the demolition of existing building and construction of 27 one – bed flats.

Please be advise that we have **no objection to the proposed development in relation to Air Quality and Land Contamination.**

However, having given adequate consideration to the submitted planning statement and with our contaminated land record shown that the site is located on a radon affected area where 1-3% of homes are above the action level, on a former contaminated land use i.e. plastic factory, been adjacent to another former contaminated land use i.e. mill as well as been within 46.75m of a landmark historical contaminated land use of an un-specified factory or works site of medium risk; the following planning conditions and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and

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

- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). Construction Management Plan Condition

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

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 survey and 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 as well as in the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Core Strategy (2013) Policy CS8.

3). Air Quality Assessment condition

With the proposed development within 1.0 and 1.2 miles respectively of two of the council AQMA, the number of proposed residential unit and car parking spaces, a simple air quality assessment report assessing the impacts of the proposed development will need to be submitted to the Local Planning Authority having, regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.

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

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

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

4). 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 as well as in the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Core Strategy (2013) Policy CS8.

5). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

Amended Comments

Please be advise that we have **no objection to the proposed development in relation to Land Contamination.**

However, having given adequate consideration to the submitted planning statement, and with the proposed development located on a radon affected area where 1-3% of homes are above the action level as well as been on a former contaminated land use i.e. plastic factory as well as been directly adjacent to a landmark historic contaminated land use i.e. un-specified factory or works site of medium risk, the following planning condition and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). 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.

Environmental Health Noise

I note the site was subject to a pre-application but I am unable to access any previous comments by ECP. However there is potential for noise impact on some of flats due to noise from road traffic which overlook Belswains Lane and the application is not supported by any information which considers noise due to road transportation sources. Noise is recognised within national planning policy and supporting documents (Noise Policy Statement of England, Planning Policy Guidance: Noise) as relevant to planning due to impacts on health and quality of life.

I would recommend this development is subject to a planning condition which requires an assessment of noise impact prior to commencement. I suggest this be addressed prior to commencement as the development may require an alternative, and mechanical, means of ventilation (in place of or in addition to opening windows) to provide an adequate level of amenity. Alternative control mechanisms may be to reorient the internal layout so that the living space and bedroom is located at the rear and shielded by non-habitable spaces.

I have suggested a condition below.

Suggested Condition

Prior to development commencing the applicant shall submit to the LPA an assessment of noise on each habitable room due to its exposure to transportation noise. Where the assessment identifies that mitigation measures are required to protect likely future occupiers from noise, the assessment shall provide an outline mitigation statement having regard to the principles of good acoustic design. Any scheme of mitigation shall also be subject to approval by the LPA, and once approved, shall be implemented in accordance with the approval prior to first occupation and retained thereafter.

Reason

Policy CS32 – any development proposals which could 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 light, noise or noxious substances, will not be permitted.

Amended Comments

I've looked at the application and see that there's been a range of recent comments/docs, and its not yet been decided. Therefore, I've reviewed the application in detail. I note that the surrounding area is predominantly residential and therefore, cannot see a reason why we'd recommend refusal on the grounds of noise.

No objection subject to following conditions:

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.

2. Construction Hours (No weekend working)

The hours of site operation shall be restricted to Monday-Friday (excluding bank holidays, 08:00 – 18:00 hours. No site activity on Saturday or Sundays.

Reason: To protect local residential amenity.

This department advises that any permission which the Planning Authority may give shall include the conditions above, on the grounds of 'noise'.

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:

1. No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority, to illustrate the following:
a. Swept path analysis for the largest anticipated vehicles that will access the site e.g. waste collection; fire tender. b. Surface materials to be used for the access roads, taking into consideration that the access roads would need to act as shared surface road providing access for vehicles, cyclists and pedestrians. c. An appropriate level of secure and safe cycle parking. Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Provision of Parking & Servicing Areas Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plan and retained thereafter available for that specific use. Reason: To ensure permanent availability of the parking / manoeuvring area and to ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Construction Management The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan or Statement and the approved details are to be implemented throughout the construction programme. Reason: To minimise danger, obstruction and inconvenience to users of the highway.

COMMENTS / ANALYSIS: The proposal comprises of the erection of 27 one-bed dwellings and associated works at Milbor Trading Estate, Croxley road, Apsley. Croxley Road is a private road and not maintainable at public expense. The nearest highway is Belswains Lane, which is designated as a classified 'C' local access road, subject to a speed limit of subject 30mph and is highway maintainable at public

expense.

ACCESS: The site has an existing access into the site from Croxley Road / Lion Court which is to be utilised for the proposed development. The access is approximately 5m wide, which is an acceptable width to enable two vehicles to pass on another and in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide.

Following consideration of the size and nature of the proposals with the access road into the site providing vehicular, cycling and pedestrian access, it is recommended that the access road be constructed as a shared surface road which is “acceptable in most cul-de-sac situations”. Further details on shared surface roads can be found in Roads in Hertfordshire, Sec 2, 5.2.2 and 8.5.3.

PARKING & MANOEVRABILITY: The proposal includes the provision of 30 on site car parking spaces (provide through two separate parking areas, the layout of which is shown on submitted plan no. 01. The Layout and dimensions of the parking areas/bays are acceptable and in accordance MfS and Roads in Hertfordshire. HCC as Highway Authority would recommend that a swept path analysis is submitted to illustrate that all vehicles (including service, waste collection and fire trucks) accessing the site can easily turn and around and egress the site in forward gear.

The level of parking is considered to be acceptable by HCC as Highway Authority. Dacorum Borough Council (DBC) is the parking authority for the district and therefore should ultimately be satisfied with the level of parking.

REFUSE / WASTE COLLECTION: Provision would need to be made for on-site refuse stores within 30m of each dwelling and within 25m of the kerbside/bin collection points. Please also refer to the previous comments in relation swept path analysis for waste collection vehicles. The collection method must be confirmed as acceptable by DBC waste management.

EMERGENCY VEHICLE ACCESS: The access arrangements would enable emergency vehicle access to within 45 metres from all dwellings. This adheres to guidelines as recommended in ‘MfS’, ‘Roads in Hertfordshire; Highway Design Guide’ and ‘Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellings’. Nevertheless following consideration of the size of the development, details of the proposal have been passed to Herts Fire and Rescue for their attention and any further comments in which they may wish to add.

SUSTAINABLE TRAVEL / PLANNING OBLIGATIONS / SECTION 106: The site lies in Nash Mills on the south-eastern edge of Hemel Hempstead. Apsley railway station is approximately 1.6km (1 mile) from the site and therefore within reasonable and cycling distance. There are also alternative pedestrian routes from the site to the railway station which reduce the distance to approximately 1km and therefore potential to encourage travel to the station on foot. HCC as Highway Authority would recommend the provision of a suitable level (e.g. one space for dwelling) of secure, safe and convenient cycle parking within the site to improve options for sustainable travel to be in accordance with ‘Hertfordshire’s Local Transport Plan’ and the ‘National Planning Policy Framework (NPPF)’. DBC has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes would be sought via CIL if appropriate. In order to make the proposals acceptable to maximize sustainable travel options, it is recommended that developer contributions are sought towards towpath upgrade works between Two Waters Road and Red Lion Lane. This development

would attract a sustainable transport planning obligation contribution of £16,875 derived in accordance with the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)' which can be downloaded at <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx> The two nearest bus stops on Belswains Lane are approximately 70m from the site (and therefore within the recommended accessibility criteria of 400m). However these stops are served by the 501 route (Aylesbury to Watford), which is a Sunday only service and therefore it would be difficult to justify recommending any developer contributions to upgrading these stops. TRIP GENERATION & DISTRIBUTION: Following consideration of the replacement of an existing use and the acceptable access from Croxley Road onto Belswains Lane, the development would not have a significant or detrimental impact on the local highway network.

CONCLUSION: HCC as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. In order to make the proposals acceptable to maximize sustainable travel options, it is recommended that developer contributions are sought. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions.

Amended Comments

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:

No additional or amended comments to those provided for original application.

Conservation

There does not appear to be a roof plan with the application. This should be submitted.

The existing buildings are of two storeys constructed in brick with flat roofs. They appear to date from the post war period. They are of no particular interest. We would not object to their demolition.

The site is surrounded by modern housing. To the south are modern blocks of flats. To the north are two storey properties constructed in brick with pitched tiled roofs. These date from the end of the 20th century. Of interest there are a number of large mature trees forming the boundary to the north west of the site.

We note the properties to Belswains lane which have a plaque stating 16th century cottages. These are 2 storey with pitched tiled roofs and rendered to the street frontage. To the rear these are brick. These properties are not listed however they would be considered to be non-designated heritage assets. On reviewing the setting we would advise that the proposals would have a limited impact on the setting. This should be given a low weight in the balancing process as outlined in the Framework.

We would not object to the construction of new flats. In terms of the scale and proportion they would appear to be in keeping with the character of the area and of a similar height. However we would recommend that some elements of the scheme be reconsidered. We note the pop up elements above both core access 1 and 2. Given that 2 appears to be the main access for the block it may be advisable that only this element has the pop up rather than 1 and 2. We would not object to the covered balconies adjacent to core 2. However to perhaps add to the visual interest it would be advantageous to flip the units between core 1 and 2 and move the balcony element over. This would have the added advantage that the living/ dining rooms of these flats could then be dual aspect. The balconies to this element could be enlarged or perhaps remain open rather than being fully enclosed as those beside the car park. With regards to the end elevation perhaps this could also have open balconies and maybe have them full width rather than just over the living/dining rooms.

The string course element to the ground/ first floor would be questioned. It may be better to perhaps use this to define specific openings or features. The plinth element could use either a different brick or a different brick bond to perhaps add to the visual interest and create a more subtle change to the elevations.

In relation to the detailing given that there is a lack of window headers and cills the windows could have a greater recess to provide the impression of quality and add to the visual interest of light and shade.

In relation to the landscape it would be recommended that this be reviewed and shown in relation to the landscape proposals of the adjacent new build flats. This should be thought of as a cohesive space as at present there would be a narrow fence sub dividing 2 drives which would not be the most productive use of the space and there may be opportunities to achieve a better landscape/ parking balance.

Recommendation – The proposals are acceptable in principle however the design and detail should be reviewed as noted above.

Amended Comments

The existing buildings are of two storeys constructed in brick with flat roofs. They appear to date from the post war period. They are of no particular interest. We would not object to their demolition.

The site is surrounded by modern housing. To the south are modern blocks of flats. To the north are two storey properties constructed in brick with pitched tiled roofs. These date from the end of the 20th century. Of interest there are a number of large mature trees forming the boundary to the north west of the site.

We note the properties to Belswains lane which have a plaque stating 16th century cottages. These are 2 storey with pitched tiled roofs and rendered to the street frontage. To the rear these are brick. These properties are not listed however they would be considered to be non-designated heritage assets. On reviewing the setting we would advise that the proposals would have a limited impact on the setting. This should be given a low weight in the balancing process as outlined in the Framework.

We would not object to the construction of new flats. The plans have been revised a number of times to reduce the height and help to break up the mass. The design and detailing have also been changed to improve the appearance.

Overall we believe that the revisions have enhanced the scheme we now believe that it would sit comfortably in the context and not detract from the wider built environment. As such we would not object to these proposals and would recommend that the external materials be conditioned.

With regards to the landscaping it is in general acceptable however ideally the fence dividing the two block of flats should be removed to allow a more cohesive space and interaction with neighbouring developments rather than the separation created.

Recommendation – The proposals have substantially improved and as such we would not object to these proposals. External materials including landscaping materials and finishes subject to approval.

Herts Fire and Rescue

We have examined the drawings and note that the access for fire appliances and provision of water supplies appears to be adequate.

Further comments will be made when we receive details of the Building Regulations application.

Your drawing is retained for our records.

Nash Mills Parish Council

This application proposes demolition of existing old industrial buildings and constructing 27 one bed flats with associated parking.

The site is triangular in shape and has three principal boundaries consisting of: -

1. Kingfisher Drive boundary, consists of predominantly two storey pitched roof residential homes in Kingfisher Drive with mature trees existing on boundary.
1. Belswains Lane boundary consists of the rear garden and cottages of two stories with pitched roofs. Some cottages display signage indicating they originated in the 16th century.
1. Croxley Road boundary which contains a recent residential development mainly of three storey flats with pitch roofs and a small number of flat roofed four storey flats.

The proposed development is a four storey flat roof block containing 27 one bed flats.

The Planning Application contains a Planning Consultants report which details and number of Dacorum planning and core policies which are contravened by the current application.

The PC report pages 9 and 10 outline DBC Core policies CS 11 and CS 12 relating to good neighbourhood design and indicate: -

A new Application should respect the typical density of nearby existing development.

Avoid visual intrusion loss of privacy and disturbance to surrounding property.

Integrate with the existing street scene character

Respect adjoining properties in respect of scale height and bulk

(None of the foregoing requirements will be met with the current proposal for a monolithic four storey flat roof block)

Should provide sufficient parking. (proposal provides 2 spaces for visitors and 0 spaces for servicing)

Retain important trees. (see NMPC later comment on Foundation design)

The current proposal does not achieve any of the foregoing requirements.

Page 13 RE policy 18, indicates the development of a range of dwellings in size and type will be encouraged. 27 one bed flats as proposed would need revision to satisfy policy 18 .

Page 14 RE Policy 111, buildings up to three stories will be permitted in the town areas to harmonise with the surrounding area so as not to damage the existing area. This is not achieved by the proposed four storey flat roof block.

PC report Page 19. Comments 4.16 and 4.17 attempt to justify a four storey building . Some buildings on the Croxley Road boundary are four storey others are three storey with pitched roofs. The houses on Kingfisher Drive and Belwains Lane boundary are two storey with pitched roofs. To transfer smoothly from four storeys to two storeys require the new transitional building to be three storeys max, preferably with the third storey being a pitched roof containing accommodation.

Considering the proposed development scale, height, and form of 27 one bed flats, lack of visitor and service parking, lack of landscaping, risk to the survival of existing mature trees, all indicate this scheme need substantial revision and as currently proposed represents over development of the site.

To satisfy DBC Planning/Core policies the new building should not exceed three stories preferably with the third floor providing accommodation within a pitched roof, and also to contain a variety of layouts to satisfy policy 18

Foundations will need careful consideration to avoid damaging nearby mature tree roots.

The drawings provided with the application show all existing buildings to a scale of 1:50 and the proposed building to a scale of the scale of 1:100. This results in the proposed buildings appearing visually to be smaller than the existing structures. This is misleading and it would be helpful to have a drawing provided of existing and proposed building drawn to the same scale which when overlain would provide a true representation of the comparative scale of existing and proposed work. This would indicate the proposed four storey building is virtually twice the height of the existing industrial buildings, and substantially wider.

Subject to the normal scrutiny of the site to determine any contamination, availability of services, soil conditions etc it appears the site is likely to be suitable for residential use. However as currently proposed the scheme degrades the local environment. What is needed is a proposal to enhance the environment for existing and future residents.

Amended Comments

Nash Mills will be strongly objecting to the revised application under the following grounds from the BRE/Planning Aid England Material Planning Considerations guidance

- Overdevelopment
- Loss of sunlight (based on BRE guidance)
- Overshadowing/loss of outlook to the detriment of residential amenity(though not loss of view as such)
- Loss/effect on trees
- Overlooking and loss of privacy
- Scale and dominance
- Highway safety
- Layout and density
- Concerns regarding scale of drawings not being consistent
- Concerns that boundaries drawn on map incorrectly reflect the actual land owned by the developer- giving way to an impression that the development is being placed on a site larger than it is in reality.

Crime Prevention

With regard to crime prevention & security, I would ask that not only the 9 affordable units but the entire development is built to the police minimum security standard , Secured by Design. I have undertaken a crime analysis of the area and burglary, criminal damage, arson and anti –social behaviour have been reported.

Physical Security (SBD)

Layout / Boundary

Secure boundary/ gates required at the rear of the site where the amenity / seating area is situated .

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 to 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 :

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points. (Dusk to dawn lighting).

Bin stores :

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

Car Park:

It is great to see that car parking has been allocated for this development, however I do have concerns regarding the access to the carpark and undercroft parking area. I would advise that in the absence of gates a surface treatment is used for demarcation, also signage put up to indicate that the area is *Private*. Car Park lighting - column lighting in the car park, I would ask that the undercroft area is well lit, bollard lighting is not acceptable as it is not fit for purpose, raises the fear of crime and is easily damaged.

CCTV

I would recommend CCTV in the undercroft car park area, however if CCTV was not installed this would not prevent the applicant from achieving the Secured by Design Award.

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.

Herts Ecology

Hertfordshire Environmental Records Centre (HERC) has no records specific to the building to be demolished; however, there are records of a known bat roost less than 200m from the site. Milbor Engineering is also connected by a band of trees to the nearby Grand Union Canal, Two Waters to Nash Mills Lane Local Wildlife Site (LWS). This provides a natural corridor to the nearby open countryside and further areas of high ecological value.

The building to be demolished appears from aerial photos and limited views available on Street View to be a brick built industrial unit with flat and low sloping roofs. Though not the archetypical type of building associated with roosts, bats are opportunistic in their roost choice and will use uncharacteristic buildings. Viewed from Kingfisher Drive, part of the building appears to be covered in ivy which could provide a potential roost opportunity. Given the close presence of other roosts, the building's connection to high quality foraging areas and the presence of ivy, I believe it is reasonable to advise that the Local Planning Authority (LPA) should request a professional bat survey is undertaken.

This should be a **Preliminary Roost Assessment (PRA)** by an appropriately qualified and experienced ecologist to evaluate whether bats, or evidence of them, are present and will be affected by the proposals. Such inspection surveys can be undertaken at any time of year and should follow established best practice as described in the Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016.

In the event that evidence of bats or the potential for them is found, further **bat activity surveys** (dusk emergence / dawn re-entry) are likely to be required. These can only be

carried out when bats are active in the summer months (usually between May and August, or September if the weather remains warm). We are now within the optimum time of year to undertake bat activity surveys, so if further surveys are recommended in the PRA, they can be undertaken.

As bats are European Protected Species (EPS), this information is required to be submitted to the LPA **prior to determination** - so the LPA can sufficiently consider the impact of the proposals on bats consistent with legal obligations under the Conservation of Habitats and Species Regulations 2018.

If a roost is to be affected, an EPS licence will also be required from Natural England to enable the proposals to be implemented, and consequently this may need to be factored in to any development timescale.

Consequently, the results of the bat survey(s), together with appropriate mitigation and compensation measures to safeguard bats/roosts if necessary, should be submitted to the LPA for approval prior to determination.

Amended Comments

Hertfordshire Environmental Records Centre (HERC) has no records specific to the building to be demolished; however, there are records of a known bat roost less than 200m from the site. Milbor Engineering is also connected by a band of trees to the nearby Grand Union Canal, Two Waters to Nash Mills Lane Local Wildlife Site (LWS). This provides a natural corridor to the near by open countryside and further areas of high ecological value.

A Preliminary Roost Assessment (PRA) was carried out by Arbtech Consulting Limited on 04/10/2018. Gaps beneath weatherboarding on building B1 were judged to indicate low potential for roosting bats. The building B2 had broken windows and gaps in brickwork, these could be utilised by crevice dwelling bats and provide moderate potential to support roosting bats. Following Bat Conservation Trust best practice guidelines, at least 1 follow-up dusk emergence / dawn re-entry surveys are recommended for building 1 and at least 2 follow-up dusk emergence / dawn re-entry surveys are recommended for building 2. These are required to further inform any use of the building by bats, and to provide appropriate mitigation to safeguard bats if present and affected. These can only be carried out when bats are active in the summer months (usually between May and August, or September if the weather remains warm). We are now within the optimum time of year to undertake bat activity surveys, so they can be undertaken now.

As bats are European Protected Species (EPS), this information is required to be submitted to the LPA **prior to determination** - so the LPA can sufficiently consider the impact of the proposals on bats consistent with legal obligations under the Conservation of Habitats and Species Regulations 2018.

If a roost is to be affected, an EPS licence will also be required from Natural England to enable the proposals to be implemented, and consequently this may need to be factored in to any development timescale.

Consequently, the results of the bat survey(s), together with appropriate mitigation and compensation measures to safeguard bats/roosts if necessary, should be submitted to the LPA for approval prior to determination.

The survey by Arbtech Consulting Limited also identified bird nesting sites within building 2, Nesting birds are protected under Schedule 1 of the Wildlife and

Countryside Act 1981. **If the LPA are minded after the presentation of the above necessary information to grant approval, then the following informative should also be included in any application give.**

Nesting birds

“Any demolition of buildings or vegetation clearance should be undertaken outside the nesting bird season (March to August 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 two days in advance of the demolition or clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.”

Trees and Woodlands

The impact of proposed development on high quality site trees is minor. Two low quality trees and two low quality tree groups are planned for removal. As ‘C’ category (BS5837) vegetation, I wouldn’t seek retention.

It is also proposed to crown lift and reduce one other tree group, enabling works to commence.

Trees on adjacent land, owned by DBC, are mentioned in the tree report. Five poplar trees will have a visual impact upon the development, both screening and shading it. Whilst it is not proposed to prune this line of trees, the report does mention that they should be reduced in height to a previous ‘topping’ point, mitigating future potential failure. ‘Topping’ is an out-of-date term that shouldn’t now be used. Regarding the poplars, it should be recognised that DBC does not prune trees to maintain levels of light or views, and so these poplars will cast shade upon new dwellings. DBC carries out pruning to address public safety as identified through regular inspection.

An amount of new planting (trees and shrubs) is shown on ‘Site Plan as Proposed’ Rev 6 / Jul 2018, although no detail is provided about species, planting size or maintenance. Such information should be submitted for assessment, unless I have missed the document in which this is listed.

A new tree is shown on the plan located directly adjacent to a visitor parking space; such relationships are never harmonious so species selection would be very important.

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
24 LION COURT, CROXLEY ROAD, HEMEL HEMPSTEAD, HP3 9GX	I would like to object to the above application on the following grounds. 1 Loss of light 2 Overlooking/Loss of privacy 3 Visual amenity 4 Adequate parking 5 Loading turning & highway

	<p>safety 6 Traffic generation 7 Noise & disturbance 8 Hazardous Materials 9 Loss of trees 10 Layout & density 11 Landscaping 12 Road access.</p>
<p>7 BASILDON COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GY</p>	<p>I understand that you are taking resident comments into consideration up until close of play today and I would be grateful if you could consider the following:</p> <ol style="list-style-type: none"> 1. Impact on local wildlife. Since we moved in here last year, we have seen five or six kingfishers in the surrounding area. We have also seen swans, an owl and a heron not to mention various other species. At one point, we even had kingfishers fly past our balcony which overlooks the car park of Basildon Court. As im sure you are aware, kingfishers are a protected species and so I would be interested to know what plans the developers have in place to ensure that all of these birds are protected from the vast increase in traffic that the new development will result in; the significant and inevitably negative impact that more human life will have on the canal and local wildlife area; and most importantly, the significant noise and disturbance that construction will cause to their nesting and breeding habits. I have contacted the National Trust and the RSPB in order to bring these plans to their attention. I would be grateful if you could provide information on what steps the developers and council will take to ensure that the environment and its wildlife are not disturbed please? 2. Impact on privacy. Currently the only place that basildon court is not overlooked by another residential property is from the site where the proposed 27 flats are going to be built. I, and my neighbours feel that this is going to be a significant invasion of privacy, especially given that the only windows in the flats which are at the back of Basildon Court all face into the car park. The result of this is that we will be overlooked through every single window of our properties. Not only is this hugely invasive to anyone who doesnt want to live with thier curtains closed 24/7, but also, I would argue, a security risk to all who live here, whose personal possessions are visible from every window, should they open their curtains. I feel that such a high rise block is totally unnecessary and is a huge imposition on those of us whose flats face into the car park and the proposed site. 3. Traffic - at rush hour, it is almost impossible to get into or out of the nash mills wharf development. Not only this, but loud and public arguments about parking between residents are rapidly becoming a weekly occurrence. Adding 27 flats to this is only going to worsen the problem, not to mention the impact that these flats will have on accessibility within the development given that there is already insufficient parking for the residents who already live here. I feel that 27 flats is excessive and

	unnecessary on such a small site, and it will have a negative effect upon current residents.
14 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD	<p>I am not opposed to a redevelopment of this site for residential use, in fact done correctly there is significant potential to enhance the local area. However any development must be appropriate to the site and proportional to the surrounding area. The proposed development does not meet those criteria and is over development of the site.</p> <p>HERITAGE</p> <p>Immediately adjacent to the site are the 16th century cottages on Belswains Lane. During the development of Nash Mills Wharf, Dacorum Borough Council oversaw the near destruction of the local heritage asset that is / was Nash Mills House. This proposed development must not be allowed to have any negative impact on the cottages.</p> <p>In the following pages I will use the abbreviations as follows to refer to:</p> <ul style="list-style-type: none"> • DAS - Planning Design & Access Statement • NPPF - National Planning Policy Framework <p>PARKING</p> <p>It is well documented that the creation of Nash Mills Wharf has had a major negative impact on the surrounding Nash Mills community as a result of the significant under provision of parking. The application form for the proposed development states that there would be 30 parking spaces for 27 apartments, this is inadequate. To make matters worse, the Site Plan contains only 29 spaces (including 2 labeled visitors). The Nash Mills Wharf situation should provide adequate precedent to prove that neither 29 nor 30 spaces are sufficient.</p> <p>The Planning Officer should visit and survey the local area at night / during a weekend to fully appreciate the situation.</p> <p>DAS 3.8 refers to the NPPF and Paragraph 105</p> <ul style="list-style-type: none"> • 'Local car ownership levels'. A detailed review of such local ownership levels should re-confirm that the proposed re-development proposal is inadequate. • 'The availability of and opportunities of public transport' should not become a presumption that the majority of the future owners of the developed apartments will use the Apsley rail station for commuting to negate the need for parking provision. In fact the station in itself creates a local parking impact through people using local streets to park before using the station. • 'The need to ensure an adequate provision of spaces for charging plug in and ultralow emission vehicles'. The plans do not appear to detail how and where charging

points will be provided.

DAS 3.9 refers to NPPF Paragraph 109. 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe'. The cumulative impact of overflow parking in surrounding roads is already severe; the proposed re-development would create a critical impact.

DAS 3.23 Policy CS12 'On each site development should.... b) Provide sufficient parking ...'. The proposed development does not meet this criteria.

DAS 3.32 Policy 51 (d) 'the design and capacity of parking areas and the implications for onstreet parking'. The on-street parking in the local area is already over utilised.

DAS 4.10 notes that in 'scheme 4/00343/15/MFA adjacent to this site, the one bed units did not provide any parking allocation...'. Inadequate provision by other developments should not be used as a precedent to perpetuate the severe impact on the surrounding community.

The correct reference is 4/00343/15/NMA and refers to the redevelopment of the whole former SAPPI site.

DAS 5.8 'Access arrangement and parking are contained within the proposals, again these on balance will be significantly reduced from the established use currently on site'. This statement needs to be justified. The current business on site does not seem to generate a significant traffic flow. There are usually a number of cars parked on site awaiting work.

ACCESS

DAS 3.32 Policy 51 '(a) the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development'. A peak time assessment of Belswains Lane should be undertaken to assess the impact of at least 31 additional cars on the local road network that already has significant queues.

DAS 4.33 Access / Highways seeks to negate any potential impact by reference to local public transport, without substantiating the implied public transport usage by potential occupants of the proposed development.

DAS 3.9 refers to NPPF Paragraph 109. 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe'.

Equally DAS 3.32 Policy 51 (e) 'the environmental and safety implications of the traffic generated by the development'.

- The access to the site via Croxley Road (the Nash Mills Wharf access from Belswains Lane) is already

dangerous, both for cars exiting the site – due to low visibility of traffic from both directions on Belswains Lane - and for pedestrians in Croxley Road as the pavement has subsided and drivers regularly cut across the corner of that sunken curb, see photos.

TREES AND ARBORICULTURAL IMPACT

- The Application Form question 10 - 'Any trees or hedges on site = No' and 'Any adjacent = No' these are clearly false statements according to the other documents.
- As noted in DAS 4.21 'there are significant large trees on Kingfisher Drive' and refers to the distance between the proposed building and existing ones on Kingfisher Drive. However, it does not give specific details of the distance between those trees and the proposed development. Is this distance sufficient to guarantee in perpetuity that the trees will not be negatively impacted by the proposed development, and that the trees will not negatively impact on potential residents of the proposed development as a result of restricted light levels?
- The Arbtech Arboricultural Impact Assessment - Tree Work Schedule - notes trees groups G01 and G02 to be felled to ground level and stump removed, and pruning to G06. This contradicts the Application Form.
- Tree group G01 provides a visual and privacy shield between Basildon Court and the properties in Kingfisher Drive.
- The G06 pruning must be conditional on not impacting the long-term visual impact or viability of the trees themselves, as these trees provide a visual filter between the proposed development and the cottages. This should be a specific condition of any planning approval.
- The reports do not mention the trees already felled on the site on the North West elevation (adjacent to Kingfisher Drive), presumably during pre-application discussions with Dacorum Borough Council.
- Arbor report page 7 - Legal Status - 'detailed planning consent overrides any TPO protection'. Dacorum Borough Council has recently informed local residents that tree groups G03 and G05 cannot be subject to a TPO as the council owns them. This status must not be allowed to result in any lack of protection for those trees which are 'a valuable off site amenity group of Lombardy poplar'. The Arbtech Tree Survey Page 1 notes a 'propensity of the species to failure'. If the trees have a particular failure risk, then they should be afforded extra care.
- The Tree Work Schedule states 'Foundations should not impact...'. The word should does not have sufficient guarantee that the foundations <will not> impact.
- Arboricultural Method Statement Page 24 'Foundations design. The proposed development does not impact

upon any of the retained trees and as such will require no specialist constructions methodology'. The documentation for the proposed development does not seem to detail the foundation design. They will presumably be significant to support a building with 4 floors. The diagram on page 25 can be assumed to imply that foundations would have to be driven into the existing root structures, risking long-term harm to the Kingfisher Drive trees.

- The Arbor report page 25 (see Figure 3 and Figure 4) clearly shows that the roots of the trees in Kingfisher Drive are likely to have grown under the existing building. That building is relatively unsubstantial in terms of its construction and unlikely to have significant foundations. The application for the proposed development does not mention the depth of its foundations (likely to be deep for a four storey building) and their impact on the root structures.

DAS 3.23 Policy CS12 c) 'Avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties'.

This photo demonstrates the impact of the 4 storey Lion Court building in a North Westerly direction. The proposed development, also 4 storeys can be assumed to have a similar impact on the 16th century cottages in Belswains Lane.

This panoramic photograph demonstrates the impact of the Basildon Court building on Kingfisher Drive at 12:26 on 18th November. The addition of the proposed 4-storey development is likely to have an additional sunlight impact. A full professional assessment of the full impact should be required and considered as part of the application.

DAS elevation drawings and paragraph 4.21 refer to South-West but it is in fact North-West. This 4 storey elevation with a significant number of the proposed redevelopment's windows would directly overlook the houses in Kingfisher Drive, significantly affecting the privacy of those residents.

DAS 4.26 & 4.27 Scale - 'its scale acting as a townscape step between the verticality of the developments to the south and lower residential properties to the east and north.' It is difficult to understanding how adding a further 4-storey building can be considered as a 'step'.

DAS 4.11 'the proposed building has a smaller footprint ... to assist assimilation with its surroundings'. It is not the footprint but the 4-storey height of the proposed building compared to the 2 storey existing structure that should be the primary consideration when assessing the likely impact on the surroundings.

The proposed development would lead to a significant loss of privacy for the houses in Kingfisher Drive, and

potentially some of the houses in Swan Mead as 15 apartments would overlook them. Equally 6 apartments would overlook the gardens of the Belswains Lane cottages.

DAS 4.15 'The design of the proposal has evolved and responded to the current established character of the neighboring developments'. Whilst the design can be considered to mirror Nash Mills Wharf, it does not give any consideration the settled community in The Willows (Kingfisher Drive, Swan Mead etc.), or indeed the historic Belswains Lane cottages.

DAS 4.25 'Amenity... The proposal... incorporates a number of amenity areas within the landscaping'. The seating shown on the plans is so close to the existing large trees and their leaf fall etc. that it is unlikely to be a hospitable area that the residents could enjoy.

AFFORDABLE HOUSING

DAS 3.26 - CS19 affordable housing contribution. Reference is made to legal precedents regarding developments of 10 units or less. Since the proposed development is of 27 units, the argument provided would seem to be irrelevant and the developer should not be allowed to escape their responsibilities.

The Planning Portal / Supplementary information template refers to 16 flats of Market Housing and 9 flats of Social, Affordable or Intermediate Rent. Firstly the total of 25 does not total to the proposed 27 units, and secondly the DAS 3.26 seeks to override.

OTHER

Fencing

It should be conditional to any approval for the site that a permanent fence is erected along the boundary to Kingfisher Drive that prevents access to the proposed development, otherwise there is a significant risk that Kingfisher Drive will become the primary overflow parking location and indeed an additional pedestrian access.

Landscaping

The majority of the landscaping shown on the plans is to the north west which would be in the shadow of both the established large trees, and the proposed building, thus it is unlikely that grass will grow there.

Refuse

Do the plans provide sufficient space for refuse vehicles to access the site? In particular access to the bin store to the north west of the site should be verified, There are 6 large bins in the almost fully-enclosed under-croft parking area at the north east end of the building – 3 adjacent to the door to the corridor and the stairwell, plus 5 large bins in the enclosed car park area to the north west – again adjacent to the door into the corridor - with two in a separate small bin store. There is a strong risk that these will be unhygienic with smells particularly in summer, and

	attract rats into the building (given the proximity of the canal).
284 BELSWAINS LANE,HEMEL HEMPSTEAD,,HP3 9XE	<p>As an immediate neighbour to the Milbor Property I object most strongly to the construction of yet another block of flats.</p> <p>My main concerns are as follows:-</p> <ul style="list-style-type: none"> Loss of Privacy Loss of Light Impact of Construction work – effect of pile drivers on 16th Century Properties Parking situation – I appreciate that the plans include allocated parking but I believe that a high percentage of the flats will own two cars, one of which will be looking to park in an already overcrowded area Further traffic on already congested roads (some of which is caused by road / pavement parking) Inadequate infrastructure notably sewerage system Impact on resources – doctors, hospitals etc. Additional noise and possible disturbance. <p>Whilst writing I would like to ask what materials are being considered for the boundary fence from the site to my property.</p>
14 LION COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GX	<p>I strongly object to these plans.</p> <p>I have lived here since my building was occupied and there has always been problems with parking because there is not enough spaces for residents as it is now. You just have to try and drive down Red Lion Lane and any time of day to see what a massive problem there is.</p> <p>I actually pay for my parking space and even then have problems with accessing the road into it because of people parking at any part of the road possible even if it means making the road almost blocked. they also park in our parking spaces so prevent us from using our paid for spaces.</p> <p>I rarely have visitors because there is no where for them to park and have quiet a distance to walk if they can find some where to park that is ok.</p> <p>To have more people living in this area would make the parking and the traffic in the area impossible.</p>
10 KINGFISHER	1. Loss of light or overshadowing

<p>DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>A four story building will reduce light and overshadow all properties on Kingfisher Drive.</p> <p>2. Adequate parking / turning The provision of 30 car parking spaces for 27 flats assumes a 1 to 1.12 ratio. The average ratio in the South East has risen from 1.3 to 1.34 since 2003. The planned ratio is already inadequate and makes no provision for future trends. This compounds the already deficient number car parking spaces in the development resulting in over-spill Red Lion lane. Pedestrian access and safety is already compromised. Access to Belswains Land is already compromised with inadequate mini-roundabout and may compromise pedestrian safety.</p> <p>3. Visual intrusion A four story building will be visually intrusive.</p>
<p>2 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>I strongly oppose these plans in their current form.</p> <p>Having previously lived in one of the flats in the Linden Homes development "The Embankment" I can see these plans have been proposed based on the logic that those flats have been a success to the local area.</p> <p>Parking As more and more people moved into that development the parking situation locally got steadily and significantly worse. The overflow car park for that development became constantly full with the result being the parking all the way along Red Lion Lane. As a result, I have witnessed heavy-duty vehicles (including the Council's rubbish collection vehicles) having to drive on the wrong side of the road, as they could not pass the central reservation island on the correct side. Due no doubt to the quantity of unattended vehicles at night, in the 2 years I lived on that development I have seen more than 10 cars having their windows smashed in overnight which must have caused significant distress to their owners. An increase in more flats with only a single space will no doubt further increase these problems.</p> <p>We are not located in a city centre or within reasonable walking distance of one. Most couples occupying these flats will have 2 cars they will need to park not just one and there is no suggestion in the plans as to where visitors should park.</p> <p>It is too late to hold Linden Homes/Crest accountable for</p>

	<p>this on their development but lessons need to be learnt on applications such as this one.</p> <p>Roads There is no safe place to cross Belswains Lane near the entrance to Croxley Road; in fact my wife's Grandfather was knocked over this past year as he attempted this. A further increase in the number of flats could lead to further instances of this happening and not everyone will be as lucky as he was.</p> <p>Kingfisher Drive The above points are before I move on to the detriment that these flats will have on my current property. The 4-storey block will reduce the natural light in the morning for most of the properties on this road. The top floors of the flats will have a direct line of sight into my garden and the developers don't appear to have proposed any new planting of trees between the development and Kingfisher Drive to make it more aesthetically pleasing.</p> <p>Whilst I agree that the local area would benefit from the existing site being developed, the current plans will add to the issues prevalent in the local area more than the development of the existing buildings will improve it.</p>
<p>6 BASILDON COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GY</p>	<p>6 Basildon Court, Croxley Road</p> <p>As a resident of Basildon Court, our property directly overlooks the proposed development. While we are not opposed to a new development of homes, we do object to a number of elements of this particular proposal.</p> <p>1. Parking. It is unrealistic of the developers to provide only one parking space per unit. I can only see provision of 2 visitor spaces. The impact this will have on surrounding residential areas will be severely detrimental to what is already a significant problem. This development will require at least two spaces per unit with visitor parking for it to be viable.</p> <p>2. Belswains Lane and Red Lion Lane access roads. These roads can barely support the traffic and parking issues as they are. By factoring in construction machinery, construction workers vehicles and other traffic created as a direct result of the construction of a 27 unit building, will only make a very bad situation worse. Already, emergency vehicles cannot access Croxley road at certain times due to parking problems and have problems using Red Lion Lane, so construction vehicles simply will not be able to access the site as it is</p>

	<p>without causing major traffic issues.</p> <p>3. Light. A four storey building in front of our property will block all remaining light to our North-East facing property.</p> <p>4. Privacy. We will lose any privacy we currently have. These flats will be able to see directly into our home.</p> <p>Less units, not four storeys and more parking provisions need to be considered for us to support this proposal.</p>
<p>280 BELSWAINS LANE,HEMEL HEMPSTEAD,,HP3 9XE</p>	<p>I must object to this proposal in the strongest terms. 27 dwellings with 30 parking spaces is ludicrous. There is already a major parking problem in this area with issues on Red Lion Lane, Belswains Lane, Mill Close, Nash Green, Kingfisher Drive and throughout the Crest Ncholsen Development as a DIRECT result of inadequate parking provision allowed in the previous re-Development of the former Sappi site.</p> <p>This already inhibits emergency vehicular access and waste disposal vehicles.</p> <p>Dacorum is already fully aware of the major traffic pronglems in this area with pinch points on RedLion Lane and Belswains Lane and has so far made no attempt to resolve this issue.</p> <p>The proposed dwellings will almost certainly be occupied by couples, requiring parking space for the cars they will need to get to their place of work in light of the potential loss of Kings Langley and Apsley railway stations.</p> <p>The current traffic problem Is having a potentially devastating effect on safety and pollution levels- especially for children trying to walk to and from the schools in the area. All routes to the M1,A41and M25 are regularly at a standstill,.</p> <p>Running along one side of the proposed Development is a row of Historic 16th century Cottages that will be completely overshadowed and overlooked by this- as will the residents of Kingfisher Drive.</p> <p>A four storey building is completely inappropriate for this site and will result in a loss of natural light for ALL surrounding dwellings-including the Crest Nicholsen estate-at a time when we are all trying to consider our carbon footprint,this is somewhat ironic.</p> <p>This is an ill conceived and thoughtless proposal which gives absolutely no consideration to its impact on the existing wider community..</p>
<p>2 BASILDON COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GY</p>	<p>It is already difficult to park or get through people who are turning in this area. There is not enough space for 30 more cars to be entering and exiting this area, as the 'dirveway' towards Basildon is incredibly narrow - we are</p>

	<p>already struggling getting past the Lion Court traffic, so to add an extra layer to this would be ridiculous.</p>
<p>290 BELSWAINS LANE,HEMEL HEMPSTEAD,,HP3 9XE</p>	<p>My objections are as follows:</p> <ol style="list-style-type: none"> 1. Overdevelopment The proposed new building's volume is approximately 7,300 cubic metres on a site just 80m x 47m x 68m (18 hectares) It is approximately 12 metres high (4 storeys in height) and 39 metres in length and 17 metres wide, almost filling the site. The existing building on the site is mostly 2 storeys, set back from the site boundaries. Its volume is approximately 4,000 cubic metres. 2, Loss of light and overshadowing The proposed building at approximately 12 metres high, within 1 metre of the boundary at the back of our row of cottages will cause a major loss of light, blocking out the daylight from the south west, blocking our view of the sky, overshadowing our houses and making us feel blocked in. This will also be the case for residents of Kingfisher Drive and Basildon Court. 3. Overlooking and loss of privacy The proposed new building would have the hall corridor windows for the flats and the kitchen windows of first, second and third floor flats (the kitchens of 6 dwellings) overlooking the rear of our cottage. The occupants will have a full view of our bedroom windows on the level and from above. This will cause a total lack of bedroom privacy and a loss of amenity in our home. Our garden will be overlooked by windows on the north east and south east elevations of the proposed new block, we will have no privacy. 4.Inadequate parking On the site plan as proposed, the proposed 27 flats have been provided with 27 residents' parking spaces and two visitors' spaces. The flats all have double bedrooms, so it is likely that may of them will require more than just one parking space apiece. In an area where parking is already desperately short, so that resident of the area are forced to park in all the surrounding streets, sometimes in a dangerous or obstructive fashion, this seems likely to cause even more problems. 5 Traffic The proposed 27 flats will add to the congestion leading out of the bottleneck junction of Butterfly Crescent, Lion Court and Croxley road onto Belswains Lane. there is a danger to pedestrians especially children heading to the local schools. The access road exit which runs parallel to Lion Court is likely to be an accident blackspot, given the

massive increase of people moving around the area.

6. Noise and disturbance resulting from use

The occupants of 27 one bedroom flats are likely to produce traffic noise and domestic noise in close proximity to our bedrooms. Light pollution from the proposed flats at the rear of our cottages will affect our privacy and disrupt our sleep.

7. Noise and disturbance resulting from construction

The construction of a 4 storey building at this close proximity will be hugely disruptive and noisy. Our cottages are over 400 years old and of fragile construction. Piling and excavation is likely to break our houses.

8. Visual intrusion, design , appearance and landscaping

The proposed building is 4 storeys high in an area where 2 storey buildings are in the majority (see diagram 1), The proposed block will tower over houses and flats in Belswains Lane, Kingfisher Drive and Croxley road and will dwarf the flats in Basildon Court. It is proposed to replace a part one storey and part two storey building with a monolithic four storey block.

The square form, the linear shape, the ugly proportion, the disproportionate small windows and the yellow colour of the brick shown on the elevations are completely out of keeping with the Nash Mills area and will turn an opportunity to improve the area into a blot on the landscape. The landscaping indicated on the site plan as proposed is woefully inadequate and I have concerns about existing trees in the immediate vicinity.

9. Treatment of Boundaries

I am concerned about the treatment of the boundaries as this has not been addressed on the drawings. Further overlooking is likely if the boundary to the cottages in Belswains Lane is not appropriately dealt with. Traffic accidents are likely to happen if the boundary to Lion court is not carefully considered to enable drivers and pedestrians to see eachother.

10. Local services

The dustbin provision on the proposed drawings is inadequate and will lead to problems for the residents of the proposed flats and for Dacorum Council refuse collectors. Up to 54 additional residents in the proposed new block will cause further loading on local doctors surgeries and hospitals. In addition, the local foul and surface sewerage system will be overloaded. Here in Belswains Lane, we experience blockage of the sewers on a regular basis. More effluent from the propsed large

	<p>number of flats is sure to add to the problem.</p> <p>11. Local history matters 280 - 290 Belswains Lane are characterful cottages with considerable history. The proposed development will compromise the appearance and setting of these homes which have value to the local area. The sheer bulk of the block with straight unremitting 4 storey façade looming over our cottage and overlooking our garden will ruin our enjoyment of our cottage and spoil its appearance for others interested in the few remaining elements of local history in the area.</p>
<p>14 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD</p>	<p>I am not opposed to a redevelopment of this site for residential use, in fact done correctly there is significant potential to enhance the local area. However any development must be appropriate to the site and proportional to the surrounding area. The proposed development does not meet those criteria.</p> <p>HERITAGE Immediately adjacent to the site are the 16th century cottages on Belswains Lane. This proposed development must not be allowed to have any negative impact on the cottages.</p> <p>PARKING The proposed development proposes only 30 parking spaces for 27 apartments. The Nash Mills Wharf situation should provide adequate precedent to prove that this is inadequate. A detailed review of local car ownership levels should re-confirm that the proposed re-development proposal is inadequate. The cumulative impact of overflow parking in surrounding roads is already severe, the proposed re-development would be likely to create a critical impact.</p> <p>ACCESS The access to the site via Croxley Road (the Nash Mills Wharf access from Belswains Lane) is already dangerous, both for cars exiting the site (low visibility of traffic from both directions on Belswains Lane).</p> <p>The application seeks to negate any potential impact by reference to local public transport, without substantiating the expected public transport usage by potential occupants of the proposed development</p> <p>A peak time assessment of Belswains Lane should be undertaken to assess the impact of at least 31 cars</p>

	<p>additional cars on the local road network which already has significant queues.</p> <p>TREES</p> <p>The proposal does not give specific details of the distance between the significant trees on Kingfisher Drive and the proposed development. Is this distance sufficient to guarantee in perpetuity that the trees will not be negatively impacted by the proposed development, and that the trees will not negatively impact on potential residents of the proposed development as a result of restricted light levels?</p> <p>The Arbtech Tree Survey notes that these Lombardy poplar have a propensity of the species to failure. If the trees have a particular failure risk, then they should be afforded extra care.</p> <p>The Tree Work Schedule states "Foundations should not impact...". The word should does not have sufficient guarantee that the foundations impact.</p> <p>The Arbor report clearly shows that the roots of the trees in Kingfisher Drive are likely to have grown under the existing building. That building is relatively unsubstantial in terms of its construction and unlikely to have significant foundations. The application for the proposed development does not mention the depth of its foundations (likely to be deep for a four storey building) and their impact on the root structures.</p> <p>SCALE</p> <p>The proposed development, can be assumed to have a significant negative impact on both the 16th century cottages in Belswains Lane, and the houses in Kingfisher Drive.</p> <p>The elevation drawings are wrong. South West is in fact North West.</p>
<p>1 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD</p>	<p>This application is a very, very bad idea for so very many reasons both generally for the area and specifically for my young family and I, immeasurably and negatively impacting on some of the reasons we chose this as a place to live 7 or so years ago. This development will immediately cause a loss of privacy both in and out of my home. I have children aged 5 and 3, we were drawn to this house by the lack of oversight. Currently the rear of our property & back garden area is not directly overlooked by the neighbouring houses. There are no</p>

houses located directly next to our back garden. The development proposal will significantly change this and therefore is of huge concern to us. Occupants of these flats will have a direct view into my garden where my children play and down into my house on both levels. It may also lead to further loss of privacy from being overlooked by the flats which have already been erected in the area - the current position of the existing building has prevented this from being an issue. The construction of an additional block of flats on what is already a highly developed site will have an adverse impact to us. This development will mean that we lose the light that we currently enjoy and the building, being higher than what is currently there will cause overshadowing of my garden and presumably at least the downstairs of my property. We will be impacted considerably by noise and disturbance. It goes without saying this will occur during any works but will continue forever when occupants are there. Having so many new properties within such a short distance is going to cause a noise nuisance. I am told there are no balconies in the current plans though I'm told they were provisioned previously and have since been removed. This is of small comfort. As an aside, the documentation in relation to this is practically incomprehensible. How anyone can charge for plans as incompetent as those in this documentation, I have no idea, amateurish comes to mind. The documentation specifically references a small number of houses as being affected but it omits mine, amongst many others. How can mine be omitted? My property boundary is perhaps the closest to the development! Please don't dumb down the impact you intend to create, that is offensive. Now turning to the increased traffic this is going to generate. The situation on Red Lion Lane is a Council caused disgrace. You know very well the issues there yet you entertain applications which are going to add to it. The parking provisioned is inadequate. You and I know each flat is going to bring at least 2 cars and there is nowhere for them all to go. If they can't spread to red lion lane, they will increase the traffic on our estate, they will increase the traffic both parked and travelling on Belswains Lane and cause danger, particularly to the many children attending Nash Mills Primary School where there have already been several near misses (at least one of which I have witnessed for myself). There is a big risk of a severe accident already and that will only grow with this illogical development. I am sure development will occur on this site and frankly, I am not opposed to that per se but you must go back to the drawing board based on this application. I expect you will receive many comments along these lines and I can only hope you listen and amend drastically

8 KINGFISHER
DRIVE,HEMEL
HEMPSTEAD,,HP3 9DD

I strongly oppose this development for the following reasons.

1. Overdevelopment: These plans will exacerbate the existing overdevelopment of the adjoining Nash Mills residential area. The lack of existing parking already causes cars to block pavements on the entire length of Red Lion Lane and Kingfisher Drive, forcing pedestrians, wheelchair users and push chairs to use the road to pass a parked vehicle. The Council needs to take action to alleviate the problem. This development would further aggravate the parking issues for everyone.

2. Height and not in keeping: The proposals replace a 2 story factory with a 4 story block of flats which is not in keeping with the housing on Belswains Lane and Kingfisher Drive (which are 2 story and of more traditional style) that overlook the development. 4 stories are far too high and the appearance of this block of flats does not blend in well with the surrounding dwellings.

3. Loss of Light (Overshadowing): The existing factory is about 7.5 meters at its highest point on the ridge of the pitched roof- the current plans add at least 5 metres to that reaching almost 13 metres at the highest point. Due to the close proximity to the houses on Kingfisher Drive, the height of this proposed development will completely block the morning sun (when in the east and south) and for properties in Kingfisher Drive.

4. Overcrowding and lack of social space: The development has minimal outdoor social spaces for residents - one seating area is squeezed in to the corner of the car park! The plans clearly show that the suggested use of this area is overcrowded.

5. Parking: The suggested 27 owner with 2 visitor car parking spaces are not adequate for the size of the development. In addition, the 'under croft' spaces numbered 11 and 17 will be particularly difficult to access due to their proximity to a wall, unless drivers are prepared to reverse all the way in to these spaces. The turning areas for cars are also tight.

6. Trees: It is highly unlikely that this development can be built without severely damaging the roots and branches of the offsite trees. A four storey building requires deep foundations that will impact the root systems. Note that the tree survey states that the Lombardy Poplar trees in area G03 (T04, T05, T06, T07 and T08) have roots 'historically damaged by installation of the housing development and associated roads and parking.' This is

unlikely as the Kingfisher Drive development was built in 1996 and the trees are estimated to be 10 to 20 years old. Unknown persons have already thinned the offsite trees in the G03 and G05 areas and also reduced the canopies of trees in these areas. Was approval sought from the Council for this or is the developer attempting to show that these trees will not encroach on the proposed development?

7. External windows: The external windows in the proposed flats that overlook Kingfisher Drive are far too close to the offsite existing large trees in areas G03 and G05. These would substantially block daylight and outlook that these North-West facing flats may have. Note that the existing structure has frosted windows - changing these to clear windows will also impact on the privacy of residents in Kingfisher Drive. Any windows that are currently frosted should remain frosted.

8. Badgers and Hedgehogs: During the summer of 2018, badgers were frequently seen at night on Kingfisher Drive. The wooden fence and wire mesh fence on the boundary of the development adjacent to Kingfisher Drive were taken down by the developers (to enable the felling of 3 large trees and additional bushes on the site). The wood and wire mesh fencing has been left spread out flat on the ground. Since this happened, I haven't seen any badgers. (Note the fence does not belong to the developers and needs to be reinstated.) Hedgehogs are also hibernating close to the perimeter fence just offsite. Hedgehogs are protected animals and these may come to harm as a result of this proposal.

9. Flood Risk

As the proposed development is in flood zones 2 and 3, expanding the existing buildings, roads and paths could impact the surface water runoff, increasing the risk of flooding for surrounding properties.

10. Future Covenants: A restrictive covenant should be placed on any future subletting of properties built on this site to ensure that parking spaces have to be included with the sublet. I hear that many landlords in the existing Nash Mills development rent their car parking spaces separately from the property, making the parking problems worse.

11. Winners and Losers: The only winners from this development will be profits for the developers who are trying to squeeze far too many dwellings in a small area. More thought needs to be given to improve the social and environmental aspects during redevelopment to

	prevent any further deterioration in the quality of life for local residents.
294 BELSWAINS LANE,HEMEL HEMPSTEAD,,,HP3 9XE	<p>I object to this planning application, for the following reasons:</p> <p>Overdevelopment In the last 8 years the redevelopment of the previous industrial Sappi site has created some 364 units of accommodation. Although this has improved the area and Nash Mills Wharf is a pleasant place to live, the introduction of such a large number of units has had a detrimental impact on some aspects of the local infrastructure, such as drainage and sewerage, motor traffic and parking. These are ongoing problems distressing to residents, who have appealed to both Borough and Parish Council, so far without success. If this planning application is approved, the resulting increase in population density will inevitably exacerbate our existing problems. The site in question has been industrial for many decades, but is now an unsightly island surrounded by residential accommodation. Change to residential use would be welcome, but only if managed sympathetically so that the impact on the immediate area is mitigated.</p> <p>Visual Intrusion The current workshops are a mix of one- and two-storey buildings. The proposed 4-storey block would impose a significant and unwelcome change to our skyline, would reduce our afternoon light, and would constitute an unwelcome reduction in amenity.</p> <p>Parking The Sappi site redevelopment included seriously inadequate provision for parking. This has been both vexatious for residents in Nash Mills Wharf and neighbouring streets and difficult for the Council to manage. The problem has not yet been resolved and continues to cause inconvenience and risk to pedestrians and motorists alike. The current application again proposes woefully inadequate parking, which would only add to existing problems.</p> <p>Traffic The proposal provides that vehicle access should be via Croxley Road from Belswains Lane. This junction is the only access point to the western segment of Nash Mills Wharf, and the traffic using it, particularly during the rush hour, is already considerable, resulting in queues of vehicles waiting for a gap in traffic on Belswains Lane. 27</p>

	<p>units seem likely to add approximately 50 vehicles to this traffic, exacerbating existing problems and related risk.</p> <p>Social / environmental Nash Mills Wharf introduced a great deal of residential accommodation but neglected the potential for detrimental impact on the environment and infrastructure. As proposed, this application seems likely to benefit no one but the developer. Far too often we see the interests of the private citizen subordinated to the relentless drive of Mammon. I appeal to the Council to take seriously the needs of existing residents and treat this application with justice, fairness and humanity.</p>
<p>227 BELSWAINS LANE,HEMEL HEMPSTEAD,,HP3 9XE</p>	<p>I strongly object to these proposals.</p> <p>Road Safety</p> <p>As a resident on Belswains Lane, directly opposite the entrance/exit road of the Nash Mills Wharf development, I already experience extreme difficulty in exiting my property in my car in rush hour times onto Belswains Lane so the increase of cars coming from the development will only make matters even worse. It's only a matter of time before an accident will occur here.</p> <p>Parking</p> <p>Since Nash Mills Wharf development has been fully occupied the parking in the surrounding areas is just out of control, Mill Close, Red Lion Lane to name just two roads. The only reason people don't park on Belswains Lane is because we have recently got double yellow lines but believe me before this happened cars from the development were parking along this road also. Even now a car / van (from the development) is always parked on the double yellow lines in Mill Close most evenings/mornings and nothing is ever done about this! When we were consulted about the new development parking was a major issue for current residents and we were assured that adequate parking would be provided, clearly this was not enough and the fact that the development has parking restrictions on it is ridiculous as the people living there should be parking there and not in the surrounding roads, this restriction should be lifted to ease congestion on connecting roads and letting people who live in those roads/near those roads to park easily as it was before the development.</p> <p>Creating even more residential flats will only make matters even worse and I'm not sure the roads around this area can take much more, I feel that 30 spaces for</p>

	<p>27 flats is just not adequate as from the experience of Nash Mills Wharf we all know that there will be more than one car per flat this will only add to the chaos that we already live with on a daily basis.</p> <p>Schools</p> <p>The local schools are full to capacity, the school my children attend is now having to go from one form entry to two form entry to meet the current demand changing the entire feel of the school which no doubt will make it a completely different school experience. The school was always known as a small school within the area and for those children starting the new school experience it was a good introduction as classes were small and the environment was very homely. Now with the changes it will be very different. But even with the extra classes I'm not sure how long this will support the growing population of this area of Hemel Hempstead.</p>
<p>6 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD</p>	<p>Kingfisher Drive</p> <p>The above points are before I move on to the detriment that these flats will have on my current property. The 4-storey block will reduce the natural light in the morning for most of the properties on this road. The top floors of the flats will have a direct line of sight into my garden and the developers don't appear to have proposed any new planting of trees between the development and Kingfisher Drive to make it more aesthetically pleasing.</p> <p>Loss of Light (Overshadowing): The existing factory is about 7.5 meters at its highest point on the ridge of the pitched roof- the current plans add at least 5 metres to that reaching almost 13 metres at the highest point. Due to the close proximity to the houses on Kingfisher Drive, the height of this proposed development will completely block the morning sun (when in the east and south) and for properties in Kingfisher Drive</p> <p>PARKING</p> <p>The proposed development proposes only 30 parking spaces for 27 apartments. The Nash Mills Wharf situation should provide adequate precedent to prove that this is inadequate. A detailed review of local car ownership levels should re-confirm that the proposed re-development proposal is inadequate. The cumulative impact of overflow parking in surrounding roads is already severe, the proposed re-development would be likely to create a critical impact.</p>

<p>12 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD</p>	<p>I strongly object to the proposed development in it's current form for the following reasons;</p> <p>The proposed development is too large for the site and not in keeping with existing surrounding properties in Kingfisher Drive and Belswains Lane, particularly the adjoining historic 16th century cottages. Replacing a two storey building with a four storey one that's almost twice the volume will mean the site is overdeveloped and this will negatively impact the local residents and infrastructure.</p> <p>There are 27 proposed new dwellings with only 27 parking spaces plus 2 visitor places. As the flats are all double bedroomed and at least some have an extra "study" which could be used as a bedroom, I believe there will be at least double the amount of cars to spaces available. Parking is already a serious issue locally, as the council are well aware, with cars dangerously parked on all surrounding roads especially Kingfisher Drive, Mill Close, Belswains Lane and Red Lion Lane. Already at times it is impossible for emergency vehicles to access certain roads and so many extra cars will only add to that problem.</p> <p>The new building is extremely close to the border with Kingfisher Drive where there are several large mature trees along the boundary including several Lombardy poplars. The roots of these trees will almost certainly be damaged by such close and extensive development. The Arbtech tree survey submitted with the plans states that "The foundation of the existing two storey structure is assumed to be of a depth suitable to act as a barrier to root development for off site trees on Kingfisher Drive" and yet the root span of the trees is clearly shown under the new development. The existing two storey building almost certainly has very little in the way of deep foundations and so it is in fact very likely that the roots currently extend into the area to be developed. As the proposed new building is four storeys high and has undercroft parking, it's foundations will need to be significantly deeper in the area of the tree roots. As Lombardy poplars have a propensity to failure as also stated in the survey, then damage to the roots should be avoided at all costs. These trees are undoubtedly helping to keep this area free from water logging and flooding, being in such close proximity to the canal. They are also home to nesting birds and the surrounding area to badgers and hibernating hedgehogs. Should the tree roots be damaged and the trees fail, then all surrounding properties, including the new development, are significantly at risk.</p>
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	<p>Apartments four storeys high will completely block all the morning and early afternoon sunlight for the houses along Kingfisher Drive. The plans have North in the wrong direction which does not show the true extent of the movement of the sun. In addition flats that high will look straight into our houses and gardens leading to a loss of privacy.</p>
<p>10 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>In relation to the proposed demolition of existing building and construction of 27 one-bed flats. Our property is immediately adjacent to the Application Site.</p> <p>My Property would be directly and adversely affected by the development proposed at the Application Site, in the event the Council is minded to grant planning permission and the proposed development goes ahead.</p> <p>Below I outline reasons why in my view, the Application should be refused.</p> <p>I do not object, in principle, to the building and construction of the proposed flats, however, I have great concern with the proposals as they currently stand.</p> <ol style="list-style-type: none"> 1. 4 stories in the proposed plans will have an adverse affect on daylight/sunlight, blocking much of the sky seen to the south of our property. In your plans you show north and south the wrong way around. I would ask that the Council check Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid loss of sunlight and daylight. A story or 2 stories off the proposed plans would be more appropriate. 2. The Application states there are no trees adjacent to the proposed property. This is blatantly wrong! There is concern for the roots and whether they would be disturbed during demolition and construction. 3. For such a large building, there is concern that all the pile driving will cause structural damage to our house. 4. 30 car parking spaces is not enough for 27 apartments. Most apartments (even being 1 bedroom (although the plans show a study, which many people will turn into a bedroom)) will have more than 1 car. Where will these people park? Red Lion Lane and the surrounding streets are already full of cars parked dangerously.

<p>290 BELSWAINS LANE,HEMEL HEMPSTEAD,,,HP3 9XE</p>	<p>My objections are as follows:</p> <p>1. Overdevelopment</p> <p>The proposed new building's volume is approximately 7,300 cubic metres on a site just 80m x 47m x 68m (18 hectares) It is more than 11 metres high (4 storeys in height) and 39 metres in length and 17 metres wide, almost filling the site. The existing building on the site is mostly 2 storeys, set back from the site boundaries. Its volume is approximately 4,000 cubic metres.</p> <p>2, Loss of light and overshadowing</p> <p>The proposed building at approximately 12 metres high, at a distance of .lefrom the back of our row of cottages will cause a major loss of light, blocking out the daylight from the south west, blocking our view of the sky, overshadowing our houses and making us feel blocked in. This will also be the case for residents of Kingfisher Drive and Basildon Court.</p> <p>3. Overlooking and loss of privacy</p> <p>The proposed new building would have the hall corridor windows for the flats and the kitchen windows of first second and third floor flats (the kitchens of 6 dwellings) overlooking the rear of our cottage. The occupants will have a full view of our bedroom windows on the level and from above. this will cause a total lack of bedroom privacy and a loss of amenity in our home.</p> <p>4.Inadequate parking</p> <p>On the site plan as proposed, the proposed 27 flats have been provided with27 residents' parking spaces and two visitors' spaces. The flats all have double bedrooms, so it is likely that may of them will require more than just one</p>

parking space apiece. In an area where parking is already desperately short, so that resident of the area are forced to park in all the surrounding streets, sometimes in a dangerous or obstructive fashion, this seems likely to cause even more problems.

5 traffic

The proposed 27 flats will add to the congestion leading out of the bottleneck junction of Butterfly Crescent, Lion Court and Croxley road onto Belswains Lane. there is a danger to pedestrians especially children heading to the local schools. The access road exit which runs parallel to Lion Court is likely to be an accident blackspot, given the massive increase of people moving around the area.

6. Noise and disturbance resulting from use

The occupants of 27 one bedroom flats are likely to produce traffic noise and domestic noise in close proximity to our bedrooms. Light pollution from the proposed flats at the rear of our cottages will affect our privacy and disrupt our sleep

7. Noise and disturbance resulting from construction

The construction of a 4 storey building at this close proximity will be hugely disruptive and noisy. Our cottages are over 400 years old and of fragile construction. Piling and excavation is likely to break our houses.

8. Visual intrusion, design , appearance and landscaping

The proposed building is 4 storeys high in an area where 2 storey buildings are in the majority (see diagram 1), The proposed block will tower over houses are flats in Belswains Lane, Kingfisher Drive and Croxley road and will dwarf the flats in Basildon Court.

The square form, the linear shape, the ugly proportion, the disproportionate small windows and the yellow colour of the brick shown on the elevations are completely out of keeping with the Nash Mills area and will turn an opportunity to improve the area into a blot on the landscape. The landscaping indicated on the site plan as proposed is woefully inadequate and I have concerns about existing trees in the immediate vicinity.

9. Treatment of Boundaries

I am concerned about the treatment of the boundaries as this has not been addressed on the drawings. Further overlooking is likely if the boundary to the cottages in Belswains Lane is not appropriately dealt with. Traffic accidents are likely to happen if the boundary to Lion court is not carefully considered to enable drivers and pedestrians to see each other.

10. Local services

The dustbin provision on the proposed drawings is inadequate and will lead to problems for the residents of the proposed flats and for Dacorum Council refuse collectors. The additional 27 - 57 residents in the proposed new block will cause further loading on local doctors surgeries and hospitals. In addition, the local foul and surface sewerage system will be overloaded. Here in Belswains Lane, we experience blockage of the sewers on a regular basis. More effluent from the proposed large number of flats is sure to add to the problem.

11. Local history matters

280 - 290 Belswains Lane are characterful cottages with considerable history. The proposed development will compromise the appearance and setting of these homes which have value to the local area.

<p>290 BELSWAINS LANE,HEMEL HEMPSTEAD,,,HP3 9XE</p>	<p>Objection:</p> <ul style="list-style-type: none"> Over development Overcrowding Overlooking Loss of privacy Traffic problems Noise Visual intrusion <p>I strongly believe that a 4 storey block of flats in this position would be inappropriate and I hope you will refuse it</p>
<p>11 SWAN MEAD,HEMEL HEMPSTEAD,,,HP3 9DQ</p>	<p>Over Development</p> <p>The volume of the proposed new building is 7,300 m³.</p>

The footprint of the site is 18 hectares, and that space is almost entirely soaked up by the size of the building: 11 M in height (4 storeys) / X 39 M L x 17M W. This is in stark contrast to the displacement of the current site at 2 storeys, and which is considerably contained within the plot.

Local Heritage

The Cottages at 280 - 290 Belswains Lane are circa 400 years old. These buildings should be celebrated, respected and protected as buildings which provide a tangible sense of history and meaning for the parish. The construction of, together with the day to day use of, a development on this scale will have a serious negative impact on the existence of this Heritage.

Provision of Local Services

There will be a considerable negative impact by way of the burden on existing services for Schools (Nurseries, Primary and Senior), Local NHS services including provision of General Practitioners and Social Services and Waste Collection. Sewerage and water run off is already acute and overloaded and not able to bear additional load.

Parking

The current plan clearly does not provide for sufficient parking. 27 flats with 27 resident parking and 2 visitors spaces is clearly absurd. The proposed design of the 27 flats are with double bedrooms which quite clearly implies occupation by >1 person, and we should hold an expectation that 2 people in current times will equal 2 cars. At that calculation alone we arrive at a total of 54 vehicles, and even then that would be conservative. It is certainly not a stretch of the imagination that the 'study' as it is so deemed in the plans will quickly be turned into bedroom #2 by many residents, and from that a further increase in the number of vehicles attached to the development. The surrounding area is already blighted by pavement parking, double parking and inconsiderate parking and is borne out by the day to day picture on Belswains Lane, Kingfisher Drive, Teal Way & Heron Close, Mill Close and Red Lion lane.

Motor Vehicle Traffic

A development of the size proposed will hugely impact the already congested local roads network

	<p>The access road exit which runs parallel to Lion Court is likely to be an accident black spot, given the massive increase of people moving around the area.</p>
<p>5 FRANCES MEWS,HEMEL HEMPSTEAD,,,HP3 9GR</p>	<p>The area is suffering from terrible parking congestion around Nash Mills Wharf and this will only make the problem even worse. The entrance to Croxley Road is already very dangerous due to the amount of traffic entering the development. The area is home to many families with young children and the increasing level of traffic and cars parked on pavements is going to lead to an accident. I have already had several near misses walking with my children and something must be done. The situation cannot be allowed to get worse.</p>
<p>12 Kingfisher Drive,Hemel Hempstead,,,HP3 (DD</p>	<p>I strongly object to the proposed development in it's current form for the following reasons;</p> <p>The proposed development is too large for the site and not in keeping with existing surrounding properties in Kingfisher Drive and Belswains Lane, particularly the adjoining historic 16th century cottages. Replacing a two storey building with a four storey one that's almost twice the volume will mean the site is overdeveloped and this will negatively impact the local residents and infrastructure.</p> <p>There are 27 proposed new dwellings with only 27 parking spaces plus 2 visitor places. As the flats are all double bed roomed and at least some have an extra "study" which could be used as a bedroom, I believe there will be at least double the amount of cars to spaces available. Parking is already a serious issue locally, as the council are well aware, with cars dangerously parked on all surrounding roads especially Kingfisher Drive, Mill Close, Belswains Lane and Red Lion Lane. Already at times it is impossible for emergency vehicles to access certain roads and so many extra cars will only add to that problem.</p> <p>The new building is extremely close to the border with Kingfisher Drive where there are several large mature trees along the boundary including several Lombardy poplars. The roots of these trees will almost certainly be damaged by such close and extensive development. The Arbtech tree survey submitted with the plans states that "The foundation of the existing two storey structure is assumed to be of a depth suitable to act as a barrier to root development for off site trees on Kingfisher Drive" and yet the root span of the trees is clearly shown under the new development. The existing two storey building almost certainly has very little in the way of deep foundations and so it is in fact very likely that the roots</p>

	<p>currently extend into the area to be developed. As the proposed new building is four storeys high and has undercroft parking, it's foundations will need to be significantly deeper in the area of the tree roots. As Lombardy poplars have a propensity to failure as also stated in the survey, then damage to the roots should be avoided at all costs. These trees are undoubtedly helping to keep this area free from water logging and flooding, being in such close proximity to the canal. They are also home to nesting birds and the surrounding area to badgers and hibernating hedgehogs. Should the tree roots be damaged and the trees fail, then all surrounding properties, including the new development, are significantly at risk.</p> <p>Apartments four storeys high will completely block all the morning and early afternoon sunlight for the houses along Kingfisher Drive. The plans have North in the wrong direction which does not show the true extent of the movement of the sun. In addition flats that high will look straight into our houses and gardens leading to a loss of privacy.</p>
<p>12 SWAN MEAD,HEMEL HEMPSTEAD,,HP3 9DG</p>	<p>The development will add to the</p> <ol style="list-style-type: none"> 1. Parking problems on the site 2. The current horrible traffic congestion on the London Road, Belswains lane, Lower road, Red Lion-lane, and the adjoining areas. <p>This development should not be allowed to proceed ahead. If anything we need a <u>green area</u> in this place.</p>
<p>18 Kingfishers Drive,Hemel Hempstead,Hertfordshire ,,HP3 9DD</p>	<p>I am a resident on Kingfisher Drive and I have been speaking to other residents local to me about the planned build of a 3-storey block of flats opposite no 16 Kingfisher Drive.</p> <p>I would like to communicate my concerns over this potential eyesore that would spring up across the road to me and spoil the relatively scenic views. There are also current parking issues that face the residents of Kingfisher Drive where the designed spaces that were intended for residents are already being take up my residents of the Croxley Papermill site.</p> <p>The intended flats are as I understand it only coming with one parking space so I am at a loss as to where the second car associated to these planned flats are to park.</p>
<p>1 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>This looks like the classic case of go in ridiclously big knowing people will object. Then make a couple of minor concessions (which you already had up your sleeve) and look like you're a listening entity (when you're anything but!). Let's hope you don't pull the wool over anyone</p>

	<p>important who's going to make the decision - you clearly don't think the neighbours are important. Everyone on here has made numerous valid concerns and I don't see that you have adequately addressed any, and many you have not addressed at all. Our original objections still stand and we are no less strong in our objections than when this extremely bad idea first came to our attention. What more can we say?!?!</p>
<p>1 BASILDON COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GY</p>	<p>As a resident of Basildon court I am very concerned about the proposed application development. My objections are:</p> <ol style="list-style-type: none"> 1. Parking - parking has been a nightmare since we moved here 3 years ago around Basildon and Lion court. Cars are blocking other cars in , parking in my reserved space that I have to pay extra for and blocking the underground car park - this all causes a lot of distress on a daily basis. There is no visitors spaces and outside is a lot of double yellow lines now - Red Lion road is also a nightmare on a daily basis. So an extra 27 flats would only cause more issues as 1 space per flat would not be enough. 2. Access to Basildon Court and Nash Mills Wharf - this again is becoming a daily issue as cars are parking on Croxley road restricting access to Basildon court , this is a major safety issue too as there should be room for fire engines and ambulances at all times. To get onto Belswains Lane is also a problem especially during rush hour, so again another potential 27 cars will only cause further traffic issues. 3. Noise - the construction noise throughout the day will cause extreme anxiety for myself and newborn child, also having a minimum of 27 new neighbours will make noise levels in the residential area worst and a noisier place to live. 4. Wildlife - living by the canal we have a lot of lovely wildlife - swans , ducks, birds and squirrels along with trees. A new large construction could destroy their habitat and the pollution could affect the animals. 5. Privacy - a four story building will affect Basildon Court and Lion Court , and over shadow any privacy we currently have. <p>Based on the above factors we will be objecting this application. Surely there is land else where in Hemel Hempstead to put new Council flats rather than squeezing them into a new build estate where there is</p>

<p>290 BELSWAINS LANE,HEMEL HEMPSTEAD,,,HP3 9XE</p>	<p>already so many issues and limited space.</p> <p>I attach comments on the amended proposal. I object to the proposal as follows: I am writing in response to the planning application 4/02781/18/MFA DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 21 ONE-BED FLATS MILBOR ENGINEERING HEMEL HEMPSTEAD LTD, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE</p> <p>I have no objection in principle to the development of this site for residential use. Appropriately done, this would enhance the character and amenity of the area. However, development in the proposed form is greedy and inconsiderate.</p> <p>The documents in the application as it stands at present are confusing. The title of the document states that the proposal is for CONSTRUCTION OF 21 ONE-BED FLATS and the drawings dated 24th January show 21 units; 3 on the ground floor, 8 first, 8 second and 2 on third floor, however, the application form states Demolition of building and erection of new building forming 27 residential units.</p> <p>Overdevelopment In this location, on a site approx. 1700m2, a building with a footprint of approx. 752m2 (volume approx 1,808m3) is overdevelopment.</p> <p>Lack of Amenity There is very little useable space left around the proposed building, landscaping is sparse with a single isolated tree at the front of the proposed building and a narrow strip of green at the rear. This narrow strip on the north west side of the 12m high proposed building will be a dank, dark corridor and will not be useful or attractive to residents or neighbours. This does not constitute adequate amenity space for 21 dwellings housing up to 42 people. Planning recommendations suggest the planting of trees and shrubs to help assimilate development and softly screen settlement edges. This has not been done in this proposal.</p> <p>No additional shops, accessible post office, cafes convenience stores etc have been provided to cater for additional residents of the area.</p> <p>Access for traffic and pedestrians Access has not been adequately considered, the additional traffic on an already overused junction will be a</p>
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problem. There seems to be no provision for pedestrians. Given the increased traffic at the entrance to the site and at the junction with Belswains Lane, pedestrians, including school children will be at risk.

Service access

Service access has not been fully considered. The proposed bin store is undersized and the overflow of bins has been shown distributed in amongst the covered parking. Already evident as a problem on the plans, in reality this will be a cause of difficulty for potential residents and the council operatives who deal with their waste.

Parking

Parking is inadequate. The proposed 21 flats are likely to have up to 42 residents. Parking for 13 cars around the block and 15 cars at ground floor level is inadequate for the likely number of vehicles. The planning statement (para 4.9), refers to underground parking, but the only parking shown on the drawings is at ground floor level. The planning statement "...the proposal has been amended to provide 12 spaces enclosed at ground floor and a further 3no spaces under croft with a further 15 spaces externally." is misleading . There are already almost daily conflicts about parking in the area, and this will only be made worse is the proposed plans.

Waste

The sewerage system in the immediate locality is already at breaking point. Thames water (and their subcontractors) are being called out several times a year to clear blockages. This will be worsened by the additional loading from this number of proposed flats.

Size

The existing building on the site is maximum 7.5 m high at the top of the highest part of the ridge. The proposed new building is approximately 9m high at the lowest and approximately 12 metres high at the highest. This is a massive increase in size, height and bulk

Overshadowing

The height and location of the proposed building will block essential south, southeast and southwest sunlight and daylight to the small 16th century cottages in Belswains Lane. This will have a major impact on the amenity and enjoyment of our much loved homes and gardens.

Overlooking and loss of privacy

Dwellings in Basildon court would be overlooked by balconies and windows of 5 flats at a distance of 8 to 12 metres. Dwellings in Lion court would be overlooked by balconies and windows of 10 flats at a distance of approx.12 metres. Houses in Kingfisher Drive would be overlooked by the windows of 12 flats. The historic cottages in Belswains Lane will have their bedrooms and kitchens overlooked by the windows of 4 flats and the hallways of all the flats. This is a massive loss of privacy and will make life miserable and embarrassing for existing residents

Disturbance

The cottages in Belswains Lane date back to the 16th century. They have no foundations and are quite fragile. Residents are very concerned about damage to the cottages.

Retention of trees

There is a row of mature poplars just outside the north west boundary of the site. Not only do these have a benefit to environment and wildlife, but they also take up a lot of surface water, which is beneficial. There are a number of specimen trees of various ages and sizes along the boundary with the rear of 276-290 Belswains Lane. I trust that these will be treated with care.

Boundaries

The artists impression 44829500 is misleading as it shows the private drive at the rear of 276 -290 Belswains Lane as if it were part of the site (bottom right of image). This is a private drive. A boundary fence or wall will be required. Drawing 44824186 (Arbtech tree protection plan) indicates that hoardings will be erected during building works, which is essential to maintain health and safety standards on and around the proposed building site. A permanent solution to the boundary protection needs to be provided.

Streetscape and adjoining properties

The planning statement makes extensive mention of neighbouring Lion Court, but glosses over the relationship with the cottages in Belswains Lane and the houses in Kingfisher Drive and Croxley Road. These are all small and domestic in size and character. In particular the cottages at 280 - 290 Belswains Lane date back to the 16th Century and are the original "Nash Mill". The proposal pays no attention to the historic character, materials or scale of the neighbourhood. The mill cottages (280 - 290), backing originally onto the river, are the remaining substance of the early industry on which the wealth and character of this area was built. The sheer

	<p>face of a three to four storey block looming over the cottages does not respect the character or appearance of these cottages. I fear that the same disregard will be shown to the cottages as has been shown to historic Nash House in the middle of the Nash Mills Wharf development.</p> <p>I sincerely hope that this proposal will not get permission.</p>
<p>290 BELSWAINS LANE,HEMEL HEMPSTEAD,,,HP3 9XE</p>	<p>planning application 4/02781/18/MFA DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 21 ONE-BED FLATS MILBOR ENGINEERING HEMEL HEMPSTEAD LTD, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE</p> <p>I object to the amended proposal for the following reasons:</p> <p>Overdevelopment The building is too big for the site</p> <p>Traffic and pedestrians There will be an increase of traffic and the road layout has not been thought out</p> <p>Parking There is not enough parking provided for this number of residents</p> <p>Waste Existing problems with the sewers will be made much worse by the additional output from this number of proposed flats.</p> <p>Size The Milbor building is 7.5 m high the highest part. The proposed new building is approximately 9m high at the lowest and approximately 12 metres high at the highest. This is a massive increase in size and height</p> <p>Overshadowing The proposed building will block sunlight and daylight from south, southeast and southwest to cottages in Belswains Lane. This will have a major impact on the amenity and enjoyment of residents & will also be detrimental to Solar PV and Solar Gain.</p> <p>Light Pollution We already suffer light pollution from the brightly lit staircase of Lion Court and surrounding</p>

	<p>Buildings, (there is no chance of regular darkness throughout the night even after the local street lighting goes off in the late evening),the proposed new build will only add to this</p> <p>Overlooking and loss of privacy The proposed flats will overlook rear windows and gardens of cottages in Belswains Lane. This is a massive loss of privacy.</p> <p>Disturbance We are very concerned about damage to the cottages during building work.</p> <p>Retention of trees The mature Poplars just outside the north west boundary of the site and the specimen trees of various ages and sizes along the boundary with the rear of 276-290 Belswains Lane need to be treated with care.</p> <p>Boundaries The private drive at the rear of 276 -290 Belswains Lane is not part of the site. This is a private drive and will require a boundary fence or wall.. A permanent solution to the boundary protection must be provided.</p> <p>Streetscape and adjoining properties The proposal pays no attention to the historic character, materials or scale of the neighbourhood. The mill cottages, It looks as though the same disregard will be shown to the cottages as has been shown to historic Nash House in the middle of the Nash Mills Wharf development.</p> <p>I sincerely hope that this proposal will not get permission.</p>
<p>3 CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GU</p>	<p>Yet more dwellings squeezed into a small space, next to an already over sized development. There will be no further improvement in terms of access to the estate. Traffic and parking are now a huge problem. More people, more cars, more traffic and pollution and even less space to park. Whilst each flat is afforded a single parking space, most occupant couples will own two cars, or a car and a work van. Please refer to the current DIRE situation on Red Lion Lane. The traffic and parking situation is now an accident waiting to happen. I urge the planning committee to reject this application and put the site to better use. There simply isn't space or infrastructure to safely incorporate such a large development on a tiny plot.</p>
<p>292 BELSWAINS</p>	<p>It is a big concern to have another set of flats on this plot.</p>

<p>LANE,HEMEL HEMPSTEAD,,HP3 9XE</p>	<p>The cottages will have no natural light, given that they are 16th Century building they might be under risk if any drill down or further construction happens. there is no bus service in this area, if you have 1 bed room flats where is the parking space, Nash mills warft residents have no parking space and it is an big issue.</p> <p>let the council sort the parking space, bus facilities, traffic.</p> <p>i would suggest if you can come up with more hospitals/surgerys help they community with more good schools as we are lacking these right now. we do not any more flats blocking us.</p>
<p>14 LION COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GX</p>	<p>This change in planning will not make any difference this will cause more problems with the parking and the access to and from existing properties. As it is we all have problems getting into our reserved parking spaces that we pay for be it people parking in them or parking blocking you in or even park so that it is nearly impossible to get into spaces. There are people parking in Red Lion Road and this is going to cause a bad accident soon and goodness knows how emergency vehicles will do going down that road. It is also a worry that emergency vehicles would have problems accessing the properties as it is, in fact the collection of the rubbish from the bins has had to be not done because of the places some people have parked. I object for the above reasons and because there are to many flats here already.</p>
<p>1 Nash Green,Hemel Hempstead,Hertfordshire ,,HP3 8AA</p>	<p>I can't believe this planned development could be going ahead if it is approved which I will object to like our councillor as well. After all the parking issues we have had in the area over the last 2 years especially in my road Nash Green which I have complained about many times by email, to now think of building 21 flats with only 29 parking spaces which we all know is not enough ,everyone has two cars these days plus many people also have work vans and trucks which you know from my previous emails always park down our road ,the only road I might add that doesn't have parking restrictions so it's used as a car park for the local estate's residents.I know there is a shortage of flats,houses and social houses but this very much a short sighted view from Dacroum Council when they know full well of the major problems we have in area regarding traffic,parking a hospital that every year part of it goes.</p>
<p>6 BASILDON</p>	<p>It is quite clear from the amended plans that the</p>

<p>COURT,CROXLEY ROAD,HEMEL HEMPSTEAD,,HP3 9GY</p>	<p>developers have not listened to nor taken action on the residents' concerns. 21 flats and 29 parking spaces IS STILL NOT ADEQUATE. The building is still TOO LARGE. Everybody is aware that there will be some kind of development on Milbor engineering and largely (from reading the comments) do not seem opposed to that per se. What the residents justified concerns are, relate to those of safety and privacy. This application has only highlighted the fact that residents concerns about parking in Nash Mills and surrounding areas has not been addresses in any way. Our flat will still be overlooked (as well as the residents in Kingfisher Drive and the cottages on Belswains Lane) and access to our property largely impinged by dangerous parking - we have genuine concerns regarding emergency vehicle access to Basildon Court, not to mention noise nuisance when parking spaces (that we pay nearly £700 annually for) are blocked by thoughtless drivers resulting in the use of car horns to get attention at any given hour. This development, as it currently stands in it's present planning stage, has not addressed this in any way. Furthermore, what is also alarming is the amount of trees that have disappeared on the new plans from the original proposal. The threat this poses not only to the active wildlife they house and sustain, but to the potential of flooding cannot possibly be ignored. The new plans are simply apathetic and insulting in their lack of consideration of the objections made so far.</p>
<p>280 BELSWAINS LANE,HEMEL HEMPSTEAD,,HP3 9XE</p>	<p>How very disappointing this new revised application is. Yet again the application shows NO consideration or understanding of ANY of the very real worries,concerns and objections already raised by the surrounding residents of this proposed re-Development,all of whom will be adversely affected from the start. With a proposal of 4 storeys in such close proximity to Basildon Court,Lion Court,Kingfisher Drive and the historic Mill Cottages on Belswains Lane,ALL aspects of privacy and natural daylight for current and potential new residents will be lost. This particularly affects the Mill Cottages,which currently have a 2 storey wall (the Milbor engineering building) on the other side of their boundary. 4 storeys will completely overshadow them,removing their garden and rear aspect privacy completely. Suggesting that a reduction from 27 dwellings to 21 as a solution is insulting and arrogant. The developers have completely failed to acknowledge the importance of suitable parking provision. They must not be permitted to</p>

	<p>make the same mistakes as the Crest Nicholsons development, whose woeful under-estimation of parking requirements (despite concerns and warnings issued by residents at the time to CN and Dacorum Planning at the time) continues to have a detrimental impact on all the surrounding highways- in particular Nash Green and Red Lion Lane.</p> <p>It must be assumed that each dwelling will require 2 parking spaces- it is irresponsible and totally unreasonable to ignore potential overflow parking- there so NO available parking space left nearby!</p> <p>As I write this, the bins are being collected on Belswains Lane. Provision for the storage of another 63 bins (green, black and blue top for 21 dwellings..) is already an issue at planning stage, as overflow from the designated bin storage area is proposed to be distributed among the parking spaces. REALLY??!!</p> <p>And where are these bins supposed to be located on collection day?</p> <p>The artists drawings are inaccurate and misleading. The PRIVATE driveway of 274-290 Belswains Lane is portrayed as part of the site- it is not. A boundary wall will be required .</p> <p>Local Services and Amenities are at breaking point, with huge developments along the canal towpath into Apsley and another vast Development on the hillside above Hemel and Shendish. What provision has Dacorum made for the inevitable strain on these services that new housing will create?</p> <p>21 dwellings is too many in this site.</p>
<p>1 BUNKERS LANE, HEMEL HEMPSTEAD, HP3 8AX</p>	<p>I would like to object to this development. Whilst not affected by the actual building itself I STRONGLY OBJECT to the development based on the woefully inadequate lack of parking. The existing development on the old papermill site is a joke in terms of parking with dangerous parking (and I don't blame the residents for this) on Red Lion Lane with cars blocking the footpath and blocking the crossing place at times making it difficult to drive down the road. In addition we often find cars blocking the footpath on Bunkers Lane, which is removed from the development, often seeing people with pushchairs and my own wife who is in a wheelchair, having to take to the road to pass them - yes, my wife comes out with us when we walk the dogs so I apologise that a wheelchair user should have the temerity to want to use the footpath. This actually led to us having to pay the council for a double dropped kerb so I guess is a nice little money earner for you.</p> <p>The parking in this area and the fact people are having to resort to dangerous parking is something the council has</p>

	<p>still done nothing about (remind me why I pay council tax again) and here we have yet another development of 21 flats with 29 spaces. Potentially, 21 x 2 people = 42 cars !!!!</p> <p>Will the planning committee please wake up and smell the coffee as the inadequate parking facilities in this areas are a joke that YOU must take responsibility for.</p>
<p>16 MILL CLOSE,HEMEL HEMPSTEAD,,,HP3 8AD</p>	<p>I have real concern about the possibility of there not being enough parking spaces, as every day we have cars parking in Mill Close, which is opposite MILBOR, from Nash Mills Wharf and Belswains Lane, which is causing many problems for the residents in Mill Close, East Green and Nash Green. Personally I would like to see permit parking for local residents, which I believe in time will be inevitable as cars park in the most ridiculous places, i.e. the bends of the road and often on the double yellow lines from a Belswains Lane, which as we speak need to be extended to make it safer, as we have several cars parking every night on these bends and large vehicles also are parking on these bends.</p>
<p>14 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD</p>	<p>Although an attempt has been made to reduce the impact of the proposed building, the additional documents supplied by the developer dated 24th January 2019 do not mitigate the OVER-DEVELOPMENT of the site. It is still over-development in terms of scale, i.e. height, footprint and content, together with the lack of adequate parking facilities.</p> <p>Regarding the compass points used on plans, drawings etc., might I suggest the architects revisit the positions/directions i.e. which way the front, back, sides of the building would face, there a number of errors.</p> <p>The added drawings/artistic impressions (not numbered) of the proposed building give a false idea of scale and how it would fit in with the existing built environment, particularly in relation to Kingfisher Drive and the 16th Century cottages on Belswains Lane.</p> <p>The comments in my previous submissions dated December 2018 remain applicable.</p> <p>It is worthwhile to re-state that the parking provision at the current Nash Mills Wharf development is wholly inadequate and puts unbearable strain on the local community and leads to regular conflicts between its residents both with the estate and in the wider area. This scale of this proposed development would only exacerbate that problem.</p>

A. ***HEIGHT***. The application makes much of the comparison to the footprint of the current building, but does not address the proposal to double the height. There are no drawings showing the impact of sunlight on properties in Kingfisher Drive that would be blocked in the early mornings. There are privacy implications for all surrounding properties.

B. ***PHOTO IMAGES***. The photo-like images falsely represent what would be the actual situation. They give the impression that the private drive at the rear of the Belswains Lane cottages would be part of the development, when in fact there is and would have to remain to be a fence along the proposed development's boundary line. Similarly there is a tall fence between Basildon Court / Lion Court, so the images give a false impression of open space. No such image has been provided for the view from Kingfisher Drive.

C. ***PEDESTRIAN ACCESS***. There is no dedicated pedestrian pavement to the site. Pedestrians approaching the site from Belswains Lane north (the direction of the shops, schools, railway station, bus stops etc) would need to cross Croxley Road to the south side (already a perilous crossing), then cross once again to the site where there is no proposed pavement representing a DANGER HERE AT ALL TIMES but particularly when vehicles at 'rushing to work time' and CHILDREN WALKING to and returning home from school.

D. ***CYCLING***. The application quotes Dacorum policy 51 regarding cycle routes and gives weight to them, but the plans make no provision for the storage of cycles (or indeed motor cycles) within the development. The Dacorum Borough Council cycle parking standards for residential land uses state that: "one long-term space should be provided for each unit if no garage or shed is provided." ** Are residents expected to carry their cycles up the stairs and store them in their apartments? **

E. ***SEWERS***. There are known capacity issues for the sewerage network in the local area. ANY approved development should be approved in advance by Thames Water to ensure that it will not have a further negative impact on the current network.

F. ***EMERGENCY VEHICLES***. Current residents of Basildon Court / Lion Court have expressed concern about accessibility for emergency vehicles, especially in light of over parking. Have Hertfordshire Fire & Rescue approved the accessibility of the whole site in case of fire

and other emergencies? In particular manoeuvrability on and off the proposed site as it would be developed and access to adequate water supply. Are they confident and accept there is enough space for fire engines (plural) to be safely onsite that would be needed in case of fire at such a large building?

G. ***WASTE COLLECTION***. The proposed development does not appear to meet the Dacorum Planning Requirements: "It should be demonstrated that a Refuse Vehicle and a personal vehicle can safely pass each other within the site". "Suitable turning heads should be provided to allow the refuse vehicle to enter the site in a forward gear and manoeuvre within to depart in a forward gear".

H. ***AMENITY SPACE***. The plans provide little or no realistic amenity space for the new development. The seating shown would be underneath and overshadowed by tall trees and their associated debris, thus in practice unlikely to be useable.

I. ***STRUCTURAL IMPACT***. The plans do not include an analysis of the potential structural impact on surrounding properties of the demolition and construction processes, and they gloss over the potential impact on current trees. Piling is likely to be needed for new foundations, and the 16th century historic cottages in particular are unlikely to have foreseen such an effect when they were built.

J. ***CONSTRUCTION MANAGEMENT PLAN***. Dacorum Borough Council will need to ENSURE that, for ANY approved plan, a robust construction management plan is put in place and that is ENFORCED. There are a number of concerns which need to be addressed in accordance with Dacorum's planning policies:

- Is the entrance to the site wide enough to take very large lorries?
- There is a large industrial building on a small site in this location which is totally surrounded by residential properties. During demolition and construction, how would it be possible for very large lorries to enter and exit in forward motion** as required by regulation?
- How would residential properties in close proximity - which include 16th century cottages in Belswains Lane, houses on Kingfisher Drive and apartments in Basildon Court / Lion Court - be protected, and also parked cars, from dust and debris?
- How would Croxley Drive and Belswains Lane be protected from potential soil, debris and damage to the surface by the large number of lorry journeys that would be necessary for this development? Positioning and

	<p>details of wheel-washing facilities. (The site would seem to be too small to provide wheel-washing facilities).</p> <p>- If water spray was used for damp-down, how would the run-off be dealt with? How would consequent/resultant mud be prevented from transfer to Croxley Drive and Belswains Lane?</p> <p>- Whilst work was in progress would there be space for adequate parking provision at all times for all vehicles connected with the development, including construction workers and anyone connected with the development or visiting, i.e. Council employees, architects, developer personnel etc. so that: "development does not prejudice or cause obstruction to pedestrians or vehicular traffic or cause harm to the residential and visual amenities of the area ... " including Kingfisher Drive and the cottages? "Thus preventing on-street conflict and impact to highway safety." As previously stated, there is no available parking in the immediate area (day or night) so all such traffic would need to be accommodated on site, and the access to and from Belswains Lane can already be dangerous.</p>
<p>12 SWAN MEAD,HEMEL HEMPSTEAD,,HP3 9DG</p>	<p>No significant change to the plans. This still mean that there will be shortage of residents parking, almost no visitor parking and NO CONSIDERATION to the amount of traffic this will add to the area. Belswains lane, lower road, bunker lane , red lion lane and even London road are in such bad shape due to the traffic!! This can't be approved unless the plan makes amends for parking and the council and National Highway make consideration of pushing so much traffic into the congested junctions without making any amends to the infrastructure!! This is getting crazy!!</p>
<p>7 MILL CLOSE,HEMEL HEMPSTEAD,,HP3 8AD</p>	<p>Although not in the immediate vicinity of this development, I live about 100 yards away, my neighbours and I are in the 'fall-out' area in that in an already over developed area we experience the effects of any new development, particularly the parking congestion. Over recent years dwellings in Nash Mills have doubled or trebled without any increase in infrastructure and I believe it's time to stop any more development.</p>
<p>14 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>I note that since my previous comments, document 44829826.pdf has been added - a Site Location Plan with a loaded date 29/01/2019 (though the document itself is dated July 2018).</p> <p>The red lines on the Location Plan element (bottom left) ** INACCURATELY IMPLIES ** that the Milbor site includes the access to the rear of Basildon Court / Lion Court, and the vehicular access from Nash Mills Wharf to</p>

	<p>Belswains Lane!</p> <p>This document gives another false perspective, it should be withdrawn and an accurate version submitted.</p>
<p>8 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>I strongly oppose the amended plans for this development. The ploy of submitting plans that are utterly inappropriate for this site, only to quickly amend the plans in an attempt to appease opponents, does not hide the fact that these plans are still completely inappropriate for this site. Developments that consist of flat roofed rectangular blocks of flats belong in the 1960s - the architects need to design something much more aesthetically pleasing that we can all appreciate and be proud of for many years to come.</p> <p>Major error in planning documents</p> <p>The elevation drawing shown as southwest is in reality northwest; the elevation drawing shown as northwest is actually southwest. All Kingfisher Drive properties look directly onto the northwest elevation which is currently shown as the southwest. Confused? So am I, so no meaningful decision can be made on these plans as they currently stand.</p> <p>Overdevelopment</p> <p>These plans will exacerbate the existing overdevelopment of the adjoining Nash Mills residential area. The lack of existing parking already causes cars to block pavements on the entire length of Red Lion Lane and Kingfisher Drive, forcing pedestrians, wheelchair users and push chairs to use the road to pass a parked vehicle. The Council needs to take action to alleviate the problem. This development would further aggravate the parking issues for everyone.</p> <p>Not in keeping</p> <p>The proposals replace a 2 story factory with a 3/4 story block of flats which is not in keeping with the housing on Belswains Lane and Kingfisher Drive (which are 2 story and of more traditional style) that overlook the development. 4 stories for any part of the development are far too high and the bland box appearance of this block does not blend in well with the surrounding dwellings.</p> <p>Loss of Light (Overshadowing)</p> <p>The existing factory is about 7.5 metres at its highest point - the current plans reach almost 13 metres at the highest point and approximately 12 metres for the 4th story. Due to the close proximity to the houses on Kingfisher Drive, the height of this proposed development will block most of the morning sun from properties in Kingfisher Drive. I note that the flood risk assessment and drainage strategy (section 5.2) recommends raising the ground floor flats by 300 mm - has this amendment</p>

been added to the plans? If not, the excessive height of the development will be increased even further. Any ground floor plans could be parking only to help to reduce the overall height and offer a more sensible development for a high flood risk area.

Overcrowding and lack of social space

The development has minimal outdoor social spaces for residents - one seating area is squeezed in to the corner of the car park! The plans clearly show that the suggested use of this area is overcrowded.

Parking

The suggested 21 owner with additional 8 car parking spaces are not adequate for the size of the development. In addition, the 'undercroft' spaces numbered 11 and 17 will be difficult to access due to their proximity to a wall, unless drivers are prepared to reverse in to the car park. Outside car parking spaces 2 and 3 may also block each other in, unless the cars parked are quite small. The turning areas for cars on the whole development are also tight.

Trees

It is highly unlikely that this development can be built without severely damaging the roots, trunks and branches of the offsite trees. A four storey building requires deep foundations that will impact the root systems. Note that the tree survey states that the Lombardy poplar trees in area G03 (T04, T05, T06, T07 and T08) have roots 'historically damaged by installation of the housing development and associated roads and parking.' This is unlikely as the Kingfisher Drive development was built in 1996 and the trees are estimated to be 10 to 20 years old.

External windows

The external windows in the proposed flats that overlook Kingfisher Drive are far too close to the offsite existing large trees in areas G03 and G05. These would substantially block daylight and outlook that these North-West facing flats may have (NB: incorrectly shown as south-west facing on the plans). The existing structure has frosted windows - changing these to clear windows will also impact on the privacy of residents in Kingfisher Drive. Any windows that are currently frosted should remain frosted or the plans should be changed to make sure that the windows overlooking Kingfisher Drive are bathroom or hall windows.

Badgers and Hedgehogs

During the summer of 2018, badgers were frequently seen at night on Kingfisher Drive. The wooden fence and wire mesh fence on the boundary of the development adjacent to Kingfisher Drive were taken down by the developers (to enable the felling of 3 large trees on the site (removed in October/November 2019). The wood

	<p>and wire mesh fencing has been left spread out flat on the ground. Since this happened, I haven't seen any badgers. (Note the fence does not belong to the developers and needs to be reinstated.) Hedgehogs are also hibernating close to the perimeter fence just offsite. Hedgehogs are protected animals and these may come to harm as a result of this proposal.</p> <p>Flooding As the Flood Risk Assessment and Drainage Strategy confirms, the proposed development is in flood zones 2 and 3, which could impact the surface water runoff and emerging groundwater, increasing the risk of flooding for all surrounding properties. The assessment shows that the flood risk is increasing as time goes by. Residents of any ground floor properties will struggle to obtain a mortgage due to the flood risk. All residents will struggle to get full house insurance due the flood risk and the close proximity of the trees offsite.</p> <p>Future Covenants A restrictive covenant should be placed on any future subletting of properties built on this site to ensure that parking spaces have to be included with the sublet. I hear that many landlords in the existing Nash Mills development rent their car parking spaces separately from the property, making the parking problems worse.</p> <p>Winners and Losers The only winners from this amended development continue to be the profits for the developers who are still trying to squeeze too many dwellings in a small area that would greatly impact the surrounding properties. More thought needs to be given to improve the aesthetic, social and environmental aspects during the redevelopment to prevent any further deterioration in the quality of life for local residents.</p>
<p>294 BELSWAINS LANE,HEMEL HEMPSTEAD,,HP3 9XE</p>	<p>I object again to this amended planning application, for the following reasons:</p> <p>Overdevelopment Change to residential use would be welcome, but only if managed sympathetically. The immediate area is already overdeveloped. The further impact of current proposals would be considerable, and must be mitigated. The introduction of a large number of units of residential accommodation on the former Sappi site (now called Nash Mills Wharf) has had a detrimental impact on the local infrastructure, including drainage and sewerage, motor traffic and parking. Residents need the Council's help in relieving these problems and are not receiving it.</p>

	<p>Visual Intrusion The current workshops are a mix of one- and two-storey buildings. The revised application still describes a block of 4 storeys, which would impose a significant and unwelcome change to our skyline, would reduce our afternoon light, and would constitute an unwelcome reduction in amenity.</p> <p>Parking The area has a serious shortage of parking, which already causes friction between residents in Nash Mills Wharf and neighbouring streets. If approved this development will only make things worse, since 21 flats are likely to need at least 42 spaces, even without addressing the needs of visitors.</p> <p>Traffic The proposal provides that vehicle access should be via Croxley Road from Belswains Lane. This junction is the only access point to the western segment of Nash Mills Wharf, and the traffic using it, particularly during the rush hour, is already considerable, resulting in queues of vehicles waiting for a gap in traffic on Belswains Lane. Increasing the residential density of this area will increase traffic, exacerbate existing problems and related risk.</p> <p>Social / environmental Nash Mills Wharf introduced a great deal of residential accommodation but neglected the potential for detrimental impact on the environment and infrastructure. As amended, this application still seems likely to benefit no one but the developers. I appeal to the Council to ask the developers to moderate their greed, introduce a sense of proportion, and take seriously the needs of existing residents. If the developers will not do this, I sincerely hope the application will be rejected.</p>
<p>284 BELSWAINS LANE,HEMEL HEMPSTEAD,,,HP3 9XE</p>	<p>Having strongly objected to the first set of plans submitted I can see nothing in the revised plans that have alleviated my concerns. The slight reduction in the number of flats will do nothing to ease traffic congestion, parking situation, intrusion of privacy etc. etc. I also note that on the new plans there is no clear boundary shown from the new development to the PRIVATE road which runs behind 274 - 290 Belswains Lane</p>
<p>1 CROXLEY ROAD,HEMEL HEMPSTEAD,,,HP3 9GU</p>	<p>We strongly object to this proposed development on several grounds Increase in pollution and traffic congestion as a result of</p>

	<p>the development</p> <p>Risk of accidents and harm to pedestrians, young families as well as residents of the care home from the increased demand for limited parking spaces causing people to park in the road in hazardous areas. One space per flat is insufficient given they are expected to be inhabited by two people - two inhabitants means there is a need for two cars or a car and a van, meaning an additional 15 extra cars to add to the overcrowded local roads</p> <p>There is currently a strain on the sewage system, adding further dwellings would exacerbate the situation. There is a similar issue with drainage</p> <p>According to the plans there does not seem to be adequate space for waste disposal and collection, failing to meet the Dacorum planning requirements</p> <p>There area is already overdeveloped</p> <p>Current proposal is not in keeping with the local asthetic, the bland box design would be with us for a long time and would not fit in</p> <p>Insufficient pedestrian access to the building</p> <p>I urge the planning committee to reject this application</p>
<p>14 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,HP3 9DD</p>	<p>++TREES AND SHADING++</p> <p>The Planning Officer requested: "Please may you also carry out a shade analysis on the North West facing flats so that I can gain an understanding of sunlight/daylight levels received to these units and therefore pressure which may result in the future to fell the adjacent trees". The applicants' response is not satisfactory.</p> <p>The "tree shading elevation" diagram shows that the sun rises in the east and sets in the west, but does not assess the seasonal impact of the height of the proposed building blocking the sun at certain times of day (for which I have photographic evidence).</p> <p>The text of the applicant's response states that the trees in Kingfisher Drive ON PUBLIC LAND would need to be topped to meet their expectations of shade impact on the proposed building.</p> <p>The various reports speculate on the impact of the Kingfisher Drive development on the trees, but I have photographic evidence that those trees were already</p>

substantial in 1997 and they have suffered no apparent negative impact since that time.

Dacorum should get an independent assessment of the health of the trees and act accordingly, rather than relying on a consultant funded by the developer - especially as they arranged the felling of some trees pre-application. I am sure that any work on these trees would attract a high level of local objection, particularly if it were not fully justified by such an independent assessment

++VIABILITY STATEMENT++

The applicants own Viability Statement proves that this proposed development is NOT viable and includes numerous factual discrepancies.

Some highlights: .

1.0 Kingfisher Drive is not a cul-de-sac

2.0 Grand Union Canal is not visible

9.1 The site is NOT located next to the Grand Union Canal

Quote: "The build costs adopted are considered to be the minimum possible for a scheme of this type. In the assessor's opinion there is a possibility that construction costs will exceed the figures provided. ."

There is no Contingency figure. The inevitable increased costs could possibly lead to 'cutting corners'.

Quote: "As a general comment, no contingency has been included on build cost, however, given the scheme type and ground conditions one is recommended. "

Demolition: Although there is provision for the removal of asbestos this cost could increase considerably bearing in mind the age of the property.

The proposed Plans show lifts but none are included in Construction Costs. Surely these are a necessary part of such a scheme. Inclusion of the lifts as shown would **CONSIDERABLY INCREASE CONSTRUCTION COSTS.**

The Report suggests selling off the car parking spaces to increase profitability. Evidence from such a scheme in the adjacent development shows this does not work, does not guarantee use/availability of that space for the purchaser. Upgrading 9 parking spaces £45,000; Sale of 6 surplus undercroft spaces £60,000 = Total £105,000. I assume that this figure needed to help the nudge the site towards viability - and balance the books!?. **

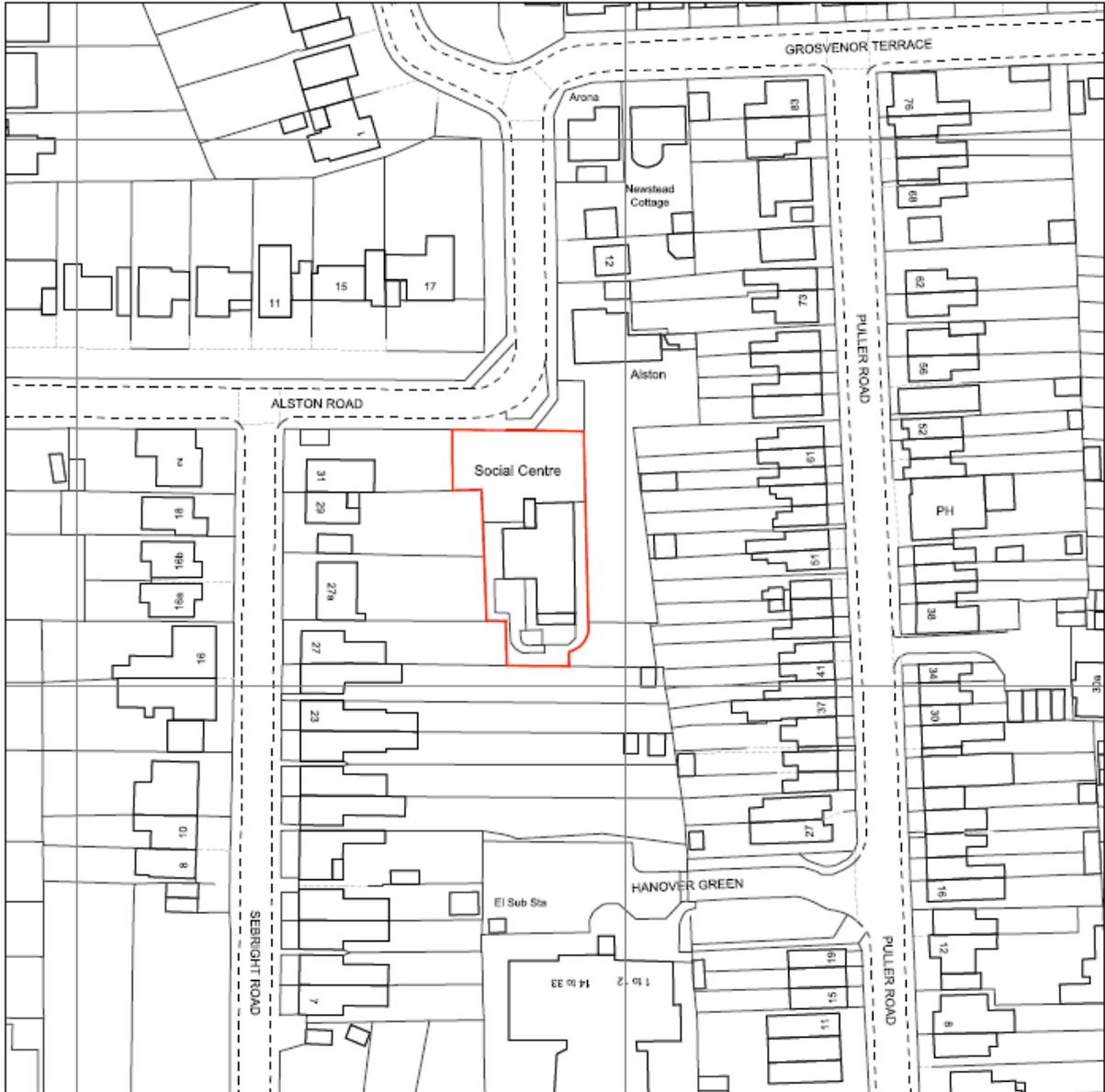
	<p>Secure boundary fencing, which should be a necessary part of the development and planning application, is shown on drawings produced BUT NONE IS INCLUDED IN CONSTRUCTION COSTS.</p> <p>Great emphasis is placed on the provision of Amenity Space: The only such space as shown/available is the 2.5mtr strip between the building and the Kingfisher Drive boundary. This area would (a) always be in deep shade and (b) be immediately outside the living accommodation of the ground floor flats. There is a tiny amount shown in the western corner.</p> <p>Premium prices for the properties on higher floors for the "far-reaching views" into the living accommodation of the flats opposite. Balcony Allowance £5,000 - £10,000 - depending on level.</p> <p>Query : Would the developer have adequate increased insurance cover to satisfy claims for potential /likely damage) to: - properties in very close proximity to the site as the result of the piling required in this instance for foundations, (particularly anticipated in the case of the 16th Century cottages with minimal foundations) - potential damage to the established trees which need to be retained and preserved</p> <p>The much-needed Affordable Housing!: Once again figures are produced to prove the developer can't make enough profit to satisfy investors. The significant profit motive should not be satisfactory to bypass these obligations.</p> <p>**The number of parking spaces to be provided is 29 - 27 for the apartments and 2 for visitors. Those figures do not meet the accepted ratio standard and taking evidence from the adjacent developments too few spaces have already been provided there resulting in very unsafe parking. In this instance the access road is too narrow for accommodating the additional vehicles with the result that more will be parked in unsafe and inappropriate places in the surrounding area.</p>
237 BELSWAINS LANE,HEMEL	The problem with this development is that it has spaces. Full stop.

HEMPSTEAD,,,HP3 9XE	<p>Belswains lane/Redlion Lane.....we already have traffic backed up from the Red lion pub all the way to Aplesey lock (over half a kilometre) every day, standstill traffic, past two schools, one childs nursery and an old peoples home, not to mentions hundreds of residents. Pollution levels on this stretch exceed min standards every single day. And we want to throw another 30 cars a day into the mix, plus the other development opposite apsey lock, plus eberns road....etc.</p> <p>We keep replacing businesses with housing, leaving no where to work? And the only option to drive to another work place!</p> <p>It will go through because they want an extra 21 council taxes payments....but the best thing for the area (if it cant be a business) is houses, 3-4 tops.</p> <p>Also what nutcase suggested closing the station! Dear god, they want more cars on the road?</p>
14 KINGFISHER DRIVE,HEMEL HEMPSTEAD,,,HP3 9DD	<p>I refer to the Arboricultural Method Statement for Hobbs Developments Ltd. 276 - 292 Belswains Lane, Hemel Hempstead HP3 9XE dated 1 November 2018.</p> <p>In the event that approval were to be granted for this development despite the numerous legitimate objections put forward, I believe that the following comments / observations MUST be taken into account to give as much protection as possible and to avoid irreversible damage to all the trees on the perimeter of this site, in particular those that are OUTSIDE its boundary.</p> <p>I have taken advice from an independent arboricultural expert who has highlighted that there are numerous references to "should" in the report that ought to be replaced by "must" as there is a significant risk that Dacorum's building control team cannot enforce "should" since this could be argued to be a recommendation not a mandatory and legally enforceable requirement. The occurrences of "should" are detailed below.</p> <p>Dictionary definition: MUST represents more of an obligation while SHOULD represents only a probability or recommendation.</p> <p>Also, the independent expert stated that in order to fully protect the trees the recommended temporary fence type detailed in this report on Page 19 and also on the Tree Protection Plan drawing MUST be of the "Default Specification" (2.4m wooden site hoarding) not the</p>

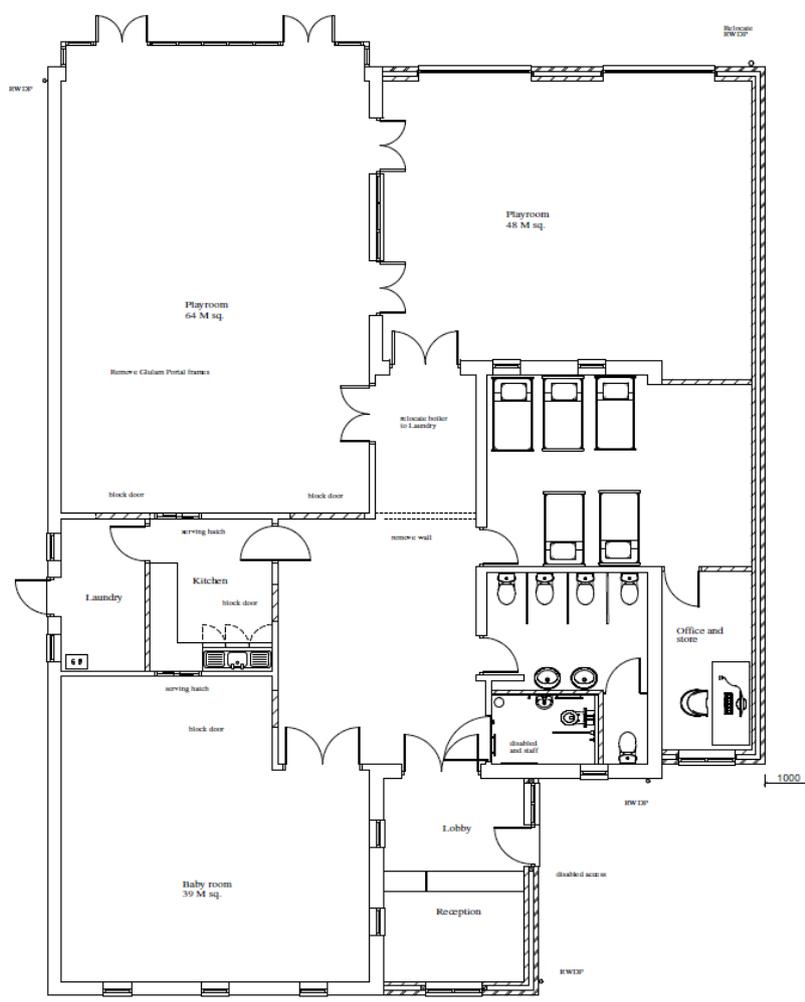
	<p>"Secondary Specification" (2m tall welded mesh panels) .</p> <p>The report presents too many assumptions rather than factual evidence. For example on pages 4 and 9 "The foundation of the existing two-storey structure is ASSUMED to be of a depth suitable to act as a barrier to root development for off-site trees on Kingfisher Drive. Its installation SHOULD not, therefore, impact upon the roots of these trees". So it is just ASSUMED that piling for foundations of the proposed new building will not damage the tree roots - what if that assumption proves to be incorrect? These trees belong to Dacorum Borough Council which must obtain a long-term indemnity for remedial measures if the development damages these trees.</p> <p>Occurrences of "should":</p> <p>Page 10 - "...protective measures should be in accordance..."</p> <p>Page 16 - "It is essential that allowance should be made..."</p> <p>Page 19 - "Booms, hoists and rigs should be kept as far away..."</p> <p>Page 19 - "Protective barrier fencing should be appropriate..."</p> <p>Page 20 - "Signage... should be fixed..."</p> <p>Page 21 - "New temporary ground protection should be capable..."</p> <p>Page 25 - "Edge supports... should be set above ground level and should be secured..."</p> <p>Page 27 - "All kerb edging should be situated...."</p> <p>Page 29 - "Final positions of any proposed services should be verified and approved..."</p> <p>Page 30 - "Excavations should be limited..."</p> <p>Page 32 - "Where trees have been identified.... there should be an auditable system..."</p> <p>Page 32 - "... to be supervised by project arboriculturist, who should be retained..."</p>
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**Item 5e 4/03028/18/FUL CHANGE OF USE TO NURSERY AND
CONSTRUCTION OF SINGLE-STOREY EXTENSION**

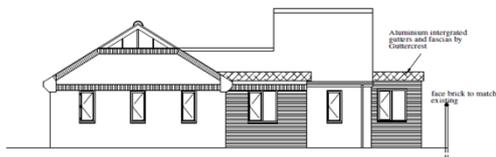
6 ALSTON ROAD, HEMEL HEMPSTEAD, HP1 1QU



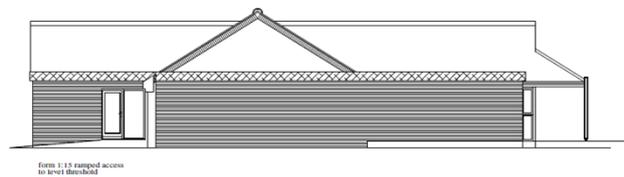
**Item 5e 4/03028/18/FUL CHANGE OF USE TO NURSERY AND
 CONSTRUCTION OF SINGLE-STOREY EXTENSION
 6 ALSTON ROAD, HEMEL HEMPSTEAD, HP1 1QU**



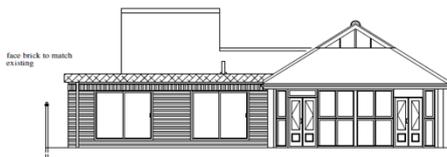
Ground Floor



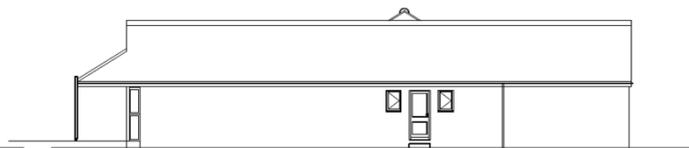
Front



Side



face brick to match existing



4/03028/18/FUL	TEMPORARY CHANGE OF USE TO NURSERY AND CONSTRUCTION OF SINGLE-STOREY SIDE/REAR EXTENSION
Site Address:	6 ALSTON ROAD, HEMEL HEMPSTEAD, HP1 1QU
Applicant:	Flower Pots Day Nursery – Mr Ben Whitlock
Case Officer:	Martin Stickley
Referral to Committee:	Call-In by Councillor Janice Marshall

1. Recommendation

1.1 That planning permission is **GRANTED** subject to conditions set out in this report.

2. Summary

2.1 The principle of change of use from residential (C3) to a nursery (D1) is considered acceptable. The proposed internal/external amenity areas for the children and the car parking arrangements are considered sufficient. There would be no severe impact on the local road network. The living conditions of neighbouring residents would not be compromised. A two-year temporary permission is proposed to ensure that if any issues do arise, the Local Authority has control to re-assess the proposal. Only modest external alterations are proposed and as a result no detrimental impact to the visual amenity of the street scene would result.

2.2 As such, the proposal is therefore considered acceptable in accordance with Policies CS4, CS11 and CS12 of the Dacorum Borough Core Strategy (2013); saved Policies 23 and 69 of the Dacorum Borough Local Plan (2004) and Paragraph 92 of the National Planning Policy Framework (2019).

3. Site Description

3.1 The site is located on Alston Road, around 1km to the west of Hemel Hempstead's town centre. A single-storey building exists on the site, which was previously used as a Social Centre for the Blind. This use has now ceased and the building is now under new ownership.

3.2 The site is bound by dwellings backing onto the east and west boundaries. The immediate area around the site is generally residential. However, it is noted that there is a primary school approximately 200m to the north of the site and an infant's school some 200m west of the site.

4. Proposal

4.1 The proposed development comprises the construction of a single-storey side/rear extension and change of use of the building to create a children's nursery. The nursery would accommodate for up to 45 children (up to five years of age) and up to 11 members of staff. The proposed opening hours are 07:00-19:00, Mondays to Fridays.

5. Relevant Planning History

4/0455/77 – Single-Storey Extension – Granted (02.06.77)

4/0191/85 – Two Dwellings (Outline) – Granted (31.10.85)

4/0411/86 – Two Dwellings – Granted (17.06.86)
4/1984/87 – 8 One-Bedroom Residential Units – Refused (04.02.88)
4/0537/88 – 8 One-Bedroom Houses, Parking Area – Refused (02.06.88)
4/0884/88 – Single-Storey Day Centre for the Blind – Granted (05.08.88)

5.1 It should be noted that the previous use (Social Centre for the Blind) has the same planning use class (D1) as the proposed nursery. However, a condition was placed on the previous permission (4/0884/88), which states:

5.2 *“This permission shall not enure for the benefit of the land and the use hereby permitted shall cease when the Hertfordshire Society for the Blind ceases to use the premises for the purposes of a day centre for the blind.”*

5.3 The Hertfordshire Society for the Blind no longer operate from the building and therefore the use has technically reverted to residential (C3) i.e. the original land use.

6. Relevant Policies

6.1 National Planning Policies

National Planning Policy Framework

- Section 8 - Promoting healthy and safe communities
- Section 12 - Achieving well-designed places

6.2 Local Planning Policies

Dacorum Borough Core Strategy

- NP1 - Supporting Development
- CS1 - Distribution of Development
- CS4 - The Towns and Large Villages
- CS8 - Sustainable Transport
- CS9 - Management of Roads
- CS10 - Quality of Settlement Design
- CS11 - Quality of Neighbourhood Design
- CS12 - Quality of Site Design
- CS13 - Quality of Public Realm
- CS29 - Sustainable Design and Construction

Dacorum Borough Local Plan (Saved Policies)

- Policy 51 - Development and Transport Impacts
- Policy 57 - Provision and Management of Parking
- Policy 58 - Private Parking Provision
- Policy 69 - Education
- Policy 129 - Storage and Recycling of Waste on Development Sites
- Appendix 5 - Parking Provision Appendices

6.4 Supplementary Planning Guidance/Documents

- Accessibility Zones for the Application of Car Parking Standards (2002)
- Area Based Policies, Residential Character Area HCA7: Boxmoor (2004)
- Refuse Storage Guidance Note (2015)

7. Constraints

- Residential Area

8. Representations

Consultation Responses

8.1 These are reproduced in full in Appendix A.

Neighbour Notification/Site Notice Responses

8.2 These are reproduced in full in Appendix B.

9. Considerations

Key Issues

9.1 The main issues of relevance to application are as follows:

- The policy and principle justification for the proposed nursery;
- The impact on residential amenity;
- The impact on highway safety and car parking; and
- The quality of design and impact on visual amenity.

Principle of Development

9.2 The application site is located within a residential area, wherein accordance to Policy CS4 of the Core Strategy and saved Policy 69 of the Dacorum Borough Local Plan, the principle of reusing a vacant building to small-scale social/community uses is acceptable subject to local impact and compliance with the relevant national and local policies. Saved Policy 23 encourages new social infrastructure.

9.3 It is acknowledged that the property functioned as a day centre for people with disabilities from for over ten years but the use became unviable due to the limited number of blind and visually impaired people visiting the centre. In this regard the change of use to a nursery could be seen as regenerating the site for a use that incorporates social benefits.

9.4 Paragraph 92 of the National Planning Policy Framework (the 'Framework') states, To provide the social facilities and services the community needs, planning decisions should:

a) plan positively for the provision and use community facilities and other local services to enhance the sustainability of communities and residential environments;

- b) take into account and support the delivery of local strategies to improve health and social well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d) ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of and community facilities and services.

9.5 Taking the above into account, it is considered that the principle of a new nursery on the site is considered acceptable as long as the loss of previous use can be justified. The benefits of the scheme (i.e. social infrastructure) must also be weighed up against the other material planning considerations associated with the development.

9.6 There has been a fairly large number of objections from neighbouring residents and the impact of the development on highway safety, parking and noise levels have been main topics of concern. All of these issues will be discussed within this report.

Loss of Social Centre for the Blind

9.7 Herts Vision Loss, formerly known as the Hertfordshire Society for the Blind, identified that the Social Centre for the Blind was not cost effective. Its annual operating cost exceeded the income that it attracted by over £3,000 per annum. The centre is run down and requires refurbishment as well as a range of works being completed to the external structure. The Charity anticipated that over £20,000 would have been required to be spent on the facility to ensure that it could remain open. This was as a result of both safety and security. Herts Vision Loss have confirmed that the Centre was causing financial damage to the charity and they would have been unable to fund the works to upgrade/maintain the facility (see letter from Herts Vision Loss, dated 24 April 2017).

9.8 The centre was manned by an outreach support worker and although a range of initiatives to increase the use of the facility were undertaken to encourage the blind and visually impaired, these did not have a sufficient impact to justify the retention of the use. Therefore, to reach the blind and visually impaired population of Boxmoor and Hemel Hempstead, the Charity needed to operate from alternative facilities at an additional cost.

Building Utilisation

9.9 A number of initiatives were undertaken in an attempt to boost the usage of the centre. Some of these initiatives included coffee mornings; volunteer forums, sight information points, yoga sessions, hearing advisory services, stroke support groups, etc.

9.10 A full list of these initiatives can be found within the supporting letter. The letter explains that there was extremely poor attendance from the blind and visually-impaired community, highlighting that the social centre is not on any direct public transport routes and therefore *"getting to the centre has been a continual issue reported by*

service users.”

Alternative Facilities

9.11 A survey carried out by Herts Vision Loss reported that the service users favoured the South Hill Centre. This is located in Hemel Hempstead Town Centre and is easily reached.

Loss of Residential Use

9.12 As mentioned in Section 5, the historic condition put on the Social Centre for the Blind ensured that when the use of the centre by the Hertfordshire Society of the Blind ceased, so did the permitted use. The site therefore currently falls under the previous planning use, residential (C3).

9.13 The site was previously granted permission for the construction of two residential dwellings (see application 4/0411/86). Considering the Government’s pressure to boost the supply of housing, circumstances seldom warrant the release of residential sites to other uses. Dacorum’s Local Plan (saved Policy 15 – Retention of Housing) sets out where exceptions can be applied. The Policy states, *“the loss of housing and dwellings will not be permitted except...within a residential area where: (i) essential small-scale social, community or leisure facilities would be provided; and (ii) suitable alternative non-residential properties are not available.”*

9.14 Hertfordshire County Council’s (HCC) Childcare Sufficiency Report (April 2019) states, *“A new provider will be supported to open a new day nursery in the Chaulden area of Hemel Hempstead. This setting will provide much needed additional places for two year olds in the immediate area.”* The Applicant has confirmed that the two other nurseries they run in the Borough have waiting lists. Thus, it appears that there is a need for new nurseries in the area.

9.15 Flower Pots Day Nurseries state that they have been actively looking for a suitable premises for three years and have lost several sites to developers. Taking this into account and the fact that Hemel Hempstead is in need of additional childcare facilities, it is considered that loss of a small residential site is acceptable due to the overriding social and community benefits that would accrue from the proposal.

Impact on Residential Amenity

9.16 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. Considering the proposed use, the issue of noise must also be assessed.

Noise

9.17 The issue of noise has been highlighted as a concern by the neighbours. The Applicant was contacted with regard to this and a noise impact assessment was submitted to the Council (see Sound Solution Technical Report 31852 R1).

9.18 Following consultation on this document, Dacorum’s Environment and Community

Protection Department (ECP) did not raise any concerns over noise associated with vehicle drop-off/pick-up, nor did they raise concern over noise emissions when averaged over the operating period and compared to background levels. However, ECP raised concerns that sudden, impulsive noise associated with children shouting/crying during outdoor play would be more likely to cause disturbance and subsequent noise complaints.

9.19 The Applicant suggested that outdoor activity is limited to 2 x 1 hour sessions to mitigate concerns. ECP raised concerns with this, stating that if all of the children are outside for a short-period, excitable and difficult to control, it may result in increased noise levels. Instead, it was suggested that small groups not to exceed 12 are allowed outside for multiple short durations throughout the day, thus affording staff greater control and the option to bring inside upset or uproarious children.

9.20 The noise assessment also suggests limiting outdoor play to 09:00–17:00 hours, Monday to Friday. If this planning application is successful, a condition would be placed on the permission in this regard.

9.21 Noise mitigation relies heavily on good management/childcare methods. This can vary dependent on management. ECP made the strong suggestion to reduce children numbers or award temporary consent to enable the Local Authority to monitor for noise complaints over a 2-year period. Should significant noise issue arise during this period, this would be governed by Dacorum's Environmental Health Department. The Applicant has agreed to both of ECP's recommendations by reducing the number of children from 60 to 45 (20%), which would subsequently bring the number of staff down to 11, and by also implementing the proposed 2-year temporary permission condition.

9.22 As an extra precautionary measure, ECP requested a 'Noise Management Plan' for the control of children noise in external areas. Such plan would show actions taken to mitigate numbers of children outside at any one time, staffing ratios and control measures to limit or remove noisy children from the external environment. The Applicant has confirmed that if the application is approved, a Noise Management Plan condition can be added and subsequently approved prior to first use of the building.

9.23 In summary, it is felt that the concerns raised with regards to noise can be overcome with the implementation of the aforementioned planning conditions. Therefore, it is not felt that the issue of noise should inhibit the development proposals.

Visual Intrusion, Loss of Light and Loss of Privacy

9.24 The plans submitted with the application originally included proposals for the first-floor enlargement of the building. This proposal would have increased the scale and bulk of the building considerably. Following a number of objections from the neighbours, the Applicant decided to scale-back the works to a modest single-storey extension. Following these amendments, it is not felt that the proposed works would result in any significant impacts in terms of visual intrusion, loss of light or loss of privacy to the surrounding residential units.

Space Standards

9.25 The Applicant has informed the Local Authority that indoor space to serve the

nursery would meet EYFS (Early Years Foundation) standards, which requires:

- 3.5sqm for 0-2 years;
- 2.5sqm for 2-3 years; and
- 2.3sqm for 3-5 years.

9.26 There appears to be no official guidelines for how much outdoor space children should have, however, it is felt that the garden/terrace area to the rear would provide an adequately sized space for small groups of children. A condition would be added, if approved, to ensure that this space is landscaped sufficiently. In addition to the details provided, the proposed nursery would also need to adhere to Ofsted requirements in regards to indoor and outdoor amenity provision.

Impact on Highway

Accessibility, Safety and Capacity

9.27 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety.

9.28 A number of the neighbour letters raised road safety concerns relating to the arrival and collection of children. It appears that there would be a greater number of vehicular journeys when compared to the previous use.

9.29 HCC as the Highway Authority have assessed the proposal and consider that it would not have an unacceptable impact on the safety and operation of the surrounding highway network. Therefore, no objections were raised on highway grounds, subject to the inclusion of several planning conditions.

Parking

9.30 Policy CS12 seeks to ensure developments have sufficient parking provision. The Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.31 Dacorum's local parking standards (as set out in saved Appendix 5 of the Local Plan) require, as a maximum, nursery schools to provide 1 space per 4 children. Therefore, the maximum parking standards for a nursery of this size (45 children) equates to 11.25 parking spaces.

9.32 The submitted Transport Statement (dated 11 February 2019) states that the peak parking accumulation is estimated to be 8 spaces, which would occur between around 8.10am and 8.20am. The proposal provides a total of 15 spaces (2 disabled) all of which meet Dacorum's minimum space standards of 2.4m x 4.8m. Up to 11 of these spaces may be taken by staff members and therefore, at peak times, there may be potential for a small number of parents to rely on the on-street parking.

9.33 Alston Road is situated within a Controlled Parking Zone (CPZ) and has three parking bays reserved for permit holders or available to others for 30 minutes with no

return permitted within 30 minutes. The supporting parking survey data found that the parking bays are very busy between around 8.40am and 9am and again between 2.50pm and 3.10pm. At other times the parking bays are lightly used and there is ample spare capacity. The observed peaks in existing parking demand coincide with drop-off and pick up times of the nearby St Rose's Infants School.

9.34 The Transport Statement also provides other data linked to Flower Pot's existing 80-child nursery in Adeyfield, making comparisons to the proposed. Key findings include:

- For the existing nursery, main traffic flow for the morning peak hour occurs between around 8am and 8.20am when parents drop-off children as part of their commute to work. This period does not coincide with the existing school traffic activity that occurs on Alston Road, which occurs between around 8.40am and 9am. The nursery's traffic during this period is light.
- Similarly, the peak evening period for the nursery is between 5pm and 6pm as parents collect children as they travel home from work. This occurs long after the school pick-up period that currently generates parking demand on Alston Road.

9.35 From the data provided, it is clear that the proposed nursery's peak periods do not coincide with the maximum on-street parking demand periods. Nursery traffic tends to occur earlier than school drop-off traffic during the morning and well after school pick-up times in the afternoon/evening.

9.36 In summary, the traffic associated with the proposed development would generally occur when on-street parking is available on Alston Road. The proposal provides 15 parking spaces, which is above the maximum standard for a nursery of this size. Any shortfall of spaces during peak times could be easily accommodated on Alston Road. As such, the proposed development would provide a satisfactory number of parking spaces. The parking layout is also adequate. There would be no significant adverse impacts on highway safety or the free flow of traffic on the local highway network.

Impact on Visual Amenity

9.37 Policies CS11 and CS12 seek to ensure that any new development/alterations respects or improve the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height. The Framework states that permission should be refused for developments of poor design which fail to improve the character and quality of an area.

9.38 The modest external alterations (i.e. single-storey extension) would have an extremely limited impact on the visual aesthetics of the building and surrounding area. The proposed materials would match the existing building. As a result, it is not felt that there would be any significant harm to visual amenity.

10. Other Material Planning Considerations

Waste Management

10.1 Within the site there should be space for at least two 1100ltr Eurobins, one each

for residual waste and recycling. Details of these have been provided on Drawing wren naj 57e 2018. These are found to be acceptable in accordance with Dacorum's Refuse Storage Guidance Note.

Trees and Vegetation

10.2 No trees of significant landscape value or amenity will be detrimentally affected by the development. There are some small trees located near the proposed single-storey extension. These act as a visual and noise buffer between the site and properties on Sebright Road. It is unlikely that the ground-works would impact these trees but the Architect has agreed that we can place a condition on the permission if approved to ensure that a tree protection plan is provided prior to commencement.

Response to Neighbour comments

10.3 The points raised by neighbours have been addressed within this report.

11. Conclusions

11.1 There is sufficient evidence to demonstrate that appropriate alternative provision has been made for the blind community and that the Social Centre for the Blind is no longer really viable.

11.2 The loss of a small residential site is considered acceptable when compared to the overriding social and community benefits that would arise from the proposed nursery.

11.3 The proposal in its context and would not compromise the characteristics of the locality and would not give rise to significant highway safety or parking concerns.

11.4 Issues surrounding noise can be adequately addressed through the use of planning conditions. A two-year temporary permission is suggested to allow the Council to monitor the operation and safeguard the neighbours in this regard.

11.5 Overall, the proposal to construct a single-storey extension and change the use to a nursery would represent appropriate development. As such, the development would be in accordance with the aims of Policies CS4, CS11 and CS12 of the Dacorum Borough Core Strategy (2013); saved Policies 23 and 69 of the Dacorum Borough Local Plan (2004) and Paragraph 92 of the National Planning Policy Framework (2019). The proposal is therefore recommended for approval subject to the conditions listed below.

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

Conditions/Reasons for Refusal

No	Condition
1	The use hereby permitted shall expire 2 years from the date that conditions 5, 6 and 7 are fully discharged and on or by that date the nursery use hereby permitted shall be discontinued.

	Reason: This permission is for a limited period and is granted only in order that the Local Environmental Health and Planning Authority may review the matter at a later date once the impacts can be fully reviewed.
2	<p>The hours of site operation shall be restricted to Monday-Friday (07:00 – 19:00 hours. No site activity on Saturday, Sundays or Bank Holidays. No external amenity use outside of 09:00 – 17:00 hours.</p> <p>Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).</p>
3	<p>The number of children using the nursery hereby approved shall be limited to 45 in total.</p> <p>Reason: In order to protect the amenities of adjoining occupiers and to ensure adequate parking provision, having regard to saved Appendix 5 of the Dacorum Borough Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).</p>
4	<p>A Noise Management Plan shall be implemented. A log of periodic monitoring and actions be kept. Together with a log of complaints; together with corrective actions undertaken.</p> <p>Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).</p> <p>NOTE: This will be reviewed at the end of the two-year temporary permission.</p>
5	<p>At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The Travel Plan Statement should include a Parking Management Plan to ensure that on-street parking in the vicinity of the site is minimised and that sufficient provision is made for safe pick up and drop off. The approved Travel Plan Statement shall be implemented at all times.</p> <p>Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
6	<p>The use hereby permitted shall not commence until a plan indicating the positions, design, materials and type of boundary treatment to be erected around the play area, details of any landscaping works to the proposed play area and details of cycle parking facilities has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented fully in accordance with the approved details prior to first use of the building.</p> <p>Reason: To ensure a satisfactory appearance to the development in order to safeguard the visual character of the immediate area and children's' safety; in accordance with policy CS12 of the Core Strategy (2013).</p>
7	Prior to the commencement of development hereby approved, a Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to

	<p>design, demolition and construction) setting out how the trees on the development sites boundaries shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.</p> <p>Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>wren naj 57d 2018 - Proposed Floor Plans wren naj 57e 2018 - Proposed Elevations</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>INFORMATIVES</p> <p>1). Un-expected Contaminated Land Informative</p> <p>Considering the nature of the proposed end use with; the site within 116m of a former contaminated land uses which includes a coal yard, former garage and tank etc., there is a possibility that this may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.</p> <p>2). Construction Hours of Working – (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>3). Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p>

4). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation Responses

Environmental Health

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/03028/18/FUL for the change of use to nursery, ground floor extension as well as construction of first floor extension.

Please be advised that, we have no objection to the proposed development in relation to Air Quality and Land Contamination.

However, contrary to the applicant alluding there will be only the first floor extension, we observed some level of extension work are also going to be done on the ground floor.

Therefore, with the proposed development site within 116m of a former contaminated land uses which includes a coal yard, former garage and tank etc., the following planning condition and informative are recommend should planning permission be granted.

1). Un-expected Contaminated Land Informative

Considering the nature of the proposed end use with; the site within 116m of a former contaminated land uses which includes a coal yard, former garage and tank etc., there is a possibility that this may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

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

In accordance with the councils adopted criteria, all noisy works associated with site

demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

3). Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

4). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Environmental and Community Protection

Notice is hereby given that the Environmental and Community Protection Environmental Health Department: advises that any permission which the Planning Authority may give shall include the conditions overleaf, on the grounds of 'noise'.

ECP Comments:

- This Memo follows, a technical review of the applicant's noise impact assessment, together with associated comments from the applicant.
- It is important to understand that unlike say, the introduction of mechanical plant to a nearby noise source, or say a residential dwelling to an existing noise source, there is no set noise criteria to assess the change of use of a building to a children's nursery.
- It is considered that the acoustic report has determined the local noise climate with good accuracy and the calculations of noise emission and resultant calculations with acceptable accuracy.
- ECP does not have concern over noise associated with vehicle drop-off/collection, nor does it have particular concern regarding noise emissions when averaged over the operating period and compared to background. However, concern exists when considering instantaneous peak levels (e.g. LAMAx), associated with outdoor play.
- ECP has concerns regarding the applicant's proposal to planning officer, to limit outdoor activity to just 2 x 1hour sessions, it is expected that such a proposal would make staffing and controlling external impact of noise from all children being outside for a short-period, excitable and difficult to control; together with potential health impacts to children. Instead, the noise impact assessments report recommendation to limit outdoor play to 09:00 – 17:00 hours, Mon-Fri is considered more sensible. This it is anticipated would allow small groups, say

not to exceed 12, to utilise the outdoor space, for multiple, short durations throughout the day. Thus affording staff greater control and the option to bring inside upset or uproarious children.

- The applicant's suggestion to reduce the children attending the nursery to no greater than 40 on any one day, gives greater confidence, that if the application were given planning consent it would be unlikely to cause a noise nuisance.
- Another option would be to give a temporary planning consent for a period of say, 2-years to enable ECP to monitor the impact to nearby residential.
- The following conditions are recommended to be applied to any planning consent given, where necessary, please amend wording to suit planning condition.

1. Business Hours Restriction

The hours of site operation shall be restricted to Monday-Friday (07:00 – 19:00 hours. No site activity on Saturday, Sundays or Bank Holidays. No external amenity use outside of 09:00 – 17:00 hours.

Reason: To protect local residential amenity

2. Noise Management Plan

A Noise Management Plan shall be implemented. A log of periodic monitoring and actions be kept. Together with a log of complaints; together with corrective actions undertaken.

Reason: To protect local residential amenity

This department advises that any permission which the Planning Authority may give shall include the conditions above, on the grounds of 'noise'.

Further comments

We'd support the temporary consent of application with attachment of conditions to not exceed 45 children, two year trial period and supply of noise management plan.

Hertfordshire County Council – Highways Department

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:

CONDITIONS: Hertfordshire County Council (HCC) as Highway Authority does not wish to raise an objection to the proposed development, subject to the following conditions:

1. Construction Management Plan: No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the

Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction 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, loading / unloading and turning areas); d. Siting and details of wheel washing facilities; e. Timing of construction activities; f. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements. Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Travel Plan Statement – Requested Prior to Use: At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The Travel Plan Statement should include a Parking Management Plan to ensure that on-street parking in the vicinity of the site is minimised and that sufficient provision is made for safe pick up and drop off. The approved Travel Plan Statement shall be implemented at all times. Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Cycle Parking: Prior to the first use of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. Reason: To ensure the provision of adequate 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 Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

COMMENTS / ANALYSIS: The application comprises of the change of land use at 6 Alston Road, Hemel Hempstead. The changes involve converting the current Social Centre for the Blind at the site to a nursery school, which is proposed to include an extension to add an additional storey to the existing building. These changes were outlined in drawings submitted with the application form. However, Hertfordshire County Council (HCC) notes that in the application form, notably section 5, there is no mention of the change in land use, but only the extension. The nursery is proposed to hold 60 children at various times throughout the day, between 07:00 and 19:00. Existing and proposed layout plans for the site have been provided alongside the application for the site.

ACCESS ARRANGEMENTS: There are no proposed changes to the existing access to the site as part of the application. The site's only access point is from Alston Road, which lies to the north of the site. Alston Road is an unclassified 'U' local access road that lies to the west of Hemel Hempstead town centre and to the north of the railway station. The site is otherwise bound by residential properties and associated land to the west, south, and east. The site is also accessible by foot and by bicycle from Alston Road. Alston Road has a speed limit of 30mph and is highway maintainable at public expense. The access to the proposed site is considered to be acceptable by HCC.

PARKING AND MANOEUVRABILITY: HCC received information via email from Martin Stickley at Dacorum Borough Council (DBC) regarding the proposed parking provisions at the site provided by the applicant, which outlined that there will be eight parking spaces and three disabled parking spaces. The applicant also noted that 15 parking spaces are required for a nursery school with an intake of 60 children. There are also proposed to be 14 full-time staff members. Notably, the parking proposals will not provide suitable provision for the size of the development, however DBC notes that this is unavoidable due to the size of the site. In order to avoid on-street car parking, the applicant has stated to DBC that they will stagger the times at which children arrive at and leave the site, similar to a method used at a nursery school on Adeyfield Road, which is also owned by the applicant. The applicant also stated to DBC that they aim to recruit staff that live locally, promote car sharing, and install bicycle racks at the site, with the intention of encouraging sustainable modes of travel and reducing congestion. HCC as Highway Authority recognises that providing more parking at the site is not possible due to the size of the site. However, HCC notes that in order to ensure that there are no detrimental impacts on the highway network occur as a result of the proposals, a Travel Plan Statement is required as a condition, as stated above.

EMERGENCY VEHICLE ACCESS: No details have been provided to HCC regarding emergency vehicle access to the site. The frontage of the site onto Vicarage Road would enable emergency vehicle access to be within 45 metres from all dwellings. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire: Highway Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellings'.

REFUSE / WASTE COLLECTION: Provisions for on-site refuse stores within 30m of the nursery school building and within 25m of the kerbside are not identified in the information provided to HCC at present. The collection method must be confirmed as acceptable by DBC waste management.

TRIP GENERATION AND DISTRIBUTION: Information regarding the proposed number of trips has not been outlined in the documentation provided to HCC. HCC recognises that the site will generate a number of trips, however if a Travel Plan Statement is provided with the application it is likely that the proposals will have minimal impact on the highway network.

ACCESSIBILITY AND SUSTAINABILITY: The pedestrian infrastructure in the vicinity of the site is of a good standard, with footpaths on both sides of Alston Road and most roads in the surrounding area. There are no designated cycleways in close proximity to the site. The closest bus stop to the proposed site is on Green End Road approximately a 2-minute walk away, which is served by the H10 and H11 services. The H10 serves the stop hourly between approximately 08:00 and 15:00, with an additional later service at 17:30. The H11 serves the stop hourly between approximately 10:00 and 13:00. Both services have local routes that serve other areas of Hemel Hempstead, such as the town centre and Adeyfield, but not areas further afield. Hemel Hempstead bus station and town centre are approximately a 20-minute walk or an 8-minute cycle from the proposed site. The site is within close proximity to Hemel Hempstead railway station, which is approximately a 10-minute walk or a 4-minute cycle from the site. Hemel Hempstead railway station has regular and direct services to London Euston, East Croydon, Milton Keynes, Tring, Birmingham New Street, and other locations in between. The agent for the proposed site has informed

DBC that car-sharing and walking to the site will be encouraged where possible.

CONCLUSION: HCC as Highway Authority considers that the proposal would not have an unacceptable impact on the safety and operation of the surrounding highway network. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions.

Comments on additional information

I would not have any specific additional comments to those as submitted in the response.

I still think it would be reasonable to ask for a travel plan condition particularly due to the number of trips proposed during peak hours.

Trees and Woodlands

According to the information submitted no trees of significant landscape value or amenity will be detrimentally affected by the development. I have examined the information and have no objections to the application being approved in full

Appendix B

Neighbour Notification/Site Notice Responses

3 Bulbourne Close

We have had constant problems with parking that have only just been resolved with the parking scheme. Although many people still violate this as it is not manned enough by traffic wardens - such a shame people don't think that double yellow lines means no parking and that school parents feel they have a right to park in the parking bays with out permits. There is limited parking on this site and as they propose to operate from 7am to 7pm which is outside of the current parking restrictions this will undoubtedly cause the problems that residents faced prior to the parking scheme. It would render the whole scheme useless and a waste of money and residents would again have to petition to change the hours of the scheme to include the operating hours of this business in a residential area, so that residents are not affected. The site it's self is on a blind corner and the entrance is already at a disadvantage in that cars can not exit safely - there have been many times when cars have blindly pulled out into oncoming cars -how would the council rectify this would they provide mirrors at strategic places to avoid this and how would they get the residents permission for where they would need to be situated as it would be on their property? Finally above all, this is a residential area and to grant a business licence gives way for this to be used in other areas should this first business not survive.

1 Bulbourne Close

We have just been informed the Blind Centre building, 6, Alston Road Boxmoor, is to be turned into a nursery. We are pleased the building will be given a new life but have to express some concern about the parking. The current car park is not big enough for staff and parents and as I'm sure you are aware, this area has just been granted a parking zone after waiting for 3 years. Our concern is parents dropping off and

collecting their children from 7am to 7pm will not adhere to the parking zone and residents will be back to square one with inconsiderate parking as before. Please take our and other residents concern into account when this application is looked into.

10 Alston Road

1. Despite Application 4/03028/18/FUL being summarised on the Planning Portal as a proposal to "Change of use to nursery and construction of first floor extension" the formal Application Form at section 5 "Description of Proposal" merely says it concerns an "extension to building erecting first floor" with no mention of a change of use being required. So the Application should be rejected on the grounds of incompleteness.

2. Consent to a change of use is required because the property was originally erected under permission 4/00884/88/FUL which at Condition 5 stated "this permission shall not enure for the benefit of the land and the use hereby permitted shall cease when the Hertfordshire Society for the Blind ceases to use the premises for the purposes of a day centre for the blind." So there is no full D1 consent which the Flowerpot Nursery or anyone else can inherit.

3. Any application for such a change of use would need to address the fact that this site is in a populous residential area and this would necessitate the opening hours being limited to 8am to 5pm.

4. Details should be required about how staff parking for 14 employees (there are currently 11 parking spaces on site) plus parental drop-off needs are to be accommodated, particularly bearing in mind the recently introduced Controlled Parking Zone provisions. Despite the CPZ we still suffer two peak periods when parents park to drop off their children at St Roses School and Boxmoor School, and this will be exacerbated by any nursery. It must be remembered that the access to the property is at a right angled bend in Alston Road that has always proved dangerous to negotiate.

5. There is also a need for the containment of the inevitable noise and curtailment of the increased pollution brought about by the massive increase in car movements.

6. Evening and weekend activity would need to be prohibited.

7. Turning specifically to the subject application, at question 10 it should be noted that there are mature trees immediately adjacent to the current building. Also at Question 17, the (ground floor) existing building is shown as 183 square metres yet the first floor extension is shown as 262 square metres.

8. On the merits of the subject application, it substantially increases the bulk of the existing already large building; raises the roof line considerably above what was a carefully agreed height when application was made for the 1988 permission; and changes the shape of the roof line to a style which is out of character in the residential environment in the locality.

9. As a result all the adjacent properties including our own will suffer a loss of daylight and be overshadowed by the proposed development; we will be overlooked with the consequent loss of privacy.

10. On the details of the application, were it eventually to be granted permission we

would ask that obscured glass is used in the mansard windows overlooking our garden at 10 Alston Road (which is one of the adjacent buildings).

Further comments

I have read with interest the comments of Hertfordshire County Council and would observe they include:

"HCC notes that in the application form, notably Section 5, there is no mention of the change in land use" which causes me to reemphasise the same point made in my earlier objection.

"The applicant noted that 15 parking spaces are required for a nursery school with an intake of 80 children... Notably the parking proposals will not provide suitable provision for the size of the development; however, DBC notes that this is unavoidable due to the size of the site. In order to avoid on-street parking, the applicant has stated to DBC that they will stagger the times at which children arrive at and leave the site."

This causes me to re emphasis my objection that this is an over development of the site, which if scaled back would enable the appropriate on site parking provision to be delivered. If the applicant is unable to comply with the on site parking standard the application should be refused. And if the applicant is making assurances to the DBC about staggered start and end times they should form part of the documentation on the public record so it can be accessed and commented on by local residents.

Further comments

With regard to the revised proposed elevation we note that the mass of the proposed extended building has not been diminished at all; there has been a (welcome) move of the trash bins to the other side of the plot and there is a re arrangement of the car parking spaces, shown on a larger scale on drawing 19004/SK1. So in short nothing is contained that mitigates our concern that the proposed extension does in fact represent a gross over development of the site. The revised drawing does take cognisance of the felling of the silver birch tree presumably to create two more minimum size car spaces, which might be strictly legal but does nothing to commend this development to the local residents, destroying a healthy and beautiful tree.

As far as the Traffic Survey is concerned, it grossly overstates the journeys made to the Day Centre for the Blind by equating this use to that of a "Community Centre." There were in fact no permanent staff employed at the Day Centre, and its peak traffic demands occurred when a local charitable organisation had use of the Centre for a meeting. Apart from these there was no vehicular activity generated, and a "Community Centre" should not be used as the base of comparison to the proposed nursely use. Even so, the consultants are of opinion that the traffic movements will increase from 48 per day to 87.5 ie an 80% increase. And their assessment of the ability of the local parking regime to accommodate this is predicated on the vast majority of nursery children being dropped off before and picked up after the "school run" for St Roses, which means the mayhem we currently experience during these periods will be extended both earlier and later in the day in a way which is deleterious to the quiet environs of Alston Road. The Consultants seem to have blithely ignored that most if not all of the on site car parking will be required for staff and thus not

available to the parents for drop off and collection, a huge distinction between this site and the functioning nursery in Adeyfield Road. At Alston Road, parents will need to park and then manoeuvre their vehicles to leave the premises; at Adeyfield Road there is a wide curved driveway with separate "In" and "Out" points which enables a smooth flow of parental traffic. Not only will the parental traffic create noise (see also below) it will also bring more pollution, exacerbated by the need for parental traffic to manoeuvre in order to exit the proposed car park at Alston Road. Furthermore the consultants seem to have taken no cognisance of delivery traffic providing groceries, cleaning equipment and other provisions etc to the nursery, all of which require a greater space for manoeuvre of their vehicles. The outcome will be that parents and delivery vehicles will park on the double yellow lines only recently introduced to reduce the noise, pollution and general parking nuisance in Alston Road. The Consultants have also not recognised the degree to which the parking bays are occupied by vehicles from Grosvenor Terrace during the unrestricted parking times.

The Noise Impact Assessment references at the outset the 2010 DEFRA Noise Policy Statement for England and the policy that "existing businesses wanting to develop in the continuance of their business should not have unreasonable restrictions placed on them." But the planning application is not for an existing business on the site; it relates to the first time ever that a business use has been proposed for the site and so the strictures in the 2010 Policy do not apply. The assessment of the noise generated by drop off and pick up activity explicitly states that the base assumption is that this occurs "at the local of the drop off/collection bays at the front of the development" whereas we know from the staffing level estimates that all these bays will be required by staff; indeed their tandem configuration points up the fact they must be for staff and only rarely available to parents. Turning to the proposed rear play area, paragraph 4.21 points up that the proposed play area is too small to accommodate all the children and necessary supervising adults at any one time, which means that in order to provide outdoor recreation for the children, playtimes would need to be staggered and thus the times the play area is used would increase. There is likely to be appreciable impact on the living conditions within the houses at 25 Sebright Road and 47 Puller Road (has the latter been included in the consultation?); not only would their gardens be even more adversely impacted and quiet enjoyment substantially diminished, but the same goes for our garden at 10 Alston Road which has the whole of its rear boundary abutting the play areas. To mitigate this, were planning permission granted then a substantial restriction on the times the play area can be used together with the best of boundary acoustic treatment would be needed.

In conclusion it is noted that the Planning Application still does not seek a change of use on the face of it, and were it to be granted it would need to be both conditional with appropriate restrictions on the size of the development to minimise the impact on local residents, and personal or in some other manner apt prevent the D1 use becoming established despite being non conforming in a residential neighbourhood.

Further comments

In response to the comments of the Environmental and Community Protection Unit of the Environmental Health Department, we note they have concerns over the level of noise emanating from outdoor play. There seem now to be two suggestions from

Borough officials as to how to ameliorate the effects - either limiting outdoor play to two one hour sessions per day, or more continuous outdoor play activity but limited to twelve children or less at any one time. The difficulties of the Council being able to monitor either suggestion are obvious. However, we as neighbours, together with local residents, believe these suggestions to be a false choice - there is no D1 permission extant, any such permission would be a non-conforming user, and local residents should not be expected to accept any level of noise beyond that which would be generated by normal domestic residential activities. It is to be remembered that not only are there legitimate concerns about the noise generated by outdoor play, there is also the noise that would be generated by sixty children within the premises that are close to the boundaries of both ourselves and the homes in Sebright Road. We know from experience noise from within the Blind Centre impacted the quiet enjoyment we should expect in our own home, but at least this was for a limited duration two or three times a week, an hour at a time - a Children's Nursery would greatly compound that problem both in noise level and its duration throughout every working day.

Furthermore there is the noise, danger and pollution that would be generated by parental vehicles dropping off and picking up children, delivery vans and other trades people and the impact of staff parking in the vicinity. Local schools already have difficulties parking and the road would be reduced at peak times to once again being dangerous as parents abandon their cars, park across residents' driveways and prevent access for the emergency services.

This Application is for a commercial children's nursery, running five days a week except for Public Holidays, in the heart of a compact residential area, and not at all akin to the activities undertaken by the Hertfordshire Society for the Blind which was a charitable organisation that negotiated with and largely kept their undertakings to the local residents about hours of use, activity levels etc. It was because we as local residents accepted the bona fides of the Society that the then Planning Committee permitted a personal planning permission rather than accept the then Planning Officers' recommendation for refusal. There is no parallel acceptance of a Commercial Children's Nursery by the local residents and we maintain our objections to the planning application. It should have been refused at the outset and not left residents having to live with the nightmare scenario which would come to pass if the planning application was permitted.

Further comments

This is a response to the applicants' statement that "We have taken on board the neighbours concerns and have decided to minimise the nursery as much as we can. We have submitted new plans and are not going to proceed with the first floor extension.

We are also going to reduce the number of children by 25% from 60 to 45 per day. This will also reduce the number of staff from fourteen to approximately eleven." It is worth noting at the outset that the Application Form of 20th November 2018 proposed "extension to building erecting first floor" and if this proposal is now withdrawn then on the face of it the application falls.

Although the decision not to proceed with the first floor extension is naturally to be welcomed, we note that it has been replaced by a ground floor extension to the western side of the building, resulting in the bulk of the building being very close to the boundary fence on that side in the same way as it unfortunately already is on our (eastern) side. The impact of the side extension also reduces the number of onsite car parking spaces to sixteen, thus placing more pressure on the already congested on-street parking bays. The entrance to the car park is narrow and once all the spaces are taken the manoeuvrability within the car park is particularly limited. This inevitably means that double parking and parking on the double yellow lines would be almost continuous. The access to 6 Alston Road is situated on a right angle bend with poor visibility and once again emergency vehicles, deliveries, etc. would not be able to access our road and roads nearby, a position we experienced before the introduction of Controlled Parking Zone.

The reduction in the "number of children" is imprecise in its terminology. Does this mean 45 places - which could be divided between morning and afternoon sessions to cater for 90 clients, resulting in 180 traffic movements as parents drop off and pick up - or does it mean a roll of 45 children. Although the latter would be only half the problem in respect of traffic movements, it would still be enough to dangerously congest, pollute and raise the level of noise beyond reasonable and acceptable levels for the local residents in a residential neighbourhood. Details should be required about how staff parking plus parental drop-off needs and the delivery of supplies are to be accommodated, particularly bearing in mind the recently introduced Controlled Parking Zone provisions. Despite the CPZ we still suffer three peak periods when parents park to drop off their children at St Roses School and Boxmoor School, and this will be exacerbated by any nursery. It must be remembered that the access to the property is at a right angled bend in Alston Road that has always proved dangerous to negotiate. The local police report that they have not been consulted at all and would expect a nursery to further deteriorate an already difficult parking and through traffic problem.

The level of noise from the proposed play area would still also unreasonably and unacceptably impact the local residents, particularly those whose gardens are adjacent to the proposed play area. It remains the case that there are two suggestions from Borough officials as to how to ameliorate the effects - either limiting outdoor play to two one hour sessions per day, or more continuous outdoor play activity but limited to twelve children or less at any one time. The difficulties of the Council being able to monitor either suggestion are obvious. However, we as neighbours, together with local residents, remain of opinion that these suggestions are a false choice - there is no D1 permission extant, any such permission would be a non conforming user, and local residents should not be expected to accept any level of noise beyond that which would be generated by normal domestic residential activities. The fact that the applicant was not aware of the true planning position when he purchased the property is no reason to disadvantage the neighbours. It is to be remembered that not only are there legitimate concerns about the noise generated by outdoor play, there is also the noise that would be generated by the children within the premises that are close to the boundaries of both ourselves and the homes in Sebright Road. We know from experience that noise from within the Blind Centre impacted the quiet enjoyment we should expect in our own home, but at least this was for a limited duration two or three times a week, an hour at

a time - a Children's Nursery would greatly compound that problem both in noise level and its duration throughout every working day.

This Application is still one for a commercial children's nursery, running twelve hours a day five days a week except for Public Holidays, in the heart of a compact residential area, and not at all akin to the activities undertaken by the Hertfordshire Society for the Blind which was a charitable organisation that negotiated with and largely kept their undertakings to the local residents about hours of use, activity levels etc. It was because we as local residents accepted the bona fides of the Society that the then Planning Committee permitted a personal planning permission rather than accept the then Planning Officers' recommendation for refusal. There is no parallel acceptance of a Commercial Children's Nursery by the local residents and we maintain our objections to the planning application. It should have been refused at the outset and not left residents having to live with the nightmare scenario which would come to pass if the planning application was permitted, and what it could grow in to if a full D1 permission be granted.

1 Alston Road

I am objecting to the proposed planning application at Flowerpots Nursery at 6 Alston Road, Boxmoor. There is only a small car park at the above address. There is already traffic congestion at school time due to Saint Roses School. Some parents still park on permit bays and on pavements. With another nursery there will be more parking problems with fourteen staff the car park will only be large enough for staff, with extra noise and car generated pollution. Rubbish collection on Thursday would be affected by illegal parking.

29 Sebright Road

I strongly object to the planning application for the following grounds:

- Nurseries should not be put in a high/close by residential area, which is going to disrupt/destroy people's home life, which they have every right to be peaceful.
- Children's voices as they scream and shout or even talk are very high pitched and carry a considerable distance.
- A former attempt to put a children's nursery in a house in Alston Road was rejected by the Planning dept. some years ago.
- The nursery parking area only has 8 spaces and 3 disabled spaces, which is not even enough for the staff.
- The nursery would be situated on a nasty 45 degree bend in the road and as there would be no room for a turning area in the parking area and the parents would have to park and manoeuvre on the very narrow roads, which could prove rather dangerous.
- Parents will be parking on the roads before 7am and causing disturbance and pollution – damaging to our health.

Further comments

DBC Noise, Pollution & Housing

'It is important to understand that there is no set criteria to assess change of use of a building to a children's nursery'

Environmental & Community Protection Environmental Health Department (ECP)

'does not have concern over noise i.e. drop-off/pick-up when averaged over operating period compared to background' Yes, well!! What sort of background noise are they using for their standard control in order to be able to make this conclusion/statement. I assume they have one!

Para 6. But the (ECP) does have concern over noise with children playing outside. The applicant says he will only allow 12 children at any one time outside. This is still going to be excessively noisy. We all know from experience, even when 2-3 children are playing together how their high pitched voices get louder and louder as they play and get excited. Also, what about the noise emanating from the children inside the building, these are 3 months to 5 yr olds. They won't be sitting quietly learning lesson's. Walls don't stop noise.

Para 8. 2yr temporary planning consent? Once planning permission is given no amount of monitoring is going to stop it! It's here. Also if the change to DI occurs, who knows what other dreadful possibilities may happen in this highly residential area with narrow roads.

It should be as was the case before the Blind Centre, a bungalow which didn't interfere in any-body else's life.

1. Business Hours Restriction

9am-5am is better than 7am-7pm, but it is not protecting 'local residential amenity.' It may be better for people who go to work. But doesn't it matter then about people who may be at home all day? The ill, people retired, people who have a day off from work, or people who work night nights and Hanover House for Seniors, just down the road and well within ear-shot.

2. 'that sufficient provision is made for safe pick-up and drop-off'

That can't happen given the situation.

Parking and Manoeuvrability

The nursery says it will stagger the times children arrive. Really, surely the parents must dictate rather a lot. They have to get to work and from here quite possibly to London. Are the nursery really going to turn people away if the clients can't fit in the with the nursery times.

People will cycle, walk, car share, etc.

If only. A good example recently in the local Gazette paper. When the Forum was proposed, 'most people will be cycling, walking, public transport, etc. so no need for lots of car parking.' The reality dawns. The Council are now taking over the top floor of the car-park in the Waterhouse St for Council workers. It all looks good on paper but in practice – no.

Emergency Vehicle Access

'Frontage of site onto Vicarage Road would enable emergency access to be within 45 metres of all dwellings'

Vicarage Road? I think they may be looking at the wrong map!!

It is good that the applicant has decided not to go ahead with the 2nd level of building as it would have overlooked us and withheld light.

But a great concern, is over the fact that the extension on the ground floor to the west (not north as on plans) and the rear of 29 & 27A Sebright Road will only be 1 metre away from the fence. Both gardens have larger trees and attendant root systems, just our side of the fence. Any digging of foundations and/or pipe work etc. could cause significant damage to the roots and therefore the trees.

12 Wrensfield - Councillor Janice Marshall

I am Cllr Janice Marshall and, as one of the DBC councillors for Boxmoor, I have been contacted by several residents expressing concern at the proposed extension of 6 Alston Road and change of use to nursery and I share many of the concerns expressed. My specific concerns are as follows:

- (1) Due to particularly difficult problems with on street parking in Alston Road, Green End Road and roads off, a CPZ was implemented in these roads on the 30 April 2018. Nevertheless, parking problems persist, particularly arising from the parents of children using St Rose's Infant School which is only two minutes' walk away from this application site. The change of use to nursery will inevitably increase the demand for parking and traffic generally in what is essentially a residential area.
- (2) The site is on a corner and access is difficult. This needs to be addressed, particularly in the light of the forgoing comments.
- (3) The site is located in a residential area, surrounded by houses. The noise from the nursery's "clients" together with the inevitable noise and disturbance arising from running the business is of great concern to residents. On the basis of the ratio of places to staff at the Flowerpot nurseries in Adeyfield and Apsley, I assume that it is planned to have 60 places at Alston Road. In view of the location of the site, I would argue that this high number of places (with the associate noise and disturbance, including that arising from vehicular traffic) is entirely inappropriate.
- (4) On the same principle, the proposed hours of operation from 7 a.m. to 7 p.m. to be inappropriate and excessive because of the location of the site.
- (5) Should DBC conclude that planning permission be granted, the hours of operation

and places permitted must be stipulated as conditions of the planning permission.

(6) The windows of the first floor extension will overlook the houses in Sebright Road. This is an unnecessary infringement of privacy and can be overcome by the installation of Velux type windows instead.

Further comments

As Cllr Janice Marshall, one of the DBC councillors for Boxmoor, I am writing to comment on the Traffic survey report and Noise Impact Assessment. Whilst obviously desiring more would walk or cycle, the reality is that due to the location of the site, it will be used greatly by road & rail commuters dropping off and collecting children en route to the railway station and to the A4146 and A41 roads. This adds up to a lot of motor traffic. Re the buses, the ARRIVAL times for the nearest bus stop for the H11 is 10.20 to 13.20 and for H10 is 9.50 to 14.50 - thus the bus service would be of such limited use to both staff and clients of the nursery, it should be discounted as irrelevant. Due to the layout of the site and location, access to & from the site would be immensely difficult, unlike the Adeyfield nursery and the on-street car parking is time limited, not all day. The Noise Impact Assessment states the play areas would be used between 10.00 and 16.00 - this should be made a planning condition if permission is granted.

Further comments

Some comments of my own on the traffic/transport survey:

- (3) The report understandably places a lot of focus on walking. I wish. But the reality is, due to the location of Boxmoor close to HH railway station, the perception of many commuters is that the whole area is a car park for the station. The proposed site is also close to the A4146 and near to the junctions with the A41 bypass and A414. All these points mean that the proposed nursery will be ideally situated for commuters (road and rail) to drop off and pick up their children. This adds up to a lot of motor traffic.
- (4) The report refers to the bus services H10 and H11. During the week, the hours of operation are (taking the arrival times for the nearest bus stop), for the H11 service 10.20 to 13.20 and, for the H10 service 9.50 to 14.50 plus a service at 17.30. Consequently, the bus service would be of such limited use to both staff and "clients" of the nursery, that it should be discounted as irrelevant.
- (5) I appreciate why the Adeyfield nursery was used to demonstrate the vehicle movements because of its very good forecourt which enables parents to drop off and pick up children and it is easy therefore to count the number of movements. I note that there was negligible vehicle movements after 6.15 p.m. This could demonstrate that it is not necessary, from a commercial viability point of view, to have the proposed nursery open until 7 p.m.
- (6) Not directly related to the traffic/transport survey but worth reiterating – the Adeyfield nursery does have good facilities for parents to drop off and pick up children. The Alston Road site does not.
- (7) The report advises that there is on-street parking in the vicinity, including Alston Road. Yes, there is but it is time-limited for non-residents. It is not all-day parking. Staff will inevitably have to park on the site. The topography and location of the site does not lend itself to easy access from and egress onto

Alston Road.

Regarding the Noise Impact Assessment, the Report states that the developer has advised that the play areas will most likely be used between 10:00 and 16:00 each day. If this was made a planning condition (if the application is granted), this will help ameliorate the impact of the nursery business on the adjoining residents.

Residents continue to be greatly aggrieved at this application and, in view of the significant public interest and concern in this matter, I hope that this application is referred to the Development Management Committee if you are of the view that permission should be granted.

Further comments

I am Cllr Janice Marshall, one of the DBC councillors for Boxmoor, and am responding to the amended plans and information regarding this application.

I welcome the addition of 3 further on site car parking spaces and the efforts of the applicants to deal with the objections. However, even with a possible reduction in the hours of operation and limitations on the hours of outside playtime, there still remains the significant problem of noise and disturbance to residents arising from parents dropping off and collecting up to 60 children per day in a quiet residential area, with the added problems that the site is on a corner of a local access road of modest width, close to three road junctions. The hours of operation of the local bus service will be of very limited use to both parents and staff and would have negligible positive impact.

I continue to support the many residents who have objected to this application and repeat my request that the matter is referred to the Development Management Committee should you be minded to grant permission.

27A Sebright Road

From the look of the extension and the change of use this will impede on the quality of life for the neighbours. Change of use to a nursery will mean a much noisier environment whilst open then it is currently. The side extension will bring this very close to the boundary of our property and number 27. The height of the first story extension will also mean this will overlook a number of properties.

31 Sebright Road

Objection to extension and usage of 6 Alston Road - reference: 4/03028/18/FUL
These objections are on behalf of the residents at 31 Sebright Road

Overlooking/loss of privacy

- The new windows may be overlooking our garden and the upstairs rear bedrooms. The plans are not of sufficient detail to judge this accurately, however, one window at height will overlook our property.
- If the trees at the rear of the garden of 29 Sebright Road were removed by the owner the intrusion and visibility of our garden and house will increase.

- The additional height will reduce light, especially in the morning.

Adequacy of parking/turning

- This property is located in a residential area which already suffers from extensive problems as a result of the arrival and collection of children from nearby schools. The development of the nursery will lead to significant increases in noise, pollution and the risk of traffic accidents. This would be significantly greater than when the building was used as a social centre for the blind as it will increase from a few hours a week operation to one of at least 60 hours.
- The car park at the business location is small with limited room for parents. It is not even sufficient for the number of staff indicated. Consequently, there will be cars queueing for access or stopping nearby, increased noise, and disruption while parents wait to deliver and then collect their children. The movement of cars in a small space on a bend is likely to be chaotic.
- They will, at times, be competing with parents from the two existing schools and other local nurseries at drop off and collection times.
- They will be competing with local residents too, especially when we arrive home from work.
- The business is located on a bend, which makes the traffic conditions more awkward and dangerous. There is no obvious area/space to turn around.
- The application does not indicate the number of children that will be catered for by the nursery, however, it is likely to lead to a substantial increase in traffic, noise and pollution. For example, the Ofsted report published in January 2017 for the company's nursery on Adeyfield Road indicates 40 places with a roll of 90. This means that the number of places provided maybe half the actual attendance each week.
- The ratio of staff to children in their Apsley nursery is 18:80. This suggests the ratio of staff to children proposed here would be 14 staff to 60 children. This would mean a minimum of 30 cars arriving to deliver children as early as 7am and collection up to 7pm each day but, potentially, as many as 120 daily movements.
- The application states that there will be no alterations to vehicular or pedestrian access, which appears to indicate that planning for traffic has not been included.

Noise & Disturbance resulting from proposed use

- It's unclear what time staff will arrive and depart. However, it is likely that staff will arrive before 7am and not leave until after 7pm. As the roll is likely to be more than the number of places there are also likely to be drop-offs and collections of children during the day, for example, those who stay for half a day and after school finishes.
- In addition to the traffic, noise and pollution created by the childcare staff and parents/carers, this will be further increased by cleaning and catering staff, commercial refuse collections, etc.
- The intrusion caused by the increase in noise will be even worse in the warmer months when we would want to open doors and windows at the rear of the house. This will be more difficult and potentially damaging to health as the pollution increases. There is an increasing body of evidence demonstrating the damage caused by traffic around schools. This business is likely to increase the potential for harm to local residents and the children. Recent publications by UNICEF and Queen Mary University demonstrates the increase in tiny black carbons caused by the school run resulting in

serious long-term health problems and shortening of lifespans. This proposal will increase the pollution in and around our house and garden.

- The noise early in the morning is highly likely to affect our sleep, especially when we would like to have our windows open.
- Nurseries are noisy environments. It is impossible, and unreasonable to expect, children to be kept quiet throughout the day. This means that the increase in noise and disturbance is likely to be continual and not limited to arrival and departure times.
- Children should be able to play outside. However, this will further increase the noise during the day.
- As stated, the impact will be even worse during the warmer months when residents will have their house windows open, but will also like to use their gardens.

Other objections

In our view, the application to increase the size and change the use to a nursery should be rejected for the above reasons. However, should this not be the immediate decision then the existing plans should be rejected and re-submission required for the following reasons:

- The applicant details are incomplete.
- There are errors. For example, the direction of North on the proposed building changes is in the wrong direction.
- The proposal states that vehicle parking is not relevant. This is clearly incorrect.
- The application indicates a change of use, but insufficient information is provided about this.
- It is not clear where children will play outside.
- The number of staff indicated is 14, all of whom will be full-time. It is difficult to believe that there will be no part-time staff, which again would increase the traffic. However, it is also unclear whether the 14 members of staff is at the point the nursery commences business or when it is at full capacity.
- The diagrams have insufficient dimension data making it hard to fully understand the implications of this development. There is also no diagram of the outside area and its use. Therefore, we cannot fully assess the impact on us or the relationship between their use of space and ours.
- It is unclear whether the application was developed taking into account of the new controlled parking zone.
- It is unclear what insulation against noise will be provided. Brick and cedar cladding are likely to be insufficient.
- We are concerned by how waste water will be managed. The location of the soakaway is unclear. The building is located on a steep slope increasing the risk of flooding.
- We are also concerned by about the management of foul sewage. This is likely to increase substantially when compared to that created by the blind centre. The existing location and capacity of the mains sewer may be problematic and insufficient. Negotiations for access to residential land for works maybe required.
- Given the paucity of information in the plans and the inaccuracies it is impossible to assess the extent of the loss of privacy, and increase in noise; adequate information should be provided before a final decision is made.

Further comments

These comments are in addition to the earlier objections and are provided following the publication of the noise impact assessment. The assessment is, in our view, flawed and not accepted for the following reasons:

1. The noise has only been measured at the site and not in the locations where residents will be affected. Had permission been requested to measure noise levels at our property this would probably have been agreed. This would also have provided a baseline for future measurement.

2. Reference is made to the WHO guidance in relation to Community Noise and there is a reference to impact on sleep, but no explicit sleep related conclusions. This is important because the houses surrounding the building all have overlooking bedrooms, which will experience increases in noise, especially those alongside the roads which will be used by parents/carers. The WHO guidance in relation to night noise which includes the impact on sleep, states, "Sleep disturbance is one of the most serious effects of environmental noise, causing both immediate effects and next-day and long-term effects on mental and cardiovascular health". The experience of noise will vary at different times of the year. For example, during warmer months the impact of noise will be greater when we are likely to have our windows open.

3. Sound is louder at night. This is important because the proposal is to open from 7am with, presumably, staff arriving earlier. For many months, it will be dark, effectively night-time at opening and closing times. The last member of staff may not leave until 8pm.

4. Sound is also louder in warmer temperatures. This survey was undertaken over three days in January. The weather conditions are not indicated, for example, temperature, wind speed and direction.

5. The survey was undertaken from 7.30am - 6.30pm. However, children will arrive from 7am and, presumably, staff will arrive earlier to open the building. It is likely, therefore, that there is a critical hour of potential noise disturbance on sleep from 6.30 to 7.30am not considered in the report. The last member of staff may not leave until 7.30pm or later. This is also not considered.

6. The report guesses at the number of arrivals and departures from 7.30am. Whilst it is reasonable to make an estimate, this might be completely wrong. They should, as well as estimating the likely flow, consider the impact of the worst possible scenario. This would be 60 children arriving between 7 and 8am, and departing between 6 and 7pm.

7. Basing the estimate on 11 arrivals between 7.30 and 8am is disingenuous. With the indicated staff number alone this number will double. Given the proximity of Hemel Hempstead station it is likely that the business will target commuters. They are more likely to arrive early and collect late. (I understand the employer has stated that staff will be local and encouraged to walk and cycle. Whilst this is a good policy it is no guarantee about what will actually happen. In these circumstances the worst-case scenario should be considered.)

8. It has also been predicted that 70% of parents will arrive by car. This may be true overall (which I doubt), but is unlikely to be consistent throughout the day. For example, the early morning and later evening pick-ups and drop-offs are likely to be by commuters and working parents who are more likely to drive. There will, therefore, be greater noise levels at these times. This impact is significantly underestimated in the report.

9. Table 4.12 provides estimates of noise change; however, they have no accurate baseline as they did not start their measurement until at least 7.30, probably an hour after the first arrival and finished at 6.30pm, an hour too early. It also assumes that all drop-off and collection will be in the car park. The car park is not big enough to cater for more than a small number of arrival and departures at the same time. This means that cars will either queue, increasing the noise, or use the local streets, increasing the impact on residents. If the streets are used the cars will be closer to some of the neighbouring houses and their bedrooms. The impact of this noise has not been indicated.

10. The report is unable to accurately predict the level or impact of noise in the play activity areas. It also estimates impact based on the nearest windows. However, it fails to consider the impact on people using their gardens. When we are in our gardens, we are also entitled to reasonable noise levels. Some gardens are very close to the play areas and others, like ours, joined to the parking spaces, resulting in a significant noise impact.

11. The report conclusions state that the survey was undertaken over a typical week day period. A few days in January are not typical of the whole year.

12. The estimates are based on a similar development. The one used is just another nursery owned by the same company. This is the only similarity. The comparator site is a more modern building with a larger car park on an existing busy road. The Alston Road site is in a much quieter, more densely populated residential area. Other Boxmoor located nurseries would have been more representative and should have been used.

It is not accepted that the change of use will "avoid significant adverse impacts on health and quality of life". In our view, the report is flawed in its methodology and conclusions and limited by what is not included.

The report is produced for the applicant. It is not explicitly stated that its conclusions are independent and unbiased.

It is also important to consider that very small changes in type and levels of noise can have a significant impact. This is especially so when trying to sleep, but also the case when one wants to use the garden. Whilst our strong objections to planning permission remain, should it be granted, the following conditions should be added:

1. No-one arrives at the building before 8am or departs after 5.30pm with operational hours restricted to 8.30am-5pm.
2. The screening up to a height of 1.8m as specified in the report must be provided to all linked properties, including those linked to the car park, and along Alston Road where parents/carers are likely to park. These costs must be met by the applicant.

Further comments

I have now had the opportunity to examine the additional plans. Without dimensions it is difficult to comment fully.

However, regarding the parking proposals, it would appear that the intention for the parking spaces adjacent to the wall between our property and 6 Alston Road is to remove the existing flower/plant bed. This may affect the integrity of the wall and/or cause damage, not least, because the ground height would not appear to be the same

on both sides. It is also likely that the flower beds are a part of the integrity of the wall.

The width of the parking spaces appears narrow, especially as parents will need to maneuver buggies and prams. They are, for example, far narrower than spaces designed for parents in supermarkets. It is difficult to see how people will be able to fully open car doors. If this is the case the real parking capacity will be significantly less than indicated and increase the likelihood of the parents using the neighbouring roads.

Further comments

We have noted the amendment to the plans as submitted by the applicant. We are pleased to see that the number of places for children has been reduced to 45 a day. However, in summary, we still object to this proposal for the following reasons:

45 children a day still amounts to 90 car journeys to a small street in a densely populated residential area. This does not include the journeys by staff, deliveries, waste disposal, etc. It is likely that the additional use of the road will be in excess of 100 journeys per day.

Whilst the applicant has indicated that the reduction is due to comments by local residents, most other comments have been ignored, for example ,the start and finish time of business activities. it is not acceptable, in a residential area, for the delivery of children to start from 7am in the morning. For this to happen, staff will need to arrive even earlier. The noise pollution report fails to consider this aspect of noise pollution. Even a very small increase in noise will affect residents' sleep. We strongly object to the suggestion by the council for a trial period of two years.

Furthermore, our property will be affected on two sides: the road, and the car park. The impact will therefore be significant for us and a two year trial period would be horrendous.

None of the reports considers the impact of pollution. An additional WHO report has been published recently stating the evidence for the harmful effects of pollution caused by vehicles. This area already has a lot of car journeys as a consequence of St Rose's School. The additional journeys created by the nursery are likely to increase pollution to harmful levels.

This remains an overdevelopment in a densely populated residential area and is unsuited to a business of this nature.

12 Alston Road

Please be aware that I object strongly to the proposed plans for number 6 Alston Rd
My concerns are the amount of traffic and inconvenience to me as a neighbouring property with parents dropping off children from early morning till early evening . We already have problems with school traffic

The parking facilities are inadequate to support the staff let alone the parents and children

This application will cause yet another problem for us on this road and the surrounding area

Alston Road is a residential road and this proposed Nursery will have a huge effect on our properties

Further comments

We wish to make you aware of our concerns re the proposed Nursery at 6 Alston Road We live at 12 Alston Road Which is situated one property away from the former Blind Centre We have real concerns about the level of disruption for 12 hours a day with parents trying to get parked to drop their children off and they will be in direct competition with parents trying to park to drop children off to the two schools in the vicinity of Alston Road We wonder if any one from Dacorum planning have visited the road at the drop off and pick up time of school children to see how parents park which with even with the parking restrictions in place is a real problem and is only going to get considerably worse ! There is a continual problem of parents parking dangerously and parking on yellow lines with no policing of the problem With reference to the noise report it states that gardens near property will experience higher noise over a long period of time with the staggering of time children will be playing outside because the garden is not big enough to accommodate 60 children ! Therefore smaller quota of children surely should be considered within the application ?

We are led to believe that the Blind Centre had certain restrictions placed because it is in a residential area why are the residents not being considered with this application ! We feel as residents living on top of this Nursery our struggle with the parking issues will only get worse and noise levels will be unacceptable We hope you will take on board our comments and concerns before reaching a decision on this application.

14 Sebright Road

Dear Sir,

My wife and I are writing to object to the proposed transformation of 6 Alston Road into a Nursery.

The application indicates that there will be 14 full time employees at the nursery; therefore logically they will all be onsite at some time during the day. However the plans shows 12 parking space one of which is designated for a disabled person, clearly there is insufficient parking for the staff and none for parents of visitors.

As you are aware Alston Road and the surrounding roads are part of a controlled parking zone the rules of which are already abused by the parents of the pupils attending St Roses Primary School; who disregard the designated 30 minute parking bays in Green End Road and Alston Road, parking where they like and frequently parking on the corners where Alston Road joins Green End Road and Sebright Road. Some parents also park in Sebright Road although this is not permitted by the zone rules.

The number of staff (14) shown on the planning application would suggest that the Nursery will have 60 or more children in attendance and therefore there could be 60 or

more parents trying to park in the surrounding roads in order to deliver/collect their child causing more parking havoc, possibly throughout the day.

27 Sebright Road

I am not happy with the proposed plans and the value to the local community.

There are six properties that are adjoined to the site and this is more than likely to have their peace and quiet disturbed by children learning, discovering and playing outside.

Having worked in education for many years I understand that the philosophy for early learning now is to encourage the children to learn using the outdoor environment.

As the proposed plan is for a 12 hour a day nursery it is very likely that children will be outside much of the day as opposed to timetabled playtimes. The line in education is "there is no such thing as bad weather just inappropriate clothing."

Outdoor activities for children in early years involves the banging of wooden spoons on pans and other objects as much as playing in sand pits, so I fear noise levels will increase.

When we brought our property in the 1990's we were aware that the site was used as a centre for the blind and have never had any cause for concern. However, that has now changed.

I appreciated that when objecting to a proposed planning application the effects on the value of neighbouring properties is not an issue, but there is a couple looking to sell their house and I am sure the proposed plans could make this difficult for them.

I do not see the introduction of another nursery in the area will benefit the local community. There are plenty of nurseries close by and I believe this new one would only benefit commuters.

The obvious avenue for parents to enter their child into nursery school in this area for residents is to enter Boxmoor School Nursery with a view for the child to progress through the school.

This new nursery is perfectly placed for commuters to enter their child, drop them off on the way to work and pick them up on their return given the hours the nursery plans to operate each day.

So noise and benefits to the local community are my main concerns but also there will be added pressures on the residential roads in the area. Despite newly introduced parking restrictions, the area does continue to have traffic issues with two schools being close by to Alston Road and there are always associated dangers to pedestrians (children walking to and from school) and traffic.

There is also the concern to local residents of the visual intrusion as it is understood

that the redevelopment involves both vertical and horizontal development which will impact on more homes than just the six that flank the site.

Thank you for reading my concerns which I do feel at genuine as while I was involved in education for many years and have thus always had the interests of children at heart I do question the proposed development.

Looking around the local area I see several nursery schools in Boxmoor, Hemel Hempstead and Bourne End but none of them seem to impact private properties quite like the plans for this Flowerpots Nursery.

Further comments

I live at No27 Sebright Road and my concern is related to drains. I understand that the previous owners of our property sold the bottom section of the garden to extend the size of the property that was converted into the Centre. Added to this they gave permission for the developers to run their mains drainage through our garden and join on to our drain. My concern is, given the proposed increase in size of the building and the significant increase in use of the drain, does the existing drainage have the capacity to handle the increased volume of waste. I understand that any blockage of the drains from the building to where it joins our drain is their responsibility but given the possibility of what might be discharged down the drains I am not sure I am very keen to have the aggravation this might create.

The question that comes to my mind is do the new owners need to apply again to have the facility of running the drain through our garden?

For the record we are still unhappy with the application on the grounds of extra traffic in a congested area at journey to local schools time, air pollution created by extra traffic when children are walking too and from school and noise levels from the grounds of the proposed nursery as children learn and play in their environment. I also question its value to the local community as I suspect most of their clients will be the children of commuters.

9 Alston Road

8. This is residential area, has always been so, as far as I am aware, and is zoned as such. The use of the site for a blind centre was, I understand, a permitted non-confirming use.
9. The proposed change of use is to a business use.
10. Within short walking distances there are a number of nurseries, St. Rose's Catholic Infants School, Boxmoor Pre-School, and Footsteps Nursery, most of which seem to have more suitable sites. Why is another required? I believe the proposed opening hours are to be longer than the existing nurseries.
11. The road Grosvenor Terrace, which provides the access from one end is a narrow road with plenty of street parking, both residential and commercial that hinders access.
12. The local authority has recently introduced residents' parking in Alston Road, Sebright Road and Green End Road (G-Zone), having been persuaded by residents that vehicular access by parents taking children to St Rose's Catholic

Infants School needed to be controlled. There is a parking bay within a few feet from the entrance to the site, as well as a double yellow line.

In 2010 the Police Safer Neighbourhoods distributed a leaflet about the parking. To quote: "A lot of Boxmoor is built up around narrow streets with no off-road parking leaving vehicles to park on the road. At school times this is exasperated (sic) by visiting vehicles to drop off or pick up children."

13. Recently at a school time there was an accident in Alston Road when a buggy bearing a child of eight months, pushed by a mother holding the hand of another child, was hit by a car. Would an increase in the number of vehicles and the number of children, therefore, be advisable?

15 Alston Road

We write to register our objection both, to the proposed alterations, and the change of use to a commercial enterprise, bringing a substantial increase in the volume of traffic/parking in what is a residential area, in addition to the visual impact of the heightened profile.

The drawings show the roof line raised by approximately 66% forming a vastly enlarged visual eyesore to the surrounding properties, and in particular to those in Sebright & Alston Roads whose gardens adjoin the property. The view across the valley will be cut off.

The staff numbers suggested in the application imply attendees in the order of at least 50 to 60 for the enterprise to have any hope of making a return on the investment required to make the proposed alterations. Inevitably this will involve at least 50 or so extra vehicles arriving and parking (even if only for a short time) at, or near, the nursery, in the morning and in the evening, and probably around lunchtime, depending on the session times.

The 11 or so parking spaces on the plan will barely be adequate for the staff numbers proposed. There are already two schools close by which already generate significant additional parking and traffic movements in the area.

The surrounding roads, Sebright Road, Grosvenor Terrace, Puller Road, are already pretty choked with parking because the houses, largely, have no off street parking facilities.

Were there not some special permission/arrangements in place, allowing the replacement of a single bungalow on the site, by The Social Centre for The Blind, because of the particular need for such a facility in Hemel. Would these arrangements permit the proposed commercial use of the site?

Overall the proposal is in every way inappropriate for its position in a residential environment.

Further comments

We write again to register our objection to the proposed alterations, and change of use, to the former 'Centre For The Blind' at 6 Alston Road. The amended plans show additional parking spaces, but the block of 10 spaces together on the left of the entrance will be very cramped to use, in the place of the existing 8 spaces in the same area. The noise assessment report mentions 2 hours of playground activity for each child, but does not take account of the fact that around 50 to 60 attendees will need to use the space in shifts in groups of perhaps 15 to 20 children at a time. Possibly then a total of 5 or 6 hours of noisy playground activity each day. The car movement analysis suggests there will be no problem, but our experience is that parents can be notoriously inconsiderate in their parking habits at times in the area. The Increased profile of the building to be achieved by the alterations, remains a concern in relation to the surrounding residential properties. The previous use of the building was intermittent, and disturbance due to parking and traffic movements was minimal compared to the regular daily traffic from 50 to 60 children arriving & leaving at various times during the day, probably mainly at the beginning and late in the school day.

47 Puller Road

This development should not be permitted in this location as this is a residential area already suffering horrendous traffic problems. The proposed extension will block light to my garden and increased noise levels would be detrimental to the well being of my family and others living in the locality.

25 Sebright Road

We object to this application on the following grounds

14 The application is incomplete as it does not include the following

- a The full address of the Applicant
- b Clause 5 omits specific reference to the extensions at ground level.
- c Clause 6 does not state the specific use of the building , but merely states its designation within the User Classes Order which covers many uses.
- d A site plan at a sufficient scale is not included . Therefore the use of external areas cannot be ascertained . Details of all external spaces are needed; such matters as access ingress, external play areas to allow proper public scrutiny.
- e The drawings do not show the proposals relationships to adjacent buildings in all three dimensions to allow proper assessment of their impact on adjacent and adjoining buildings.
- f No Design and Access Statement has been included in the published details
- g The paucity of the submitted information does not allow proper public scrutiny.

Omission of these details confirms that the application is not complete. When these details are published the 21 days public commentary period can begin.

15 The proposals are of poor architectural quality, and lack respect for the context of the site and adjacent properties.

16 The application does not address the problems associated with vehicular access from the public highway. Since the construction of the existing building on the site, traffic has materially increased and recently Controlled Parking Zone provisions have been imposed.

The staff numbers and the extent of the proposals suggest that about 60 infants will be accommodated, which will generate about 40 vehicular visits, at least twice daily most in the rush hour which, with residents other visitors parking and the local schools will cause extreme problems for through traffic. Traffic movement will continue throughout the day as children are delivered and collected by parents starting or finishing different work patterns.

Further problems will be created by delivery of goods and the collection of waste

These problems are further compounded by the provision, within the site of only eleven parking spaces for fourteen staff which will no doubt increase.

There is no provision for turning on site therefore any vehicle entering the site will have to reverse out on to a bend where full vision will be restricted by legally parked residents, an accident waiting to happen

17 The proposals do not include details of outside play area, a usual provision in a childrens nursery.

Any outside play area will generate a level of noise , unacceptable to the residents of the adjacent properties. Therefore, full details of any play area and acoustic attenuation are required, again to allow public scrutiny. Should the move, in due course, be to approve this scheme, any consent should include a condition requiring a full planning with attendant details of sound attenuation.

Noise will also be generated from within the building which will again be unacceptable and become intolerable for the surrounding residents when windows and patio doors are opened, as the rear of the building containing the patio doors backs onto our property the bulk of the noise will be directed at us.

18 To accommodate a first floor, the building will need to be considerably higher than the existing,
this will mean the loss of privacy for adjacent properties in particular ours, as has already been stated the rear of the building backs directly onto our property.

19 The proposed building is far too big for its location and is completely out of character with the surrounding buildings creating what will be a visual intrusion, further more it will be a commercial enterprise which has no place within a close residential area.

The environmental impact will be considerable for the residents of the surrounding area.

With reference to the revised plans and the consultants reports on Noise and Traffic.

The extra parking places supplied will do nothing to relieve the traffic problems, they will only increase the amount of shunting in and out of a narrow and dangerous entrance.

Parking will continue to be a problem as mothers will want to park and walk their children to the nursery and perhaps stay and watch for a period of time, other schools in the area will increase the parking problem and it will revert to the chaos that existed prior to the parking restrictions.

It has been suggested that the delivery and collection of children could be staggered this may be proposed but the times will be decided by the mothers who will have a schedule to keep.

The traffic report states that the vehicle movements created would be 80% greater than that for a standard Community Centre, this is far greater than should be allowed.

The noise report states that the surrounding area will experience an increase in noise levels, the play areas available will not accommodate all of the children at once so play times will need to be staggered so making the noise levels continuous over a longer period of time.

To compare the noise level with that at the Flowerpots Nursery in Midland Road is like comparing Apples and Pears, Midland Road is a main road with a constant stream of cars, buses and lorries any noise generated by the nursery will be masked by the traffic.

The proposed nursery at 6 Alston Road is within a quiet residential area. As has been said before a commercial enterprise like this should not be situated within a residential area

16B Sebright Road

On balance, we object to this proposed development.

You have already had several detailed objections, and we share all of these concerns, but in particular those around the impact on traffic and parking - in view of both staff numbers and parents dropping off, versus the neighbouring schools St Rose's and Boxmoor Primary - Alston Road is busy enough as it is, hence why controlled parking was introduced.

We also have the concern of being overlooked, from the side and roof windows of the proposed first floor (i.e. visible to us between numbers 29 and 27A). The plans as redrawn are not clear, but this sight line would run into our childrens' bedrooms, and also those of no 18 Sebright Rd. The present building is single storey & this is not currently an issue.

The number of parking spaces as drawn does not feel 'real' relative to the ground space available; we doubt the number of usable spaces will be this high, given the dimensions of most cars, the slope of the land and its footprint (to the right-hand side

of the existing building, and also the right of the entrance). There will also be frequent need for easy access to waste disposal; and allowance made for occasional access by the emergency services.

We would further query whether the proposed number of nursery spaces meets the relevant statutory framework on floor space per child, as set out by the Department for Education:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

See paragraph 3.57. These stipulate between 2.3 m sq and 3.5 m sq depending on the infants' ages. Note that these figures relate solely to the areas children can access; any adult-only areas such as kitchens/cloakrooms, which are purely for staff should be deducted from the building footprint, before assessing whether enough space has been allowed. The amended plans are not wholly clear on this point.

58 Puller Road

What have you got against Puller road!!!

I find myself having a daily challenge of finding a car park space on or near Puller road. Due to the current parking restrictions.

Puller Road is full of 'commuters', 'pub goers' with no space for residents.

It's got so bad that the Bin man has had to change the size of van to get it up /down the street due to congestion. This was a direct impact when you added parking restrictions everywhere else.

This request is going to make it worse as the employees will have to park on Puller as there's limited spaces at the blind centre.

If this goes ahead, you must change Puller road to restricted parking to remove the non residents out of the equation.

Lastly,
I've been in the place, no requirement to go up another level... it's large enough for a local nursery. We don't need a 'industrial sized nursery' when there's already several in the area.

This is a local road, for local people.. we want no trouble here.....

4 Sheridan Close

I am sending this by email as there is a consistent 'server problem' when I try to add a comment on the website.

I have serious concerns about the change of use for this property in the heart of a quiet residential area. No fewer than 17 gardens back onto the site and I am concerned that

a nursery in the middle of this quiet neighbourhood would disturb the enjoyment of residents' private gardens. It will also affect whether residents can sell their properties and reduce the value of their homes.

Anything other than residential properties would not be in keeping with the neighbourhood and there are plenty of other sites a similar distance to the train station, such as the former garage/car showroom between Kwick Fit and the Texaco garage, or in the Aldi site at the A41 junction.

Alston road is on my cycle route to the station and I am concerned that the increased traffic at peak commuter times will make the journey less safe for cyclists and other road users. It is a narrow road, already clogged at school drop off and pick up times for St. Roses.

Please consider the residents of the surrounding properties and wider community when reviewing this application.

I have not written to my councillors as only one replied to my email about sportspace and it is probably too close to the election.

I found out about this plan and it's inappropriateness from speaking to residents of Alston Road and Puller Road and I agree with their concerns about the change of use, which should not be supported by the council.

Please confirm whether or not there is a restrictive covenant on the site forbidding non residential use - this is something I have heard and should of course be considered as part of the council's considerations if true.

86 Cross Oak Road

I would like to put my comments forward to the management committee.

Looking at the Amended plans, i have noticed Mr Whitlock has not specified on the new plans the size of the new sleep room. Will it be the same as the old one or a different size?

Assuming the room will stay the same size as previous plans, from the plans, there just is not the room under Health and safety standards to accommodate several Children who will want to sleep.

Also they have stated "We are also going to reduce the number of children by 25% from 60 to 45 per day. This will also reduce the number of staff from 14 to approximately 11." Reducing the number will not reduce the amount of noise.

Just walking past local day nurseries I hear staff talking loudly and calling the children so there is noise there. Also even if you have just 5 children outside, kids are kids and Kids make noise.

These children are entitled to make noise and the noise cannot always be stopped. Even inside there will be noise coming from in the day nursery with the staff telling the

children to be quiet. Sometimes games will be played outside or inside along with music causing even more unnecessary noise and ruining a nice peaceful walk and visit.

Alston road whenever I have passed to visit someone living round just off Alston Road. Alston Road is peaceful and sometimes we go for walks passing the centre and I can see birds. I would like to ask the committee why these natural habitats are being destroyed if Mr Whitlock comes in with his day nursery. There are too many natural habitats being destroyed. Also poisons will be put down to kill of any pests if the day nursery gets the go ahead, and this is not a way we should be killing animals or nature off.

Parking will also still be an issue. I have experienced problems when I come and visit someone who lives just off Alston road. Even having 11 staff onsite, which will take up 11 bays, you will need to leave the 2 disabled bays free at all times in case anyone disabled comes. As well as staff you will get students/ volunteers and also the cook/kitchen assistants who will bring cars and cause any unnecessary disruption. Sometimes there are traffic queues when it is busy at school pick up. By the time you have factored these people in you are looking at least 12 cars if not more. Looking at the plans that would leave 1 bay for parking and the 2 disabled bays, otherwise you will have parents dropping off causing chaos. As previously mentioned from the plans with the parking, if an ambulance needed to access the building in an emergency, the ambulance crew will experience great difficulties, in driving along Alston Road, but also actually getting into the carpark itself and turning around. From the plans, the carpark doesn't look big enough for the kind of vehicles especially if they get a food delivery and an HGV or similar lorry/ van comes to deliver, they will find it difficult to manoeuvre.

Also another problem is out of 45 kids, there will be half if not more who will want a nap which there is no room for. Also the sleep room during summer, will get quite hot and stuffy. Even with having doors open or installing air-conditioning, it does not always help. The children will then get unhappy and start crying causing more noise for a peaceful place.

Children will need space to make noise, to have fun and to learn and I do not feel they have enough space here. As stated in previous comments they will only be allowed outside for an hour. These children on a nice sunny day, will need more time than this.

From the plans which I would like to put towards the committee, I notice dirty linen will be carried through the kitchen, as the laundry is located next to the kitchen. Do you think this is good and healthy to be carrying dirty underwear or dirty linen through a kitchen which should be kept clean?

As mentioned in my previous comments to the committee, as a day centre, you would be able to hire the rooms out along with some of the facilities, with the day nursery you will not be able to hire any of the rooms.

I went for a walk with my friend who lives near here today. We both agreed, looking at the plans that Mr Whitlock has put forward, we feel that he does not have the space. If

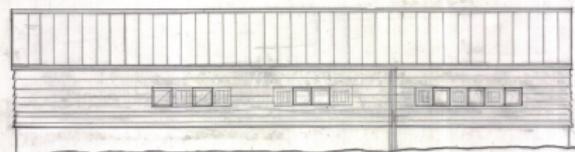
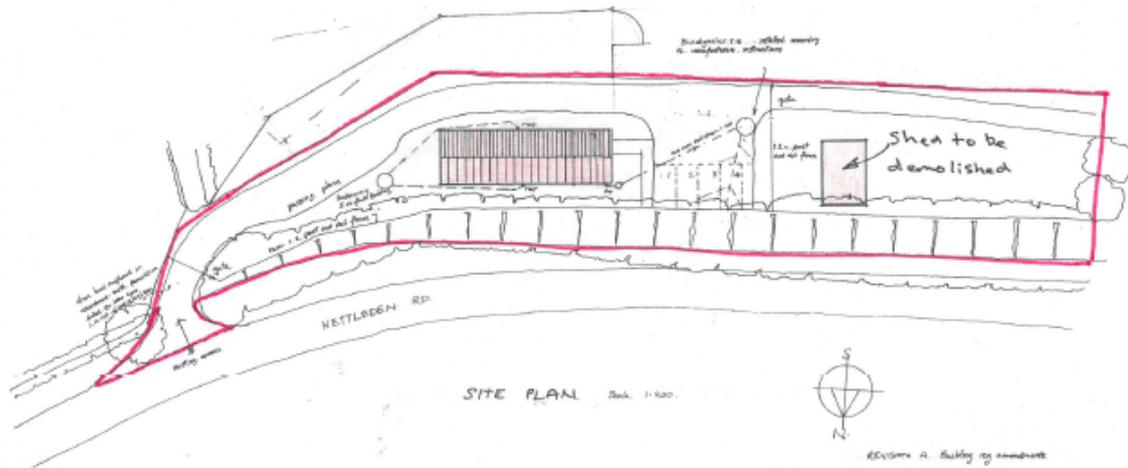
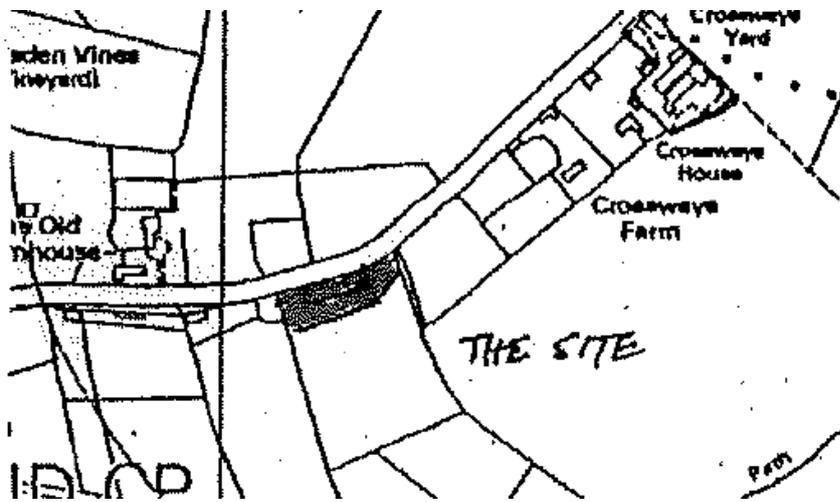
the plans go ahead, we feel they will be impinging on neighbouring properties and Mr Whitlock may even be having to build on other boundaries. We could not see the space for the nursery.

On Sunday when passing the centre, and even when i have been walking, i looked down the drive of the centre. I noticed that you could see lovely green shrubs, and a beautiful back garden. Can you imagine what the look down the drive would be. You would probably be looking onto a playground or something similar with maybe a climbing frame. Who would want to be looking out onto this? In my opinion the look will change from a lovely setting to an ugly setting. I am also thinking of the neighbouring properties who over look the centre. I would also urge the management comittee to go onto Google earth and look at the blind centre as you can see what lovely grounds it is in at the moment. I also saw loads of birds flying round the back of the centre and landing on the drive. When going along Alston road before 5pm and returning just after 6pm, i noticed there were No parking spaces.

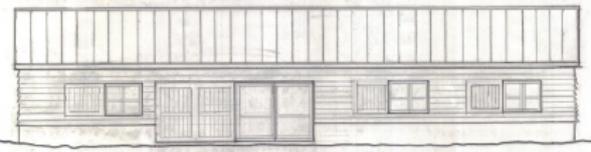
Agenda Item 5f

Item 5f 4/00630/19/FUL CHANGE OF USE OF VACANT BARN TO DWELLING.

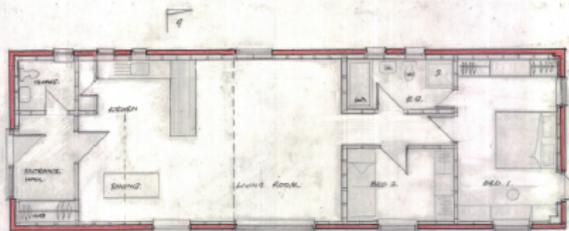
THE BARN, NETTLEDEN ROAD, FRITHSDEN, HEMEL HEMPSTEAD, HP4 2RF



NORTH ELEVATION



SOUTH ELEVATION



GROUND FLOOR PLAN



WEST ELEVATION



EAST ELEVATION

4/00630/19/FUL	CHANGE OF USE OF VACANT BARN TO DWELLING.
Site Address	THE BARN, NETTLEDEN ROAD, FRITHSDEN, HEMEL HEMPSTEAD, HP4 2RF
Applicant	Mr Cannon
Case Officer	Simon Dunn Lwin
Referral to Committee	Recommendation Contrary to the Parish Council Response

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The principle of the proposal to convert the existing vacant barn to a small dwelling is considered appropriate and acceptable which accords with the NPPF and Policies CS5, CS7 and CS24 of the Adopted Core Strategy. The scheme is considered to be a good quality development that would help meet the need for new housing and bring a redundant building back into beneficial use, without harming the environment, compromise highways safety or local amenity. Subject to conditions on the approval of further details on materials and landscaping, the proposal is considered to comply with all other relevant policies set out under section 6 of the report. Permission should therefore be granted.

3. Site Description

3.1 The application site is located adjacent to Nettleden Road on elevated ground behind mature hedging and trees, approximately 600m to the southeast of Frithsden Village. It is situated within the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB). The site covers an area of approximately 0.18 hectares and contains a single storey vacant barn, which is rectangular in shape, together with a dilapidated small shed to the west. The site is accessed directly from an open gated entrance on Nettleden Road. The access track rises steeply by approximately 2.8m from road level to the barn, which is situated about 35m to the west of the entrance. The access track continues for about 70m on to Folly's Farm Donkey Sanctuary, located at the western end of the level track. The land opposite rises by about 30/40m into open countryside, towards Potten End to the southwest.

3.2 The barn was previously used for the stabling of horses. The dilapidated shed to the west was previously described as a 'chicken coup'. The barn is believed to have a long period of vacancy since planning permission was granted in 2005 for the change of use to a B1 office. There is no evidence to suggest the permission was ever implemented and this permission has since lapsed. The building measures approximately 6m in width by 18m in length, with a height of 2.7m to eaves and 4.5m to ridge. It is brick built structure covered by a corrugated metal roof and has an internal floor area of approximately 104 sq.m.

4. Proposal

4.1 This application seeks full planning permission for the change of use of the vacant barn to a two bedroom dwelling with car parking and amenity space. The proposal includes external alterations to doors, windows and roof to facilitate the conversion. The existing dilapidated chicken shed is to be removed.

5. Relevant Planning History

4/00096/10/DRC DETAILS OF A SCHEME FOR THE STORAGE OF REFUSE AS REQUIRED BY CONDITION 9 OF PLANNING PERMISSION 4/00121/05 (CONVERSION OF BARN (ADJACENT TO NETTLEDEN ROAD) TO OFFICE)
Granted
10/03/2010

4/01813/09/DR C DETAILS OF MATERIALS AND SCHEME TO SEAL THE SITE ACCESSWAY AS REQUIRED BY CONDITIONS 2 AND 5 OF PLANNING PERMISSION 4/00121/05 (CONVERSION OF BARN (ADJACENT NETTLEDEN ROAD) TO OFFICE)
Granted
20/01/2010

4/00121/05/FUL CONVERSION OF BARN (ADJACENT NETTLEDEN ROAD) TO OFFICE
Granted
14/03/2005

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF) 2019
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

NP1 – Supporting Development
CS1- Distribution of Development
CS2 - Selection of Development Sites
CS5 - Green Belt
CS7 – Rural Area
CS8 - Sustainable Transport
CS12 - Quality of Site Design
CS17 - New Housing
CS24 - The Chilterns Area of Outstanding Natural Beauty
CS26 – Green Infrastructure

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 18 - The Size of New Dwellings

Policy 19 - Conversions

Policy 21 - Density of Residential Development

Policy 51 - Development and Transport Impacts

Policy 58 - Private Parking Provision

Policy 97 - Area of Outstanding Natural Beauty

Policy 99 - Preservation of Trees, Hedgerows and Woodlands

Appendix 3 - Gardens and Amenity Space

Appendix 5 - Parking Provision

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)
- Accessibility Zones For The Application of Car Parking Standards (2002)

7. Constraints

- Article 4 Directions – Removing agricultural permitted development rights
- Chilterns AONB
- Green Belt
- Area of Special Control For Adverts

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle

- Impact on Green Belt
- Layout, design and Materials
- Impact on the AONB
- Impact on Highway Safety, Access and Parking
- Impact on Trees and Landscaping
- Other considerations

Policy and Principle

9.2 The vacant barn is an existing building located within the Green Belt and the Rural Area wherein the NPPF, and Policies CS5 and CS7 of the Core Strategy apply. Policy CS5 is subservient to the NPPF and sets out the measures to protect the openness and permanence of the Green Belt from unrestricted development. The default position is one which regards most, if not all, development within the Green Belt as inappropriate, except specific types of development exempted under paragraph 145, other forms of development defined under paragraphs 146 and those which qualify under 'very special circumstances'. Added to which, consideration must be given to the special designation of the countryside within the Chilterns Area of Outstanding Natural Beauty. The impact on the AONB is considered further below.

9.3 The exceptions to inappropriate development in the Green Belt relevant to the proposal is defined under paragraphs 145 g) and 146 d) of the NPPF. The first is 'the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use (excluding temporary buildings), provided that it does not have a greater impact on the openness of the Green Belt than the existing development'. Paragraph 146 d) defines certain 'forms of development' which are not inappropriate and they include the 're-use of buildings, provided that the buildings are of permanent and substantial construction'.

9.4 The previous use of the barn as stables meets the test for PDL under paragraph 145 g) as defined in the NPPF because it was not in agricultural use and qualifying for partial or complete redevelopment status, and for the re-use as a permanent and substantial construction. The latter is evidenced by the supporting structural survey to verify that the building is structurally sound to facilitate the proposal. This consideration is further corroborated by the previous permission for the change of use of the barn to a B1 office. This permission is a material consideration which carries substantial weight. By default and consistent with the NPPF, the proposal is Core Strategy Policies CS5 and CS7 compliant. It would also be compliant with saved Policy 19 of the Local Plan on conversions which permits the reuse of buildings in the countryside to incorporate flats or houses. Therefore, the principle of the proposal is considered acceptable.

Impact on the Green Belt

9.5 The second test under Paragraph 145 g) requires an assessment of whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. The reuse of the building as a 2 bedroom dwelling is considered to have less impact in terms of the comings and goings of people and cars associated with the previously authorised commercial use as a B1 office. Technically this is relevant as the fall back position, albeit the permission has

since lapsed. It could nevertheless be renewed under the current policy regime. While it is accepted that there would be activity all year round with domestic paraphernalia associated with a dwelling, the scale of the domestic use proposed is considered minimal.

9.6 Furthermore, the barn is in a discrete and unobtrusive location, concealed behind a dense hedge/tree line of substantial height on Nettleden Road to the north. It sits at a much lower point to the surrounding undulating countryside to the south. The nearest public receptor to the south is the Public Right of Way (Nettleden and Potten End 005) located approximately 212m to the southwest on higher ground, elevated by approximately 30m above the site. Other PROWs in the area are located to the south and east at approximately 283m and 312m respectively. All have intervening hedgerows and trees to obscure long distant views to the existing barn.

9.7 In view of the above, it is not considered that the proposal will have a greater impact on the openness of the Green Belt than the existing development, having regard to the planning history, the context of the site and presence of Folly's Farm in close proximity, together with dwellings further afield to the west and east along Nettleden Road.

Layout, Design and Materials

9.8 The modest building would lend itself to conversion into a two bedroom dwelling, utilising existing openings to be replaced by stained timber windows with shutters, an entrance door to replace the large double timber doors on the west elevation, and a door to the eastern façade. The building is proposed to be clad in timber boarding above a lower exposed brick plinth. The proposed external treatment is considered acceptable and should enhance its rustic appearance, subject to details of materials to be approved. The roof covering proposed is a standing seam silver/grey coloured powder coated metal roof, which would replace the existing corrugated metal roof.

9.9 Internally, partitions would facilitate the provision of two bedrooms (one double and one single), a shared bathroom, with an open plan living area integrating a kitchen, with a separate hall way and WC by the main entrance at the western end.

9.10. Externally, four car parking spaces are provided and laid out at right angle to the access road and adjacent to the western front entrance. The eastern door would serve as a patio door to the main bedroom. Private amenity space proposed is a side garden beyond the car park to the west, where the existing dilapidated shed is to be removed.

9.11 The layout, design and materials proposed are considered sympathetic to the rural setting and acceptable, subject to approval of materials, landscaping and boundary treatment.

Impact on the AONB

9.12 The Council's Design Officer has considered the proposal in the context of the AONB. The design and materials of the proposal as set out above are considered appropriate and acceptable, which would be sympathetic to the setting of the site

within the AONB. Conditions are recommended to ensure the details are acceptable. The proposal is therefore considered compliant with Policy CS24.

Impact on Trees and Landscaping

9.13 The existing boundary hedge and trees bordering Nettleden Road to the north are retained, and the proposal includes a garden area to the west. New planting and layout are not specified other than the quantum of amenity space, which is approximately 11.6m deep with an area of approximately 59 sq.m. The plans indicate a post and rail fence along the site boundary to the access road up to 1.5m in height. The Design officer has requested further details of the external landscaping treatment to ensure further consideration is given to avoid giving the site an overly domestic/suburban appearance. Landscaping and boundary treatment details for further approval is recommended, together with a condition to protect the existing hedge and trees on the northern boundary with Nettleden Road.

Impact on Highway Safety, Access and Parking

9.14 The County Highway Authority have confirmed that they have no objection from a highway safety perspective on access, servicing and parking, subject to a condition on the main entrance gates opening inwards to allow a pull-in area on Nettleden Road, which has the national speed limit. The current gates open outwards but they have been observed to remain open. However, this could potentially present a safety issue if the gates are closed negating sufficient pull-in area to swing the gates open. A condition is recommended to apply inward opening gates.

9.15 Appendix 5 of the saved Local Plan suggest a two bedroom dwelling in the rural area (zone 4) should provide 2 spaces. The car parking provision in the proposal amounts to 4 parking spaces laid out in between the barn and the garden are at right angles to the private access track. The proposal is policy compliant.

Other Considerations

Ecology

9.16 The County Ecologist has considered the proposal and in summary has no objection to the application subject to the imposition of conditions on landscaping details and the retention of the boundary hedging to the north, imposed on the previous permission for office use. Additionally, the barn is considered to be sub-optimal for bats to use for roosting because the current structure does not fit the conditions for roosting - stable temperatures and little or no light. However, a precautionary approach to the conversion works via an informative is recommended for bats and nesting birds in the locality during nesting season (March to August inclusive). The conditions and informatives are set out below.

Response to Neighbour comments

9.17 The concerns raised have been addressed above, specifically on highway and AONB/rural character impacts. Additionally, reference is made to saved Policy 110 of the Local Plan, but this policy has been deleted. In response to Policies CS5 and CS7 caveats, the reuse of the vacant barn to a dwelling would contribute to the local

economy by creating employment through the construction works (albeit temporary) and create continuing demand for local services in nearby villages. The refurbishment and reuse of the vacant barn and environs would also contribute to the on-going maintenance of the wider countryside, albeit on a small scale.

9.18 Reference is also made by the Parish Council and a neighbour to the recent refusal of planning permission (Ref: 4/00161/14/FUL), and the subsequent dismissal of the appeal (Ref: APP/A1910/A/14/2226110 dated 13th February 2015) relating to an agricultural barn conversion at Five Acres Farm, Nettleden Road, Potten End. The objections are based on the premise that the barn in this application is in agricultural use and therefore the proposal contravenes development plan policy. The issue of the former use of the application premises and its status as PDL (brownfield site) is addressed above.

CIL

9.19 The development is not CIL liable because no net additional floor space is proposed.

S106 and Planning Obligations

9.20 No planning obligations are applicable to the proposal.

10. Conclusion

10.1 The principle of the proposal to convert the existing vacant barn to a small dwelling is considered appropriate and acceptable in accordance with the NPPF and Policies CS5, CS7 and CS24 of the Core Strategy. The scheme is considered to be a good quality development that would help meet the need for new housing and bring a redundant building back into beneficial use without harming the environment, compromise highways safety or local amenity. Subject to conditions on the approval of further details on materials and landscaping, among others, the proposal is considered to comply with all relevant policies as set out under section 6 of the report.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p>

	<p>443.8.2B - Site Layout Plan Received on 24th May 2019 with red line boundary. 443.8.3 - Proposed floorplan, elevations & section. 443.8.4 OS Location Plan. B/NR/1 - Site Plan. Unnumbered floor plans/elevations/cross section (existing).</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>
4	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking shown on Drawing No. 443.8.2B shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.</p>
5	<p>Prior to the first use of the development hereby permitted any vehicular access gate(s) shall be hung to open inwards, set back, and thereafter retained at a minimum distance of 6 metres from the edge of the highway.</p> <p>Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
6	<p>There shall be no external lighting.</p> <p>Reason: In the interest of maintaining the rural character of the area.</p>
7	<p>The existing hedge and trees on the boundary of the site with Nettleden Road shall be permanently retained at a height of not less than 3 metres above ground level. Any part of the hedge or any trees. which become seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To preserve the character and appearance of the Chilterns AONB in accordance with Policy CS24 of the Adopted Core Strategy 2013.</p>
8	<p>No development shall take place until details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained.</p> <p>Reason: To accord with Saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.</p>

9	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes A, B, C, D, E, F, G and H Part 2 Classes A, B and C</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality.</p>
10	<p>No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans and detailing native species composition for the new hedgerow on the southern boundary; with 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.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p> <p>Article 35</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development</p>

<p>Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Hertfordshire County Council Highways Informatives</p> <p>1. 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 1234047.</p> <p>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.</p> <p>Hertfordshire Ecology Informatives</p> <p>1. In the event of bats or evidence of them being found during before construction, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.</p> <p>2. It is possible that birds are using the barn and/or nearby trees and shrubs for nesting. Consequently, any tree/shrub and building clearance should be undertaken outside the nesting bird season (March to August 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 two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.</p>

Appendix A

Consultation responses

NETTLEDEN WITH POTTEN END PARISH COUNCIL HIGHCROFT COTTAGE	09/05/2019	Objection	The Parish Council objects to the above application on grounds that it is not compatible with several core strategies in the local plan, does not conform to the Chiltern Conservation Management Board Plan, and would constitute a
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		<p>change of planning policy based on DBC decisions in respect of similar, previous applications. The barn in question is situated in the Green Belt as well as being part of the AONB. The latter area is especially protected, and attracts the highest status of protection for its landscape and scenic beauty, equal to National Parks.</p> <p>It was previously used as a stable, and in 2005 was granted permission for change of use to offices by DBC. We are of the view that this decision has limited applicability in the current application: Firstly, it was never implemented and ought therefore to have lapsed. Secondly, the decision was made over 14 years ago, and in the interim another such application has been refused. Finally, the local plan applicable at the time has been superseded by the current local plan, and there have been two, if not three, iterations of the Chilterns Conservation Board's Management Plan.</p> <p>Under the provisions of CS5, development in Green Belt, this development would be considered under subsection (d) the appropriate reuse of permanent, substantial buildings, provided that:</p> <ul style="list-style-type: none"> i. it has no significant impact on the character and appearance of the countryside; and ii. it supports the rural economy and maintenance of the wider countryside. <p>We do not consider the development in this applications meets either of these criteria. CS7, which deal with Rural Areas, states similar limitations on what constitutes the appropriate reuse of permanent, substantial</p>
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		<p>buildings.</p> <p>We also note that CS24, which deals with development in the Chilterns AONB, emphasises that any development therein should 'have regard to the policies and actions set out in the Chilterns Conservation Board's Management Plan.' The current Plan (2014-2019) is in the process of being updated. In the current version, section D7 deals with the importance of retaining agricultural buildings for rural enterprise, and warns against losing such structures from productive use, pointing out that such buildings 'help in fostering the economic and social well-being of communities within the AONB.' It further states that '[p]ressure on this finite resource has increased due to changes in the Permitted Development Rights regime.'</p> <p>Whilst the above frameworks may be matters of judgement – what constitutes 'substantial', what amounts to 'significant impact', etc. – possibly the most relevant item is the decision taken by DBC planning dept in the matter of a similar application. In 2014, planning application 4/00161/14/FUL sought to convert a redundant farm building into a dwelling at Five Acres Farm, in a very similar position to the application propoerty. This was refused, and further refused on appeal. The reasons stated in the refusal document were:</p> <ol style="list-style-type: none"> 1. The application site is located in the Green Belt. Within this area there is strict control over built development. Although the principle of reuse of buildings in the green belt is not necessarily inappropriate provided they preserve the openness of the Green Belt and do not conflict with
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		<p>the purposes of including land in the Green Belt. The reuse of the barn for residential purposes does not accord with the purposes of including land within the green belt specifically by failing to prevent encroachment into the green belt and not encouraging the recycling of derelict and other urban land (para.80 of the NPPF). The proposal would have a significant impact upon the character of the green belt removing a compatible agricultural use and introducing an encroaching and suburbanising residential dwelling, nor would the development support the rural economy or maintenance of the wider countryside the proposal is therefore contrary to CS5 of the Dacorum Core Strategy. The application has not satisfied saved DBLP policy 110 and failed to demonstrate the reuse of the building for more appropriate uses other than residential has been adequately investigated. The application does not propose the site as an exception affordable housing site and therefore is not an acceptable use and contrary to Core Strategy Policies CS5: Green Belt, CS19: Affordable Housing, CS20: Rural Sites for Affordable Homes and Affordable Housing SPD (2013).</p> <p>2. The application site is located within the Chilterns Area of Outstanding Natural Beauty (AONB). Within the AONB the prime consideration is the conservation of the natural beauty of the area. The proposed development, by reason of its size, siting and design, would be a suburbanising feature that would have a harmful effect on the visual amenities of the AONB. If planning permission were to be granted for the proposed development this</p>
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			<p>would further erode the character and appearance of the countryside causing harm to the visual amenities of the AONB. The proposal would therefore be contrary to the aims of Saved DBLP Policy 97. Likewise the proposal would not accord with Core Strategy Policy CS24 by failing to accord with the Draft Chiltern Conservation Management Board Plan 2014 - 2019 (2014) which is to be adopted imminently. Policy D7 of this plan encourages retention of agricultural buildings with residential use as a last resort. These considerations would appear to be equally applicable to the current application. Finally, we are concerned that should this be granted, it would create a precedent for such conversions that would be difficult to argue against.</p>
DBC - CONSERVATION	29/05/2019	No Objection	<p>The application proposes the conversion of a late 20th century brick built barn / store to a residential dwelling. The brick barn has previously been used for stabling and in 2005 received consent for conversion to an office.</p> <p>The application site lies within the Green Belt and the Chilterns AONB. The Chilterns were designated as an Area of Outstanding Natural Beauty (AONB) in 1965 by the Government. The primary purpose of the designation is the conservation and enhancement of the natural beauty of the landscape, which includes wildlife, physiographic features and cultural heritage as well as the more conventional concepts of</p>

		<p>landscape and scenery. New development within the Chilterns AONB is expected to be sympathetic to it in terms of design and materials.</p> <p>New door / window openings will be required as part of the proposed conversion – the opening sizes and inclusion of shutters seem appropriate. It would be preferable if the number of roof lights could be reduced or omitted completely.</p> <p>In terms of materials the converted barn will include stained horizontal timber cladding over brick plinth, stained timber doors and windows and a standing seam silver / grey powder coated roof. The Chilterns Design Guide does encourage the use of clay tiles or natural slate for roofing; in this case the roof pitch may be too low for either of these options but this should be given further consideration. The proposed standing seam roof will have a more contemporary feel to it which may be acceptable subject to detailing and having a grey / matte finish however I would suggest a condition is applied to control all external construction materials if consent is granted.</p> <p>The landscaping treatment will need further consideration and should avoid giving the site an overly domestic / suburban appearance. This should be detailed as a condition of any consent.</p> <p>The conversion of the barn to residential use as shown is generally supported however it is recommended the proposed roof lights are omitted from the scheme.</p>
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<p>HCC - Dacorum Network Area HERTS COUNTY COUNCIL</p>	<p>05/04/2019</p>	<p>No Objection</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition: 1) Access Gates – Configuration Prior to the first use of the development hereby permitted any vehicular access gate(s) shall be hung to open inwards, set back, and thereafter retained a minimum distance of 6 metres from the edge of the highway. Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). Highway Informative: Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: AN) 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/s</p>

		<p>ervices/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.</p> <p>AN) 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.</p> <p>COMMENTS / ANALYSIS: The application comprises of the change of use of an office building to a residential dwelling at The Barn, Nettleden Road, Frithsden. Nettleden Road is designated as an unclassified local access road, subject to a speed limit of 60mph and highway maintainable at public expense. Although having permission for use as an office, the building is currently used for stables.</p> <p>ACCESS & PARKING: The proposals do not include any new/altered vehicular or pedestrian access from the highway. The existing vehicle entrance and present inter vehicle to vehicle visibility from the access is deemed to be satisfactory and acceptable and in accordance with guidelines in Roads in Hertfordshire; A Design Guide and Manual for Streets (MfS).</p> <p>The proposals include four car parking spaces (the same as existing) and there is sufficient space on site to enable vehicles to turn around and egress to the</p>
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		<p>highway in forward gear, which is acceptable. The applicant is reminded that Dacorum Borough Council (DBC) is the parking authority for the district and therefore ultimately should be satisfied with the levels of parking.</p> <p>EMERGENCY VEHICLE ACCESS: The proposed dwellings would be within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses.</p> <p>WASTE COLLECTION: Provision would need to be made for an on-site refuse/recycling store within 30m of the dwelling and within 25m of the kerbside/bin collection point. All bins must not be stored on the highway verge and the collection method must be confirmed as acceptable by DBC waste management.</p> <p>CONCLUSION: HCC as Highway Authority has considered that the proposals would not have an unreasonable or significant impact on the safety and operation of the surrounding highway network. HCC has no objections or further comments on highway grounds to the application, subject to the inclusion of the above informatives and condition in relation to vehicular entrance gates.</p>
<p>HERTFORDSHIRE ENVIRONMENTAL RECORD CENTRE ENVIRONMENTAL RESOURCE PLANNING</p>	<p>30/05/2019</p>	<p>Thank you for consulting Hertfordshire Ecology on the above.</p> <p>I am not aware of any habitat or species data for the application site, which is a barn in a rural</p>

		<p>location, close to agricultural grasslands, mature hedgerows and broadleaved woodlands. There are records of roosting bats in buildings in the vicinity.</p> <p>Hedgerow I understand the barn has extant planning permission for conversion to an office (4/00121/05/FUL). The associated decision notice includes Condition 8 relating to the existing boundary hedge:</p> <p>The existing hedge on the boundary of the site with Nettleden Road shall be permanently retained at a height of not less than 2 metres above ground level. Any part of the hedge which becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority</p> <p>Reason: To preserve the character and appearance of the Chilterns AONB.</p> <p>I advise a similar Condition be added to this application should permission be granted.</p> <p>I am pleased to see a new hedgerow is proposed for the southern boundary, and this should comprise native hedgerow shrub and tree species known to thrive in the area (such as Blackthorn, Hawthorn, Elder, Hazel, Field maple, Crab apple). This will provide blossom, fruit (berries) and nectar to support local wildlife, act as a green corridor for foraging and commuting species, and help</p>
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		<p>deliver overall biodiversity net gain for the site as expected in NPPF and local planning policy documents. It will also complement the character of the AONB. The planting of this new native-species hedgerow should ideally be a Condition of approval if appropriate, or otherwise added as an Informative as a minimum. I can suggest the following wording (or similar):</p> <p>'A Landscape Plan detailing the native species composition for the new hedgerow on the southern boundary shall be submitted to the Local Planning Authority for written approval. It should include native hedgerow species known to thrive in the area.'</p> <p>Reason: to ensure biodiversity enhancement and net gain at the site is achieved'</p> <p>Bats</p> <p>The barn is brick built with a corrugated sheet roof (largely metal but with some plastic areas that allow light in). The roof is suspended above the brick walls, which will allow for internal fluctuations in temperature to reflect those outside to some extent. There appears to be some tight-fitting cladding above the double doors. Bats prefer roosting conditions with stable temperatures and little or no light. On balance, I consider the barn to be sub-optimal for bats to use for roosting and I do not consider a survey is necessary in this instance.</p> <p>However, due to the rural location of the barn, the presence of suitable foraging / commuting habitat (hedgerow) nearby, and records of roosting bats in close</p>
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		<p>proximity, I advise a precautionary approach to the conversion works is taken. I recommend the following Informative is added to any consent given:</p> <p>'In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England'</p> <p>Nesting birds It is possible that birds are using the barn and/or nearby trees and shrubs for nesting. Consequently, any tree/shrub and building clearance should be undertaken outside the nesting bird season (March to August 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 two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.</p> <p>I trust these comments are of assistance.</p>
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Consultees: not responded

THE CHILTERN SOCIETY THE CHILTERN SOCIETY OFFICE			
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THAMES WATER UTILITIES DEVELOPMENT CONTROL			
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THREE VALLEYS WATER PLC (AFFINITY WATER)			
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AFFINITY WATER			
DBC - STRATEGIC PLANNING			
DBC - BUILDING CONTROL			

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
FRITHSDEN COTTAGE,FRITHSDEN LANE,FRITHSDEN,HEM EL HEMPSTEAD,HP1 3DD	<p>I am the Chairman of the Nettleden, Frithsden and District Society and am commenting on behalf of the Committee.</p> <p>We are concerned that the proposed conversion is requested in a location which is both Green Belt and a designated Area of Outstanding Natural Beauty. The site is very clearly visible from two major and well used public footpaths.</p> <p>The Society has opposed similar applications in the past. We are also concerned that there are a number of buildings, shacks, stables, field shelters and the like all along the fields that border Nettleden Road in that area and we are concerned that the granting of a change of use permission would inevitably be the forerunner to a string of such applications along that road, leading to major ribbon development.</p> <p>The road is narrow and dangerous, with several blind bends and no speed restriction below 60mph. The road is heavily used by horse riders (there are two stable yards adjoining the relevant stretch the road and several more within a mile of the site). The road is also on a major cycle route. That stretch of road has already been the site of many car, motor bike and other accidents and serious injury to people and horses is, in our view, inevitable. Any new development along that road would inevitably increase the traffic along there, need access points which would be bound to be in dangerous places and result in even more serious dangers to the road users.</p>
THE OLD FARMHOUSE,NETTLED	I would like to draw the Council's attention to the following points for consideration in relation to this

<p>EN ROAD,FRITHSDEN,HEM EL HEMPSTEAD,HP1 3DG</p>	<p>planning application:</p> <p>The barn shares access to the Nettleden Road with the Donkey Sanctuary. The structure was originally an agricultural barn. The site is totally unsuitable for development into anything which will increase traffic to and from that access point as it is situated on a very dangerous bend in the road.</p> <p>The site of the barn lies within the AONB and on Green Belt land. As such policies relating to the AONB including the Chiltern Conservation Management Plan apply. The site is also clearly visible from local footpaths.</p> <p>3. there are a number of agricultural buildings dotted along the length of the south side of Nettleden Road from the Donkey Sanctuary to Five Acres Farm opposite the turning to the Alford Arms Pub. Five Acres Farm has been the subject of several applications to convert the barn into a residential dwelling and two planning appeals in 2004 and 2014 (Appeal ref APP/A1910/A/14/2226110), both of which were unsuccessful. I would draw the Council's attention to the planning inspector's findings in the 2014 appeal , in particular:</p> <p>a) The proposal constituted inappropriate development in the Green Belt</p> <p>b) The introduction of domestic development would significantly adversely affect the character and appearance of this high quality rural landscape</p> <p>c) Saved policy 110 in the Local Plan does not allow the re-use of buildings of this nature unless reasonable efforts have been made to secure business, recreation or tourism related uses (in this case as the conversion to offices never took place no efforts of this nature have been made nor to let or sell the barn for its original agricultural use.)</p> <p>d) Policy D7 in the Chilterns AONB Management plan 2014-19 encourages the retention of agricultural buildings for rural enterprise.</p> <p>I would suggest that the same considerations apply in this case.</p> <p>4. In addition, since then, the new draft Chiltern Conservation Management Board Plan 2019 - 2024</p>
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	<p>focuses on the problems of development 'creep' within the AONB and states that "even small scale, cumulative changes to land and buildings can materially harm the natural beauty of the Chilterns AONB". This proposal is contrary to draft policy DP1 and DP2 of that draft plan .</p> <p>5.It is also, I suggest, contrary to :</p> <ol style="list-style-type: none">1. adopted Core Strategy Policy CS5 as the development will have a significant impact on the character and development of the countryside and it does not support the rural economy and maintenance of the wider countryside.2. Adopted Core Strategy Policy CS7 as it does not constitute appropriate re-use of permanent substantial buildings3. Adopted Core Strategy Policy CS24 as it does not conserve the AONB or comply with the Chilterns Conservation Board's Management plan . <p>If efforts are not made to prevent the conversion of agricultural buildings to residential use along this stretch of road, and within the villages of Frithsden and Nettleden, a very dangerous precedent will be created for the conversion of all the other barns/structures currently in agricultural use to domestic dwellings which would have a significant adverse impact on the character of the AONB, would lead to further traffic problems on a very dangerous stretch of road and given its location far away from any public transport links does not meet current strategy in terms of minimising car usage.</p>
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**Item 5g 4/00658/19/MFA DEMOLITION OF EXISTING BUILDINGS,
CONSTRUCTION OF 15 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1
SHOP) UNIT AND PARISH STORE ROOM, ALTERATIONS TO VEHICLE AND
PEDESTRIAN ACCESSES**

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



**Item 5g 4/00658/19/MFA DEMOLITION OF EXISTING BUILDINGS,
CONSTRUCTION OF 15 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1
SHOP) UNIT AND PARISH STORE ROOM, ALTERATIONS TO VEHICLE AND
PEDESTRIAN ACCESSES**

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



Street Scene 1
1:100



4/00658/19/MFA	DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 15 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1 SHOP) UNIT AND PARISH STORE ROOM, ALTERATIONS TO VEHICLE AND PEDESTRIAN ACCESSES
Site Address	GARDEN SCENE CHIPPERFIELD, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EG
Applicant	Marchfield Homes
Case Officer	James Gardner
Referral to Committee	Similar application refused by committee

1. Recommendation

1.1 That the application shall be delegated with a view to approval subject to the completion of a Section 106 agreement and subject to the conditions set out below.

2. Summary

2.1 The proposal for the redevelopment of the site (former garden centre and other related uses) with 15 residential units, a replacement shop and parish storage facility would be acceptable noting the site's allocation for housing under the Site Allocations Statement adopted in July 2017. Whilst the site would represent development above the stated net capacity of 12 dwellings, it should be noted this figure should not be applied as maxima, and the planning benefits of the scheme would tilt the balance in favour of the additional provision of housing in this location.

2.2 The proposed layout and detailed design would ensure that the development would provide sufficient on-site parking provision, would conserve and enhance the character and appearance of the Chipperfield Conservation Area, and would achieve acceptable living conditions within the development and would not result in harm to neighbouring properties when compared with existing conditions.

2.3 This application is subsequent to one previously refused by the Development Management Committee (DMC) on 18th December 2018. The DMC's reason for refusal was:

The proposed development by reason of its height, design and density would result in overdevelopment, harming the character and appearance of the street scene and wider area contrary to Policies CS2, CS11 and CS12 of the Dacorum Core Strategy (2013), Proposal H/21 of the Site Allocations Statement (July 2017) and paragraph 127 of the National Planning Policy Framework.

In summary, the revised application has addressed the reasons for refusal by:

- Reducing the number of dwellings to 15 and reducing the density;
- Reducing the height of the proposed building to Chapel Croft to two storeys;
- Increasing the level of on-site parking provision across the whole site in excess of
- the Council's maximum standards;
- Removing the proposed lay-by to the Chapel Croft frontage, which was of concern to

- local residents;
- Revising the parish store by proposing a new, single storey building with additional
- separation to nearest residents;
- Altering and re-routing the proposed foul and surface water drainage layout.

2.4 The proposal would therefore accord with the aims of Policies CS1, CS2, CS3, CS8, CS11, CS12, CS17, CS18, CS19, CS25 and CS27 of the Dacorum Core Strategy 2013, and saved Policies 45, 58, 99, 111 and 120 of the Dacorum Borough Local Plan 1991-2011, and relevant provisions of the National Planning Policy Framework (NPPF) 2019.

3. Site Description

3.1 The application site is a roughly rectangular parcel of land with a wide frontage to the northern side of Chapel Croft providing the site's main access point, with a secondary access from Croft Lane to the east. The site comprises a number of large, low-level buildings which have historically served a number of uses, the main being a garden centre and garden machinery repairs and workshops, which ceased around September 2018. A small store incorporating a post office currently operates from the site.

3.2 The side boundaries are staggered and mostly to the north, east and west are flanked by semi-detached or detached dwellings including along Croft Lane and Chapel Croft. Alongside part of the site's western boundary is a tile yard and dense woodland to the site's northern interface. The main access to the site is via Chapel Croft, shared with the tile yard and other residential units outside the site.

3.3 The existing buildings on the site are most prominent from Chapel Croft, and the southern portion of the site fronting Chapel Croft lies within the Chipperfield Conservation Area. Within this street scene the village store building is set behind a deep footpath and landscaped frontage beyond, the building itself slightly set down from road level. Built form within Chapel Croft is predominantly two-storey with some chalet elements and as such the existing building is low level and gains its prominence as a result of the site's relatively wide frontage.

4. Proposal

4.1 Planning permission is sought for the demolition of existing buildings and the construction of 15 dwellings (Class C3), in addition to the replacement of the retail (Class A1 shop) unit. Highway works form part of the proposals, including alterations to vehicle and pedestrian accesses. Parking provision totalling 60 spaces would be accommodated within the site.

4.2 The following dwelling mix is proposed:

- Two 1-bedroom apartments;
- One 2-bedroom terraced dwelling;
- Three 3-bedroom terraced dwellings;
- One detached 3-bedroom dwelling;
- Four 4-bedroom detached dwellings;

- Four 5-bedroom detached dwellings.

4.3 Private amenity areas would be located to the rear of dwellings (with the exception of the flats) and would be comprise a range of sizes. Parking would be provided within courtyards or within the curtilages of individual dwellings, including garages to the detached dwellings.

5. Relevant Planning History and Background

5.1 Planning application 4/02249/18/MFA sought permission for:

Demolition of existing buildings, construction of 17 dwellings (Class C3) and one retail (Class A1 shop) unit and parish store room, formation of layby to Chapel Croft and alterations to vehicle and pedestrian accesses.

This was refused by the DMC for the reasons outlined at 2.3 (above).

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework 2018
National Planning Practice Guidance

6.2 Site Allocations Statement July 2017

Proposal H/21 Garden Scene Nursery

The application site does not currently form part of a designated neighbourhood plan area.

6.3 Dacorum Core Strategy (2013)

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS3 - Management of Selected Sites
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of the Public Realm
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS25 - Landscape Character
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS35 - Infrastructure and Developer Contributions

6.4 Saved Policies of the Dacorum Borough Local Plan 1991-2011

- 10 - Optimising the Use of Urban Land
- 12 - Infrastructure Provision and Phasing
- 13 - Planning Conditions and Planning Obligations
- 18 - The Size of New Dwellings
- 21 - Density of Residential Development
- 45 - Scattered Local Shops
- 51 - Development and Transport Impacts
- 57 - Provision and Management of Parking
- 58 - Private Parking Provision
- 99 - Preservation of Trees, Hedgerows and Woodlands
- 100 - Tree and Woodland Planting
- 111 - Height of Buildings
- 119 - Development Affecting Listed Buildings
- 120 - Development in Conservation Areas

6.5 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)
- Chipperfield Village Design Statement

6.6 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)
- Conservation Area Character Appraisal for Chipperfield

7. Constraints

Proposal H/21 under Site Allocations
Selected Small Village in the Green Belt
Chipperfield Conservation Area
Proximate to listed buildings
CIL Zone 2

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues of relevance to the consideration of this application are:

- Policy and principle
- Density
- Traffic, Access and Parking
- Impact on Heritage Assets and Street Scene
- Impact on Neighbouring Properties
- Contaminated Land
- Flood Risk and Drainage
- Ecology
- Affordable Housing and Community Infrastructure Levy

Policy and principle

Housing supply

9.2 Redevelopment of the site for residential purposes is acceptable noting the site's strategic allocation for housing under Proposal H/21, covering the full 0.7 hectares of the site, as part of the Site Allocations (adopted in July 2017).

9.3 The provisions of Policy CS17 of the Core Strategy are relevant in the determination of the application; where the former seeks to maintain a five year supply of housing. Paragraph 14.9 of the Core Strategy states that the housing target in Policy CS17 sets a level of housing which the Council expects to achieve and exceed.

9.4 Paragraphs 59 and 68 are key to the consideration of the proposals, specifically the latter which states small and medium sites can make an important contribution to meeting the housing requirement of an area, and to promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes. The proposal for housing within the village of Chipperfield would contribute to achieving this aim.

Green Belt Policy Considerations

9.5 Previously, within the Dacorum Borough Local Plan 1991-2011 (adopted 2004) the site was allocated as Green Belt, the southern part of which lies within the designated village boundary. Subsequently the above-mentioned Site Allocations added the entire site to the village envelope under VB/1 (Garden Scene Nursery, Hermes and The New Bungalow) and reallocated the site for housing under Proposal H/21. As a result of the site's reallocation, the provisions of Section 13 (Protecting Green Belt land) of the NPPF and Policy CS6 (Selected Small Villages in the Green Belt) of the Core Strategy shall not apply. Notwithstanding the stated net capacity of 12 dwellings of the 0.7 hectare allocated site, the suitability of the site for 15 residential units and one retail unit (Class A1) shall be considered in the following sections.

Non-Residential Uses

9.6 The site is not a designated employment area and as such the loss of the existing

garden centre use and machinery repairs and workshops would not raise any policy objections.

9.7 Additionally, the temporary loss of one of the two stores serving Chipperfield village during redevelopment (including clearance) of the site would also not raise concern under saved Policy 45 of the Local Plan, which discourages the loss of individual local shops unless there is another shop similar in use available for customers within convenient walking distance. The village would also be supported by the existing shop located within 100m east of the site on Chapel Croft, and therefore temporary loss of the existing shop on the site would not conflict with the aims of the above policy or objectives of Proposal H/21 which seeks to retain the existing local retail use. If granted, planning permission shall be subject to a condition requiring details of phasing of construction to ensure delivery of the retail (Class A1) unit.

Sustainable development

9.8 The NPPF, under paragraph 8, identifies that there are three dimensions to sustainable development: social, economic and environmental. These are considered below.

- *Social benefits*

9.9 The social benefits of this scheme would include a contribution towards making up the supply of housing in the Borough, thereby facilitating the Government's aim of significantly boosting the supply of housing (paragraph 59 of the Framework). Substantial weight shall be attributed to this factor in support of the application. Additionally, affordable housing at 35% shall be provided on-site as part of the development and in accordance with Policy CS19 of the Core Strategy. The scheme would retain one of two stores in the village, retaining the community focus on Chapel Croft. Highway works are also proposed to improve highway and pedestrian safety surrounding the two accesses serving the site.

9.10 The scheme would retain one of two stores in the village, not only retaining the community focus on Chapel Croft, also would be within convenient walking distance to residential properties within the development and moderate weight shall be attached to this factor.

9.11 It is acknowledged that the development would be removed from practical modes of public transport, notwithstanding bus services that operate in the immediate area (bus stop on Chapel Croft to the east). It is therefore anticipated that there would be a reliance on the private car due to the services available in the village and the distance and physical constraints to Kings Langley and larger settlements. Given the number of units within its context, limited weight is attached to this factor.

- *Economic benefits*

9.12 The economic benefits of the scheme would include the creation of construction jobs in the short-term. Residents of the development would support the local facilities including the shops, including the retail unit proposed on the site. It is therefore considered the proposal will have some positive benefits and would be considered sustainable from an economic perspective.

- *Environmental benefits*

9.13 From an environmental perspective, it is noted that the application site is considered as brownfield land, the majority of which is covered by hardstanding or buildings, as such the development would not compromise protected species. In fact, the proposal would represent a benefit in terms of a reduced site coverage. It is also noted that the development would result in a decrease in traffic movements to and from the site. In visual terms, the development is considered to respond appropriately to the Chipperfield Conservation Area and this also weighs in favour of the proposal.

9.14 Substantial weight is given to the development of a brownfield site, and a site that lies within an existing settlement. The redevelopment of the site would also present an opportunity to remediate contaminated land. Substantial weight is given to these factors (under paragraph 118(c) of the NPPF).

Conclusion

9.15 As a result of the proposed development, benefits would be realised across the three objectives outlined above, and therefore the redevelopment of the site currently sought would tilt the balance in favour of housing provision of 15 units on this site together with the replacement shop.

9.16 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 which shall be detailed below.

Density / Quantum of Development

9.17 There is various guidance with respect to density that is applicable to the current proposal, including:

- Site Allocations stipulating a net housing capacity of 12 units on 0.7 hectares (application form states site area measures 0.76 hectares);
- Paragraph 127(e) of the NPPF (Section 12 Achieving well-designed places) which seeks to ensure developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- Paragraph 123 of the Framework (Section 11 Making effective use of land) echoes the above, in cases where there is an existing or anticipated shortage of land for meeting identified housing needs;
- Policy CS11 of the Core Strategy seeks to ensure development respects the typical density intended in an area;
- Policy CS12 of the Core Strategy requiring development to respect adjoining properties in terms of layout (amongst other things);
- Policy CS18 of the Core Strategy encourages housing development to comprise a range of housing types, sizes and tenures;
- Saved Policy 10 of the Local Plan (b) states general building development should be designed to achieve the maximum density compatible with the character of the area;
- Saved Policy 21 of the Local Plan which specifies residential densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net;

9.18 The proposal would result in a numerical density of approximately 20 dwellings per hectare across the whole site. Importantly, numerical density is one factor to be considered and balanced against others when assessing the quantum of development on the site. The development would appropriately respond in density terms to immediately adjoining development including the front part of the site (accessed from Chapel Croft), which would not exceed that of the existing development along Croft Lane directly east of the site, from The Nurseries to Mayleaves (in the order of 34 dwellings per hectare). The rear portion of the site would contain a lower density pattern of development (to be occupied by plots 10 to 12) to allow a softer transition to the agricultural fields to the north-west and the edge of the village boundary.

9.19 Notwithstanding the net housing capacity of 12 homes proposed at H/21 under the Site Allocations Statement, the numerical density of the development would not exceed that which exists in the area. Furthermore, the Site Allocations also states that the net capacity figures specified provide an estimate of expected capacity and should not be treated as maxima. It goes on to state that 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.

9.20 Section 11 of the NPPF (Making effective use of land) is relevant in the consideration of the proposal. Reference is made to paragraph 118 (c) which states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and should promote and support the development of under-utilised land and buildings.

9.21 Also of relevance are Policies CS2 and CS3 of the Core Strategy. Amongst other things, Policy CS2 seeks to ensure the most effective use of land and is consistent with the above.

9.22 Consequently the proposal would accord with aims under local and national policy with respect to making effective use of the site area, taking into consideration the surrounding built environment.

Layout

9.25 The layout of the site is dictated by access requirements, particularly the provision of a through route from the existing main access to the dwellings to the rear of Chapel Croft (including The New Bungalow and Elm Cottage, and others which benefit from a right of access). The site is also required to maintain the existing right of way from Croft Lane through the rear portion of the site to the agricultural land directly north-west. This has resulted in the grouping of buildings across the site.

9.26 The placement of a single mixed use building to Chapel Croft, comprising a replacement shop, two flats and an attached dwelling, would respond appropriately to the spacious pattern of development that occupies a large part of the northern side of Chapel Croft and would reflect existing conditions on the site (which currently contains a post office / shop and garden machinery shop).

9.27 Courtyards are encouraged under the Chipperfield Village Design Guide and have been incorporated through the grouping of buildings. This is evident with the

front building presented to Chapel Croft comprising the retail unit, two apartments and the attached two-bedroom dwelling (Plots 13 to 15). The middle portion of the site would incorporate a courtyard created by the link-detached dwellings (Plots 1 and 2) and the short terrace row (units 3 to 5) and also by detached dwellings (Plots 7 to 9) at the head of Croft Lane.

9.28 The building bulk has been concentrated around courtyards instead of a large expanse of building across the site when perceived from the east of the site. Building sprawl across the site has been reduced where Plots 10 to 12 would replace the large greenhouse structure to the rear adjacent to open rear gardens and the agricultural field.

9.29 Whilst parking provision is detailed in a later section, it is considered that the proposal would achieve an appropriate balance between on-site parking and soft landscaping areas resulting in a decrease in hardstanding across the site.

9.30 No layout concerns have been raised by the Hertfordshire Crime Prevention Design Officer.

Residential amenity

9.31 Rear gardens within the proposed development would achieve or exceed the local 11.5m depth standard set out under saved Appendix 3 of the Local Plan in at least one direction, with the exception of Plots 4, 6 and 14, the last of which is a two-bedroom dwelling. Plots 4 and 6 have garden depths of 11m and 10.2m respectively, which would not raise concerns given in area terms would be commensurate with sizes of rear gardens of some properties on Chapel Croft (Shalon and Wansfell for example). As such this would not give rise to concerns surrounding the amenity of these plots given the pattern of development adjacent and noting the recreational opportunities that exist within Chipperfield and its network of public footpaths.

9.32 A minimum distance of 23m would be met between the main elevations (first floor windows) of dwellings within the development with the exception of front elevations facing one another for which there is no specified separation distance.

9.33 The development would accord with the aims of Policies CS11 and CS12 of the Core Strategy and would not conflict with the objectives of the Chipperfield Village Design Guide.

Traffic, Access and Car Parking

9.34 Parking provision would be met on-site for the residential units in excess of the maximum standard set out under saved Appendix 5 of the Core Strategy, and would be exceeded for the retail unit. A breakdown of the parking provision has been provided below for ease of reference:

Property	Garage	Spaces
Plot 1		3

Plot 2	1	3
Plot 3		2 + 1 visitor
Plot 4		2 + 1 visitor
Plot 5		2 + 1 visitor
Plot 6	1	3
Plot 7	2	2
Plot 8	1	3
Plot 9	1	3 + 2 visitor
Plot 10	1	3
Plot 11	1	3
Plot 12	1	3
Plot 13		2 + 1 visitor
Plot 14		2
Plot 15		2 + 1 visitor
Retail Shop		6 + 7 shared visitor spaces 1 delivery vehicle space
Parish Store		1
Total	9	60

9.35 Saved Policy 58 of the Local Plan requires justification for provision of parking above the maximum standard. In this particular respect greater weight is attached to paragraph 106 of the Framework which sets out the maximum standards should only be set where there is clear and compelling justification that they are necessary for managing the local highway network, or for optimising the density in city and town centres and other locations that are well served by public transport. Given the location of the site within the village which is served only by buses it is not considered that justification for exceeding local maximum standards is required. The parking provision is considered to strike an appropriate balance between the anticipated demands of the development and maintaining the character of the surrounding area.

9.36 No objection has been raised from the highway authority with respect to utilising the two existing accesses which were expected to continue under Proposal H/21. Improvements have been sought with respect to the accesses to improve highway and pedestrian safety where details shall be reserved by condition. It is noted that the access off Croft Lane should maintain the existing through-route to the adjacent fields. The ownership of this right of access is not a material planning consideration and therefore shall not restrict the grant of planning permission.

9.37 Similarly, the highway authority did not raise objection with regards to traffic movements generated by the proposal. A decrease in traffic movements would result which would be a benefit in terms of highway safety on the surrounding road network.

9.38 An acceptable level of maneuverability has been demonstrated by way of swept path analysis (submitted as part of the Transport Assessment). It has been illustrated that delivery/service vehicles would be able to turn around and egress to the delivery bay and subsequent highway in forward gear at the Chapel Croft access.

9.39 As such the proposal would accord with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 in this regard.

Impact on Heritage Assets and Street Scene

9.40 There are various aspects of the proposal to consider noting the site's planning constraints and these are detailed below.

Building height

9.41 Objectives for Proposal H/21 also seek a mix of two-storey housing. The development is now solely two-storey in height, addressing the DMC's previous concerns over the visual appearance of the units directly fronting Chapel Croft.

Impact on Chipperfield Conservation Area

9.42 Proposal H/21 under the Site Allocations requires a high quality scheme noting the site's partial location within the Chipperfield Conservation Area. It is considered that the development has achieved this. No objection has been raised with respect to the loss of the existing buildings on the site.

9.43 As alluded to above, building height and overall bulk and massing is considered to be acceptable noting the mix of development along Chapel Croft consisting of detached, semi-detached and terraced dwellings.

9.44 From Chapel Croft the shop unit, courtyards immediately behind and the detached dwelling (Plot 6) at the head of the drive would add to the existing strong variety of building types and sizes. In particular the elevations facing Chapel Croft would feature a mix of building heights with gable projections, elevations and chimneys to add interest when viewed from the street and within the development itself. Roof pitches would be traditional with slight pitch variations adding further interest whilst unifying all buildings within the development with recurring gable features. As such the detailed design of the development is considered to accord with the general principles set out within the Chipperfield Village Design Guide.

9.45 Colour elevations have been and these demonstrate that the scheme provides a mixed palette of materials which are reflective of the village's character and of buildings found within the Chipperfield Conservation Area. A condition shall be placed on any planning permission requiring details of materials, brickwork and joinery to ensure the design detail would achieve a suitable level of integration within the surrounding area.

Impact on Nearby Listed Buildings

9.46 There are a row of listed buildings located south-east of the site including Rose Cottage and the terrace row on Chapel Croft at the head of the junction with Croft Lane. However, due to its location on the opposite side of the road and its setback from the frontage, the proposed development would not harm the setting of these listed buildings.

Impact on trees

9.47 A tree protection plan and tree constraints plan has been submitted as part of the application. Overall, six trees would be removed to make way for the proposal; a Golden Yew, Purple Plum, Monterey Cypress, Wild Cherry, Crab Apple tree and a Hazel tree. All of these trees have been identified as in poor condition or readily replaceable and so it is considered their removal would not be detrimental to the character of the surrounding area. All other existing trees on site are to be retained and protected during construction by the methods stated within the submitted tree protection plan which include protection fencing and specific 'no dig' construction strategies.

9.48 14 new trees are proposed on site and so it is considered that the development would benefit the site in terms of landscape character. The Council's Trees and Woodlands were consulted on the application and no objections were raised in regards to the proposed tree removals when balanced against the number of new trees that were being proposed. However, a planting scheme with details of new species planting, planting methods, and an aftercare regime was requested which shall be reserved by condition if planning permission is granted.

9.49 Based on the above, the development would achieve a comfortable degree of compatibility with the surrounding area and would therefore accord with the aims of Policies CS11, CS12, CS25 and CS27 of the Core Strategy and saved Policies 99, 111 and 120 of the Local Plan.

Impact on Neighbouring Properties

9.50 In general terms the proposed redevelopment would group buildings and provide a greater level of open space and soft landscaping that would assist in breaking up building bulk from the perspective of neighbouring properties and soften the development. Specific sensitive interfaces and considerations are detailed below.

Croft Lane

9.51 The neighbouring dwelling at Rosetas would have a direct view of the flank wall of the end-of-terrace dwelling at Plot 3, where there would be a distance of approximately 15m between the two compared with the single-storey structures currently visible from the rear garden and ground floor rear windows of this neighbouring property. The development would not breach the 25° from the midpoint of ground floor windows at Rosetas which can be assessed on the submitted cross-section (drawing no. PL32 Rev. B), demonstrating the development would not result in an adverse loss of light to this neighbour. The roof form of Plot 3 would also be set down from that of the main terrace to further break up the building bulk from this perspective; the use of a Dutch hip roof form would also serve to minimise the impact

on Rosetas.

9.52 The dwelling at Oakland would have a direct line of sight of Plot 8; however, visual relief would be provided by this building's relatively narrow flank elevation and the width of its rear garden would ensure there would be sufficient relief from buildings that the proposal would not give rise to visual intrusion or loss of light.

9.53 There would be a perpendicular relationship between Shalom and Plot 13 which would not raise overlooking concerns given the location of the first floor window within the gable on the far side of the northern elevation of this unit.

Other neighbouring properties

9.54 Dwellings at The Nurseries, Middle Oak, The New Bungalow and (approved) Strawplait Barn feature main elevations that do not directly face the application site and therefore the proposal would not harm the residential amenities of these dwellings.

Overlooking

9.55 As alluded to above, the 23m standard is applied between first floor windows of private elevations (and is generally a back-to-back distance) to prevent unreasonable levels of overlooking. The proposal would present blank flank elevations to existing residential properties on Croft Lane and behind Chapel Croft. Consequently, whilst buildings may be sited within 23m of neighbouring windows, due to the absence of windows within the nearest elevations this would not give rise to overlooking concerns.

Chapel Croft

9.56 When assessing the impact on dwellings to the south on the opposite side of Chapel Croft, it is noted that there is no front-to-front distance under local guidance as views of dwellings can be obtained from the road frontage. In any case the road reserve and the setback of the front building would ensure that the 23m standard would be exceeded relative to dwellings to the south.

9.57 It follows the proposal would not compromise the residential amenity of existing dwellings with respect to visual intrusion, loss of light, overlooking or general disturbance and would therefore accord with Policy CS12 of the Core Strategy.

Contaminated Land

9.58 The Council's Environmental Health Department were consulted on the proposal and raised no objections. However, due to identified former potentially contaminative land uses on the site, standard contaminated land conditions and informatives shall be placed on any planning permission given the sensitivity of the proposed land use in accordance with Policy CS32 of the Core Strategy.

Flood risk and Drainage

9.59 The Lead Local Flood Authority (Hertfordshire County Council) have not raised any objections on flood risk grounds, subject to the inclusion of conditions.

9.60 Concerns were raised by Chipperfield Parish Council and local residents during

the course of the previous application with regard to foul and surface water drainage and the potential impacts on local infrastructure. Despite Thames Water, previously and now, confirming that they have no objections to the development being connected to the sewer system to the north of the site, it is now proposed to connect to the sewer system to the west.

9.61 Page 8 of the Drainage Strategy (Issue 3) undertaken by Fairhurst provides the relevant clarification:

Thames Water have stated that the sewer system to the north and to the west of the site have the capacity to take foul and surface water flows from the site, with surface water restricted to 2l/s. However, they have also stated that the sewer line to the north has maintenance issues, and as such it is proposed to connect into the western manhole, which Thames Water have confirmed is acceptable.

9.62 Conditions would be placed on any grant of planning permission which would ensure that the development would be carried out in accordance with the submitted drainage strategy, that no development would take place until the final design of the drainage scheme is submitted to and approved by the local planning authority, and that upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved by the local planning authority.

9.63 Due to the above, no objection is raised in relation to flood risk and drainage in accordance with Policies CS31 and CS32 of the Core Strategy.

Ecology

9.64 The preliminary ecological appraisal, conducted by The Ecology Partnership, which was submitted with the application found there to be a low likelihood of the presence of protected species on site. In summary, the site does not contain any ponds and is separated from the nearest located ponds by infrastructure meaning it is unsuitable for Great Crested Newts.

9.65 The Preliminary Ecological Appraisal has determined that while the habitats on site have the potential to support doormice, due to the lack of connectivity to any significant compartment of suitable off-site habitat, small area of on-site habitat and lack of recent records in the vicinity of that site, it is considered unlikely that doormice are present and no further surveys were recommended.

9.66 With respect to bats, the buildings were considered unsuitable, although the western hedgerow / treeline could provide commuting opportunities and as such this could be protected from direct lighting during construction. Hertfordshire Ecology confirmed in respect of the previous application that there are no reports or protected species from the site and that the site is predominantly comprised of hardstanding.

9.67 Furthermore, the proposal would result in a reduction in hardstanding and the incorporation of more soft landscaping on site. Construction activities would actively protect biodiversity by following the recommendations set out within the Preliminary Ecological Appraisal and mature trees on site will be retained along with the provision of additional planting. The proposal would therefore accord with Policy CS29 of the Core Strategy.

Affordable Housing and Community Infrastructure Levy (CIL)

9.68 Policy CS19 of the Core Strategy requires 35% of residential units to contribute towards affordable housing provision within the Borough. The development would be required to provide five affordable housing units on site. This level of provision would be secured under a Section 106 agreement where planning permission would not be granted prior to its completion.

9.69 The development would be CIL liable subject to applicable reductions (buildings 'in use) at a rate of £150 per square metre. The proposal would be compliant under Policy CS35 of the Core Strategy. Under the Council's Regulation 123 list, any CIL payment would go towards primary schools and open space, which have been raised as experiencing shortfalls within consultation responses.

10. Conclusions

10.1 The principle for redevelopment of the site for residential purposes and the replacement of the existing shop is acceptable noting the policy designation of the site associated with Proposal H/21 under the adopted Site Allocations Statement. It is noted that the net housing capacity of the site as stipulated within the Site Allocations is not a maxima, and the proposal would result in the following planning benefits:

- Meeting an identified need for housing in the Borough and an appropriate mix of units;
- Redevelopment of a largely vacant site within the village;
- Replacement of the existing shop serving the village;
- Provision of on-site affordable housing in line with the requirements of Policy CS19 of the Core Strategy including smaller units;
- Adequate on-site parking provision which accords with the demand-based standards;
- Appropriate spacing between units within the development and relative to existing neighbouring properties;
- Achieving an appropriate balance between hardstanding for car parking and soft landscaping and private amenity areas for dwellings;
- Reduction in traffic movements compared with the existing use;
- Building design and layout would ensure the conservation of designated heritage assets.

10.2 The reasons for the previous refusal of planning permission have, in the view of the case officer, been adequately addressed. The proposal would therefore accord with the aims of Policies CS1, CS2, CS11, CS12, CS17, CS18, CS19, CS25, CS27 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 45, 58, 99, 111 and 120 of the Dacorum Borough Local Plan 1991-2011.

11. RECOMMENDATION

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

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

- Affordable Housing – 35%

3. That the following conditions, or such other conditions as the Committee may determine, be agreed:

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 Prior to commencement of the development hereby permitted, a Development Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Development Phasing Plan shall include details of and timeframes for:

the removal of the existing buildings to be demolished;

the reinstatement of the existing Class A1 (shop and post office) use on the site and timeframes for its closure during construction works;

any phasing plans for construction across the site.

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

Reason: To ensure a sufficient amount of retail space within the village in accordance with saved Policy 45 of the Dacorum Borough Local Plan 1991-2011 and to provide certainty with respect to Community Infrastructure Levy charging timeframes.

3 The retail Class A1 unit hereby approved shall only be used for Class A1 uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose permitted under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason: To ensure a sufficient amount of shopping facilities within the village in accordance with saved Policy 45 of the Dacorum Borough Local Plan 1991-2011.

4 The trees shown for retention on the approved Tree Protection Plan

(prepared by David Brown Landscape Design, dated March 2019) shall be protected during the whole period of site clearance, excavation and construction by the erection and retention of protective fencing positioned beneath the outermost part of the branch canopy of the trees. In areas where tree protection fencing does not sufficiently cover Root Protection Areas, the use of 'No-Dig' construction methods shall be incorporated to minimise the impact to trees proposed for retention, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure that damage does not occur to the trees during building operations in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policies 99 and 120 of the Dacorum Borough Local Plan 1991-2011.

5 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five (5) years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to

safeguard the visual character of the immediate area in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policies 99 and 120 of the Dacorum Borough Local Plan 1991-2011.

- 6 **Construction of the buildings hereby permitted shall not take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials, including to the access roads;**
- **means of enclosure both within and around the site;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **proposed finished levels or contours;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 7 **Construction of the buildings hereby permitted shall not take place until details of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **schedule of external materials, including samples of brick and roof tiles;**
- **details of brick bond and mortar;**
- **metrically scaled at 1:20 details of joinery and finish;**
- **rainwater goods;**
- **eaves details.**

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

Reason: To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area in accordance

with Policies CS12 and CS27 of the Dacorum Core Strategy 2013, saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 8 **Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 9 **Prior to first occupation of the buildings hereby permitted, full details (in the form of scaled plans and/or written specifications) shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to illustrate the following:**

- **A feature to prevent vehicles (e.g. bollards) from parking on the highway footway fronting the shop on Chapel Croft and full height kerb on the carriageway edge and reinstatement of the footway.**
- **Tactile paving details at both accesses. Tactile paving would need to in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces**

The works shall then be carried out in accordance with the approved particulars prior to first occupation of the buildings hereby permitted.

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.

- 10 **Prior to the first occupation of the development hereby permitted the accesses and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.

- 11 **Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plans and retained thereafter available for that specific use.**

Reason: In order to ensure a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum

Core Strategy 2013.

- 12 **The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with Policy 57 of the Dacorum Borough Local Plan 1991-2011.

- 13 **The development permitted by this planning permission shall be carried out in accordance with the approved the Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019, the following mitigation measures detailed within the FRA:**

- **Limiting the surface water and foul water discharge to a maximum of 2l/s with discharge into the Thames foul water sewer; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.**
- 1. **Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
- 2. **Undertake drainage strategy to include to the use tanked permeable paving and attenuation tanks as indicated on drainage strategy drawing 103795/2001 Rev A**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 14 **Construction of the buildings hereby permitted shall not take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019. The scheme shall also include;**

- 3. **Exploration of opportunities for above ground features reducing the requirement for any underground storage.**
- **Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall**

events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Reason: To ensure the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 15 **Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.**

Reason: To ensure the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 16 a) **No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
- **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
 - **The results from the application of an appropriate risk assessment methodology.**
- b) **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.**
- c) **This site shall not be occupied, or brought into use, until:**
- (i) **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - (ii) **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with Policy CS32 of the Dacorum Core Strategy 2013.

- 17 **Any contamination, other than that reported by virtue of Condition 16, encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason:To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with Policy CS32 of the Dacorum Core Strategy 2013.

- 18 **Construction of the building containing the retail (Class A1) unit and residential units labelled Plots 14 to 15 (inclusive) on approved Drawing No. PL10 Rev. B shall not take place until a Noise Mitigation Scheme proposing measures against externally generated traffic and mixed use noise has been submitted to and approved in writing by the local planning authority.**

The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure an appropriate level of residential amenity within the development with respect to noise from local traffic and the mixed use nature of the building in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 19 **There shall be no installation of building services plant before a plan showing location of all plant and a Noise Impact Assessment in relation to that plant and the impact on residential amenity has been submitted and approved by the local planning authority.**

Noise emitted by external building services plant and equipment shall not increase the existing typical background at any time when the plant is in operation. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential window.

Development shall be carried out in accordance with the approved

details.

Reason: To safeguard the residential amenities within and adjacent to the site and to conserve and enhance the character and appearance of the Chipperfield Conservation Area in accordance with Policies CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

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

Schedule 2 Part 1 Classes A, B, C and D.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality including the Chipperfield Conservation Area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 21 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the respective dwellings and it shall not be converted or adapted to form living accommodation.**

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.

- 22 **Notwithstanding the approved details, external electricity and gas metres shall not be installed on the southern elevations fronting Chapel Croft of the ground floor shop and Units 13, 14 and 15 as shown on Drawing No. 2585 PL03 Rev B (proposed site layout).**

Reason: To positively conserve and enhance the character and appearance of the Chipperfield Conservation Area in accordance with Policy CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 23 **The retail (Class A1) use hereby permitted shall not operate other than within the following hours:**

07:00 to 20:00 Monday to Saturday

08:00 to 16:00 Sunday

For the avoidance of doubt the retail use shall not operate during bank holidays or public holidays.

Reason: In the interests of the amenities of the occupants of neighbouring dwellings within the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

2585 PL03	Rev. D	(Proposed Site Layout)
2585 PL12	Rev. A	(Plots 1 & 2 Floor Plans)
2585 PL14	Rev. A	(Plots 3 - 5 Floor Plans)
2585 PL16	Rev. B	(Plot 6 Floor Plans)
2585 PL18	Rev. B	(Plot 7 Floor Plans)
2585 PL20	Rev. A	(Plot 8 Floor Plans)
2585 PL34	Rev.	(Plot 9 Floor Plans)
2585 PL22	Rev. A	(Plot 10 Floor Plans)
2585 PL24	Rev. A	(Plot 11 Floor Plans)
2585 PL26	Rev. A	(Plot 12 Floor Plans)
2585 PL10	Rev. B	(Front Building Plans)
2585 PL13	Rev. A	(Plots 1 & 2 Elevations)
2585 PL15	Rev. B	(Plots 3-5 Elevations)
2585 PL17	Rev. B	(Plot 6 Elevations)
2585 PL19	Rev. B	(Plot 7 Elevations)
2585 PL21	Rev. A	(Plot 8 Elevations)
2585 PL35	Rev.	(Plot 9 Elevations)
2585 PL23	Rev. A	(Plot 10 Elevations)
2585 PL25	Rev. A	(Plot 11 Elevations)
2585 PL27	Rev. A	(Plot 12 Elevations)
2585 PL11	Rev. C	(Front Building Elevations)
2585 PL28	Rev. B	(Single Garage Plans and Elevations for Plots 6-9)
2585 PL04	Rev. B	(Proposed Street Scene 1 & 2)
2585 PL05	Rev. B	(Street Scene 3 & 4)
2585 PL30	Rev. A	(Outbuildings Plans and Elevations)
2585 PL32	Rev. B	(Site Section Through Plot 3 & Rosetas Rear Garden)

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

- 25 **Prior to first occupation of the development hereby approved, details of fire hydrants or other measures to protect the development from fire must have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details. The fire hydrants must thereafter be retained in association with the approved development**

Reason: In order to ensure that the development is adequately served by fire hydrants in the event of fire in accordance with Policy CS12 of the Dacorum Core Strategy.

INFORMATIVES

Hertfordshire Highways

Extent of Highway

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

Agreement with Highway Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the

public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and->

pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

Environmental Health

Construction Hours of Working – (Plant & Machinery) Informative

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

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Thames Water

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."

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 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>.

Appendix 1

Consultation responses

DBC - TREES & WOODLANDS - CLEAN SAFE AND GREEN	No Objection
With regards to Planning Application 4/00658/19/MFA.	
<p>The applicant proposes the removal of a number of trees for the development. These are considered 'C' or 'U' category trees, in accordance with BS 5837:2012 Trees in relation to design, demolition and construction, and should not pose a constraint to the development. To support the application the applicant proposes to introduce a further 49 new trees in various locations across the development. In order to ensure they are suitable and have every opportunity to reach maturity I require a Planting Scheme to be submitted to cover:-</p> <p>Species, size, planting method. Proposals for appropriate aftercare, including watering. Replacement in the event of failure.</p> <p>This can for part of a Landscaping Condition if minded to approve the application.</p>	
DBC - NOISE POLLUTION & HOUSING	No Objection
<p>ECP have no objections on noise or air quality grounds, but we would recommend an informative for construction dust / noise noting the site will be surrounded by existing residential property.</p> <p>Construction Hours of Working – (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>Construction Dust Informative</p>	

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

HCC - Dacorum Network Area

No Objection

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:

CONDITIONS:

1. No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority, to illustrate the following:

a. A feature to prevent vehicles (e.g. bollards) from parking on the highway footway fronting the shop on Chapel Croft and full height kerb on the carriageway edge and reinstatement of the footway.

b. Tactile paving details at both accesses. Tactile paving would need to be in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces

c. Clarification of the highway boundary to clearly illustrate works which would be required on highway land (this is not specifically necessary as part of the planning process but would be needed prior to applying to enter into a Section 278 Agreement with the Highway Authority).

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

2. Access and Highway Works

Prior to the first occupation of the development hereby permitted the accesses and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Provision of Parking & Servicing Areas

Prior to the first occupation of the development hereby permitted the proposed

access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Construction Management

The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVE:

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

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

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

COMMENTS / ANALYSIS:

The proposal comprises of the erection of 15 dwellings, a retail shop and associated works at Chapel Croft and Croft Lane, Chipperfield. Chapel Croft is designated as a classified 'C' local distributor road, subject to a speed limit of subject 30mph and is highway maintainable at public expense. Croft Lane is designated as an unclassified local access road, subject to a speed limit of subject 30mph and is highway maintainable at public expense

ACCESS:

The site has two existing bellmouth accesses, one from Chapel Croft and one from

Croft Lane, both of which are to be utilised for the proposed development. Each access will lead to an upgraded / redesigned access road / cul-de-sac. Six of the proposed dwellings will be accessed via Croft Lane whilst the remainder of the development will be via Chapel Croft. The proposed access roads are of an acceptable width to enable two vehicles to pass on another and are in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide.

Available visibility splays are shown on submitted plan number 03 (included as part of the submitted Transport Statement). Vehicular visibility splays of 2.4m x 43m are shown at the access onto Chapel Croft, which is acceptable when taking into consideration the speed and nature of traffic on the highway and the size of the proposed development and is in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets. The level of visibility at the Croft Lane access is also acceptable with visibility levels in excess of 2.4m by 43m in either direction.

A formalised bellmouth with kerb radii of 6m has been proposed at each access, the provision of which is acceptable and would need to be constructed with tactile paving on the footway either side of each entrance, designed and built in accordance with HCC's guidelines and specifications. A bellmouth rather than a standard VXO would be appropriate for the size of the development. The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to any works that would be needed on highway land including:

Upgrading of the existing accesses on Chapel Croft and Croft Lane.
Tactile paving on the footway either side of each access, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces
reinstating the kerb to a full height at the existing extended dropped kerb on Chapel Croft.

Works to the highway footway /larger area to the front of the shop unit on Chapel Croft including the provision of permanent features e.g. bollards to prevent vehicles from pulling up and parking on the highway footway fronting the shop.

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to obtain an extent of highway plan to clarify the works which would be within the existing highway. Please see the above conditions and informatives.

It is unlikely that HCC as Highway Authority would agree to adopt the proposed cul-de-sacs. However they should be built to adoptable standards to be in accordance with guidelines as documented in Roads in Hertfordshire. Following consideration of the size and nature of the proposals with the cul-de-sac providing vehicular, cycling and pedestrian access, it is recommended that the access road be constructed as a shared surface road.

PARKING & MANOEVRABILITY:

The proposal includes the provision of 57 on site car parking spaces including residential parking, 13 visitor spaces and six spaces for the shop/post office. A turning area is also provided in each access road in addition to a delivery bay for the shop. The layout is shown on submitted plan no. PL03 rev. D and is considered to be acceptable and in accordance MfS and Roads in Hertfordshire. A swept path analysis has been submitted as part of the Transport Assessment to illustrate that delivery/service vehicles would be able to turn around and egress to

the delivery bay and subsequent highway in forward gear at the Chapel Croft access.

Provision would need to be made for a permanent feature to prevent vehicles to from parking or pulling up onto the highway footway fronting the shop on Chapel Croft e.g. bollards. The previous application (no. 4/02249/18/MPA) included two formalised parking bays at this location (which the highway authority had no objection to) and would provide a safer alternative to any vehicles choosing to informally park on the highway fronting the shop.

The level of parking is considered to be acceptable by HCC as Highway Authority although it should be noted that the levels proposed are higher than the standards as documented in Dacorum Borough Council's (DBC) parking standards. DBC should therefore ultimately be satisfied with the level of parking.

REFUSE / WASTE COLLECTION:

Provision has been made for on-site refuse stores within 30m of each dwelling and within 25m of the kerbside/bin collection points. A swept path analysis has been submitted as part of Transport Assessment to illustrate that waste collection vehicles would be able to turn around in both access roads and egress to the highway in forward gear, the arrangements of which are considered to be acceptable by HCC as Highway Authority. The collection method must be confirmed as acceptable by DBC waste management.

EMERGENCY VEHICLE ACCESS:

The access arrangements would enable emergency vehicle access to within 45 metres from all dwellings. This adheres to guidelines as recommended in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.

TRIP GENERATION & DISTRIBUTION:

Following consideration of the expected traffic/trip rates (which have been submitted as part of the Transport Assessment), which are less than the current use rates and the proposed improvement works to the existing accesses, the development would not have a significant or detrimental impact on the local highway network.

SECTION 106 CONTRIBUTIONS TO SUSTAINABLE TRAVEL IMPROVEMENTS:

The site lies in the village of Chipperfield in close proximity to its main amenities and facilities. Kings Langley railway station is approximately 5.2km (3.2 miles) from the site whilst Hemel Hempstead is 6km (3.8 miles) from the site. Due to the village location, there is limited scope to significantly improve sustainable transport options although pedestrian accessibility within the vicinity of the site (and therefore the village centre) would improve through the proposed changes. Cycle parking has been proposed at the front of the shop, which is important to encourage cycling as an alternative to driving for visitors to the shop/post office.

Furthermore in order to make the proposals acceptable to maximize sustainable travel options, it is recommended that developer contributions are sought towards improvements at both bus stops on Dunny Lane south west of the site which are within the recommended accessibility criteria of 400m. These are served by the 352 route (Hemel-Watford) which has 5 services a day Mon-Sat and gives access

to Hemel Hempstead railway station and town centre. The south-west bound stop is in a lay-by with a brick shelter, with no easy access kerbing. The north-east bound stop has a narrow footway, and neither easy access kerbing or shelter. Developer contributions towards improvements at both stops including of provision of easy access kerbing at both stops (£8000 per stop, £16,000 total) and/or improvements to the design of the lay-by at the southwest bound stop or footway improvements at the northeast bound stop.

CONCLUSION:

HCC as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant will need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at the accesses to the site. Furthermore sufficient contributions would be required to upgrade the existing bus stops to ensure that accessibility at these bus stops is improved. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative.

LEAD LOCAL FLOOD AUTHORITY	No Objection
<p>Thank you for consulting us on the above application for the demolition of existing buildings, construction of 15 dwellings (Class C3) and one retail (Class A1 Shop) unit and parish store room, formation of layby to Chapel Croft and alterations to vehicle and pedestrian accesses.</p> <p>Following the review of the Drainage Statement carried out by Fairhurst reference 103795-100 dated August 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.</p> <p>The drainage strategy is based on attenuation and discharge into existing foul sewer at a restricted rate. We note that the infiltration testing has been carried out onsite and it has been shown that infiltration is not feasible at this location. There are no watercourses and surface water sewers within the vicinity of the site. Thames Water has been contacted in relation to the above proposals and has agreed a maximum combined rate of 2l/s for surface and foul water. It is proposed to split the discharge from the site into two separate outfalls; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.</p> <p>It has been estimated that approximately 250m³-337m³ of storage will be required across the site to discharge at 2l/s. the drainage strategy incorporates permeable car parking area with below-ground attenuation tank for additional. We note it proposed increase the levels onsite to avoid the use of the pumping station.</p> <p>We therefore recommend the following conditions to the LPA should planning permission be granted.</p> <p>LLFA position</p>	

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved the Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019, the following mitigation measures detailed within the FRA:

Limiting the surface water and foul water discharge to a maximum of 2l/s with discharge into the Thames foul water sewer; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.

Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

Undertake drainage strategy to include to the use tanked permeable paving and attenuation tanks as indicated on drainage strategy drawing 103795/2001 Rev A

Reason

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

Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019. The scheme shall also include;

Exploration of opportunities for above ground features reducing the requirement for any underground storage.

Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Condition 3

Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

THAMES WATER UTILITIES	No Objection
<p data-bbox="240 219 507 248">Waste Comments</p> <p data-bbox="240 253 1394 506">With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</p> <p data-bbox="240 546 1441 1167">'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."</p> <p data-bbox="240 1207 1406 1460">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 limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p> <p data-bbox="240 1500 1394 1608">Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p data-bbox="240 1648 1441 1756">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</p> <p data-bbox="240 1832 507 1861">Water Comments</p> <p data-bbox="240 1865 536 1895">No water comments</p>	

CRIME PREVENTION/ARCHITECTURAL OFFICER	No Objection
Thank you for sight of planning application 4/00658/19/MFA, demolition of existing	

buildings, construction of 15 dwellings (class C3) and one retail (Class A1 shop) unit and parish Store room, formation of layby to Chapel Croft and alterations to Vehicle and pedestrian accesses, Garden Scene Cipperfield, Chapel Croft, Cipperfield, Kings Langley, WD4 9EG

I am content that crime prevention and security have been considered and it is the intention to build the development to the physical security standards of Secured by Design as detailed in the DAS , (page 13).

Please contact me if you require any further information.

Appendix 2

Neighbour notification/site notice responses

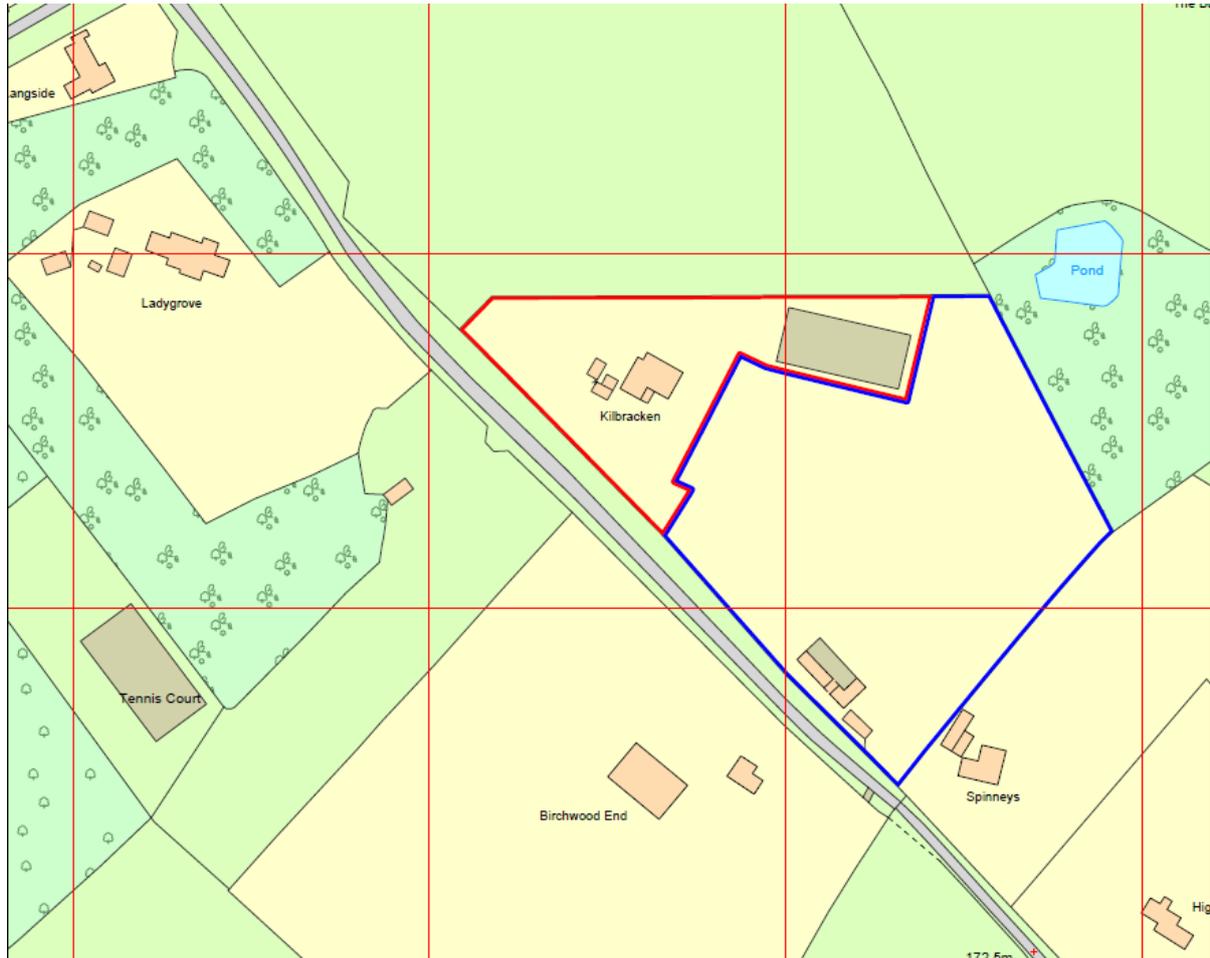
Objections

Address	Comments
1 CROFT END ROAD,CHIPPERFIELD,K INGS LANGLEY,,WD4 9EE	15 dwellings is too many for this site due to the pressure this would put on the local roads. A large development of this size is too large for this site and the houses need to be a reasonable size to avoid the problems at Chantry View where residents have applied to extend one of the houses less than a year after they have been built.
OAKLAND,CROFT LANE,CHIPPERFIELD,KI NGS LANGLEY,WD4 9DX	On the planes given to dacorum planning one of the dwellings is on my boundary line at the rear of my property which is gross overshadowing. I object having over 40 vehicles a day going down the service road on to Croft Lane this will give disturbance and noise to me and my neighbour plus damage to our properties. Planning permission for access on to Croft Lane run out in 1971 so there should be a proper planning application made for access on to Croft Lane. I have sent to you via recorded delivery other documents with more of my objections in which i have had no reply, I also sent copies to highways, land registry,parish council & marchfield homes ltd
LYNDHURST,CROFT LANE,CHIPPERFIELD,KI NGS LANGLEY,WD4 9DX	Although I appreciate the revised plan and do think it has it's merits it goes not go far enough to placate all concerns in my opinion. Personally I still think the access on Croft Lane will immediately become dangerous and although a right of way stands on this title it does not mean that this right of way to be accessed via Croft Lane only over title. Therefore I would have like to have seen the removal of plot 6 and the re position of plots 7, 8 and 9 in order to curve the access road from Chapel Croft into a circular turning point to access plots 10, 11 and 12 including Stawplait Barn right of way. I can't see people in plot 6 or 8 parking two cars in front of the other to

	<p>access a third, like the plans detail. This would also remove the revised poor view from Oaklands onto the side of plot 8.</p> <p>I also still cannot understand why the Parish Council need a store within the plans.</p>
<p>Allendale Cottage,Bucks Hill,KINGS LANGLEY,,WD4 9AP</p>	<p>The size of this development is too big and will bring too much pressure on local policing, hospitals, doctors surgeries, schools, transport, traffic, privacy, parking and security.</p> <p>I think the negative impact of such a large development will effect not only Chipperfield but the surrounding areas.</p>
<p>HIGHFIELD,LOVE LANE,KINGS LANGLEY,,WD4 9HN</p>	<p>I continue to have concerns regarding the additional amount of traffic both along Chapel Croft and especially extra traffic affecting Croft Lane. Croft Lane is narrow with parking along both sides of the road most of the time. Croft Lane is already impacted by parking by employees of the LandRover dealership. Extra traffic into & from the development and parking associated with the rear part of development is likely be dangerous for residents and families living in Croft Lane who walk to and from the local school, shops, Church and local amenities. I have experienced difficulties walking with a child and a pushchair due to cars parked on the narrow pavements due to parking pressures and the road layout. Additionally drivers turning right out of the rear of the development onto Croft Lane will have a restricted view of traffic coming from the left. Croft Lane can be a busy road as it serves the estate, and it is not lit. The new road will be a very dangerous junction. I feel that the mix of houses being built goes some way to serving the needs community. However, this could be improved if plot No 8 was built as bungalow to provide suitable living accommodation for someone with a disability. It is only right to care about and include all members of society when planning and developing communities. This would also serve to reduce the overshadowing and privacy issues of Oaklands and Mayleaves. I would also like reassurances from the Environmental officer that the bats that are currently roosting in the properties backing onto the garden centre site will not be adversely affected in any way by the construction of the development.</p>

Item 5h 4/03077/18/FHA PROPOSED CAR PORT

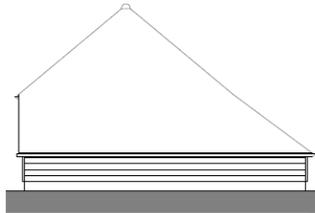
KILBRACKEN, HUDNALL COMMON, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QW



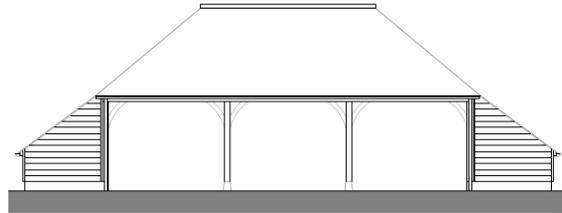
Item 5h 4/03077/18/FHA PROPOSED CAR PORT
KILBRACKEN, HUDNALL COMMON, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QW



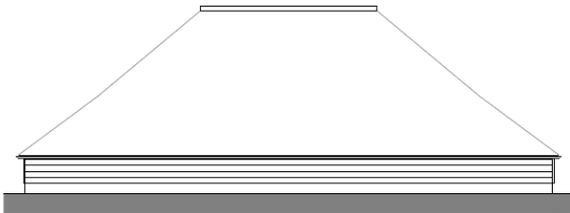
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IN PART WITHOUT PRIOR PERMISSION © TEMPIETTO LTD



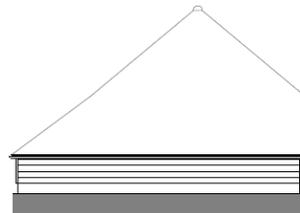
SOUTH WEST ELEVATION



NORTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION

4/03077/18/FHA	PROPOSED CAR PORT
Site Address	KILBRACKEN, HUDNALL COMMON, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QW
Applicant	Mr & Mrs R Johnston, Kilbracken
Case Officer	James Gardner
Referral to Committee	Contrary to the views of Little Gaddesden Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The car port would not be conspicuous in the street, proportionate in size and would satisfactorily blend in with its surroundings. There would be no adverse impacts on the character and appearance of the of Chilterns Area of Outstanding Natural Beauty (AONB).

3. Site Description

3.1 The application site is located halfway along the eastern side of Hudnall Common, running south from Hudnall Lane and occupies a triangular plot on which a detached two storey dwelling and detached garage are centrally positioned. The site sits on level ground within the open countryside and is bounded on all sides by deciduous hedging.

4. Proposal

4.1 Planning permission is sought for the construction of a timber framed carport measuring approximately 12.15m (W) x 6.50m (D) x 4.3m (H).

5. Relevant Planning History

4/02831/17/FHA

Two-storey and single-storey front extensions and front porch
Granted - 20/12/17

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1, CS1, CS2, CS7, CS24

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 22, 58, 97, 99

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Chilterns Buildings Design Guide (Feb 2013)

7. **Constraints**

- Chilterns AONB
- Wildlife Sites
- Rural Area

8. **Representations**

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. **Considerations**

Main issues

The main issues to consider are:

- Policy and principle
- Impact on Character and Appearance of Chilterns AONB
- Impact on Street Scene
- Impact on Residential Amenity of Neighbours

Policy and Principle

9.1 The application site is located within the defined Rural Area wherein, in accordance with Policy CS7 of the Dacorum Core Strategy (2013), small-scale development – including limited extensions to existing buildings - is acceptable subject to compliance with two requirements:

- I. The development has no significant impact on the character and appearance of the countryside; and
- II. It supports the rural economy and maintenance of the wider countryside

9.2 The term “limited extensions” is not defined by Policy CS7 and therefore each case must be judged on its own merits with reference to the individual site context.

9.3 It is, however, important to note that the Core Strategy is now over 5 years old and has been superseded by the revised 2019 National Planning Policy Framework (NPPF). Paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the

publication of the NPPF. Therefore, due weight should be given to them according to their degree of consistency with the NPPF; the closer the policies in the plan to the policies in the NPPF, the greater the weight they may be given. Whilst the NPPF seeks to limit development with the Green Belt, this is not a constraint of the application site. The policy of limited extensions is therefore not consistent with the approach taken by the NPPF and thus limited weight is given to the word "limited" in Policy CS7; rather, it is considered that the primary consideration is whether the development would result in a substantial impact on the character and appearance of the countryside.

9.4 It is now necessary to assess compliance with the impact assessments found within CS7.

Impact on Character and Appearance of Countryside

9.5 Given its limited scale, traditional appearance and location adjacent to natural boundary screening, there would be no significant impacts on the character and appearance of the countryside; rather, it is considered that the impact would be minimal.

Rural Economy and Maintenance of Wider Countryside

9.6 The benefits to the rural economy are likely to be limited to the construction phase of the project, when it could reasonably be assumed that local trades persons / builders would be employed. It can also be reasonably assumed that local materials would be used in the construction.

9.7 Paragraph 213 of the NPPF states that '*...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*'

9.8 In line with this national guidance, saved Policy 22 of the Dacorum Local Plan has been given limited weight as the NPPF does not seek to put specific limits on the size of extensions to dwellings in rural areas outside of the defined Green Belt. The policy previously required an assessment of the floor space increase above the original building (allowing 50% above the original floor space). However, whilst the size limits found in Policy 22 are no longer relevant, the qualitative requirements remain relevant; namely, criterion (a) to (d):

(a) The extension is compact and well-related to the existing building in terms of design, bulk, scale and materials used

The carport is reasonably compact within the context of the site. Its already limited bulk has been further reduced by use of a hipped roof and catslides. The use of high quality materials, as is proposed, would ensure that it respects the parent dwelling.

(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

The carport would have a maximum height of approximately 4.3 metres. The use of hipped roof with catslides is considered to minimise any visual impacts. Whilst sited close to the edge of site, it would be well screened by mature landscaping. Despite an increase in built form, the open character of the countryside would be retained.

(c) The extension is not visually intrusive on the skyline or in the context of open character of the countryside

The carport would be of single-storey construction and largely shielded from long distance views by mature landscaping. As such, it would not be visually intrusive on the skyline or in the context of the open countryside.

(d) The extension does not prejudice the retention of any significant trees and hedgerows

The construction of the carport would not result in the loss of any significant trees and hedgerows.

Impact on Character and Appearance of Chilterns AONB

9.9 Saved Policy 97 (*Chilterns Area of Outstanding Natural Beauty*) of the Dacorum Local Plan states that in the Chilterns Area of Outstanding Natural Beauty, the prime planning consideration is the conservation and beauty of the area. Any development proposal which would seriously detract from this should be refused. In terms of new buildings, the following guidelines are to be used in considering planning applications:

- Development must not be intrusive in terms of noise disturbance, light pollution, traffic generation and parking.
- Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views.
- Colours and materials used for development must fit in with the traditional character of the area.

9.10 Policy CS24 of the Dacorum Core Strategy seeks to ensure that the special qualities of the Chilterns Area of Outstanding Natural Beauty are conserved.

9.11 The carport would be constructed from a mixture of traditional, high quality materials, including red plain clay tiles and black stained timber weatherboarding over a red-multi brick plinth. It would be of single-storey construction and has been designed to complement the existing house and garage. Catslides have been introduced to the sides and rear of the structure in order to minimise its visual presence. The siting is sympathetic and would make use of existing landscape features - i.e. mature hedging and trees – on the southern boundary. Given its limited height and proximity to natural screening, the structure would not be readily visible from public vantage points; nor would it detrimentally impact skyline views.

9.12 The development proposed is, therefore, considered to accord with saved Policy 97 of the Dacorum Local Plan and Policy CS24 of the Dacorum Core Strategy.

Impact on Street Scene

9.13 Policies CS11 and CS12 of the Core Strategy seek to ensure that new development preserves attractive streetscapes and satisfactorily integrates with the streetscape character.

9.14 As outlined in the section above, the carport would not be prominent within the street scene. Any views would be softened by the surrounding trees. The development is therefore in accordance with Policies CS11 and CS12 of the Core Strategy.

Impact on Residential Amenity of Neighbours

9.15 There would be no adverse effects.

9.16 Policy CS12 of the Dacorum Core Strategy states that development should, amongst other things, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.16 Given the degree of separation from the nearest dwelling, the proposal does not give rise to any concerns, thus according with Policy CS12.

Other Considerations

Access / Parking

9.17 There are no obvious implications for parking and access. The spacious nature of the site, combined with the appropriate siting of the carport, would ensure that there is sufficient space for manoeuvrability.

Impact on Trees and Landscaping

9.18 The development would necessitate the removal of one tree within the site. However, the tree is in a poor state of health and would be removed whether or not the development were granted. However, given the sylvan character of the area, there would be no harm to the area.

Ecological Impacts

9.19 Hertfordshire Ecology have not raised any objections to the proposed development and do not require the submission of any ecological surveys.

Community Infrastructure Levy (CIL)

9.20 This application is not CIL liable due to it resulting in less than 100m² of new floorspace.

10. Conclusions

10.1 The proposed carport building would be limited in size within the site context and would be of an appropriate design and scale. As such, the development would accord with saved Policies 22, 58, 97, 99 of the Dacorum Local Plan (2004) and Policies NP1, CS1, CS2, CS7, CS24 of the Dacorum Core Strategy (2013).

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>

Appendix 1

Consultation responses

Little Gaddesden Parish Council

Little Gaddesden Parish Council objects to this application on the grounds that it is contrary to Policy CS7 of the Dacorum Core Strategy for the following reasons

- 1 The proposal significantly increases the built development between the house and the property boundary.
- 2 The proposed building is (at above 4m) too high for a building within 2m of the property boundary.
- 3 The roof line at the sides and rear of the building comes down to 0.9m from the ground and has a significant visual impact.

For these reasons the Parish Council believes that the development has a significant impact on the openness and rural appearance of the countryside in breach of Policy CS7.

Herts Ecology

Thank you for consulting Hertfordshire Ecology on the above application. I am not aware of any ecological interest (species or habitats), that will be affected by this development. I do not consider any ecological surveys are necessary and the application can be determined accordingly.

Appendix 2

Neighbour notification/site notice responses

Objections

Address	Comments
1 POND LANE,,,,	<p>Little Gaddesden Parish Council objects to this application on the grounds that it is contrary to Policy CS7 of the Dacorum Core Strategy for the following reasons</p> <p>1 The proposal significantly increases the built development between the house and the property boundary.</p> <p>2 The proposed building is (at above 4m) too high for a building within 2m of the property boundary.</p> <p>3 The roof line at the sides and rear of the building comes down to 0.9m from the ground and has a significant visual impact.</p> <p>For these reasons the Parish Council believes that the development has a significant impact on the openness and rural appearance of the countryside in breach of Policy CS7.</p>

Agenda Item 5i

**Item 5i 4/00891/19/FHA CONSTRUCTION OF NEW CAR PORT
WOODLAND VIEW, ROSSWAY, BERKHAMSTED, HP4 3UD**



4/00891/19/FHA	CONSTRUCTION OF NEW CAR PORT
Site Address	WOODLAND VIEW, ROSSWAY, BERKHAMSTED, HP4 3UD
Applicant	Mr & Mrs Henry, Model Farm
Case Officer	Robert Freeman
Referral to Committee	The application is recommended for refusal contrary to the views of Wigginton Parish Council

1. Recommendation

1.1 That planning permission be **REFUSED**

1.2 That the reason for refusal is as follows:

The application site is located within the Green Belt and Chilterns Area of Outstanding Natural Beauty. The proposed extension would result in a materially larger dwelling on the site than that granted planning permission and the original building thereon and as such would constitute inappropriate development within the Green Belt. This would be definition be harmful to the open character and appearance of the Green Belt contrary to the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The building in view of its siting is also considered to result in harm to the openness of the area and would be detrimental to the character and appearance of the countryside contrary to the NPPF, Policies CS5 and CS24 of the Core Strategy and the Chilterns Building Design Guide SPD.

2. Summary

2.1 There is currently a replacement dwelling being constructed on the application site which is significantly larger than the original dwelling on the application site. This replacement dwelling was granted on the basis that it represented a proportionate increase in the size of the dwelling in situ and would be compensated for by the demolition of an adjacent barn building. These works in their entirety would not result in significant harm to the character and appearance of the Green Belt.

2.2 Since this replacement dwelling was approved there have been numerous attempts to increase the size of the property. These would render the removal of the barn used as Very Special Circumstances in application 4/03369/14/FUL, a futile exercise if approved and the resulting building would cause significant harm to the open character and appearance of the Green Belt and Chilterns Area of Outstanding Natural Beauty.

2.3 The proposed dwelling would result in an increase of 220% in the size of the original dwelling on the site and as such cannot be considered to be either small scale or proportionate. As such the proposals are considered to be inappropriate development which would be harmful to the open character and appearance of the Green Belt. The siting of the building detracts from the character and appearance of both the Green Belt and AONB.

2.4 The proposals are therefore contrary to the NPPF, Policies CS5 and CS24 of the Core Strategy.

3. Site Description

3.1 The site is located in an isolated position in the countryside and to the east of the village of Wigginton. The site is amongst a small group of buildings, including a model farm complex. This complex of buildings is accessed via a single track road and occupies a plateau position within the open countryside, the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB).

3.2 The site currently comprises a building site, upon which there is a replacement dwelling close to completion. The immediate area is dominated by the Model Farm itself which has been significantly extended for residential use over the years and includes a number of stables beyond which there is a menage. There is also a pair of chalet bungalows with dormers in roof amongst these buildings with the final part of this complex of buildings comprises Lodge Farm House and its farm buildings which are set slightly apart from the other dwellings.

4. Proposal

4.1 The proposals seek planning permission for a two bay car port measuring some 5.8 m by 5.5 m (external dimensions)

5. Relevant Planning History

The planning history for the site identifies the presence of a small bungalow (approximately 80 sq.m) which was extended in the sixties and was used by a herdsman tending to cattle associated with the adjacent Model Farm. A property of some 118.5 square metres has been identified in the planning history and this has for the purposes of both this application and historic planning applications being the base dwelling for consideration against planning policy, although this itself is significantly larger than the original dwellinghouse.

There have been a number of attempts to replace this bungalow with a much larger dwelling since 2011 as follows:

4/02174/11/FUL - This application for a substantial two storey house was refused given its excessive size and location. The refusal was upheld at appeal with the Inspector concluding that despite there being a conflict between the NPPF and the Local Plan, that the increase in floorspace of the proposed replacement dwelling would be significantly larger than the one it would replaced and as would constitute inappropriate development which would be harmful to the Green Belt.

4/02067/13/FUL - An application for a slightly smaller house was proposed with the applicants also offering the demolition of an adjacent barn. The height of this property was considered to be too high and no appropriate mechanism to secure the long term removal of the barn was available. This was also refused.

4/03369/14/FUL - Planning permission for a replacement dwelling on this site was granted at the third attempt in 2014. This dwelling was granted on the back of a case for Very Special Circumstances and facilitated by the removal of the barn building (some 85 square metres) via a legal agreement. This barn has since been removed from the site.

The plans for the property were amended through the addition of a basement (60 square metres) in 2016 (4/01236/16/ROC) This amended permission is currently under

construction.

The proposals seek a further extension to the property with the addition of a car port with an internal floor area of some 28 square metres.

NB: There are some significant discrepancies between those figures quoted by the applicant and previous case officers.

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - Green Belt
CS8 - Sustainable Transport
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS24 - The Chilterns Area of Outstanding Natural Beauty
CS25 - Landscape Character

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 21, 51, etc.

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Chilterns Buildings Design Guide (Feb 2013)

7. Constraints

The site is located in the Green Belt and the Chilterns Area of Outstanding Natural Beauty

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Green Belt
- Impact on Chilterns Area of Outstanding Natural Beauty (AONB)
- Impact on Highway Safety
- Other

Policy and Principle

9.2 The site is located in the Green Belt where in accordance with NPPF and Policy CS5 of the Core Strategy the main purposes are the protection of the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. As such there would be strict controls over the nature and extent of development which may be considered acceptable.

9.3 The NPPF makes it clear that within the Green Belt new buildings should be considered to be inappropriate development with the following exceptions:

- the extension or alteration of a building which does not result in disproportionate additions over and above the size of the original building and
- the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces. Where a replacement building is to be provided for the same use and is not materially larger than the one it replaces;

9.4 Policy CS5 clearly establishes that within the Green Belt small-scale development will only be permitted for

- a) building for uses defined as appropriate in national policy;
- b) the replacement of existing buildings for the same use,
- c) limited extensions to existing buildings
- d) the appropriate reuse of substantial buildings and
- e) the redevelopment of previously development sites.....

providing that:

- i) it has no significant impact on the character and appearance of the countryside and
- ii) it supports the rural economy and maintenance of the wider countryside.

9.5 Saved Policy 23 of the Local Plan is of some relevance in that it helps to clarify what may be considered to be small scale. It provides a crude measure of scale in that it defines small scale as a 30% increase in the size of the original dwelling.

9.6 It is suggested that the addition of the car-port should be considered in the context of the replacement dwelling under construction on this site and adds to the totality of this replacement building. The cumulative impact of such works is neither small scale nor is its impact on the open character and appearance of the Green Belt inconsequential. To otherwise consider the proposals would render the previous

decisions on the extent of the replacement dwelling and in particular the removal of the barn building to the rear of the site via a legal agreement a futile exercise.

9.7 The proposals should thus be considered to be an inappropriate form of development under the NPPF and CS5 of the Core Strategy and would by definition be considered harmful thereto.

9.8 The site is also located in the AONB and thus its impact on the special qualities of the AONB should be assessed. It is important therefore to consider the design of the proposed car port in the context of AONB policies of the Chilterns Conservation Board and associated Chilterns Building Design Guide as set out in Policy CS24 of the Core Strategy. The primary purpose of such policies is to conserve the natural beauty of such areas.

Impact on Green Belt

9.9 As set out in the planning history, the starting point for consideration of the proposals is that the application seeks to add a car port to a dwelling that was intended to replace a modest bungalow on the application site. Officers have previously agreed that this historic property had a floor area of 118.5 square metres and its replacement was only granted planning permission on the basis of the removal of a larger agricultural building on the application site.

9.10 Although the proposed car port would only add some 28 square metres to the property, the resulting buildings would have a floor area of approximately 346 square metres. Once the removal of the historic barn building (85 sq.m) is taken into account the resulting buildings would represent a 220% increase in the size of the original dwelling. This is clearly excessive as demonstrated in previous appeals for the construction of a replacement dwelling on the site and must in this context also be considered inappropriate development. This is by definition harmful to the Green Belt.

9.11 The proposed car port would comprise a detached structure to the east of the main building. It would be enclosed on three sides and would have a pitched roof extending to 4m in height. Given its siting and design it would impede views from the access road to the wider countryside beyond the application property and as such is considered to have an adverse impact upon the open character and appearance of the countryside contrary to Green Belt policy and its objectives.

Impact on AONB

9.12 The car port is considered to be appropriate in terms of its design, bulk, scale and use of materials but for the reasons set out above would be considered to be poorly sited in relation to the main dwelling and neighbouring property. Given its siting it would be unduly prominent within the front curtilage of the dwelling and would impede views to the surrounding countryside from the access road and neighbouring land. It would therefore be considered to be detrimental to the character and appearance of the AONB.

9.13 It would be better to relocate the garaging towards the rear of the site or provide a more coherent grouping of the buildings to more closely reflect the good practice in the Chilterns Building Design Guide and allowing soft landscaping of the property frontage.

Impact on Neighbouring Property

9.14 The proposed car port would have no significant impact upon the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011. Given the height of the proposals and their juxtaposition to neighbours there would be no significant loss in either daylight or sunlight to surrounding residences.

Impact on Highway Safety

9.15 The construction of a car port is not considered to have an unacceptable impact on matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011. The access arrangements to the dwelling remain unaltered with safe passage being provided onto the wider access road serving the property, its neighbours and Model Farm.

Other Material Planning Considerations

9.7 The proposals do not appear to raise any other significant planning issues. The comments of the Rights of Way officer are noted and should be pursued separately to this application.

10. Conclusions

10.1 As set out above the proposals should be refused planning permission as they result in inappropriate development in the Green Belt and AONB

11. RECOMMENDATION – That planning permission be **REFUSED** for the reasons referred to above and for the following reason:

Reasons for Refusal

No	
1	The application site is located within the Green Belt and Chilterns Area of Outstanding Natural Beauty. The proposed extension would result in a materially larger dwelling on the site than that granted planning permission and the original building thereon and as such would constitute inappropriate development within the Green Belt. This would by definition be harmful to the Green Belt affecting its open character and appearance contrary to the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The building in view of its siting is considered to result in harm to the openness of the area and would be detrimental to the character and appearance of the countryside contrary to the NPPF, Policies CS5 and CS24 of the Core Strategy and the Chilterns Building Design Guide SPD.

Appendix A

Consultation responses

Wigginton Parish Council

We would support this application

Rights of Way Officer

The site is crossed by Wigginton public footpath 2 and there would be concerns that the southern boundary of the property appears to have migrated onto land set aside for the public footpath. If there is any doubt we may need to get an independent survey to determine the extent of public highway.

Appendix B

Neighbour notification/site notice responses

Support

Lodge Farmhouse

I have no issue with this carport as long as the replanting of mature trees and shrubs are followed as per submitted plans.

6. APPEALS UPDATE

A. LODGED

- 4/00245/19/FUL C/o Agent
NEW DWELLING AND EXTENSION TO EXISTING DWELLING
(AMENDED SCHEME)
HIGHLANDS, KINGS ROAD, BERKHAMSTED, HP4 3BP
[View online application](#)
- 4/02137/18/ROC Russell
VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO
PLANNING PERMISSION 4/01142/17/FHA (DEMOLITION OF
EXISTING SINGLE STOREY SIDE EXTENSION AND
CONSTRUCTION OF NEW SINGLE STOREY SIDE EXTENSION.)
2 NORTH ROAD, BERKHAMSTED, HP4 3DU
[View online application](#)
- 4/03165/18/FHA Baumard
REPLACE EXISTING GARAGE AND SUMMER HOUSE WITH
OUTBUILDING TO PROVIDE NON-HABITABLE ANNEX WITH
GARAGE AND HOBBY ROOM
32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU
[View online application](#)
- 4/03174/18/FHA Baumard
A NEW SECTIONAL TIMBER FRAMED BUILDING TO REPLACE AN
EXISTING GARAGE AND SUMMER HOUSE.
32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU
[View online application](#)

B. WITHDRAWN

- 4/02205/18/MFA Gleneden Plant Sales Ltd
DEMOLITION OF ALL BUILDINGS AND CONSTRUCTION OF A MAIN
BUILDING AND TWO OUTBUILDINGS COMPRISING OF 46
DWELLINGS WITH ASSOCIATED SOFT AND HARD LANDSCAPING,
BIN STORE, ENTRANCE GATES AND HIGHWAYS IMPROVEMENTS
CADDINGTON HALL, LUTON ROAD, MARKYATE, ST ALBANS, AL3
8QB
[View online application](#)

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/00871/18/FUL Simco Homes Ltd
DEMOLITION OF EXISTING DWELLING AND CONTRUCTION OF
THREE DWELLINGS
AMBERLEY, HEMP LANE, WIGGINTON, TRING, HP23 6HF
[View online application](#)

The main issue is the effect of the proposal on the character and appearance of the area.

In summary the Inspector considered that the combined impacts of the proximity of the three dwellings' two storey flanks to one another, the large area of frontage hardstanding with only limited landscaping, the siting of the covered parking areas, and the loss of the roadside bank, would significantly harm the prevailing pattern and layout of development in the area.

The proposal would therefore conflict with those parts of Core Strategy Policies CS6, CS11, and CS12 which, in broad terms, require development to be sympathetic to its surroundings, having regard to the streetscape and local character, visual impact, spaces between buildings, the dominance of car parking, and landscaping.

As it would harm this stretch of the Hemp Lane streetscape, the scheme would also harm the Chilterns Area of Outstanding Natural Beauty ('AONB'). It would therefore also conflict with Policy CS24, and with saved Local Plan Policy 97.

In general terms, and with reference to the Core Strategy and the Chilterns AONB Management Plan, they seek to conserve the area's special qualities and its beauty, by reinforcing local distinctiveness, and at 3.79 of the Chilterns Buildings Design Guide, by avoiding dominant parking areas.

F. ALLOWED

4/00534/18/FUL BELGRAVE PROPERTY DEVELOPMENTS LTD
DEMOLITION OF EXISTING GARAGE & WORKSHOP BUILDING AND
CONSTRUCTION OF 1 NO. 3 BEDROOM DWELLING, DETACHED
CAR PORT AND ASSOCIATED HARD AND SOFT LANDSCAPING
R/O 114-138, PICCOTTS END, HEMEL HEMPSTEAD, HP1
[View online application](#)

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage & workshop building and construction of 1 no. 3 bedroom dwelling, detached car port and associated hard and soft landscaping, at R/O 114-138, Piccotts End, Hemel Hempstead, Hertfordshire HP1 3AU in accordance with the terms of the application, Ref 4/00534/18/FUL, dated 26 February 2018, subject to the attached Schedule of Conditions.

Application for costs

2. An application for costs was made by Palmer of Belgrave Property Developments Ltd against Dacorum Borough Council. This application is the subject of a separate Decision.

Procedural Matter

3. The National Planning Policy Framework was revised in February 2019 (the Framework) and this post-dates the Council's refusal notice. I have taken the framework into account as part of the determination of this appeal.

Main Issues

4. The site lies within the Green Belt and an appeal for a dwelling on the same site was dismissed in 2016¹ on the basis that that proposal would have harmed the openness of the Green Belt. This appeal proposal is also for a dwelling on the site, but it is not the same in terms of its scale. There is no dispute between the parties that the proposed development does not amount to inappropriate development in the Green Belt. I have considered the proposal against Green Belt policy in the Framework, in particular paragraph 145, and I have no reason to disagree with the Council that the proposed development would not be inappropriate development in the Green Belt. Consequently, the main issues are:

- whether or not the proposal would preserve or enhance the character or appearance of the Piccott's End Conservation Area (CA) and on the effect of the development on the setting of the neighbouring listed buildings;
- the effect of the proposed development on the ground stability of the Grade I listed buildings and wall to the rear of the site;
- the effect of the construction of the development on local water supply; and
- whether or not the proposal would provide a safe and satisfactory means of access for all users including refuse and emergency services.

Reasons

Conservation Area

5. Piccott's End Conservation Area (CA) is characterised by historic vernacular architecture in a variety of styles. Its significance lies in the evidence of its evolution as a small rural settlement. The terraces along Piccotts End include listed historic cottages and houses that provide an attractive contribution to the street scene. The appeal site lies behind Grade I listed buildings and their significance lies in the retention of original detailing and craftsmanship as well as internal wall paintings which add to the significance.

6. There are also a number of other more modern houses in the vicinity of the site set back from Piccotts End. Consequently, although the site is currently overgrown and is occupied by a garage which appears to need some maintenance, given its proximity to the neighbouring buildings which include listed buildings, the site provides a moderate contribution to the character and appearance of the CA.

7. From the evidence before me, the proposed development would be no higher than the existing building and given its position behind the terraces and the access along the narrow track, visibility of the development from the street would be limited. Consequently, the proposed development would not harm the character and appearance of the street scene.

8. The proposal would be of a form that is similar in roof profile, height and footprint to the existing building. The proposed timber cladding and sedum roof would be sympathetic to the immediate surroundings given that the overgrown nature of the site contributes to a green and pleasant atmosphere. It would also echo the materials of the existing building as well as the use of timber on other buildings in the CA. Although the design would be modern in style, its simple form and use of natural materials would complement the adjacent listed buildings without appearing dominating. In addition, the landscaping scheme has been designed to allow the proposed timber clad building to further blend into the landscape. The proposed development

would therefore be in harmony with the CA.

9. The proposed building would be sited a substantial distance away from the listed buildings and given the use of materials and modest scale as well as the form which would echo the existing building, as described above, it would preserve the setting of the listed buildings without diminishing their significance.

10. Consequently, I conclude that the proposed development would preserve the character and appearance of the CA and that harm would not be caused to the setting of the listed buildings. Therefore, the proposal would accord with Policies CS11 and CS12 of the Dacorum's Local Planning Framework Core Strategy Adopted 25 September 2013 (CS) which together require developments to enhance the general character and integrate with the streetscape character among other things. It would also accord with CS Policy CS27 which requires heritage assets to be protected, conserved and if appropriate enhanced.

Ground Stability

11. The proposed building would be modest in scale, occupying a small portion of the site, with the proposed basement occupying an even smaller footprint. The building would be sited a substantial distance from the listed buildings such that any effect on the stability of the terraces would be likely to be minimal.

12. I acknowledge the evidence regarding the wall paintings and the concern relating to the effect that any ground vibrations may have. However, while I do not doubt the fragility of the wall paintings, given the distance between the proposed building and the listed buildings and the limited increase in traffic that would use the existing access track, the evidence does not persuade me that the works would lead to levels of vibration that would cause harm to the stability of the listed buildings, or the wall paintings within.

13. While the proposal involves demolition of the existing garage which is in close proximity to the rear wall, the proposed building would be sited further away from it. Given the evidence before me indicating that no obtrusive building methods such as piling would be employed, I am satisfied that the proposed development would not result in damage to the rear wall.

14. Whilst I am not aware of any objective evidence of past ground instability, due to the nature of the listed buildings, a condition would be necessary which would negate the potential for the proposal to negatively impact the stability of the listed terraces. The appellant has provided details of construction methods and vehicles that would be used during construction. Given the modest scale of the building and basement, I am satisfied that these measures would be likely to contribute towards mitigating against any harm to the listed buildings. Taking into account the fact that there are listed buildings close by, I also consider that the approval of a groundworks methodology report would also be necessary.

15. Subject to the imposition of the aforementioned conditions, I conclude that the proposed development would not detrimentally affect the ground stability of the Grade I listed buildings and wall to the rear of the site. It would therefore accord with CS Policy CS27 which relates to heritage assets and with Saved Policy 119 of the Dacorum Borough Local Plan 1991-2011 Written Statement Adopted 21 April 2004 as amended by the Core Strategy and Site Allocations DPD (LP) which relates to development affecting listed buildings.

Local Water Supply

16. The evidence before me indicates that the Grade I listed buildings rely on a borehole for their water supply. Concerns have been raised locally regarding contamination of the water table. Furthermore, since the site is contained within

the footprint of the former 'Old Infirmary Yard' adjacent to the former Cottage Hospital site, and the existing building was used for storage, there is a potential risk of ground contamination on the site. However, there is no evidence before me to indicate that these issues warrant refusal of planning permission on these grounds alone. Indeed, I am satisfied that such matters could be controlled by means of the imposition of a suitable condition.

17. Consequently, I conclude that the construction of the development would not have a detrimental effect on local water supply and that the proposed development would therefore accord with CS Policy CS32 which relates to soil and water quality among other things.

Highways Safety

18. The site is accessed via a relatively narrow track that runs between the existing buildings on Piccotts End. I acknowledge local concerns regarding the highway safety implications of the

appeal scheme. However, taking into account the fact that the site already has a use, I do not consider that the proposal would lead to any significant highway safety impacts in relative terms. In reaching the above view, I also note that the Highway Authority has not objected to the proposal subject to conditions and that the previous Inspector who also considered a proposal for one dwelling on the site raised no objection on these grounds. I reach similar conclusions to the previous Inspector that any additional traffic flows associated with this development would not be significant and that as there has been no specific objection from the emergency services or from the Council's refuse collection service, there would not be any significant concerns in respect of such matters.

19. For the above reasons, I conclude that the proposed development would provide a safe and satisfactory means of access for one dwelling including for refuse and emergency services. Therefore, the proposal would accord with CS Policy CS12 which requires that developments provide a safe and satisfactory means of access for all users and provide sufficient parking and sufficient space for servicing.

Other Matters

20. I note local concerns including those regarding noise pollution during construction and ownership of the access. Any noise or disturbance at construction stage would be temporary and the Council has separate powers to deal with any statutory nuisance. I have no reason to doubt that the correct ownership certificates were completed as part of the planning application. I acknowledge the ownership issues relating to the lane that runs to the rear of the site. However, this has not altered my decision.

21. None of the other matters raised outweigh or alter my conclusions on the main issues.

Conditions

22. I have considered the conditions suggested by the Council. I have made some minor changes to these having regard to the tests set out in paragraph 55 of the National Planning Policy Framework and the guidance contained in the Planning Practice Guidance. I have amended some of the wording of the conditions in the interests of precision and clarity. 23. In addition to the standard time limit condition, I have included a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty and to safeguard the character and appearance of the area. It is not necessary to include reference to the submitted heritage statement in the plans condition.

24. Conditions relating to the proposed external materials, the hard landscaping and the boundary walls are also required in the interests of the character and appearance of the area. The Council's suggested condition relating to external materials has been amended to be more precise and does not need to be pre-commencement as it relates to the external materials above ground only.

25. Conditions relating to the parking spaces and turning space are required in the interests of highways safety.

26. Given the previous uses of the site, the proposed underground works and potential water supply issues, a contaminated land condition is necessary. This needs to be pre-commencement as it would affect works to be carried out early in the construction phase. The Council's suggested contamination land condition has been amended so that it is more concise and so that it is more appropriate to the scale of the proposal.

27. In this case, there is exceptional justification for removing specified permitted development rights in order to protect the character and appearance of the CA and the setting of the nearby Grade I listed buildings. In order to ensure that the nearby listed buildings would not be harmed during construction, a condition detailing construction methods is necessary. Since it would affect works to be carried out early in the construction phase, this condition needs to be pre-commencement.

28. Evidence has been submitted to indicate that archaeological work was previously carried out where no archaeological features or finds were revealed. I have not therefore imposed any conditions relating to archaeology matters.

29. Given the risk of presence of bats on the site, a condition is necessary in the interests of biodiversity. The condition needs to be pre-commencement as surveys would be required prior to any demolition or groundworks being started.

30. In accordance with Section 100ZA(5) of the Town and Country Planning Act 1990, the appellant has confirmed that they agree to all of the listed pre-commencement conditions.

Conclusion

31. For the reasons given above, and taking into account all other matters raised, the appeal is allowed subject to conditions.

Costs Award

Decision

1. The application for a full award of costs is allowed in the terms set out below.

Reasons

2. The Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

3. The planning application was refused by the Council's Development Control Committee (DCC), contrary to the officer's recommendation for approval. Whilst the DCC were not bound to accept the officer recommendation, Paragraph 049 of the Planning Practice Guidance states that examples of unreasonable behaviour by local planning authorities that risk an award of costs include:

- failure to produce evidence to substantiate each reason for refusal on appeal and vague, generalised or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis;
- refusing planning permission on a planning ground capable of being dealt with by conditions;
- where it is concluded that suitable conditions would enable the proposed development to go ahead; and
- persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.

4. This application was refused for 4 reasons, which will be assessed in turn.

Character and appearance

5. The reason for refusal states that the proposed development by reason of its design would appear incongruous within the street-scene and unsympathetic to the Conservation Area and Listed Buildings. With regard to the effect on the street-scene, the Council's statement merely states that the design wouldn't integrate with the streetscape character and fails to co-ordinate street-scene characters. There is no further analysis of the character of the street scene or the effect of the proposal on the street-scene. From the evidence before me, the visibility of the proposed building and carport from the street would be negligible. I therefore find that the Council has not provided evidence to substantiate this part of the reason for refusal and that it is unsupported by objective analysis.

6. With regard to the effect of the development on the Conservation Area (CA), while the Council stated that whilst it is appreciated that the dilapidated workshop on site isn't ideal, which has become ingrained into the urban fabric and has a neutral impact, it has not provided any reasonable analysis of the significance of the CA. In terms of identifying the harm, the Council stated that the proposal would result in a structure of larger scale and consequent dominance to what currently exists on site. While the basement level would arguably result in a building that would be larger in scale than the existing building, given that the height above ground would not be greater than existing, there is no reasonable explanation of why the proposed building would be more dominant. I therefore consider this part of the reason has not been reasonably substantiated.

7. Turning to the effect on the listed buildings, the Council assert that the proposed development which would constitute a modern building of less than average design would have a negative impact to the setting of the listed buildings. There is a lack of analysis of the significance of the listed buildings and no further assessment of the proposal or how the design would impact the setting of the listed buildings. These concerns are therefore vague and generalised assertions that are unsupported by objective analysis.

8. Consequently, in relation to this reason for refusal, I conclude that the Council has behaved unreasonably.

Ground instability

9. The Council considered that by virtue of the basement element of the buildings that this could

cause structural instability to the nearby historic assets and no survey or reassurance was submitted with the development. Given the substantial distance between the proposed building and the listed buildings, there was no further assessment of the risk that the proposed development would pose. Furthermore, there is no further mention of the effect on the wall located to the rear of the site which is mentioned in the reason for refusal, or how the proposed development would affect it. Again, these concerns are unsupported by objective analysis and the Council has behaved unreasonably in this regard.

Local water supply

10. The Council accepted that if the appeal was allowed local water supply issues could be controlled by planning condition. Given the previous uses of the site, there may be a risk of groundwater contamination which could be mitigated via a suitable condition. Such a condition would allow the development to go ahead and consequently the Council has behaved unreasonably in this regard.

Highways

11. The proposal in terms of highways arrangement has not substantially altered from the previous application which was dismissed at appeal in 2016¹. In that case the highways issues were assessed in detail by the previous Inspector who concluded that the proposal would not cause severe harm to highway safety. In addition, the only comment put forward by the Council was that they were concerned that the development would not conveniently meet safe access for all users. There is no further evidence to substantiate this assertion, and consequently I consider that the Council has behaved unreasonably in this regard.

Conclusion

18. For the reasons outlined above, I conclude that the Council has acted unreasonably, and that the appellant has incurred unnecessary and wasted expense in pursuing the appeal. Therefore, a full award of costs is justified.

Costs Order

12. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Dacorum Borough Council shall pay to Palmer of Belgrave Property Developments Limited the costs of the appeal proceedings described in the heading of this decision with such costs to be assessed in the Senior Courts Costs Office if not agreed.

13. Palmer of Belgrave Property Developments Limited is now invited to submit to Dacorum Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

Agenda Item 7



Report for:	Development Management Committee
Date of meeting:	13 June 2019
Part:	1
If Part II, reason:	

Title of report:	Article 4 areas for protecting Dacorum's Employment Areas
Contact:	<p>Cllr Graham Sutton, Portfolio Holder for Planning and Infrastructure</p> <p>Responsible Officer: James Doe, Assistant Director, Planning, Development & Regeneration</p> <p>Author: Stephen Mendham, Strategic Planning and Regeneration Officer</p>
Purpose of report:	To consider confirmation of Article 4 Directions (under the Town and Country Planning (General Permitted Development) (England) Order 2015) which were made on 3 January 2019. The Directions would require planning applications to be made in the designated areas for changes of use from office / light industrial / storage and distribution premises to residential use. The Directions would cover selected employment areas in the Borough and come into effect on 7 January 2020.
Recommendations	That the Development Management Committee confirm the Article 4 Directions made on 3 January 2019.
Corporate objectives:	<p>The introduction of the proposed Article 4 areas would help support the following corporate objectives:</p> <ul style="list-style-type: none"> • <i>Dacorum delivers</i>: e.g. provides a clear framework upon which planning decisions can be made; and • <i>Regeneration</i>: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.

Implications: 'Value For Money Implications'	This project can be completed within existing budgets.
Risk Implications	If Article 4 areas are not introduced, there is a risk that several further prior approval schemes will be brought forward, resulting in a serious under-provision of employment floorspace. Paragraph 3.6 of the Report to Committee (See Appendix 1) refers to other problems this would cause.
Consultees:	James Doe: Assistant Director, Planning, Development & Regeneration Andrew Horner: Team Leader – Strategic Planning Christopher Gaunt: Legal Governance Team Leader, Legal Governance Management
Background papers:	Dacorum Borough Local Plan 1991-2011 Dacorum Core Strategy Dacorum Employment Land Availability Assessment Dacorum Site Allocations Development Plan Document General Permitted Development Order Heart of Maylands Development Brief Maylands Masterplan Maylands Gateway Development Brief MHCLG consultation paper: "Planning Reform: Supporting the high street and increasing the delivery of new homes". National Planning Policy Framework Planning Practice Guidance: When is permission required? St Albans Local Plan pre-submission version South West Hertfordshire Economic Study
Glossary of acronyms and any other abbreviations used in this report:	B class uses: offices, industrial and storage and distribution CS: Core Strategy DMC: Development Management Committee DMC Report: The Report submitted to DMC for its meeting on 13 December 2019 GPDO: General Permitted Development Order NPPF: National Planning Policy Framework PPG: Planning Practice Guidance SA: Site Allocations

1. BACKGROUND

1.1. On 13 December 2018 the Development Management Committee (DMC) resolved to make non-immediate Article 4 Directions for the following areas (Article 4 Areas) in accordance with the Report submitted to DMC (DMC Report) and the Report text is attached to this document as Appendix 1.

1.2. DMC resolved that authority be delegated to the Assistant Director, Planning, Development and Regeneration for:

- the making of the Directions, and
- confirming the Article Directions following analysis of the response to public consultation, subject to the proviso that if substantive objections are received then the decision for the confirmation of the Article 4 Directions be referred back to DMC.

1.3. Four Article 4 Directions were made on 3 January 2019 under the delegated authority for the following sites:

- Maylands Business Park, Whiteleaf Road and Bourne End Mills
- Park Lane and Doolittle Meadows
- Northbridge Road and River Park, Berkhamsted; and
- Icknield Way, Tring

The Article 4 Directions are non-immediate directions proposed to come into force 12 months from the start of the public consultation arrangements proposed in section 7 of the attached DMC Report and summarised in section 2 of this Report below. Copies of the Article 4 Directions which have been made are attached to this document as Appendix 3

2. CONSULTATION

2.1. Notification and Publicity

Immediately following the making of the Article 4 Directions there was a public consultation for a six week period commencing on 7 January 2019 and ending on 18 February 2019. Notice of the making of the Article 4 Directions was given by:

- Public notice in the Hemel Gazette and St Alban's Review
- Site Notices
- Direct mail to the owners of the sites at Park Lane and Doolittle Meadows. Due to very high numbers of owners and occupiers it was considered impracticable to serve notice directly on the other owners and occupiers of the Article 4 Areas and, as permitted by statutory regulations, notification was given by the public notices in the press and the site notices referred to above.
- Information on the Council's website
- A mention in the Council's Ambassador Place Manager's monthly business update

In accordance with the statutory requirements notification of the making of the Article 4 Directions was also given to the Secretary of State and Hertfordshire County Council.

2.2 Responses received

2.2.1 In total 5 responses were received to the consultation plus a supportive response from Hemel Hempstead Business Ambassadors as stated below. No response was received from Hertfordshire County Council. It is therefore assumed that the County has no substantive comment to make. The responses received are outlined below.

a) Secretary of State

The Secretary of State acknowledged receipt of the notification by letter dated 14 January 2019 and requested further information in support of the making of the Article 4 Directions. The Justification Statement and Freeth Brasier Report were provided in support on 25 January 2019, receipt of which were acknowledged. Nothing further has been heard from the Secretary of State.

b) Hightown Housing Association (HHA)

A copy of HHA's email response of 27 January 2019 is attached as Appendix 2. HHA is the freehold owner of Hightown House within Maylands Business Park and which HHA uses as its sole administrative office. HHA proposed that the land on which Hightown House is situated be excluded from the Article 4 Areas. The email is therefore treated as an objection to the making of the Article 4 Direction for Maylands as currently proposed.

Briefly, HHA's stated grounds for objection and request for modification are:

- The Heart of Maylands Development Brief proposes residential-led redevelopment on three sides of Hightown House. Keeping Hightown House outside the proposed Article 4 Areas would logically complement this, and indeed could facilitate the redevelopment of Duxons Turn and Wood Lane End.
- Retaining permitted development rights at Hightown House would, given its ownership, lead to the prompt delivery of affordable homes.
- The logic of preserving existing office space is perhaps less compelling at Maylands compared to the other areas within Dacorum that are proposed for the Article 4 Areas. Maylands is already the largest employment area in Hertfordshire, and has a number of vacant sites that await development. Moreover in the medium term the proposed East Hemel strategic employment allocation in the new St Albans Local Plan would further increase the availability of employment land. Although administratively part of St Albans District, functionally this land would form part of the Dacorum economy.
- The loss of office space at Hightown House to housing would not imply the loss of office jobs in this case - since the logic of Hightown needing to be in a Maylands/East Hemel location would still apply.

It is considered that HHA's reasons for requesting a modification to the area covered by the Article 4 Direction for Maylands do not constitute sufficient cause to override the justification for confirming the Article 4 Directions as made, please see Section 2.2.2. below.

c) Hemel Hempstead Business Ambassadors (HHBA)

Following the DMC resolution to make the Article 4 Directions HHBA wrote to the Council on 18 December 2018 in support of the creation of the Article 4 Areas. Whilst strictly speaking not a consultation response as it was made prior to the commencement of the consultation period on 7 January 2019 it demonstrates support in favour of the Article 4 Areas by a significant group that is part of the Maylands Business Park community.

d) Other responses

Only three other responses were received as set out below:

Respondent	Summary	Officer Comment
Peter Morgan – Grafton Optical Company, River Park	Email query about what the site notices meant.	Responded by email with explanation which the Respondent found to be "very reassuring". Accordingly supportive.
Helen Reardon – Re Doolittle Meadows	Emailed "to object to the plans to change the use of the land at Doolittle Meadows" to permit the construction of dwellings.	Responded by email with explanation. Comments by Respondent noted yet not relevant to the consultation.
Lee Kennedy- Washington Director Viral Seeding	Emailed to welcome the protection of employment areas but questioned "whether it goes far enough in Tring where there has already been a great deal of conversion of office space to residential. I propose that Silk Mill and The Akeman Business Park be added for protected status." "I expect that it is to late to protect the Akeman Business Park but there are other buildings that have yet to be redeveloped. Additionally the Silk Mill is a thriving business community that should be protected."	Support for Article 4 Directions noted. In respect of Akeman Business Park the principle of residential development has been accepted through the prior approval process for the change of use to housing. In respect of Silk Mill (Brook Street) the possibility of further A4 areas could be considered once decisions have been taken on designating general employment areas in the new Local Plan.

2.2.2 HHA's response is the sole objection received to the Article 4 Directions.

The primary driver for the making of the Article 4 Directions is to control changes of use to housing in Dacorum's most important employment areas and substantive reasons and substantial evidence has already been provided by the Council justifying the protection of employment land by creating Article 4 areas, including the HHA land. There are a number of worrying trends arising from prior approval schemes and further significant losses of floor space to housing within the Council's area from prior approval schemes seem likely if Article 4 Areas are not protected.

The Article 4 Directions if confirmed will not take effect until 7 January 2020, until which time landowners and developers are able to make prior approval applications. Furthermore, the making of an Article 4 Direction does not place an absolute prohibition on change of use, an application for change of use may still be made which will then receive consideration by the Council in accordance with planning rules and policies.

3. Recommendation and Confirmation of Article 4 Directions

- 3.1** In deciding whether to confirm the Article 4 Directions the Council must take into account any representations received during the consultation period. The Council must not confirm a direction until after the expiration of:
- (a) a period of at least 28 days following the latest date on which any notice relating to the direction was served or published; or
 - (b) such longer period as may be specified by the Secretary of State.

The period in (a) above expired, even on a conservative estimate, by 6 February 2019 and the Secretary of State has not specified any longer period. The Council may therefore now confirm the Article 4 Directions if it is considered appropriate to do so.

- 3.2** The Secretary of State may cancel or modify an Article 4 Direction at any time before or after it is confirmed. No indication has been given that the Secretary of State intends to cancel or modify the Article 4 Directions which have been made.

- 3.3** If the Article 4 Directions are confirmed they will come into force on 7 January 2020. As soon as practicable after the confirmation of the Article 4 Directions the Council must give notice of the confirmation in very similar manner to the notice given upon the making of the Directions, namely:

- Public notice in the Hemel Gazette and St Alban's Review
- Site Notices
- Copies of the confirmed Article 4 Directions sent to the Secretary of State (and although not strictly required, copies will also be sent to Hertfordshire County Council)
- Direct notice to the owners of the sites at Park Lane and Doolittle Meadows.
- Information on the Council's website

In addition information will be placed on the Council's website and a mention made in the Council's Ambassador Place Manager's monthly business update

- 3.4** It is considered that there is clear justification for designating Dacorum's key employment areas as Article 4 areas. The Article 4 directions will require planning applications to be made in the designated areas for changes of use from office / light industrial / storage and distribution premises to residential use. Following analysis of the responses to the consultation, Members are requested to agree the recommendations at the start of this report.

APPENDIX 1

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
MEETING HELD 13 DECEMBER 2018**

APPENDIX 2

**HIGHTOWN HOUSING ASSOCIATION
EMAIL RESPONSE DATED 27 JANUARY 2019**

APPENDIX 3
ARTICLE 4 DIRECTIONS



Report for:	Development Management Committee
Date of meeting:	13 December 2018
Part:	1
If Part II, reason:	

Title of report:	Article 4 areas for protecting Dacorum's Employment Areas
Contact:	<p>Cllr Graham Sutton, Portfolio Holder for Planning and Infrastructure</p> <p>Responsible Officer: James Doe, Assistant Director, Planning, Development & Regeneration</p> <p>Author: John Chapman, Strategic Planning and Regeneration Officer</p>
Purpose of report:	To consider the introduction of Article 4 Directions (under the Town and Country Planning (General Permitted Development) (England) Order 2015). The directions would require planning applications to be made in the designated areas for changes of use from office / light industrial / storage and distribution premises to residential use. It would cover selected employment areas in the Borough.
Recommendations	<ol style="list-style-type: none"> 1. That a local consultation be carried out, proposing that the areas referred to in section 6 of this report and shown in Appendix 1 be designated as Article 4 areas, within which permitted development rights for changes of use from B Class employment uses to housing will be withdrawn. 2. That the proposed Article 4 areas be classified as non-immediate directions, which will come into force 12 months from the start of the public consultation. 3. That the public consultation arrangements proposed in section 7 of this report be agreed. 4. That authority be delegated to the Assistant Director, Planning, Development & Regeneration to confirm the Article 4 Directions

	<p>following analysis of the response to the consultation, subject to the proviso that if substantive objections are received in respect of one or more of the proposed areas then the decision on those areas be referred back to the Committee.</p>
Corporate objectives:	<p>The introduction of the proposed Article 4 areas would help support the following corporate objectives:</p> <ul style="list-style-type: none"> • <i>Dacorum delivers</i>: e.g. provides a clear framework upon which planning decisions can be made; and • <i>Regeneration</i>: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.
Implications: 'Value For Money Implications'	<p>This project can be completed within existing budgets.</p>
Risk Implications	<p>If Article 4 areas are not introduced, there is a risk that several further prior approval schemes will be brought forward, resulting in a serious under-provision of employment floorspace. Paragraph 3.6 below refers to other problems this would cause.</p> <p>There are two types of Article 4 directions: non-immediate directions and directions with immediate effect. With the former, there is a risk of further approval applications before the directions take effect. With the latter, there is a risk that the Council will have to pay out large sums in compensation (see section 7 of this report).</p>
Consultees:	<p>James Doe: Assistant Director, Planning, Development & Regeneration</p> <p>Andrew Horner: Team Leader – Strategic Planning</p> <p>Christopher Gaunt: Legal Governance Team Leader, Legal Governance Management</p>
Background papers:	<p>Dacorum Borough Local Plan 1991-2011</p> <p>Dacorum Core Strategy</p> <p>Dacorum Employment Land Availability Assessment</p> <p>Dacorum Site Allocations Development Plan Document</p> <p>General Permitted Development Order</p> <p>Heart of Maylands Development Brief</p> <p>Maylands Masterplan</p> <p>Maylands Gateway Development Brief</p> <p>MHCLG consultation paper: "Planning Reform: Supporting the high street and increasing the delivery of new homes".</p> <p>National Planning Policy Framework</p> <p>Planning Practice Guidance: When is permission required?</p> <p>St Albans Local Plan pre-submission version</p>

	South West Hertfordshire Economic Study
Glossary of acronyms and any other abbreviations used in this report:	<p>B class uses: offices, industrial and storage and distribution</p> <p>CS: Core Strategy</p> <p>GPDO: General Permitted Development Order</p> <p>NPPF: National Planning Policy Framework</p> <p>PPG: Planning Practice Guidance</p> <p>SA: Site Allocations</p>

1. Planning policy context for employment land and floorspace

(i) National context

1.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF states that sufficient land of the right types should be available in the right places and at the right time to support growth, innovation and improved productivity. The Government's Planning Practice Guidance on 'Housing and economic land availability assessment' guides councils in identifying land to meet development needs.

(ii) Local context

1.2 Dacorum Core Strategy Policy CS14 (economic development) states that sufficient land will be allocated to accommodate approximately 10,000 additional jobs 2006-2031. Also, most employment generating growth will be located in town and local centres and General Employment Areas.

1.3 Policy CS15 (offices, research, industry, storage and distribution) states that a minimum area of land, including General Employment Areas and town centres, will be identified and retained for B class uses (i.e. offices, industrial and storage and distribution). The policy proposes around 131,000 sq. metres (net) of additional office floorspace 2006-2031 and that floorspace for industry and storage/distribution remains broadly unchanged.

1.4 The Site Allocations Development Plan Document defines General Employment Areas in Policy SA5, whilst employment areas in the Green Belt come under Policy SA8. Maylands Business Park is not covered by the Site Allocations document, so the General Employment Areas there are still as shown in saved Policy 31 of the Dacorum Borough Local Plan 1991-2011. However, it is also necessary to take account of the more recent non-statutory proposals in the Maylands Masterplan and the Maylands Gateway Development Brief.

1.5 Currently, the employment land evidence base for the new Dacorum Local Plan is being assembled, as explained below:

- The South West Hertfordshire Economic Study (2016) forecast a need for a substantial increase in office floorspace to 2036, but little change in industrial and storage and distribution space.
- The Dacorum Employment Land Availability Assessment (2017) indicated that market demand pointed to a need for more industrial and warehousing space,

rather than offices. It also advised that most sites currently in B class use should be retained.

- An update to the 2016 study is underway and is taking a fresh look at the future need for employment floorspace and sites.

2. Permitted development rights for changes of use from employment uses to housing

2.1 In recent years, the Government has introduced significant deregulation of planning. Since 2013, this has included the creation of national permitted development rights under the General Permitted Development Order. The aim is to encourage the creation of new housing by changes of use of employment buildings to housing.

2.2 The permitted development rights mean that planning permission is granted for certain changes of use to housing, subject only to 'prior approval' of some detailed matters. This applies to buildings occupied for employment purposes, as well as vacant buildings. Prior approval cannot be refused on the grounds that the loss of employment floorspace would be contrary to the Council's planning policies. Also, the Council is unable to require any affordable housing or other section 106 contributions on prior approval schemes and the application fee payable is only £96.

2.3 The table summarises how the prior approval regime operates:

Changes of use from	Time limits	Matters that can be considered in determining applications	Does prior approval apply to all changes of use to housing?
B1(a): offices	None	Highway impacts, contamination, flood risk, noise	Yes
B1(c): light industry	Time limited to 30 September 2020	As above, plus some aspects of commercial/service provision	Applies only in certain circumstances, including if: <ul style="list-style-type: none"> • the floorspace does not exceed 500 sq. metres • the building is not listed • the building has been used solely for light industry (with existing B1(c) buildings) or storage and distribution (with existing B8 buildings)
B8: storage and distribution	Time limited to 10 June 2019		

2.4 In October 2018, the Ministry of Housing, Communities and Local Government published a consultation paper "Planning Reform: Supporting the high street and increasing the delivery of new homes". This paper includes a section on permitted development rights and use classes. Changes proposed include:

- Allowing building types in particular uses (including commercial) to be built upwards to provide new homes.
- Making permanent the currently time limited change of use from class B8 to housing.

- Exploring the feasibility of a new permitted development right allowing redevelopment of existing commercial buildings for residential use.

3. Impact of the prior approval regime in Dacorum

3.1 Since 2006 (the start of the Core Strategy plan period), office floorspace in Dacorum has declined by 75,000 sq. metres and industry, storage and distribution floorspace by 31,000 sq. metres. These declines are not consistent with Core Strategy Policy CS15 (see paragraph 1.3 above). This is particularly so with offices. Nevertheless, the total number of jobs in the Borough has been rising at a faster rate than proposed in Policy CS14 and unemployment is very low.

3.2 Dacorum is experiencing a significant loss of office floorspace from prior approval schemes involving changes of use from offices to housing:

- Between 2014 and 2018, there was a loss of 17,300 sq. metres of office floorspace.
- Permitted prior approval schemes, including approvals since 31 March, involve the loss of a further 27,800 sq. metres of office floorspace.
- Completed and permitted prior approval schemes (if implemented) will result in a total loss of over 45,000 sq. metres of offices. This is a major factor in Dacorum's employment land supply. This is enough space for over 3,000 office jobs.

3.3 Nearly all of the completed and permitted losses of office space from prior approval schemes are in the town centres or General Employment Areas (see table below). Indeed, 50% of the losses are in Hemel Hempstead town centre, causing a significant decline in the town centre's role as an office centre. Half of the losses in the General Employment Areas are on the Maylands Business Park.

3.4 The table below shows the location of the ten largest completed and permitted losses of office floorspace from prior approval schemes:

Location	Settlement	Policy designation	Floorspace loss (sq. metres)	Progress
Viking House, Swallowdale Lane	Hemel Hempstead	General employment area – Maylands Business Park	1,902	Completed
Swan Court, Waterhouse Street	Hemel Hempstead	Town centre	3,111	Completed
Corner Hall	Hemel Hempstead	General employment area	4,465	3,700 m ² completed
Bryanston Court, Selden Hill	Hemel Hempstead	Town centre	5,788	Under construction
Normandy Court, 1 Wolsey Road	Hemel Hempstead	Town centre	1,600	Completed
Akeman Business Park, Akeman Street	Tring	General employment area)	3,000	Not started

Grovelands Business Centre, Grovelands	Hemel Hempstead	General employment area – Maylands Business Park	4,266	Not started
Hamilton House, 111 Marlowes	Hemel Hempstead	Town centre	3,340	Not started
Hempstead House, 2 Selden Hill	Hemel Hempstead	Town centre	2,437	Not started
Vantage House, 23 Mark Road	Hemel Hempstead	General employment area – Maylands Business Park	1,720	Not started

3.5 Some of the prior approval schemes involve older office buildings, which are unattractive for continued office use. In a number of cases, the external appearance of the building has been changed and additional flats built on the roof (e.g. Swan Court).

3.6 However, there are some worrying trends arising from prior approval schemes. Apart from the overall loss of office floorspace and the lack of affordable housing/other S106 contributions noted above, other causes for concern are as follows:

- Most office buildings subject of prior approval schemes were still occupied at the time of the application, so many firms have been displaced when schemes have been implemented.
- Some prior approval schemes involve good quality, relatively modern buildings such as Corner Hall and Normandy Court, well suited for continued office use.
- As normal development management policies cannot be applied, there is a danger of poor quality housing developments being provided.
- Enclaves of housing may appear in the middle of employment areas, remote from services and the community (which runs counter to how our towns function). For example, two prior approval schemes have been approved in Boundary Way on the Maylands Business Park, a considerable distance from any existing housing.
- The introduction of housing into employment areas may place constraints on businesses, which need the space to operate without limitations on noise, hours of operation etc. Such limitations could be bad for business and affect investment in the future.

3.7 In contrast to the position with offices, no prior approval schemes for losses of light industrial or storage and distribution floorspace have been permitted. This probably reflects the nature of B1(c) and B8 buildings (often unsuitable for residential use), the later introduction of prior approval arrangements for such changes of use and the restrictions that apply (see right-hand column in table in paragraph 2.3 above).

4. How can the Council protect Dacorum's employment areas?

4.1 Given concerns over the loss of employment floorspace (particularly offices), some councils have used powers under Article 4 of the General Permitted Development Order (GPDO) to withdraw permitted development rights for changes of use to housing. Locally, Article 4 directions have been introduced by St Albans, Three Rivers and Watford Councils. This Council could do likewise, in order to protect our most important employment areas.

4.2 NPPF paragraph 53 states that:

“The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area...”

4.3 Further information on Article 4 directions is contained in the Government’s Planning Practice Guidance (PPG) on “When is permission required?”. The following points in the PPG are particularly relevant:

- An Article 4 direction means that a particular development cannot be carried out under permitted development, so needs a planning application. This gives a local planning authority the opportunity to consider a proposal in more detail.
- A planning application fee is payable where development that would otherwise have been permitted development requires a planning application.
- If a local planning authority makes an Article 4 direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn. This is only so if permission is refused for development which would otherwise have been permitted development, or is permitted subject to conditions more limiting conditions than the GPDO.
- The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.
- There are two types of directions under the GPDO: non-immediate directions and directions with immediate effect. In all cases, an Article 4 direction cannot be confirmed until after the local planning authority has carried out a local consultation.

4.4 With regard to bullet points 3 and 4 above, compensation is payable only if a planning application is made within 12 months from the date that the Article 4 Direction takes effect. No liability to pay compensation arises where 12 months’ notice is given before the Article 4 Direction comes into force.

5. Justification for Article 4 areas to control changes of use to housing in Dacorum

5.1 It is considered that there is a strong justification for designating Article 4 areas to control changes of use to housing in Dacorum’s most important employment areas, for the following reasons:

- Article 4 areas are justified to protect employment land in Dacorum, given the national and local planning policy context (see section 1 above) and the substantial loss of employment floorspace that is occurring, contrary to the Council’s planning policies (section 3).
- A large amount of office floorspace is being lost in the Borough as a result of the prior approval regime (section 3).

- Most of the losses from prior approval schemes are located in the Council's most important employment areas, particularly Hemel Hempstead town centre and the general employment areas (section 3).
- There are a number of worrying trends arising from prior approval schemes, as explained in paragraph 3.6 above.
- Due to the loss of existing employment buildings and proposed employment sites, Dacorum's employment land supply is now very limited. Therefore, the Council is considering whether exceptional circumstances exist that justifies releasing Green Belt land for employment development in the new Local Plan (see paragraphs 5.2-5.4 below).
- The Hertfordshire Local Enterprise Partnership is concerned about the loss of employment space across the county. It has commissioned consultants to establish an evidence base, explore the implications of floorspace losses and identify potential solutions.
- Vacant office floorspace in Hemel Hempstead has roughly halved since the recession (paragraphs 5.5 and 5.6).
- Further significant losses of employment floorspace to housing in Dacorum from prior approval schemes seem likely if Article 4 areas are not introduced (paragraphs 5.5 and 5.6).

5.2 With regard to bullet point 5 above, there are only two major employment development sites currently under construction or allocated. Both these sites are in Maylands Gateway, close to M1 Junction 8:

- Prologis are currently building a large industrial/warehousing development.
- The Council owns a greenfield site immediately to the east of the Prologis site. This site is expected to be marketed shortly and is suitable for a mix of office and industrial/warehousing development.

5.3 There are some smaller sites with potential for B class floorspace, but on several of these sites there is uncertainty over whether employment development will actually occur. The overall conclusion is that if there is no change to existing planning policies and allocations, there is likely to be:

- A further net decline in office floorspace.
- No significant net change in industry and storage and distribution floorspace once the current Prologis development in Maylands Gateway is completed.

5.4 The Pre-submission version of the St Albans Local Plan (i.e. the Draft Plan) proposes a very large (55 hectare) employment site at East Hemel Hempstead. A mix of office and industrial/warehousing development is proposed. This site is located east of the sites mentioned in paragraph 5.2 above. However, this proposal is not confirmed (the land is currently in the Green Belt) and St Albans District Council has not agreed that any of the jobs on this site can count towards meeting Dacorum's needs, although negotiations are continuing.

5.5 The Council has commissioned advice from Brasier Freeth, local commercial agents. Brasier Freeth are looking at whether residential values make further prior approval

schemes to change B class buildings to housing commercially attractive. They have produced a draft report, containing information on office, light industrial, storage and distribution and residential values in the following employment areas (see maps in Appendix 1):

Location	Policy designation
Maylands Business Park, Hemel Hempstead	General employment area
Park Lane, Hemel Hempstead	Town centre
Doolittle Meadows, Hemel Hempstead	General employment area
Chancerygate Business Centre, Whiteleaf Road, Hemel Hempstead	General employment area
Northbridge Road and River Park, Berkhamsted	General employment area
Icknield Way, Tring	General employment area
Bourne End Mills, Bourne End	Employment area in the Green Belt

5.6 In respect of the last two bullet points in paragraph 5.1, the draft Brasier Freeth report shows that:

- Vacant office floorspace in Hemel Hempstead has roughly halved from over 700,000 sq. feet during the 2008/2009 downturn to 358,000 sq. feet.
- Residential land values in the key General Employment Areas and Hemel Hempstead town centre are generally much higher than office and light industrial/warehousing values. This gives landowners and developers a financial incentive to bring forward prior approval schemes.

5.7 The Assistant Director, Planning, Development & Regeneration made a presentation on the potential Article 4 areas to Hemel Hempstead Business Ambassadors on 15 November 2018. The idea of protecting key employment areas through in this way was well received and a letter of support from the Ambassadors is expected.

6. Which areas should be designated as Article 4 areas?

6.1 Paragraph 5.5 above lists the employment areas considered by Brasier Freeth in their report. The table below summarises Brasier Freeth's draft conclusions on these areas. It also sets out key points on these areas from the Dacorum Employment Land Availability Assessment (2017), produced for the Council by consultants Peter Brett Associates. Brasier Freeth's draft overall recommendation is that all these areas should be protected. This reflects the pressure from residential developers to buy permitted development opportunities

Location	Dacorum Employment Land Availability Assessment	Draft Brasier Freeth report
Maylands Business Park, Hemel Hempstead	Maylands is the largest employment site in the borough, providing a mixture of purpose built office and industrial accommodation. Should be safeguarded for its existing employment use.	Maylands is a mixed use employment area located adjacent to junction 8 M1 motorway. It is the largest commercial area in Dacorum by a considerable margin.

Park Lane, Hemel Hempstead	The assessment looked at Hemel Hempstead town centre as a whole, not individual buildings. Offices were generally well occupied, but the town centre struggles to attract new occupiers, due to the distance from the station, lack of car parking and lack of good quality modern space.	Contains two of the remaining office buildings of note in Hemel Hempstead town centre i.e. One Park Lane and Park House. One Park Lane is a 1989 headquarters building, which has been well maintained and has a good car parking ratio.
Doolittle Meadows, Hemel Hempstead	Comprises high quality office buildings. Should be safeguarded for its existing employment use.	Building quality varies hugely. Westside was comprehensively refurbished in 2016 and is a Grade A (top quality) building. Meadowside and Network House are 1980's buildings, not refurbished. There is good access to the mainline rail and M25 Junction 20.
Chancerygate Business Centre, Whiteleaf Road, Hemel Hempstead	Should be safeguarded for its existing employment use.	This 34 unit industrial development was built in 2007. The unit sizes vary from 3-6,000sq.ft. The front 10 units have a trade counter planning consent.
Northbridge Road and River Park, Berkhamsted	In general, the site is well occupied and should continue to be safeguarded. It is the main employment site in Berkhamsted.	These are the main industrial and employment areas in Berkhamsted. The buildings are generally well maintained.
Icknield Way, Tring	This site is well laid out, with adequate parking and servicing to all units. Should be safeguarded for its existing employment use.	Icknield Way is an important estate in north Dacorum. It is home to a number of excellent businesses and a skilled workforce. It is fully let (including premises under offer).
Bourne End Mills, Bourne End	The site is well located adjacent to an A41 junction. Most of the site was being redeveloped when the assessment was prepared. Should be safeguarded for its existing employment use.	This newly built estate has proved a popular location. The A41 gives easy access to the M25 motorway at junction 20. All but one of the new units were sold off plan to owner occupiers.

6.3 In view of the points made in section 5 of this report and the evidence in the Dacorum Employment Land Availability Assessment and draft Brasier Freeth report, there is a strong justification to designate all the above areas as Article 4 areas.

6.4 It is, however, considered that some parts of Maylands Business Park should be excluded from the Article 4 area. The areas proposed for exclusion are shaded green and called Areas A-F on the Maylands map in Appendix 1. The table below explains why it would be appropriate to exclude these areas:

Area	Location	Areas proposed for exclusion from Maylands Article 4 area
A	Land north of the Nickey Line	This land is identified as an 'Area of residential opportunity' in the Core Strategy (Figures 18 and 22). Also, part of this area is currently in non-B class use (e.g. Aldi supermarket) and some of the rest has little or no built floorspace.
B	Viking House, Swallowdale Lane	This site is currently being redeveloped for housing. Also, it is on the edge of the Maylands Business Park.
C	Heart of Maylands, Maylands Avenue (south) and Hales Park	Part of this area is covered by the Heart of Maylands Development Brief, which proposes redevelopment for mixed uses. The whole area is changing rapidly from a predominantly B class area to a vibrant mixed use area, with retail, food and drink, leisure, hotel and residential uses, as well as B class uses. Hales Park area is already in residential use.
D	Swallowdale Lane/Three Cherry Trees Lane	There is a safety hazard area in the vicinity of the Gist site. It is thought that this area was defined when BOC stored gas there. Even though gas storage may have ceased, it could be resumed without any further consent being required. The GPDO stipulates that permitted development rights for changes of use to residential do not apply in 'safety hazard areas'. This includes the consultation zones around hazardous sites.
E	Boundary Way/Buncefield Lane	Part of this area (e.g. cemetery and caravan park) are not in B class use. Also, this area includes the Buncefield Oil Terminal and land within the Health and Safety Executive's consultation zones around Buncefield. As stated under 'D' above, permitted development rights for changes of use to residential do not apply in such areas.
F	Breakspear Way/Buncefield Lane (south)	The Holiday Inn and the BP filling station/Marks and Spencer convenience store are not in B class use.

7. Processes for designating Article 4 areas

- 7.1 Paragraph 4.3 above stated that there are two types of directions (non-immediate directions and directions with immediate effect). Also, directions cannot be confirmed until after the local planning authority has carried out a local consultation. However, the GPDO requires different procedures to be followed for each type of direction.
- 7.2 Paragraphs 4.3 and 4.4 above explained that the local planning authority can be liable to pay compensation in certain circumstances. However, no liability to pay compensation arises where 12 months' notice is given before the Article 4 Direction comes into force.
- 7.3 The disadvantage of opting for non-immediate directions is that the Council may be faced with a number of prior approval applications during the 12 month period, as landowners and developers rush to beat the deadline. This possibility must be balanced

against the real risk of the Council having to pay out very large sums in compensation if directions are introduced with immediate effect.

7.4 It is concluded that the prudent approach would be to opt for non-immediate directions. If the Committee agrees, the main steps to be followed in designating the Article 4 areas are as shown below:

GPDO's requirements (summary of key points)	Recommended approach
<p>Notice of any directions made must be given by:</p> <p>(a) local advertisement; (b) site notices; and (c) serving the notice on the owner and occupier of every part of the land within the area or site to which the direction relates, unless it is impracticable to do so.</p>	<p>The requirements of (a) and (b) must be met. Compliance with (a) should include:</p> <ul style="list-style-type: none"> • A public notice in the local paper • Information on the Council's website • A mention in the Council's Ambassador Place Manager's monthly business update to about 3,000 firms and weekly email to the Ambassadors <p>However, (c) is considered impracticable. This conclusion reflects the very high number of owners and occupiers in the proposed Article 4 areas.</p>
<p>The notice referred to above must:</p> <p>(a) describe the development and area to which the direction relates and the effect of the direction. (b) state where the direction can be inspected. (c) specify a period of at least 21 days within which representations concerning the direction may be made. (d) specify the date on which it is proposed that the direction will come into force.</p>	<p>All these requirements must be met.</p> <p>It is considered that:</p> <ul style="list-style-type: none"> • the consultation should start in early January 2019. • A six week period should be allowed for representations to be submitted. • The proposed date when the directions will come into force should be 12 months from the start of the consultation.
<p>The local planning authority must notify the Secretary of State of the direction on the same day that notice of the direction is first published or displayed.</p> <p>The County Council must also be informed.</p>	<p>These requirements must be complied with.</p> <p>The Council also needs to produce a justification statement, setting out the case for the Article 4 areas. This statement will draw mainly on the evidence contained in this report and the final report from Brasier Freeth.</p>
<p>The direction comes into force on the date specified, but only if confirmed by the local planning authority.</p> <p>In deciding whether to confirm a direction, the local planning authority must take into account any representations received during the consultation period.</p>	<p>These requirements must be complied with.</p> <p>It is recommended that authority be delegated to the Assistant Director, Planning, Development & Regeneration to confirm the Article 4 Directions following analysis of the response to the consultation, subject to the proviso that if substantive objections are received in respect of one or more of the proposed areas then the decision on those areas be referred back to the Committee.</p>

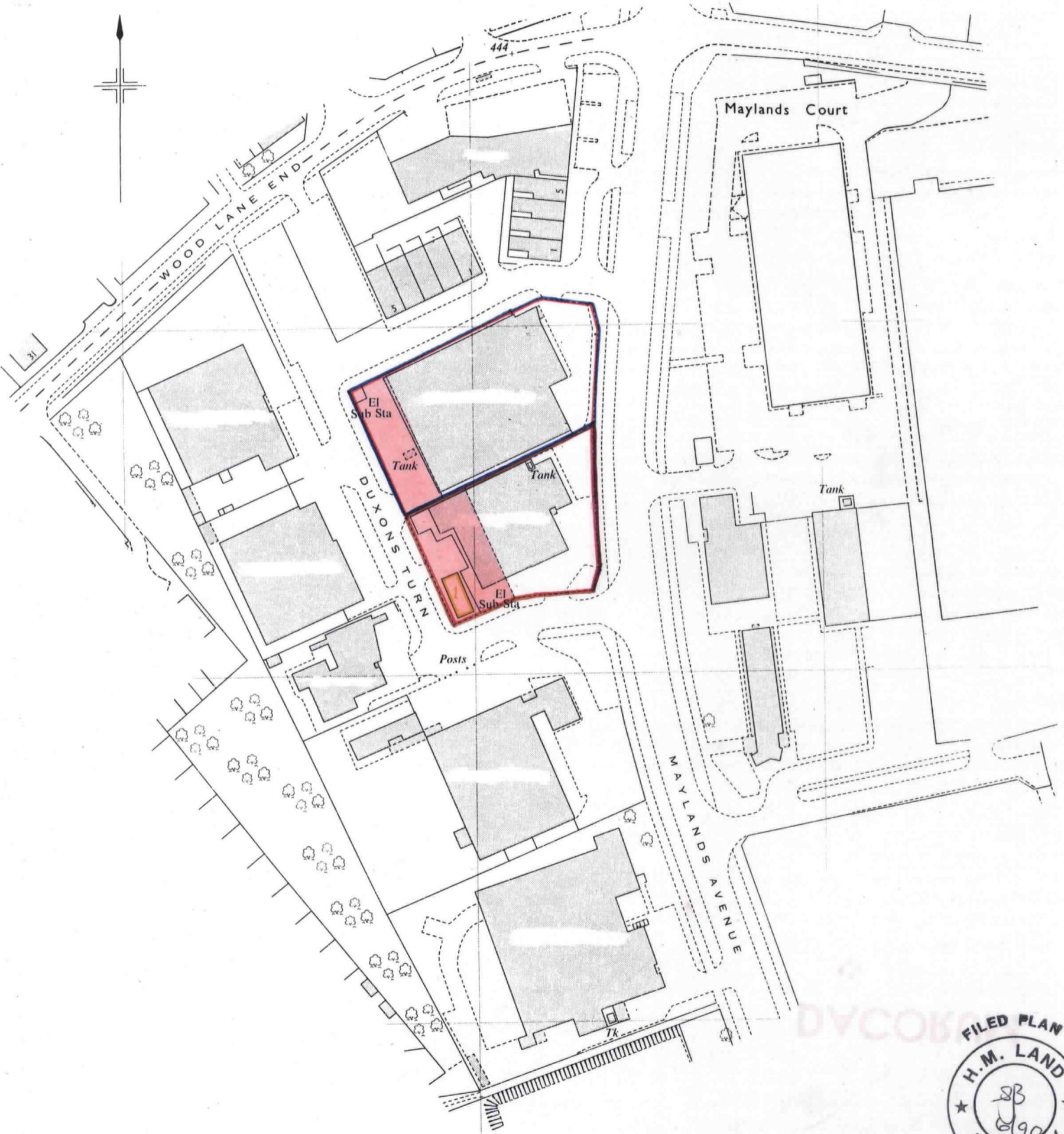
<p>The local planning authority must, as soon as practicable after a direction has been confirmed:</p> <p>(a) give notice of the date on which the direction will come into force; and (b) send a copy of the confirmed direction to the Secretary of State.</p>	<p>These requirements must be complied with.</p>
--	--

8. Conclusions

- 8.1 It is considered that this report provides clear justification for designating Dacorum's key employment areas as Article 4 areas. The Article 4 directions will require planning applications to be made in the designated areas for changes of use from office / light industrial / storage and distribution premises to residential use. Members are requested to agree the recommendations at the start of this report.

Appendix 1: Maps of proposed Article 4 areas

H.M. LAND REGISTRY		TITLE NUMBER	
		HD 261320	
ORDNANCE SURVEY PLAN REFERENCE	TL 0707	SECTION T	Scale 1/1250
COUNTY	HERTFORDSHIRE	DISTRICT	DACORUM
			© Crown copyright 1990



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 27 January 2019 at 17:35:06. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 27 JAN 2019 AT 17:32:52. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: HD261320

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

HERTFORDSHIRE : DACORUM

1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Hightown House, Maylands Avenue, Hemel Hempstead Industrial Estate, Hemel Hempstead (HP2 4XH).

2 The land edged blue on the filed plan has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance thereof dated 7 November 1985 made between (1) Commission for the New Towns (Vendor) and (2) Base Metal Products Limited (Purchaser):-

"TOGETHER WITH such rights (if any) as the Property presently enjoys in respect of the free passage and running of water and soil and other services from and to the Property in and through the ditches watercourses culverts sewers drains and other conducting media now or hereafter made or laid in through or under any land adjoining the property but EXCEPTING AND RESERVING unto the Vendor the free passage and running of water and soil from any buildings or land adjoining the Property in and through the ditches watercourses culverts sewers and drains now or hereafter made or laid in through or under the Property and also the right to construct and lay down upon or under and/or through such part of the Property as shall for the time being remain unbuilt upon gas and water mains ditches watercourses culverts sewers and drains and electric light telephone and telegraph poles wires and cables with power from time to time upon giving reasonable notice thereof to the Purchaser or its successors in title to enter such part of the Property as aforesaid for the purpose of constructing and laying the same or for the purpose of examining the state of repair thereof and to repair or renew the same doing as little damage as possible to the Property and making good or paying reasonable compensation for all damage caused thereto in the exercise of the said rights and powers"

3 The Conveyance dated 7 November 1985 referred to above contains the following provision:-

"PROVIDED always and it is hereby agreed as follows:-

(1) The purchaser shall not be entitled to any right of access of light or air to the property or any part thereof or any other right or easement which might restrict or interfere with the free user of any adjoining or neighbouring property of the Vendor for building or any other purpose and

(2) That the Purchaser shall not be entitled to any rights or easements over adjoining or neighbouring property of the Vendor by implication or otherwise and accordingly Section 62 of the Law of Property Act 1925 shall not apply"

4 The land edged brown on the filed plan has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance thereof dated 17 April 1989 made between (1) Commission for the New Towns (Vendor) and (2) Andrew Lindsay Scott hendry and Joyce

A: Property Register continued

Nellie Porter (Purchaser):-

"TOGETHER WITH the free and uninterrupted right for the Purchasers and their respective successors in title the owner or owners of the Property and every part or parts thereof and their respective tenants and servants and licensees and (but in common with the Vendors and the owners tenants or occupiers of any adjoining land or premises and others having the like right)

1. To the free and uninterrupted passage and running of water soil drainage gas electricity telephone and other services (if any) to and from the Property through and along all mains pipes sewers drains conduits wires cables and other conducting media which are now or may during the period of 80 years from the date hereof (this being their perpetuity period applicable hereto) to be laid in under or upon any adjoining or neighbouring land or premises of the Vendor

Except and reserving unto the Vendor and its successors in title and to the owners occupiers and tenants of adjoining and neighbouring premises and all others entitled

1. The free and uninterrupted right (in common with the Purchaser and their successors in title the owners and occupiers for the time being of the Property or any part thereof) of passage and running of water soil and effluent drainage gas electricity telephone and any other services to and from adjoining or neighbouring land or premises through and along all mains pipes sewers drains conduits wires cables and other conducting media which are now or may hereafter during the Perpetuity period referred to above be laid in on or through or across the Property or any part or parts thereof and full right and liberty for the Vendor and all others so entitled and thier agents employees and other duly authorised persons from time to time at all reasonable times in the daytime and upon reasonable written notice being given (except in case of emergency) to enter upon the Property or any part thereof with or without workmen and all necessary appliances for the purpose of examining testing maintaining cleansing renewing repairing laying installing attaching altering or replacing any such mains pipes sewers drains conduits wires cables and other conducting media as aforesaid or of making connections or disconnections with or from the same Provided that the person or persons entering shall cause as little damage as possible in the exercise of such rights and shall make good forthwith all damage so caused

2. All rights of light and air and other easements and rights now or hereafter for the Perpetuity period referred to above belonging to or enjoyed by any neighbouring or adjoining land from or over the Property

3. The right to the Vendor and all others so entitled and their respective agents workmen and others together with all necessary appliances on reasonable prior notice (except in case of emergency) to enter onto and upon the Property or any part thereof to execute all necessary repair or alterations or other work to or upon such adjoining or neighbouring premises causing as little damage and inconvenience as reasonably possible and making good to the reasonable satisfaction of the Purchaser any damage to the Property thereby occasioned"

5 The Conveyance dated 17 April 1989 referred to above contains the following provision:-

"PROVIDED always and it is hereby agreed as follows:-

(i) The Purchaser shall not be entitled to any right of access of light or air to the Property or any thereof or any other right or easement which might restrict or interfere with the free user of any adjoining or neighbouring property of the Vendor for building or any other purpose

(ii) That the Purchaser shall not be entitled to any rights or easements other than herein granted over adjoining or neighbouring property of the Vendor by implication or otherwise and accordingly Section 62 of the Law of Property Act 1925 shall not apply"

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (20.08.2009) PROPRIETOR: Hightown Praetorian and Churches Housing Association Limited (Industrial and Provident Society No. IP18077R) of Hightown House, Maylands Avenue, Hemel Hempstead, Hertfordshire HP2 4XH.
- 2 (20.08.2009) The price stated to have been paid on 11 August 2009 was £5,335,000.
- 3 (20.08.2009) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a certificate signed on behalf of the proprietor by its secretary (or by two trustees, if a charitable trust) or its solicitor or licensed conveyancer that the provisions of section 9 of the Housing Act 1996 have been complied with.
- 4 (20.08.2009) A Transfer of the land in this title dated 11 August 2009 made between (1) State Street Custodial Services (Jersey) Limited and Stralo Limited (Transferors) and (2) Hightown Praetorian and Churches Housing Association Limited (Transferee) contains purchaser's personal covenants.

-NOTE: Copy filed.
- 5 (15.01.2010) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 23 December 2009 referred to in the Charges Register or their conveyancer or an individual identified as an authorised signatory.
- 6 (04.03.2010) The proprietor's address for service has been changed.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land tinted pink on the filed plan and other land dated 29 September 1936 made between (1) William Beecham (Vendor) and (2) Robert Beadle (Purchaser) contains the following covenants:-

THE Purchaser for the benefit of adjoining or neighbouring lands of the Vendor hereby covenants with the Vendor that he the Purchaser his successors in title and assigns will at all times hereafter observe and perform the stipulations set out in the Schedule hereto Provided always that the Purchaser or his successors in title and assigns shall not be personally liable for any breach of any of the said stipulations which shall occur after he or they shall have parted with all interest in the land in regard to which such breach shall occur

THE SCHEDULE above referred to:-
 1. Any property erected on the land hereby conveyed shall be good class cottage or other property of not less value than those properties erected or being erected on the Purchaser's other land in the neighbourhood
 2. No factory shall be built upon any part of the land hereby conveyed
- 2 The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.
- 3 (07.07.2006) The parts of the land affected thereby are subject to the

C: Charges Register continued

rights granted by the Lease of an electricity sub-station dated 1 April 1959 referred to in the schedule of leases hereto.

- 4 (26.08.2009) UNILATERAL NOTICE in respect of a lease dated 15 January 1996 as varied by (a) supplemental deed dated 7 January 2008 (and which supplemental deed was varied by a deed of variation dated 11 August 2009); and (b) a deed of surrender and variation dated 11 August 2009.

-NOTE: Copy filed.

- 5 (26.08.2009) BENEFICIARY: John Laing Construction Limited (Co. Regn. No, 172161) of Bridge Place, Anchor Boulevard, Admirals park, Crossways, Dartford, Kent DA2 6SN..

- 6 (15.01.2010) REGISTERED CHARGE dated 23 December 2009.

- 7 (15.01.2010) Proprietor: PRUDENTIAL TRUSTEE COMPANY LIMITED (Co. Regn. No. 1863305) of Laurence Pountney Hill, London EC4R 0HH.

- 8 (15.01.2010) The proprietor of the Charge dated 23 December 2009 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

Schedule of notices of leases

- | | | | | |
|---|------------|--|---|----------|
| 1 | 24.05.1989 | Electricity Sub-Station,
Edged and Duxons Turn, Hemel
numbered 1 in Hempstead.
yellow | 01.04.1959
99 years from
25.3.1957 | HD454563 |
| | | NOTE: See entry in the Charges Register relating to the rights granted by this lease | | |
| 2 | 13.12.2006 | Electricity Sub-Station | 09.05.1960
80 years (less
1 day) from
23.10.1956 | HD462502 |

End of register

Stephen Mendham

From: George Edkins <George.Edkins@hightownha.org.uk>
Sent: 27 January 2019 20:41
To: SPAR Responses Mailbox
Cc: Andrew Royall
Subject: Article 4 Consultation - Maylands Area
Attachments: HD261320 - Hightown House, Maylands Avenue HH - Plan View .pdf; HD261320 - Hightown House, Maylands Avenue HH - Register View .pdf

Dear Planning Team

Hightown Housing Association is the freehold owner of the three storey office building, Hightown House, in Maylands Avenue, shown on the Land Registry title plan and the Google Maps aerial photo, below. We occupy it as our sole administrative office.

We wish to propose that the area subject to the Article 4 Direction, shown crosshatched red on the DBC plan below, ***be modified to exclude Hightown House.***

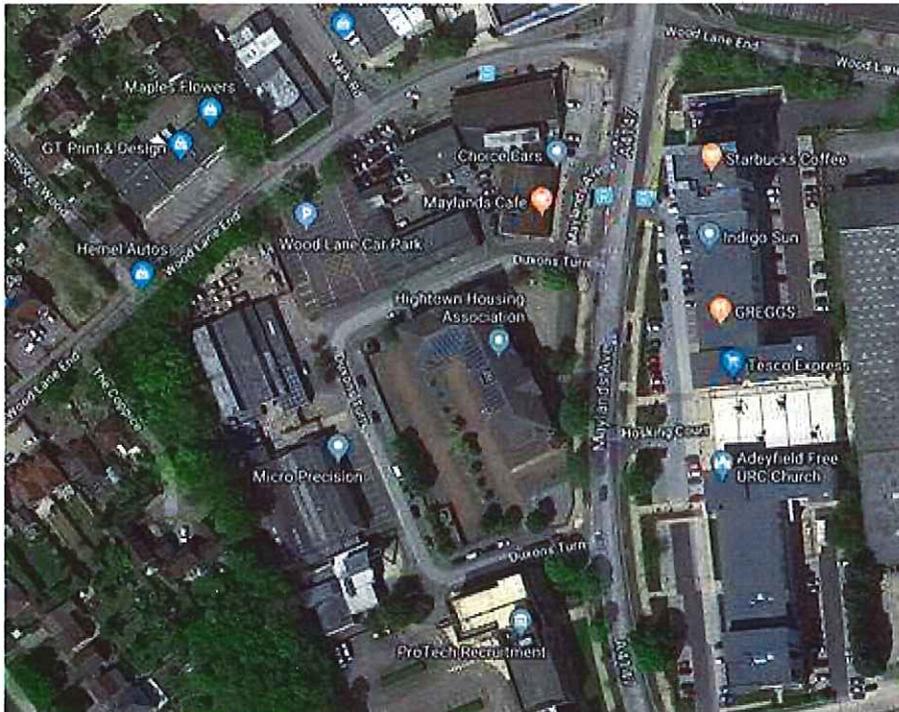
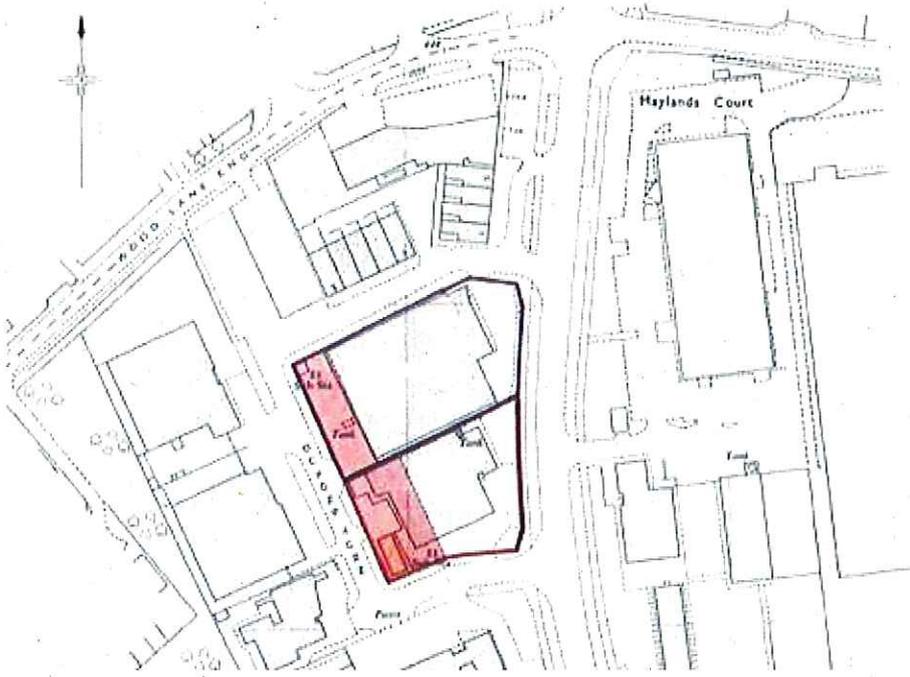
Background

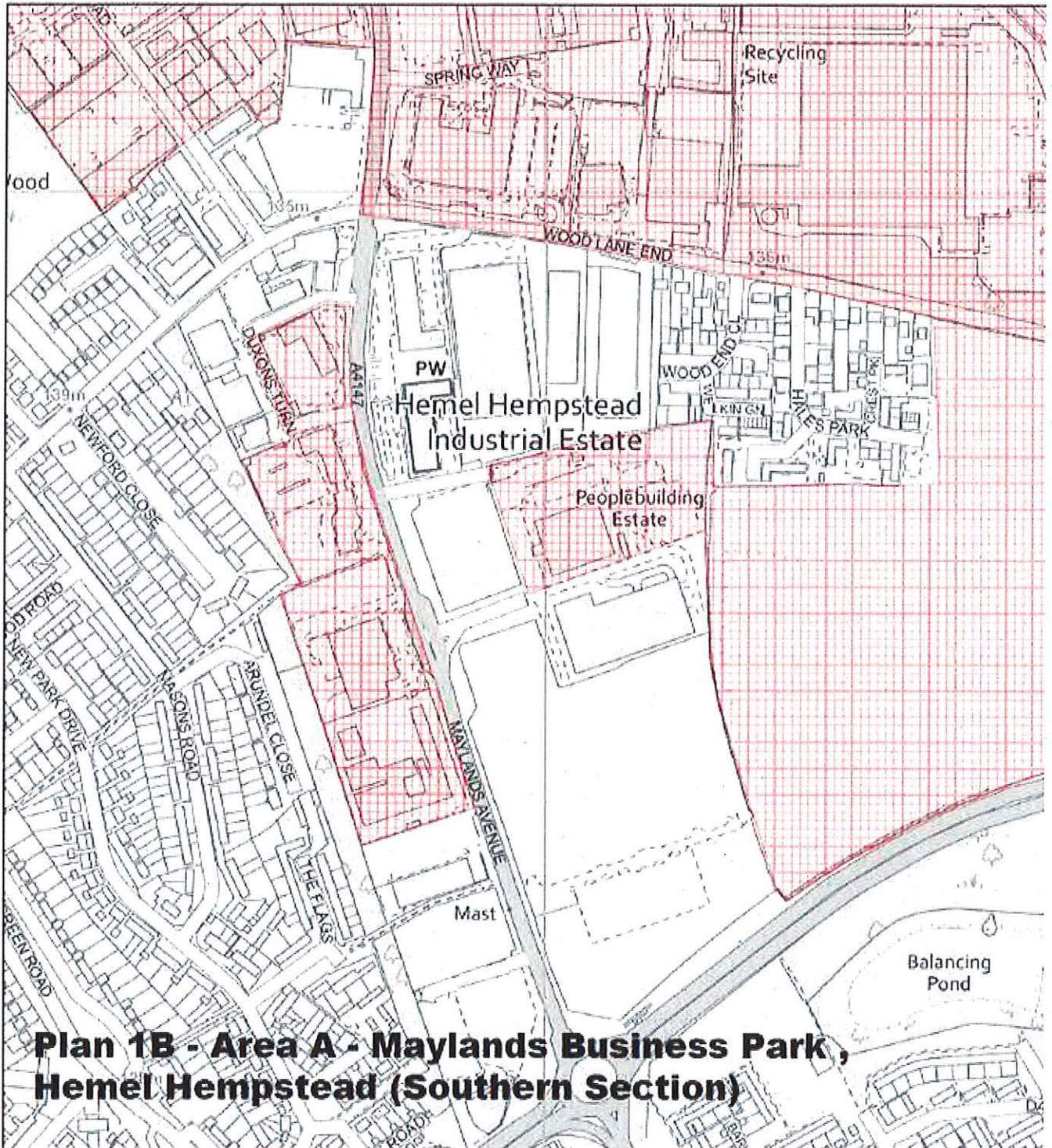
The Association has been based in Hemel Hempstead since the 1960's and has moved offices on a number of occasions, each time within Hemel Hempstead, as its stock has grown and the associated management staff has outgrown previous premises. The last occasion was in 2009 when we moved from White Lion House in Queensway to the current office building, renaming it from Blythe House to Hightown House. The logic of the location, in addition to the extra space afforded, was that it remained close to our local staff and core local stock (over half our homes are in Dacorum or St Albans), and close to the M1, for easy access to stock further afield. Since 2009 we have steadily increased both our housing stock and our staff, and have progressively occupied more and more of the floorspace at Hightown House (the top floor being vacant in the early years after the move). Although we have no immediate plans to move, it is quite conceivable that in the future we would outgrow Hightown House, and seek larger premises, either to buy or build. The logic of the location being unchanged, we would almost certainly move elsewhere within Maylands/East Hemel.

Since moving up to Maylands, the Association has played a very active role in the regeneration of the Heart of Maylands, through residential-led redevelopment (Maylands Plaza - affordable homes, shops, church). Land has also been secured for a further phase (Sites 2b and 2c – see below).

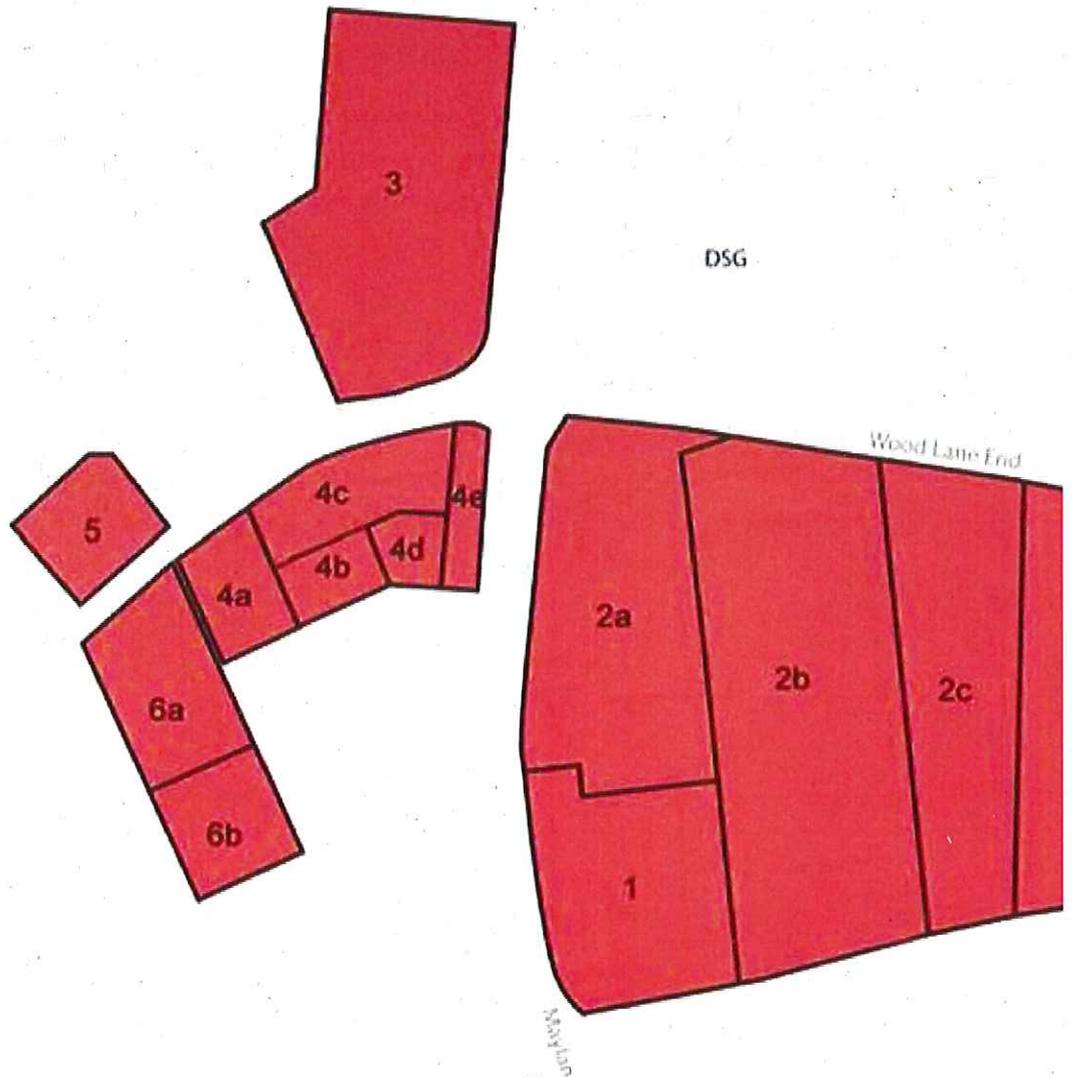
The text continued below the maps

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		HD 261320	
ORDNANCE SURVEY PLAN REFERENCE	TL 0707	SECTION T	Scale 1:1250
COUNTY	HERTFORDSHIRE	DISTRICT	DACORUM
			© Crown copyright 1990





Plan 1B - Area A - Maylands Business Park, Hemel Hempstead (Southern Section)



Extract from The Heart of Maylands Development Brief DBC, Oct 2010

Suitability of Hightown House for Residential Conversion

While some buildings designed as offices do not convert to homes happily, Hightown House is in fact very suitable for conversion, in view of its built form and pleasant/convenient location.

It is three storeys of red brick, with a pitched and gabled roof, and sits on a fairly spacious plot surrounded by established trees. The scale is suitably domestic (contrast Maylands House, diagonally opposite) and it would convert fairly easily to some 45 affordable homes with c 60 car spaces, with the rest of the current carpark reverting to amenity space.

The sustainable location suits residential use. Opposite is a convenience store and a church/community centre. Further shopping is either planned or under construction nearby. Immediately outside is a cycle way, and bus stops with good services, both local and into London. Also near at hand is the established neighbourhood of Adeyfield with schools and recreation grounds. And of course there are a wide range of jobs within walking distance.



Planning Case

- The Heart of Maylands Development Brief proposes residential-led redevelopment on three sides of Hightown House. See plan above. Keeping Hightown House outside the proposed Article 4 control area would logically complement this, and indeed could facilitate the redevelopment of Duxons Turn and Wood Lane End (Sites 4 and 6).
- Retaining permitted development rights at Hightown House would, given its ownership, lead to the prompt delivery of affordable homes.
- The logic of preserving existing office space is perhaps less compelling at Maylands compared to the other areas within Dacorum that are proposed for the Article 4 Direction. Maylands is already the largest employment area in Hertfordshire, and has a number of vacant sites that await development. Moreover in the medium term the proposed East Hemel strategic employment allocation in the new St Albans Local Plan would further increase the availability of employment land. Although administratively part of St Albans District, functionally this land would form part of the Dacorum economy.
- The loss of office space at Hightown House to housing would not imply the loss of office jobs in this case - since the logic of Hightown needing to be in a Maylands/East Hemel location would still apply.

I would be grateful if you could give this submission careful consideration

Kind regards

George Edkins

Development Consultant

DDI: 01442 292312 Mob: 07525 904204

george.edkins@hightownha.org.uk

My usual work days are **Tuesdays and Wednesdays plus Thursday morning**

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Click [here](#) to report this email as spam.

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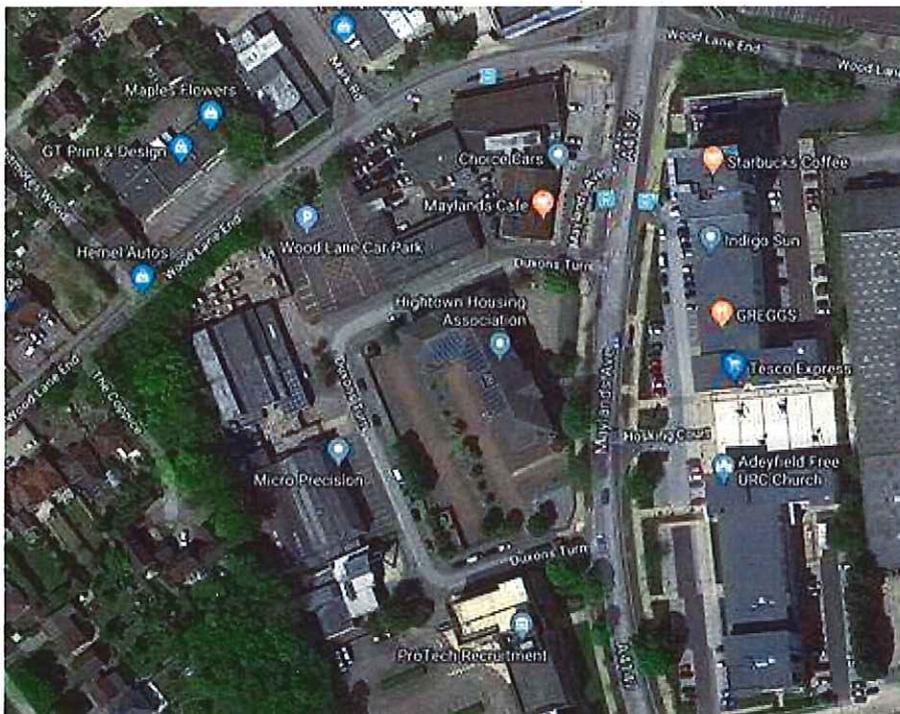
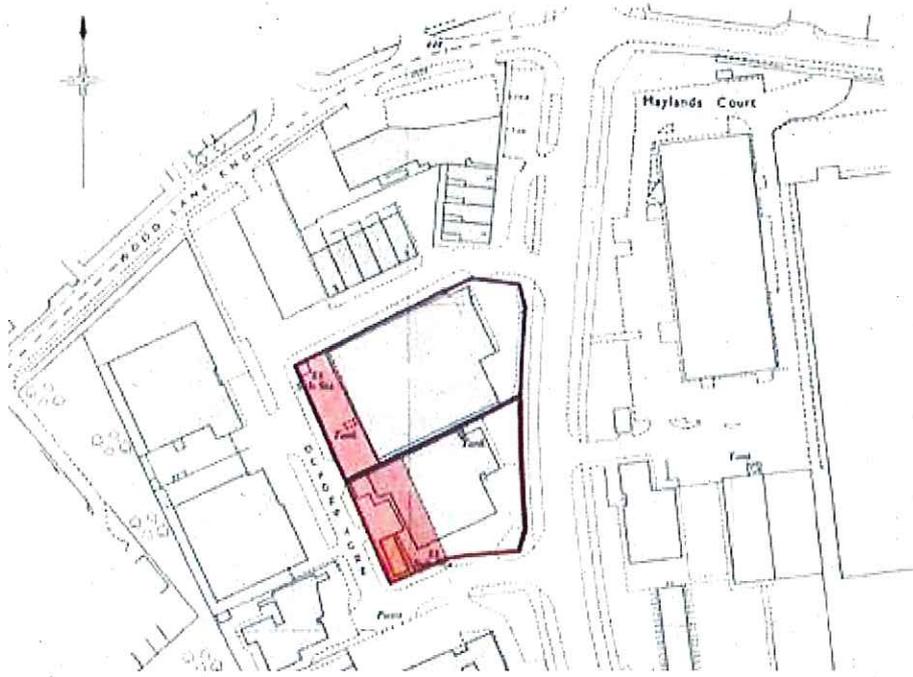
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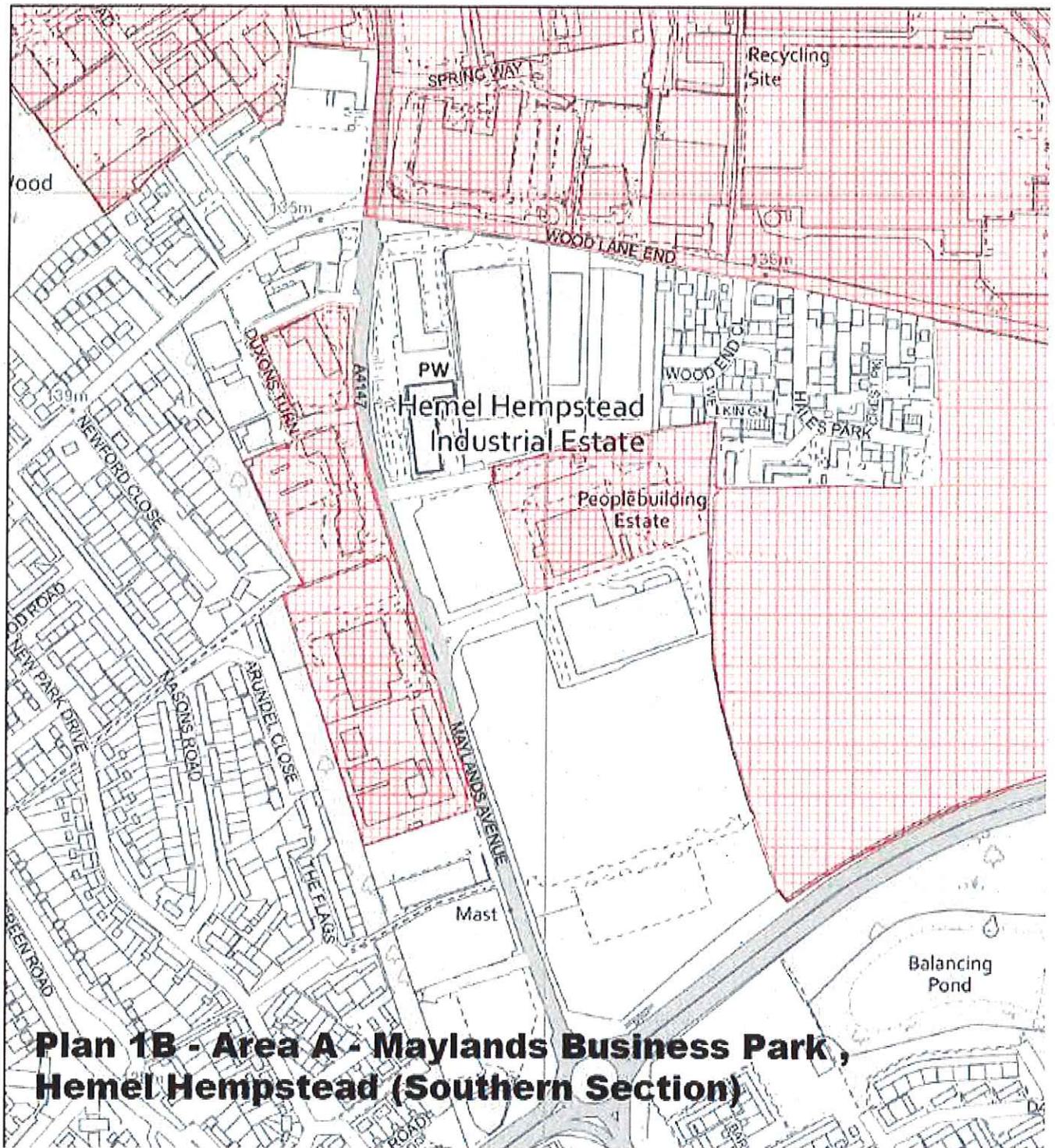
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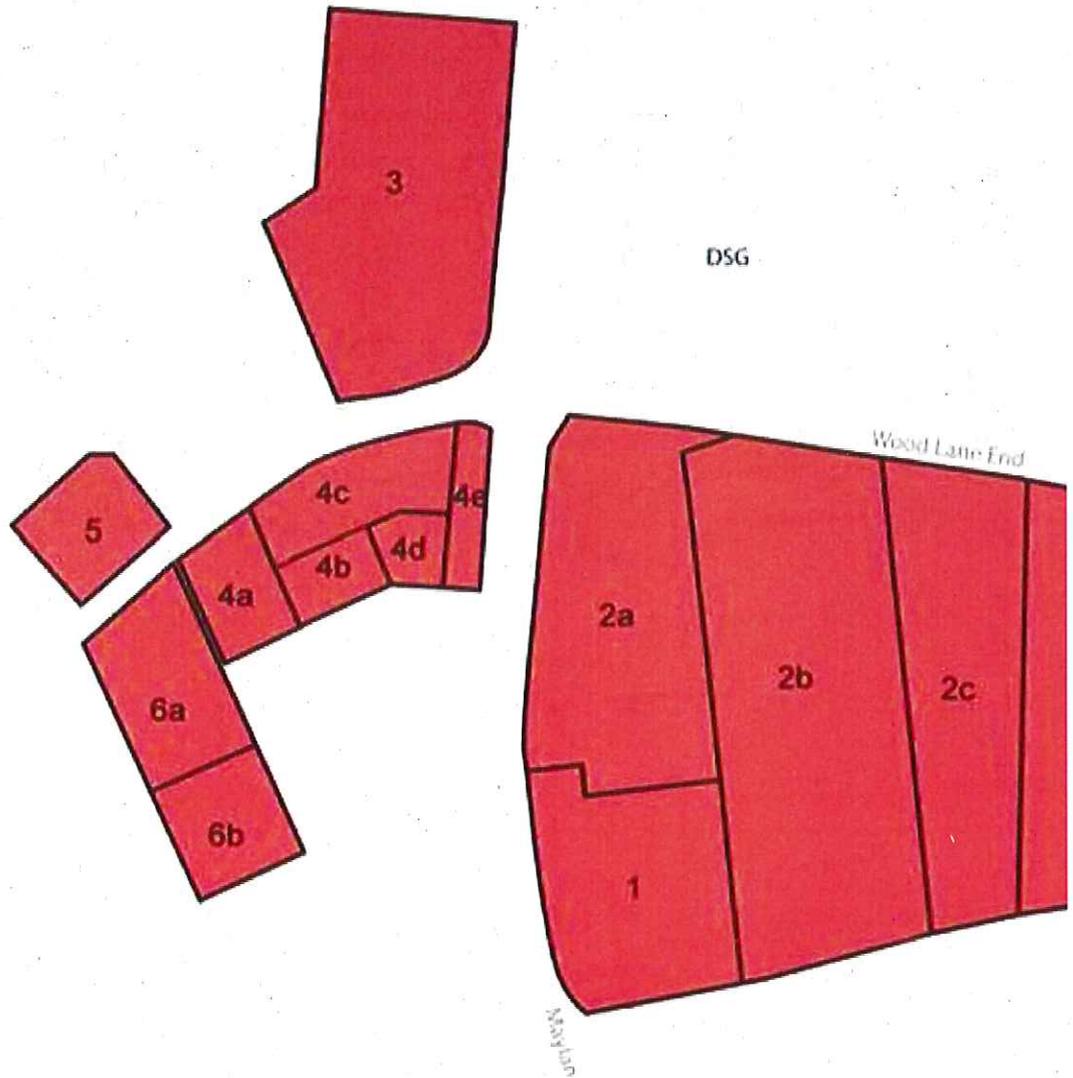
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The text continued below the maps

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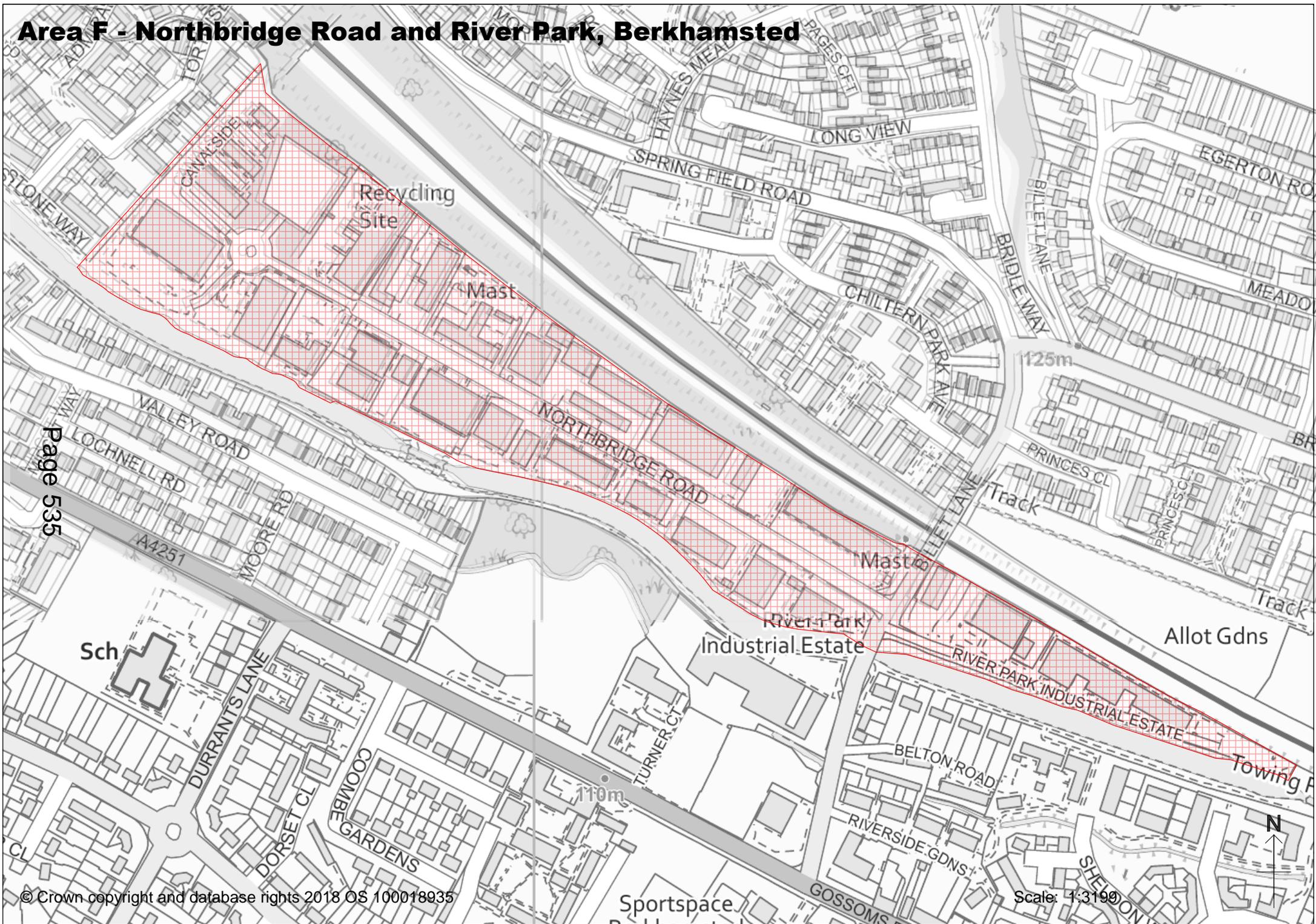
george.edkins@hightownha.org.uk

My usual work days are **Tuesdays and Wednesdays plus Thursday morning**

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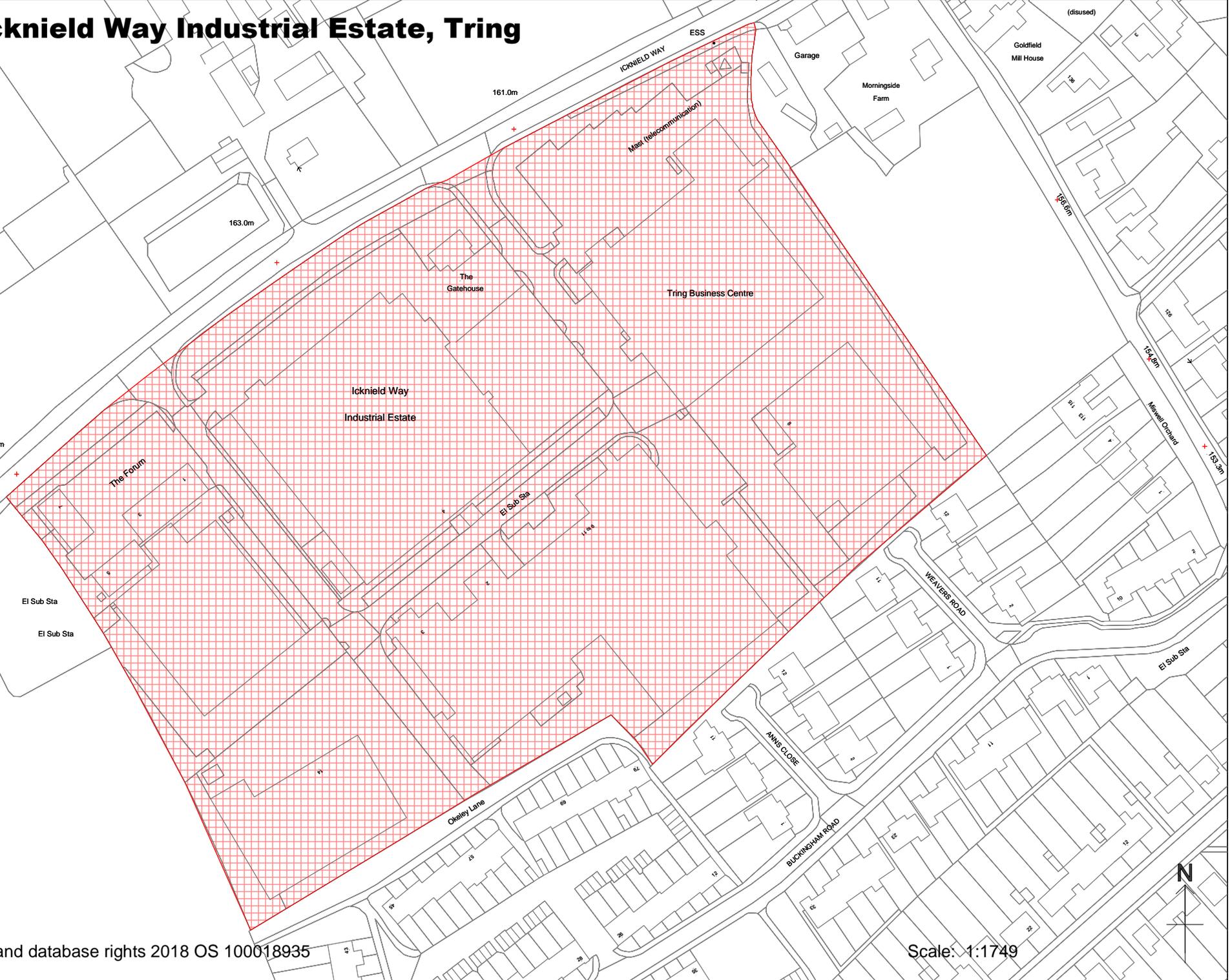
Area F - Northbridge Road and River Park, Berkhamsted



Page 535

Area G - Icknield Way Industrial Estate, Tring

Page 536



Plan 1 - Area D - Park Lane, Hemel Hempstead

ALBION HILL

Wolsey House

Hotel

Lincoln House

Surgery

The Marlows Centre

El Sub Sta

Park House

WOLSEY ROAD

PARK LANE

ORCHID DRIVE

Hertfordshire House

ESS

SELDEN HILL

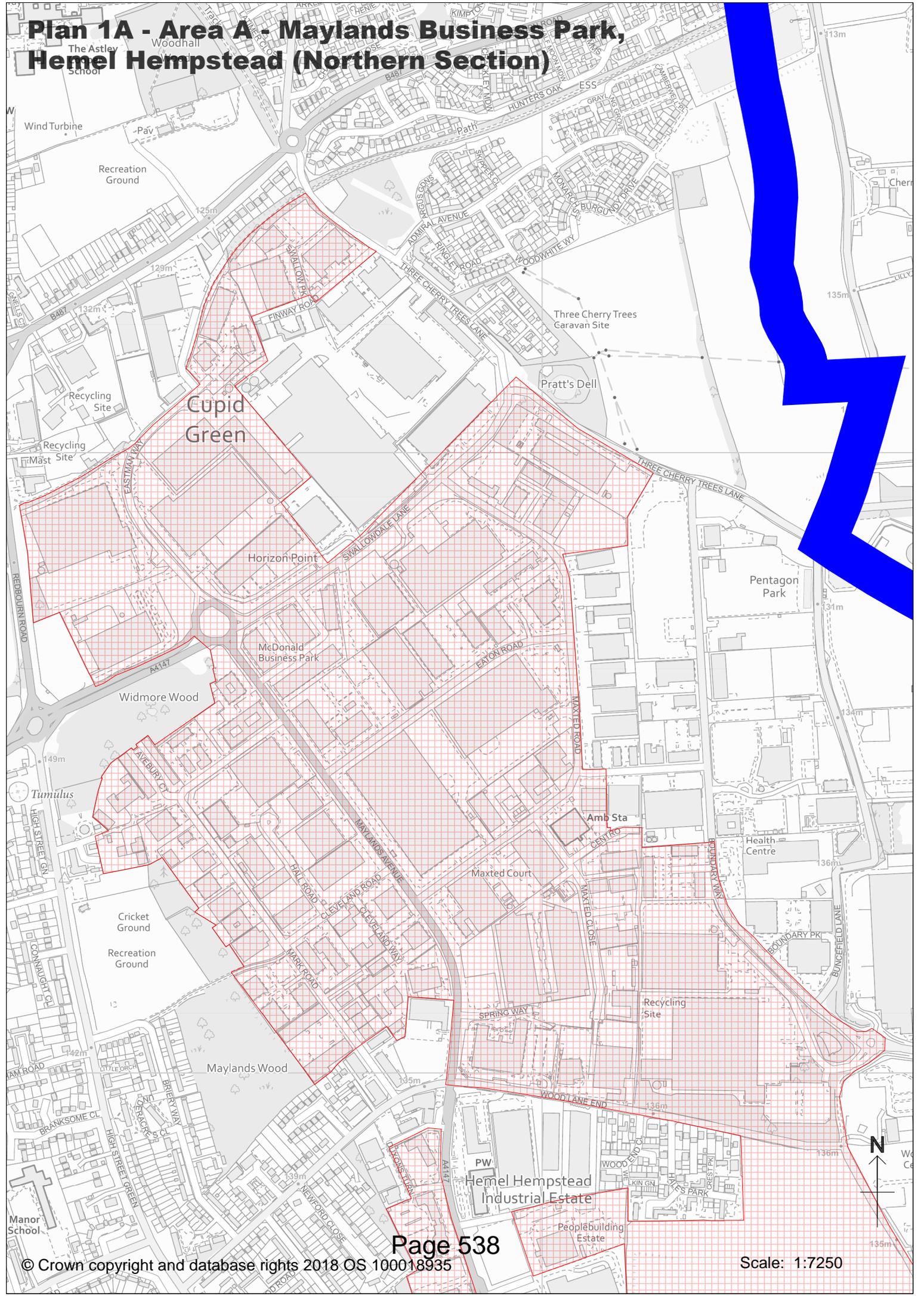
El Sub Sta

Byarsdon Court

Brookfield House



Plan 1A - Area A - Maylands Business Park, Hemel Hempstead (Northern Section)



Cupid Green

Horizon Point

McDonald Business Park

Maxted Court

Hemel Hempstead Industrial Estate

Pentagon Park

Amb Sta

Health Centre

Maylands Wood

Cricket Ground

Recreation Ground

Widmore Wood

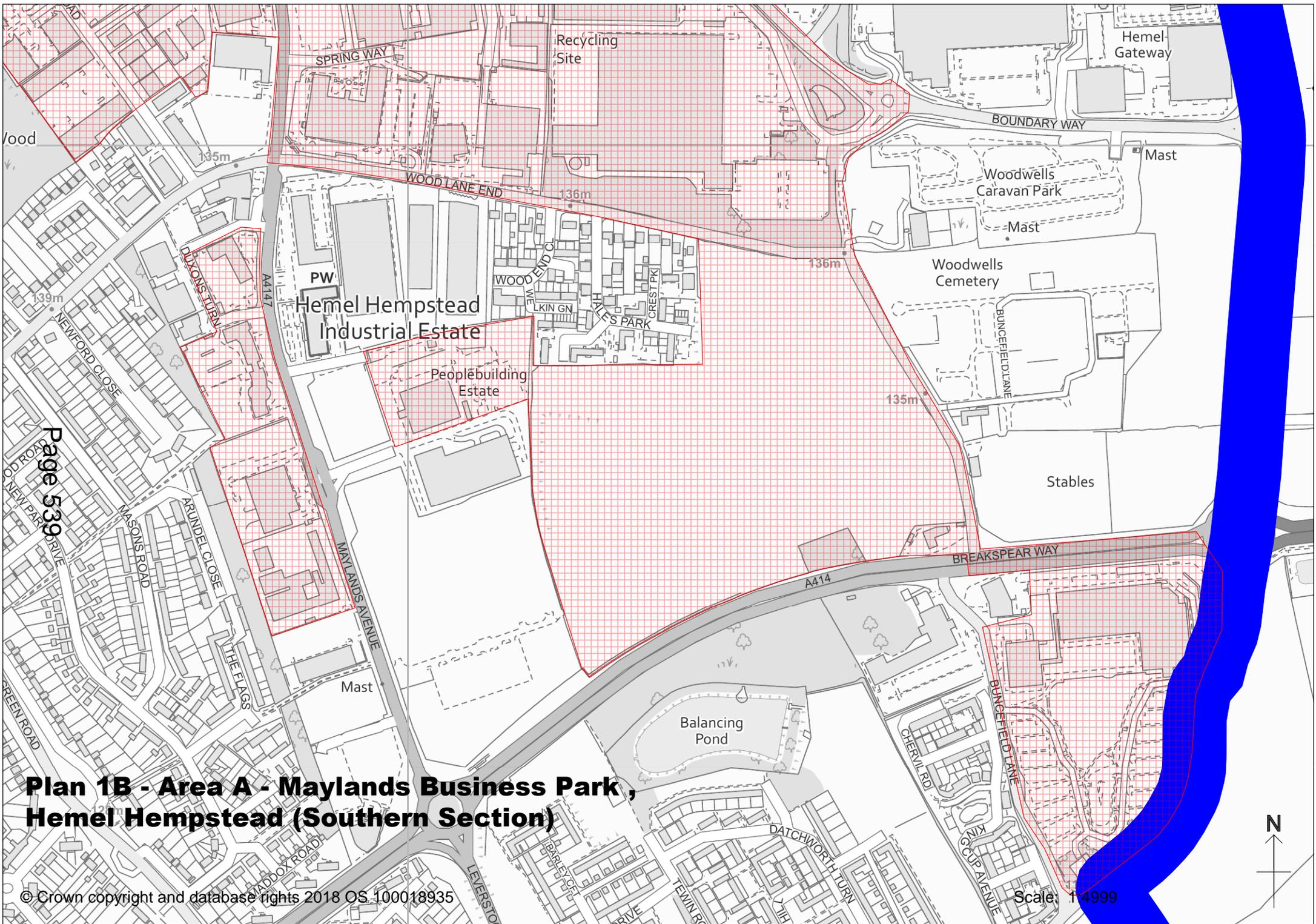
Recycling Site

Recycling Mast Site

Three Cherry Trees Caravan Site

Pratt's Dell

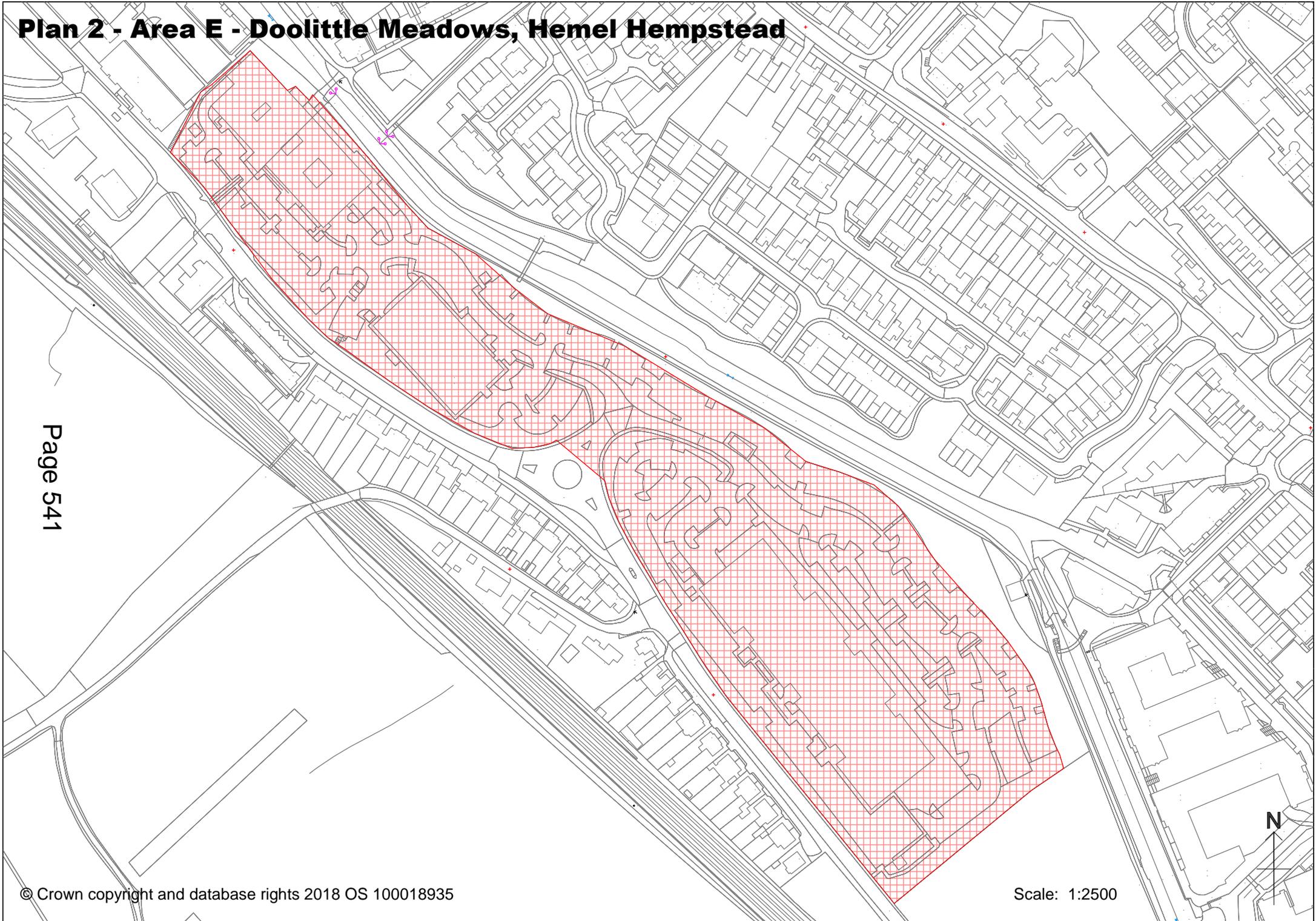




**Plan 1B - Area A - Maylands Business Park,
Hemel Hempstead (Southern Section)**



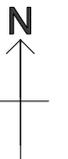
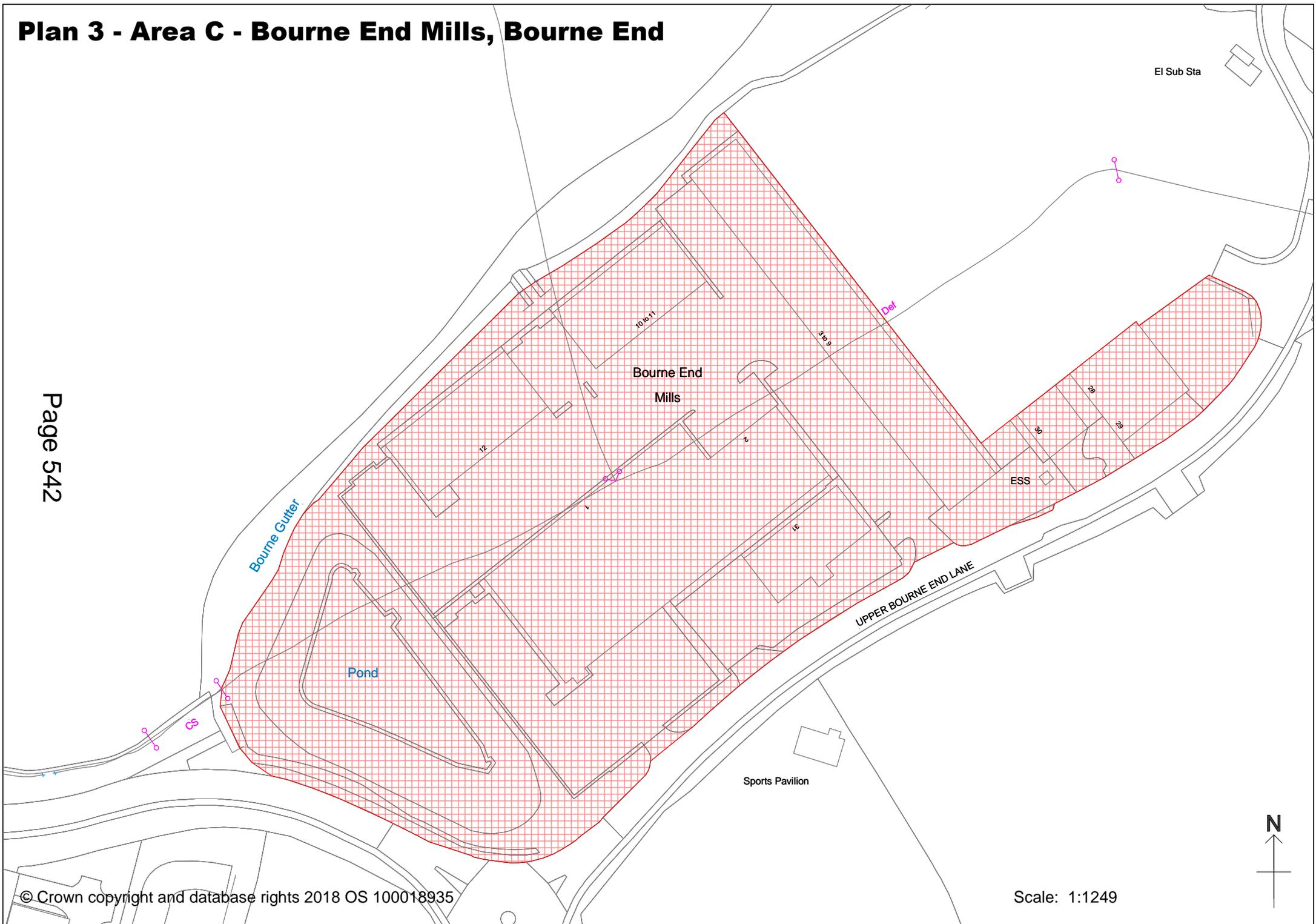
Plan 2 - Area E - Doolittle Meadows, Hemel Hempstead



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Plan 3 - Area C - Bourne End Mills, Bourne End

Page 542





TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT

TO WHICH ARTICLE 6 APPLIES

WHEREAS Dacorum Borough Council ("the Council") being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, are satisfied that it is expedient that development of the description(s) set out in Schedule 1 below should not be carried out on the land listed in Schedule 2 below and, shown edged and hatched red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

AND WHEREAS the Council consider that the development of the said descriptions would be prejudicial to the proper planning of the area, would constitute a threat to the amenities of their area.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule 1 below, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

SCHEDULE 1

In respect of land described in Schedule 2

The development referred to in Schedule 2 Part 3 Class O, P and PA to the said Order not being development comprised within any other class that is to say:

Class O – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class O of part 3 of

Schedule 2 of the Order.

Class P – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage and distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class P of part 3 of Schedule 2 of the Order.

Class PA - Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(c) (light industrial) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class PA of part 3 of Schedule 2 of the Order.

This does not affect development permitted by Schedule 2 Part 3 Class O, Class P or Class PA which is expressed to be subject to prior approval where, in relation to that development, the prior approval date occurs before the date on which the direction comes into effect and the development is completed within a period of 3 years starting with the prior approval date

SCHEDULE 2

Area F - Northbridge Road and River Park, Berkhamsted (as shown edged and hatched red on the attached plan)

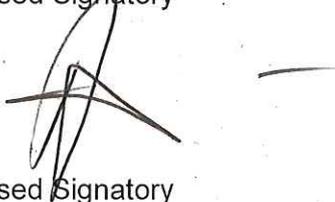
THIS DIRECTION is made under Article 4(1) of the said Order and shall come into effect on the 7th January 2020 if confirmed.

Made under the Common Seal of Dacorum Borough Council of The Forum Marlowes Hemel Hempstead Hertfordshire HP1 1DN

This 3rd day of January 2019..... The Common Seal of the Council was affixed to this Direction in the presence of:



Authorised Signatory



Authorised Signatory

SEAL REGISTER
BOOK 11
ENTRY 9329



Confirmed under the Common Seal of Dacorum Borough Council of The Forum Marlowes
Hemel Hempstead Hertfordshire HP1 1DN

thisday of.....20..... The Common Seal of the Council was affixed to
this Direction in the presence of:

Authorised Signatory

Authorised Signatory



TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT

TO WHICH ARTICLE 6 APPLIES

WHEREAS Dacorum Borough Council ("the Council") being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, are satisfied that it is expedient that development of the description(s) set out in Schedule 1 below should not be carried out on the land listed in Schedule 2 below and shown edged and hatched red on the attached plans, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

AND WHEREAS the Council consider that the development of the said descriptions would be prejudicial to the proper planning of the area and would constitute a threat to the amenities of their area.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended ("the Order"), hereby direct that the permission granted by article 3 of the Order shall not apply to development on the said land of the description(s) set out in the Schedule 1 below, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

SCHEDULE 1

In respect of land described in Schedule 2

The development referred to in Schedule 2 Part 3 Class O, P and PA to the said Order not being development comprised within any other class that is to say:

Class O – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class O of part 3 of

Schedule 2 of the Order.

Class P – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage and distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class P of part 3 of Schedule 2 of the Order.

Class PA - Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(c) (light industrial) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class PA of part 3 of Schedule 2 of the Order.

This does not affect development permitted by Schedule 2 Part 3 Class O, Class P or Class PA which is expressed to be subject to prior approval where, in relation to that development, the prior approval date occurs before the date on which the direction comes into effect and the development is completed within a period of 3 years starting with the prior approval date

SCHEDULE 2

1. Area A - Maylands Business Park, Hemel Hempstead (as shown edged and hatched red on the attached Plans Numbered 1a and 1b)
2. Area B - Whiteleaf Road, Hemel Hempstead (as shown edged and hatched red on the attached Plan Numbered 2)
3. Area C - Bourne End Mills, Bourne End (as shown edged and hatched red on the attached Plan Numbered 3)

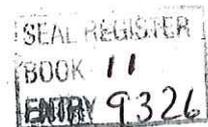
THIS DIRECTION is made under Article 4(1) of the said Order and shall come into effect on the 7th January 2020 if confirmed.

Made under the Common Seal of Dacorum Borough Council of The Forum Marlowes Hemel Hempstead Hertfordshire HP1 1DN

This 3rd day of January 2019..... The Common Seal of the Council was affixed to this Direction in the presence of:


Authorised Signatory


Authorised Signatory



Confirmed under the Common Seal of Dacorum Borough Council of The Forum Marlowes
Hemel Hempstead Hertfordshire HP1 1DN

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TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 AS AMENDED

**DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT
TO WHICH SCHEDULE 3 APPLIES**

WHEREAS Dacorum Borough Council ("the Council") being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, are satisfied that it is expedient that development of the description(s) set out in Schedule 1 below should not be carried out on the land listed in Schedule 2 below and, shown edged and hatched red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

AND WHEREAS the Council consider that the development of the said descriptions would be prejudicial to the proper planning of the area, would constitute a threat to the amenities of their area.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule 1 below, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

SCHEDULE 1

The development referred to in Schedule 2 Part 3 Class O to the said Order not being development comprised within any other class that is to say:

Class O – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class O of part 3 of Schedule 2 of the Order.

This does not affect development permitted by Schedule 2 Part 3 Class O which is expressed to be subject to prior approval where, in relation to that development, the prior approval date occurs before the date on which the direction comes into effect and the development is completed within a period of 3 years starting with the prior approval date

SCHEDULE 2

1. Area D - Park Lane, Hemel Hempstead (as shown edged and hatched red on the attached Plan Numbered 1)
2. Area E – Doolittle Meadows, Hemel Hempstead (as shown edged and hatched red on the attached Plan Numbered 2)

THIS DIRECTION is made under Article 4(1) of the said Order and shall come into effect on the 7th January 2020 if confirmed.

Made under the Common Seal of Dacorum Borough Council of The Forum Marlowes Hemel Hempstead Hertfordshire HP1 1DN

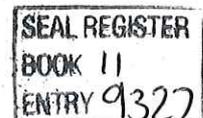
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TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT TO WHICH ARTICLE 6 APPLIES

WHEREAS Dacorum Borough Council ("the Council") being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, are satisfied that it is expedient that development of the description(s) set out in Schedule 1 below should not be carried out on the land listed in Schedule 2 below and, shown edged and hatched red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

AND WHEREAS the Council consider that the development of the said descriptions would be prejudicial to the proper planning of the area, would constitute a threat to the amenities of their area.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule 1 below, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

SCHEDULE 1

In respect of land described in Schedule 2

The development referred to in Schedule 2 Part 3 Class O, P and PA to the said Order not being development comprised within any other class that is to say:

Class O – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class O of part 3 of

Schedule 2 of the Order.

Class P – Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage and distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class P of part 3 of Schedule 2 of the Order.

Class PA - Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(c) (light industrial) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class PA of part 3 of Schedule 2 of the Order.

This does not affect development permitted by Schedule 2 Part 3 Class O, Class P or Class PA which is expressed to be subject to prior approval where, in relation to that development, the prior approval date occurs before the date on which the direction comes into effect and the development is completed within a period of 3 years starting with the prior approval date

SCHEDULE 2

Area G - Icknield Way, Tring (as shown edged and hatched red on the attached plan)

THIS DIRECTION is made under Article 4(1) of the said Order and shall come into effect on the 7th January 2020 if confirmed.

Made under the Common Seal of Dacorum Borough Council of The Forum Marlowes Hemel Hempstead Hertfordshire HP1 1DN

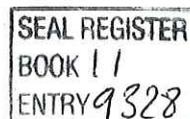
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