



Public Document Pack DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 5 SEPTEMBER 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 Wyatt-Lowe (Vice-Chairman)	Councillor Woolner
Councillor Beauchamp	Councillor Symington
Councillor Durrant	

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

AGENDA

1. **MINUTES** (Pages 5 - 28)

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) 4/02450/18/FUL - DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF A 4-BED BUNGALOW AND SIX 2-BED FLATS WITH AMENITY SPACE AND OFF STREET PARKING - AMENITY LAND AND GARAGE SITE, LONG ARROTTS, HEMEL HEMPSTEAD (Pages 29 - 62)
- (b) 4/01172/19/MFA - CHANGE OF USE FROM OFFICE (CLASS B1(A)) TO RESIDENTIAL (CLASS C3) AND UPWARD EXTENSION TO CREATE TWO ADDITIONAL LEVELS, TO PROVIDE 33 APARTMENTS COMPRISING 18 ONE-BEDROOM AND 15 TWO-BEDROOM DWELLINGS WITH ASSOCIATED CAR PARKING, BICYCLE AND REFUSE STORAGE - CHARTER COURT, MIDLAND ROAD, HEMEL HEMPSTEAD, HP2 5RL (Pages 63 - 91)
- (c) 4/01558/19/FHA - TWO STOREY SIDE, FRONT AND REAR EXTENSION - 26 ASHTREE WAY, HEMEL HEMPSTEAD, HP1 1QS (Pages 92 - 108)
- (d) 4/00611/19/FHA - CONSTRUCTION OF 1.5 STOREY SIDE/FRONT EXTENSION, DEMOLITION OF EXISTING REAR SINGLE STOREY CONSERVATORY. REPLACEMENT SINGLE STOREY REAR EXTENSION AND FRONT HIP TO GABLE ROOF EXTENSION. INSTALLATION OF REAR ROOF WINDOWS. - 74 SCATTERDELLS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EX (Pages 109 - 118)
- (e) 4/01218/19/RET - RETENTION OF USE OF BUILDING AS A DWELLING - HUNTERS LODGE, DELMEREND LANE, FLAMSTEAD, ST ALBANS, AL3 8ES (Pages 119 - 125)
- (f) 4/01698/19/FHA - SINGLE STOREY PART SIDE PART REAR EXTENSION - 115 GEORGE STREET, BERKHAMSTED, HP4 2EJ (Pages 126 - 133)
- (g) 4/01557/19/FUL - DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF A PAIR OF SEMI-DETACHED DWELLINGS. - HILLCREST, KINGSHILL WAY, BERKHAMSTED, HP4 3TP (Pages 134 - 148)

6. APPEALS (Pages 149 - 157)

DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

15 AUGUST 2019

Present:

MEMBERS:

Councillors Guest (Chairman), Maddern, Riddick, Beauchamp, Durrant, McDowell, Uttley, Woolner and Symington

OFFICERS:

F Bogle (Team Leader - Development Management), C Gaunt (Legal Governance Team Leader), N Gibbs (Lead Planning Officer), C Lecart (Planning Officer) and H Edey (Trainee Planning Officer) and C Webber (Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00 pm

250 MINUTES

The minutes of the meetings held on 25 July were confirmed by the Members present and were then signed by the Chairman.

251 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wyatt-Lowe and Councillor Oguchi.

252 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.

253 PUBLIC PARTICIPATION

Councillor Guest reminded Members and the public about the rules regarding public participation as follows:

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

254 4/03231/18/FUL - PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS. - THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS

Nigel Gibbs introduced the report to Members on behalf of the Case Officer and said that the application had been referred to the committee in view of the concerns of Chipperfield Parish Council.

Mr Huskinson spoke in objection of the application.

Councillor Graham Barrett spoke in objection of the application.

Declan O'Farrell CBE and Kerry Ann Ivory spoke in support of the application.

It was proposed by Councillor Uttley to **GRANT** the application in line with the officer's recommendation. There was no seconder to this proposal.

Councillor Guest noted that the motion fell and asked for a motion to **REFUSE**.

It was proposed by Councillor Riddick and seconded by Councillor Maddern to **REFUSE** the application on the grounds that the proposed development, by reason of the size of residential units, their site coverage, poor layout, the substandard and inadequate parking, access, turning and refuse collection arrangements would be an overdevelopment of the site, harmful to the character and appearance of the village, local highway safety and amenity contrary to Policies CS8, CS11 (a) CS12 (a) (b) (c) (g (i, iii, iv and vi)) of the Core Strategy and Saved Policy 58 and Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011.

Vote:

For: 3 Against: 2 Abstained: 4

Resolved: That planning permission be **REFUSED**.

255 4/01310/19/FHA - CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, LOFT CONVERSION AND NEW LOFT ROOM, DEMOLITION OF EXISTING GARAGE AND INTERNAL ALTERATIONS - 25 SWING GATE LANE, BERKHAMSTED, HP4 2LL

Councillor Woolner declared her interest and stated that she would not be taking part.

The Case Officer, Colin Lecart, introduced the report to Members and said that the application had been referred to the committee as it was contrary to the view of Berkhamsted Town Council.

Councillor Garrick Stevens spoke in objection of the application.

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

Vote:

For: 5 Against: 2 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>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>1918 103 1918 104 1918 105</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and in accordance with Policy CS12 of the Core Strategy (2013)</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

256 4/01145/19/FUL - CHANGE OF USE OF EXISTING GRANNY ANNEX AND EXTENSION TO FORM A DETACHED 3 BED DWELLING AND FORMATION OF NEW VEHICLE ACCESS - 243 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE

Councillor Maddern declared that she is on the Nash Mills Parish Council. She confirmed that she had not taken any part in consideration of this item, nor taken any view to date and would be approaching the application with an open mind and, therefore, there was no reason she should not partake.

The Case Officer, Colin Lecart, introduced the report to Members and said that the application had been referred to the committee as it was contrary to the view of Nash Mills Parish Council.

Parish Councillor Michele Berkeley spoke in objection of the application.

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

Vote:

For: 5

Against: 2

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>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>wren naj 34d 2019 wren naj 34b 2019</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing annexe building.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy (2013).</p>
4	<p>No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following: • A total vehicle crossover width of 5.4m (made up of four flat kerbs and two ramped kerbs). • Clarification of bin storage arrangements for the two dwellings as bins are only shown at the dwelling accessed via Bunkers Lane on the submitted plans.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy CS8 and CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>Pedestrian Visibility Splays Before the new vehicular access is first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).</p> <p>Informatives:</p> <p>Construction standards for new vehicle access</p>

	<p>Where works are required within the public highway to facilitate the new 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. 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, 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</p> <p>Road Deposits:</p> <p>It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047</p> <p>Storage of Materials:</p> <p>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</p> <p>Bat Informative:</p> <p>If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England, to avoid an offence being committed.</p>
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Item 5f was heard next as there were members of the public present to hear this application.

The meeting adjourned at 9:30pm.

The meeting reconvened at 9:36pm.

257 4/00729/19/FHA - CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A - BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY

The Case Officer, Heather Edey, introduced the report to Members and said that the application had been referred to the committee as it was contrary to the views of Flamstead Parish Council.

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

Vote:

For: 5

Against: 1

Abstained: 3

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>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>wren naj 34d 2019 wren naj 34b 2019</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing annexe building.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy (2013).</p>
4	<p>No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following: • A total vehicle crossover width of 5.4m (made up of four flat kerbs and two ramped kerbs). • Clarification of bin storage arrangements for the two dwellings as bins are only shown at the dwelling accessed via Bunkers Lane on the submitted plans.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy CS8 and CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>Pedestrian Visibility Splays Before the new vehicular access is first brought into use</p>

<p>0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).</p> <p>Informatives:</p> <p>Construction standards for new vehicle access</p> <p>Where works are required within the public highway to facilitate the new 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. 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, 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</p> <p>Road Deposits:</p> <p>It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047</p> <p>Storage of Materials:</p> <p>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</p>
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	<p>Bat Informative:</p> <p>If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England, to avoid an offence being committed.</p>
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258 4/01264/19/FHA - PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION - 11 ST MARGARETS CLOSE, BERKHAMSTED, HP4 2LH

Colin Lecart introduced the report to Members on behalf of the Case Officer and said that the application had been referred to the committee in view of the objections from Berkhamsted Town Council.

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

Vote:

For: 8 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>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>EB11SMC-01 (Location and Block Plan) EB11SMC-04D (Proposed Floor Plan) EB11SMC-05A (Proposed Floor Plan) EB11SMC-06 (Proposed Elevations)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>

259 4/02680/18/MOA - PART DEMOLITION OF EXISTING HOTEL PREMISES AND ASSOCIATED BUILDINGS, CONVERSION OF THE 'STABLE LODGE' INTO 1 NO. DWELLING, 36 NO. APARTMENTS AND 24 NO. HOUSES, AND RELOCATION OF 2 NO. EXISTING MOBILE HOMES (OUTLINE) - BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON

The Case Officer, Nigel Gibbs, introduced the report to Members and said that the application had been referred to committee as the recommendation to support the application is contrary to Bovingdon Parish Council's view.

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

Vote:

For: 6 Against: 1 Abstained: 2

Resolved: That in accordance with paragraph 5.(1) of the Town and Country Planning (Consultation) (England) Direction 2009 the application be **REFERRED** to the Secretary of State (DCLG).

In the event that the Secretary of State does not call in the application the application is **DELEGATED** to the Group Manager - Development Management & Planning **WITH A VIEW TO APPROVAL** subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 and the draft list of conditions below.

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

- Affordable housing at 35% based upon an Apartment Block (15 units) for Rent, 3 two bedroom and 3 three bedroom units for shared ownership.
- The relocated mobile homes to be limited to a period equivalent to the occupancy by the current occupants and the land to be reinstated to its existing condition.
- £15,000 to allow the bus stop outside the site to be upgraded.
- £8,000 to allow the provision of easy access kerbing at the bus stop opposite the site.

Note: A Section 278 Agreement would also be necessary to address any changes to the highway network in particular changes to the proposed site access arrangements and for the provision of a pedestrian crossing at a suitable location near the site.

Conditions

No	Condition
1	Approval of the details of the external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before the development commences. The reserved matters shall accord with the plan(s)/details approved. Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.
2	Application for approval of the reserved matters shall be made to the local planning

	<p>authority before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.</p> <p>Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
4	<p>The existing main building (as referred as No.1 shown by Drawing No.PS -06 Rev B: Proposed Development) and the ice house shall be permanently retained and no demolition of any buildings at the site shall be carried out until a scheme is submitted to and approved by the local planning authority showing exactly how the retained existing main building and ice house are to be restored and thereafter permanently retained and maintained. No part of the development hereby permitted shall be occupied until the existing retained main building is restored fully in accordance with the approved restoration scheme to a standard available for occupation and the ice house has also been restored fully in accordance with the approved scheme.</p> <p>Reason: In the interests of the character and appearance of the locality in accordance with Policies CS12 and CS27 of Dacorum Core Strategy 2013.</p>
5	<p>The three apartment blocks hereby permitted shall be no higher than the ridge level of the retained part of the existing building at the site and be of a two and half storey design.</p> <p>Reason: In the interests of the character and appearance of the development within the rural street scene and the openness the Green Belt in accordance with Policies CS5, CS12 and CS27 of Dacorum Core Strategy 2013.</p>
6	<p>Notwithstanding the details submitted with this application details submitted for the approval of the local planning authority in accordance with Condition (1) and other conditions shall include:</p> <ul style="list-style-type: none"> (a) all materials, (b) means of enclosure; (c) soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (to include structurally diverse habitat and local species of provenance), noting species, plant sizes and proposed numbers/densities where appropriate. Details shall include replacement hedgerow planting; (d) existing trees and hedgerows to be retained; (e) restoration scheme for the retained main building and icehouse; (f) tree removal; (g) tree planting, including species, planting location, timing of planting, specification and maintenance. Details shall include details of the community open space; (h) tree protection measures during the whole duration of the construction of the development; (i) measures for biodiversity enhancement;

	<p>(j) a programme for the management for the soft planting and all areas of open space;</p> <p>(k) proposed finished levels;</p> <p>(m) external lighting;</p> <p>(r) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs etc.); and</p> <p>s) the rear elevation of the dwelling on Plot 2 shall be positioned 23m from the nearest elevation two storey part of Highcroft Farm.</p> <p>The requirements of (a) to (d), (g), (j) and (k) inclusively shall be submitted within one month of the date of the commencement of the development and the requirements of (e), (f), (h) and (i) shall be submitted before the commencement of the development hereby permitted .</p> <p>All the approved hard and soft landscape works shall be carried out fully in accordance with a specified timetable fully in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS12 , CS13, CS25, CS26, CS27 and CS32 of Dacorum Core Strategy 2013 and saved Policies 99, 100, 102 and 113 and Appendices 3 and 8 of Dacorum Local Plan.</p>
7	<p>Ten percent of the dwellings hereby permitted shall be designed as lifetime homes.</p> <p>Reason: To accord with the background paragraph 14.29 of the Dacorum Core Strategy and its associated Polices CS18 and CS29 and saved Policy 18 of Dacorum Borough Local Plan.</p>
8	<p>An Ecological and Landscape Management Plan shall be submitted to, and approved in writing by, the local planning authority prior to the demolition of any buildings at the site, as part of the reserved matters. This shall include long term design objectives, a timetable, the permanent management responsibilities and maintenance schedules for the communal amenity and landscape areas, details of the mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the plan are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The Management Plan shall be carried out fully in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS12, CS13, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100, 102 and 113 and Appendices 3 and 8 of Dacorum Local Plan.</p>
9	<p>Any tree, hedge or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation. For the purposes of this condition the planting season is between 1 October and 31 March.</p>

	Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS10, CS12, CS13, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100 and 102 of Dacorum Local Plan.
10	<p>Before the commencement of the development hereby permitted details of any earth works relating to the land within the vicinity of the preserved trees and icehouse shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of the land areas with reference to the levels and contours to be formed, showing relationship with the existing preserved trees and tree protection measures. Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS12, CS13, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100, 102 and 113 and Appendices 3 and 8 of Dacorum Local Plan.</p>
11	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.</p> <p>Risk assessment of potentially damaging construction activities. Identification of 'biodiversity protection zones'. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). The location and timings of sensitive works to avoid harm to biodiversity features. The times during which construction when specialist ecologists need to be present on site to oversee works. Responsible persons and lines of communication. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. Use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of landscape and biodiversity in accordance with Policies CS5, CS12, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100 and 102 of Dacorum Local Plan.</p>
12	<p>The provision of the two mobile homes shall be ready for full occupation with all services, including all fire access arrangements, in advance of the removal and clearance of any part of the mobile home park and before any demolition works (excluding the demolition of the existing garage to facilitate the accommodation of the mobile homes) and before the commencement of the development hereby permitted a Demolition Method Statement shall be submitted to and approved in writing by the local planning authority for a management scheme. The development shall be carried out fully in accordance with the approved Demolition Method Statement.</p> <p>Reason: To ensure that the mobile homes are available for occupation and the</p>

	<p>development is safely carried out in accordance with Policy CS32 of Dacorum Core Strategy 2013.</p> <p>Informative</p> <p>The Demolition Method Statement's purpose is 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>
13	<p>Notwithstanding the submitted details and other conditions subject to this planning permission before the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be been submitted to and approved in writing by the local planning authority to illustrate the following and where appropriate alternative details to those shown by the layout PS04 Rev H:</p> <ul style="list-style-type: none"> i) Roads, footways. ii) Cycleways and cycle storage. iii) Foul and surface water drainage. iv) Visibility splays/sight lines. v) Access arrangements including access for persons with disabilities. vi) Parking provision in accordance with adopted parking standards based upon the approved layout with 4% of the spaces designed for persons with disabilities and 4 additional parking spaces available for communal use. vii) Turning areas and swept path analysis/ assessment including fire access requirements (with reference to the loading capacity and accessibility for fire tenders for access to all parts of the development and fire hydrants) and refuse vehicles, including Stable Lodge and the mobile homes. viii) Individual and communal refuse storage for all units with shared footpath access to the rear gardens for Plots 9 to 12 and alternative locations for the bin stores. ix). Electrical Charging points. x). Slab levels in relation to all parking and turning areas. <p>Setting aside the requirements to service the mobile homes hereby permitted subject Condition 12 shall the approved details shall be provided before the occupation of any of the dwellings hereby permitted and thereafter all the approved details shall be retained and maintained fully in accordance with the approved details and only used for the approved purposes.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance in the interests of ensuring highway safety and that the development is served by an adequate roadway for fire , refuse and other servicing vehicles and to provide adequate parking in accordance with Policies CS8 and CS12 of Dacorum Core Strategy 2013 and Policies 54 and 58, Appendices 3 and 5 of the saved Dacorum Borough Local Plan and Policy 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
14	<p>At least three months before the first occupation of the approved development (with the exception of the mobile homes) a 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</p>

	<p>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>
15	<p>No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ol style="list-style-type: none"> Construction vehicle numbers, type, routing; Access arrangements to the site; Traffic management requirements Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); Siting and details of wheel washing facilities; Cleaning of site entrances, site tracks and the adjacent public highway; Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times; Provision of sufficient on-site parking prior to commencement of construction activities; Post construction restoration/reinstatement of the working areas and temporary access to the public highway; 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. <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies CS8 and CS12 of Dacorum Core Strategy 2013.</p>
16	<p>In addition to the drainage requirements as required by Hertfordshire County Council Highways under Condition 13 the development hereby permitted shall be carried out fully in accordance with the following drainage requirements:</p> <p>A) The Flood Risk Assessment and Outline Drainage Strategy carried out by Curtins reference 070240-CUR-00-XX-RP-D-92001 Rev V02 dated 24 October 2018 and the email dated 04 February 2019 and the following mitigation measures:</p> <ol style="list-style-type: none"> Provision of 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, and Implementation of a drainage strategy based on infiltration and permeable paving as indicated and infiltration basin on the proposed drainage strategy drawing. <p>B) No development shall commence until the final design of the drainage scheme is completed and submitted to and approved in writing by the local planning . The surface water drainage system shall be based on the submitted the Flood Risk Assessment and Outline Drainage Strategy carried out by Curtins reference 070240-CUR-00-XX-RP-D-92001 Rev V02 dated 24 October 2018, email dated 04 February 2019. The scheme shall also include:</p>

	<ol style="list-style-type: none"> 1. Detailed infiltration testing carried out at the location of the proposed SuDS features. 2. Demonstration of an appropriate SuDS management and treatment train for surface water from the highway and the inclusion of above ground features. 3. 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. This shall be supported by a clearly labelled drainage layout plan showing pipe networks. The plan shall show any pipe 'node numbers' that have been referred to in network calculations and it shall also show invert and cover levels of manholes. 4. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths. 5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event. <p>C). Upon the 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 the following details shall be submitted to and approved in writing by the local planning 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>Reason: To ensure that the site is served by an acceptable drainage scheme in accordance with Policies CBS 29 and CS31 of Dacorum Core Strategy. with specific reference to the following:</p> <p>A). To reduce the risk of flooding to the proposed development and future occupants .</p> <p>B). To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site</p> <p>c). To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p>
17	<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 a Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Core Strategy 2013.</p>
18	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 17 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Core Strategy 2013.</p> <p>Informative: 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.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
19	<p>Before the commencement of the development hereby permitted an assessment of the noise on each habitable room (due to its exposure to transportation noise) shall be submitted to the local planning authority. 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. The approved scheme of mitigation shall be carried out fully in accordance with the approved details before the occupation of any of the dwellings hereby permitted and thereafter the approved measures shall be</p>

	<p>retained and maintained at all times.</p> <p>Reason: In the interests of the residential amenity of the dwellings hereby permitted in accordance with Policy CS32 of Dacorum Core Strategy 2013.</p>
20	<p>Any exterior lighting serving the development hereby permitted be shall be installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority. All the lighting shall be installed before the first occupation of any of the dwellings hereby permitted.</p> <p>Reason: In the interests of the local environment and highway safety in accordance with accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy 2013, Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). This is also with specific reference to the specific responses of Hertfordshire Ecology and Hertfordshire County Council Highways which have both expressed the need to address exterior lighting. In this respect Hertfordshire County Council Highways has advised that no development shall commence until a review of road lighting has been undertaken as part of the Section 278 Agreement and Detailed Design review.</p>
21	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority within Plots 2, 3 4 , 14 and 15 with the exception of a an outbuilding measuring no greater than 3m in length by 3m n width and 4 metres in height in the case of a building with a dual-pitched roof, 2.5 metres in the case of an outbuilding, within 2 metres of the boundary of the curtilage of the dwelling house 3 metres in any other case:</p> <p>Schedule 2 Part 1 Classes A and E.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of and the Green Belt in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy 2013.</p>
22	<p>Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:</p> <p>PS -02 Rev B PS 04 Rev G</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which 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</p>

accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

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.

Advice from the Environment Agency

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

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

We expect reports and Risk Assessments to be prepared in line with our Groundwater Protection guidance (previously covered by the GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

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

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

? Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

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

? From www.gov.uk:

- The Environment Agency's approach to groundwater protection (2017)
- Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
- Use MCERTS accredited methods for testing contaminated soils at the site

? From the National Planning Practice Guidance:

<p>- Land affected by contamination</p> <p>? British Standards when investigating potentially contaminated sites and groundwater:</p> <ul style="list-style-type: none"> - BS 5930:2015 Code of practice for site investigations; - BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.) <p>All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.</p> <p>Section 278 Agreement</p> <p>Any changes to the highway network would be subject to a Section 278 Agreement, in particular changes to the proposed site access arrangements and for the provision of a pedestrian crossing at a suitable location near the site.</p> <p>Storage of materials</p> <p>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.</p> <p>Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>Obstruction of public highway land</p> <p>It is an offence under section 137 of the Highways Act 1980</p> <p>Electrical Charging</p> <p>Hertfordshire County Council Highways has advised that development should include provision for 10% (site by site decision depending on nature and size of development) of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready (domestic and/or fast) charging points. Reason: To ensure construction of a satisfactory development and to promote sustainable development in</p>
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accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

Ecological Issues

Hertfordshire Ecology has advised :

1 The Phase 1 Habitat Survey (June 2017) includes a bat Preliminary Roost Assessment in respect of building inspections. No evidence was found but buildings and several trees had potential. An ice house was not inspected. The Habitat Survey described the habitat features within the site and appears to be a reasonable and valid account. Other than mature trees no features of particular significance were identified although the semi-improved grassland (Target Notes S1, S2) was considered to have a good diversity of plants. Breeding bird potential was identified. No evidence of badgers other than potential for foraging. There is potential for hedgehogs. The need for various further surveys was also identified – mainly bats and reptiles. It is, however, disappointing that the survey Target Notes results are not included within the Report, so there is no means of assessing the conclusions based upon the evidence presented.

2.2 The site is considered to have low-moderate ecological potential. This is a reasonable assessment – but in the context of the site itself. Given its location, other surrounding habitats would probably have a similar value. Consequently, the ecological value does not represent a significant constraint on development.

3.1 Further bat activity surveys (July-Sept 2017) found evidence of bat roosting in a number of buildings, low numbers of common pipistrelle and brown long-eared bats, with other bat species foraging. The building complex has an associated complex array of roof structures, so some use is not surprising. It is interesting to note that activity was especially high around T1 which is immediately adjacent to the Ice House, although obviously there is no direct connection unless the building is used for roosting, for which there is no evidence. Outline mitigation has been proposed which includes bat boxes and access tiles, and is acceptable. It is recognised an EPS licence will be required and there is no reason to believe that such a licence would not be issued.

3.2 Bat enhancements are suggested, including limiting lighting and associated advice, which HE support. The only missing aspect is the ice house, which should be subject to protection, surveys and enhancement for bats for use as a roosting or hibernation resource. Such proposals were not identified with previous surveys, but should certainly be considered now.

4. The reptile survey (August-Sept 2017) found no evidence of reptiles although habitat enhancements are suggested.

5. An Ecological update report (Sept 2018) has been provided. HE support the mitigation and enhancements proposed, although no details on Target Notes have been provided. The report does not identify any major constraints and HE have no reason to consider otherwise. Consequently HE have no objections to the development on the grounds of ecology.

<p>6. HE consider the proposals will impact on the local ecology in a number of ways leading to a local net loss, although HE consider this to be relatively minor for what is essentially a largely developed site. New tree planting and retained areas will largely compensate for any losses.</p> <p>7. HE consider the most significant aspects of the site to be the retained trees, ice house and adjacent habitat, and the area of open grassland in the south of the site. The proposals are not clear for this area – one plan suggests retention of trees on this area – but there aren't any other than along the boundary. HE acknowledge the proposed ecological enhancements but do not consider they make the most of the opportunities available on this site associated with the most valuable features HE has highlighted.</p> <p>8. Consequently in respect of further enhancement, HE consider the following needs to be developed further:</p> <p>8.1 Conservation and enhancement of the Ice House and surrounding habitat for bats;</p> <p>8.2 Retention and management of the open grassland in the south of the site, also identified as supporting self-set trees and saplings. Currently no development proposals have been presented for this area – it is identified in the site layout plan (Fig 3, Planning Statement) for retention (Drawing PS-04) although it is also shown as Public Open Space and 'attenuation feature' within the Arboricultural Impact Assessment (p.17, Tree Retention and Removal Plan). This could be cleared and retained and managed as a wildflower meadow for the benefit of ecology and the local community, depending on whether the site already has some interest; however, it is not possible to determine this from the survey information – which HE consider should be provided in order to make an informed judgement;</p> <p>8.3 Alternatively – or in addition to the grassland management - the area could be planted to create a local community orchard, which would provide both an amenity and ecological asset. This would be suitable if the existing grassland was not of particularly high quality. Currently no proposals for use or management of this area have been provided, so this remains a valuable opportunity without compromising the existing development proposals themselves.</p> <p>9. Consequently, if approved, HE would consider that a landscape and ecology management plan (LEMP) should be submitted as a Condition to the satisfaction of the LPA which addresses these issues. I can provide further advice in respect of orchard creation if requested.</p> <p>10. A lighting plan should also be submitted as a Condition to demonstrate how local impacts of light pollution will be controlled and reduced, particularly in the area of the ice house.</p> <p>11. HE consider the enhancements outlined above are consistent with the aims of NPPF in respect of generating ecological gains from development.</p> <p>12. If the above approach is not supported by the LPA or the development – HE suspect the open grassland area is likely to be identified for general amenity use and also possibly for SUDS – which will largely remove any existing interest or potential – then HE would expect this impact to be compensated with appropriate Biodiversity Offsetting support for projects elsewhere in the local area. I can advise further on opportunities for this if requested.</p>

Crime Prevention/ Security

Hertfordshire Constabulary Design Out Crime Officer confirms that there is no objection to this application, however there is no reference to of security or crime prevention in the documentation. It is requested t the applicant considers building the development to the Physical Security standard Secured by Design which will also meet the requirements of Building Regulations (Approved document Q).

Thames Water Advice

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 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 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 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.

Water Comments

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

Cadent Gas Advice

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must

contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Energy Source Condition

With the applicant failing to state explicitly in the submitted energy report the site energy source; 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.

- a). Prior to the development commencing, evidence to demonstrate compliance with these emission limits should be will be submitted to the Local Planning Authority for approval.
- b). Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).
- c). The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5Um. Details to demonstrate compliance with this condition must be submitted to the local authority for approval prior to works commencing.

Site Waste Management Plan

Hertfordshire County Council has advised:

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;

	<p>the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'</p> <p>This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:</p> <p>Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;</p> <p>Policy 2: Waste Prevention and Reduction: &</p> <p>Policy 12: Sustainable Design, Construction and Demolition.</p> <p>In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.</p> <p>The county council would expect detailed information to be provided separately for the demolition, site preparation and construction phases of development. The waste 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</p> <p>The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.</p>
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260 APPEALS

That the following appeals were noted:

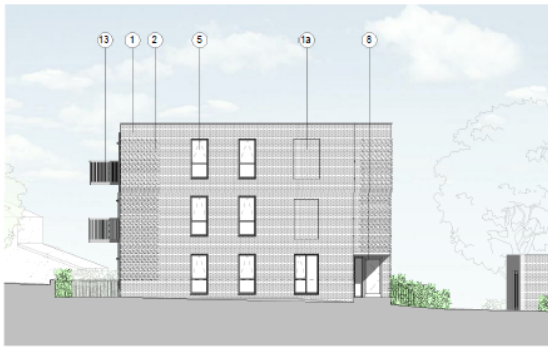
- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING INQUIRIES**
- E. DISMISSED**
- F. ALLOWED**

The Meeting ended at 9.52 pm

Item 5a

4/02450/18/FUL DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF A 4 BED BUNGALOW AND 6 X 2 BEDROOM FLATS

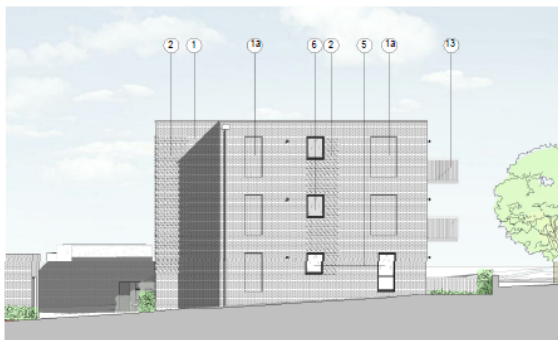
GARAGE SITE AT LONG ARROTTS, HEMEL HEMPSTEAD



① Flats South Elevation
1:200



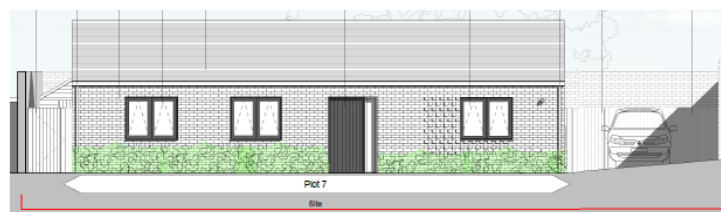
② Flats East Elevation
1:200



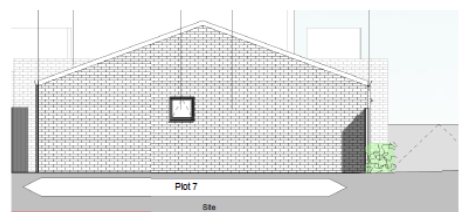
③ Flats North Elevation
1:200



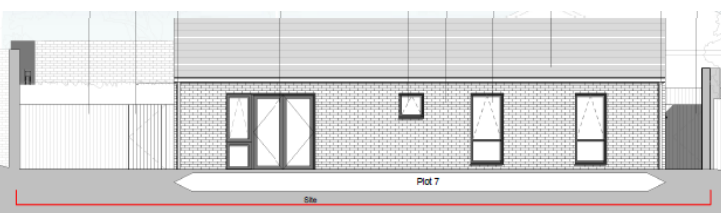
④ Flats West Elevation
1:200



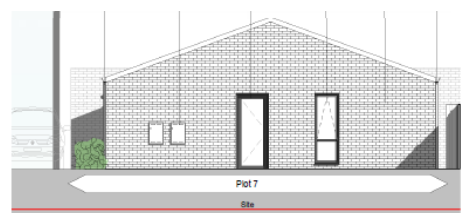
① Houses Front Elevation
1:100



② Houses East Elevation
1:100



③ Houses Rear Elevation
1:100



④ Houses West Elevation
1:100

4/02450/18/FUL	DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF A 4-BED BUNGALOW AND SIX 2-BED FLATS WITH AMENITY SPACE AND OFF STREET PARKING
Site Address:	AMENITY LAND AND GARAGE SITE, LONG ARROTTS, HEMEL HEMPSTEAD
Applicant:	Watford Community Housing
Case Officer:	Martin Stickley
Referral to Committee:	Council Interest

1. Recommendation

1.1 That planning permission is **GRANTED** subject to conditions set out in this report.

2. Summary

2.1 The principle of providing seven affordable units on this site which constitutes previously developed land and amenity land within the urban area of Hemel Hempstead is found to be acceptable. The design, scale and layout of the proposal raises no concerns. The proposed external amenity areas and parking/access arrangements are considered acceptable. The living conditions of the neighbouring residents would not be compromised.

2.2 As such, the proposal is considered acceptable in accordance with Policies CS4, CS11, CS12 and CS17 of the Dacorum Borough Core Strategy (2013); saved Policies 10 and 116 of the Dacorum Borough Local Plan (2004) and Paragraph 118 (d) of the National Planning Policy Framework (2019).

3. Site Description

3.1 The application site primarily comprises an 'L-shaped' area of unkempt amenity land, located at the end of Long Arrotts, south of Galley Hill in Hemel Hempstead. The amenity land comprises a number of semi-mature and mature trees, along with shrubs and hedges. The site also encompasses a garage court situated between the rear of 68-70 Long Arrotts and 14-16 Sleets End. The garage court is accessed from either the east (pedestrian footpath linking to Manscroft Road) or west (vehicular access connecting to the top of Long Arrotts).

3.2 The surrounding area is primarily characterised by c. 1950's terraced properties and rows of larger three-storey terraced town houses. There are also blocks of flats within proximate distance (e.g. Pescot Hill). To the east of the site there is a hall (scout hut) with an access to the garage court. To the north there is a single detached dwelling, which appears at odds with the overall character of the area.

4. Proposal

4.1 Planning permission is sought for the demolition of the garages and the construction of seven residential units (comprising six 2-bedroom flats and a one 4-bedroom bungalow). The flats would accommodate an average floor area of approximately 61m², whilst bungalow would have a floor area of 103.3m². The block of flats would be sited on the amenity land and the bungalow on the garage block area.

4.2 In the northern section of the site, an area of hardstanding would provide 14 parking spaces for the six flats. The bungalow would be provided with two spaces adjacent to the property. An area of amenity land would be retained in the western section of the site, beneath the existing trees. It is proposed that the current access is retained from Long Arrotts, but the footway leading to the garage block is turned into a level or 'shared' surface to allow for a wider access.

5. Relevant Planning History

5.1 None.

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
- CS17 - New Housing
- CS18 - Mix of Housing
- CS29 - Sustainable Design and Construction
- CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (Saved Policies)

- Policy 10 - Optimising the use of Urban Land
- Policy 18 - Size of New Dwellings
- Policy 21 - Density of Residential Development
- 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 116 - Open Land in Towns and Large Villages
- Policy 129 - Storage and Recycling of Waste on Development Sites

- Appendix 1 - Sustainability Checklist
- Appendix 3 - Layout and Design of Residential Areas
- Appendix 5 - Parking Provision Appendices

6.4 Supplementary Planning Guidance/Documents

- Accessibility Zones for the Application of Car Parking Standards (2002)
- Area Based Policies - HCA6 Gadebridge (2004)
- Manual for Streets (2010)
- Planning Obligations (2011)
- Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
- Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
- Strategic Housing Market Assessment (February 2016)

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 residential development;
- 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 the residential area of Hemel Hempstead. It is not an allocated housing site and is therefore considered a 'windfall site'. Dacorum's Core Strategy (Policy CS1) states that Hemel Hempstead will be the focus for homes and directs residential development to the towns and established residential areas (see Policy CS4).

9.3 The site is formed of two parts. The smaller south-eastern section is currently a garage court, considered as 'previously developed land'. The National Planning Policy Framework (the 'Framework') encourages the provision of more housing within towns

and the effective re-use of previously developed land.

9.4 The larger north-western section of the site comprises an area of undeveloped non-designated 'Open Land'. Saved Policy 116 refers to the consideration of the local contribution of such areas of non-designated Open Land:

9.5 *"Proposals to develop on other open land in towns and large villages will be assessed on the basis of the local contribution the land makes to leisure facilities, townscape, visual amenity, nature conservation and the general environment."*

9.6 Character Area Appraisal HCA6 (Gadebridge) states that the loss of areas of amenity land to development will not normally be permitted unless it can be demonstrated that the loss if the land will not unduly harm the character and appearance of the area.

9.7 The site forms part of a quite attractive and extensive network of amenity areas, which together form part of the intrinsic character of the original 'New Town' neighbourhoods. However, whilst the site has some contribution to the local area, it is not felt that the proposal would significantly harm the prevailing character of the area or the townscape.

9.8 The proposal would make a contribution towards meeting the Borough's identified affordable housing need of 366 homes per annum, as acknowledged by the Council's Strategic Housing Market Assessment (SHMA) (table 2, executive summary). Of the seven proposed units, all seven (100%) would be affordable.

9.9 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). As such, and given that the development would be located in a sustainable location, the proposal is in accordance with Policies CS1, CS4, CS17, saved Policy 10 and the Framework. Considering this, there is no compelling objection to the principle of the proposed development.

Impact on Residential Amenity

9.10 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.

Visual Intrusion and Loss of Light

Bungalow

9.11 The plans submitted with the application originally included proposals for two 2-storey semi-detached dwellings on the garage court. The ground level declines between Long Arrotts and Sleets End and the scale of the proposed units would have created an undesirable relationship between the existing/proposed properties. The original proposal was considered to be visually intrusive/overbearing on these adjacent neighbours.

9.12 This issue was presented to the Architect and the proposal was scaled-back. The semi-detached units were removed and replaced with a modest single-storey bungalow. Following these amendments, it is not felt that the proposed garage court redevelopment would be overbearing or result in any significant impacts in terms of visual intrusion or loss of light.

9.13 Several adjoining neighbours from Sleets End raised concerns over the loss of the existing 2.8m boundary wall that surrounds the garage court. This issue was raised with the Architect and it was agreed to retain the wall. Considering the limited height of the proposed bungalow, with a maximum height of 4.2m and an eaves height of 2.5m, and the scale of the existing wall, the bungalow would be largely concealed from the adjacent neighbours ground-floor windows and gardens. Further, due to the single-storey nature of the bungalow and the fact that there are no first-floor windows, it is not felt that any of the neighbours would suffer from loss of privacy or overlooking.

Flats

9.14 The block of flats has been positioned and orientated in a way that it is unlikely that any of the neighbours would be directly affected in terms of visual intrusion. The nearest residential unit (70 Long Arrotts) is situated approximately 9m from the proposed block, followed by 15.5m to the nearest property on Cooks Vennel. Neither of these properties directly face the proposed building.

9.15 There are two first-floor flank windows on 70 Long Arrotts, however, they are not primary windows and do not serve habitable rooms. There are no first-floor flank windows that would be effected on Cooks Vennel. The 3-storey building to the west of the site and comprising Nos. 67-69 Long Arrotts faces directly on to the proposed block of flats. However, due to the distance between the existing/proposed buildings (over 30m), and the fact that the large trees between the sites are being retained, it is not felt that there would be a severe impact in terms of visual intrusion.

9.16 Taking all of the above into account it is not considered that any of the surrounding units would be significantly effected in terms of loss of light or visual intrusion. Therefore, the proposal complies with Policy CS12 in this regard.

Overlooking / Loss of Privacy

9.17 A number of neighbours have objected with regards to overlooking/loss of privacy. Objections from Sleets End raised concern with potential overlooking from the originally proposed semi-detached units. The removal of these units has resolved this issue. No further objections were received in relation to overlooking from these properties following re-consultation on the amended scheme.

9.18 An adjacent property from Long Arrotts raised the following concerns: *"We feel that the rear windows of the proposed flats block will be looking directly into our garden area which again will interfere with our privacy."* Further assessment has revealed that the proposed windows would not offer direct views into the garden area of this resident. The southern windows would face the flank wall and the eastern windows would face towards Manscroft Road. Therefore, although oblique views may be

possible from the windows, the scheme has managed to avoid direct overlooking into this garden area.

9.18 The neighbour at Cooks Vennel (which sits to the north of the site) also objected with regards to loss of privacy: *"This development will severely affect our privacy, not only will we be overlooked by the development of flats, which are 3 storeys high, we will lose privacy due to removal of trees, which currently afford us privacy and provide some security."*

9.19 The proposed block of flats would offer no direct views into any of the windows at 4 Cooks Vennel. The minimum distance between the block of flats and the boundary to the neighbour at Cooks Vennel is approximately 21.6m. The property is situated over 30m away. Keeper's Cottage also sits north of the development site and has a boundary that is approximately 5.5m away from the proposed northern wall of the block of flats. The original scheme would have provided direct views from the first and second floor flats into the private amenity spaces of these properties (4 Cooks Vennel and Keeper's Cottage). Following discussions with the Architect, the scheme was adjusted to remove or obscure the first and second floor windows on the northern elevation. The amended scheme has resolved the issue of overlooking.

9.20 There would be some loss of vegetation on the neighbours boundary at Cooks Vennel and Keepers Cottage, which would open up views into/out of the site from ground level. If the application is approved, a landscaping condition would be added to ensure that some vegetation is retained. Replacement planting could be offered to alleviate this neighbours' concerns.

9.21 In summary, it is felt that all of the concerns with regards to loss of privacy have been overcome. The implementation of the aforementioned planning condition should provide some replacement screening for the neighbours to the north of the site.

Impact on Highway Safety

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. A number of the neighbour responses raised road safety concerns relating to congestion, parking and the arrival/collection of children to the neighbouring Scout Hut.

9.28 The 1st Gadebridge Scout Leader raised the following concerns with the proposal: *"I object due to the limited access to the Scout Hut and the pressure on which the surrounding roads-namely Manscroft Road will incur. Parents will find it difficult to drop Children off directly outside and the pathway to Manscroft Road is not lit well. I worry about the increased number of cars due to the new builds, and feel that the close proximity of the builds to the hut pose a potential safeguarding issue. The lack of access will also hinder us hiring out the hut as it won't be so desirable if there's no turning space. We will lose much needed revenue due to this."*

9.29 It appears that the existing garage block/access road has been used as a turning area for parents dropping of children at the Scout Hut. The comments from the Scout Leader appear to identify an existing issue that needs to be addressed by the Council.

Now that the land has been sold, the use of the land as a turning area could not be maintained indefinitely. A refusal based on these concerns would therefore be inappropriate.

9.30 HCC as the Highway Authority assessed the proposal and consider that it would not have an unacceptable impact on the safety and operation of the surrounding highway network. They originally raised concerns with the narrow access road and potential traffic flows. The Architect submitted an amended site plan to incorporate a new shared surface area to widen the access. The Architect also provided a number of tracking/swept path diagrams. Following the submission of this amended information, no objections were raised from the Highway Authority, subject to the inclusion of several planning conditions. These would be added if the application is approved.

Car Parking

9.31 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.

9.32 Dacorum's local parking standards (as set out in saved Appendix 5 of the Local Plan) require, as a maximum, 1.5 parking spaces per 2-bedroom dwelling and three spaces for 4-bedroom dwellings. Therefore, the maximum parking standards for six 2-bedroom flats and one 4-bedroom bungalow equates to 12 parking spaces.

9.33 The proposal provides 16 parking spaces, which is above the maximum standard for a residential development of this size. It is assumed that 1-4 parking spaces would be provided for visitors. Information relating to parking space allocation has not been provided. Therefore, if the application is approved, this information would be requested as part of the proposed landscaping condition.

9.34 The application site is situated within a developed urban area. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are local shops on Galley Hill and frequent buses to the town centre and main line railway.

9.35 Considering the sustainable location of the development site and the over provision of parking spaces, it is unlikely that the proposal would place undue stress on the surrounding road network. In summary, the proposed parking provision and internal layout is deemed acceptable in accordance with Policy CS12 and saved Appendix 5.

Quality of Design

9.36 The Framework highlights core principles that planning should take account of such as the different roles and characters of different areas, and always seek to secure high quality design. More specifically, Policies CS11 and CS12 state that development should respect the typical density intended in an area, coordinate streetscape design between character areas, integrate with such character, and respect adjoining properties in terms of layout, site coverage, scale, height, bulk, landscaping, and amenity space.

Layout

9.37 The proposed development does not seamlessly integrate with established urban grain but the reasons for positioning the units in this way (to avoid impacts on the neighbours) is understood. The Framework's emphasis on the redevelopment of previously developed sites and the provision of seven new units is felt to outweigh the negative impact on the spatial pattern of the area.

9.38 Sufficient separation distances between the proposed units and the surrounding residential development have been achieved in accordance with layout principles in saved Appendix 3. There are no unacceptable front-to-back distances. There are some limited back-to-side distances (10.6m-12.9m) between Sleets End/Long Arrotts and the proposed bungalow, but as mentioned previously, the limited height/scale of the bungalow is felt to remove any potential issues with these neighbours. The distance of 9m between 70 Long Arrott and the proposed tower block exceeds the medium spacing range (2m to 5m) as set out in the Gadebridge Character Appraisal (HCA6).

9.39 The flats are designed to have similar floor plans, with living areas/kitchens towards the western elevation and bedrooms/toilets towards the eastern elevation. Each unit has a one toilet and two bedrooms. The proposed units have a sufficient level of internal space. All habitable rooms would receive adequate levels of daylight and sunlight. Although not currently adopted by Dacorum Borough Council, all of the proposed units meet National Space Standards.

9.40 The large Oak tree (T803 as identified in the Tree Impact and Method Statement) is fairly close to the block of flats. It has the potential to restrict natural light from entering the main living areas of the westerly flats, especially during summer months. Dual-aspect living room/kitchen areas have been provided to counter this issue.

9.41 The proposed flats would benefit from two small areas of private external amenity spaces to the north and west of the building. Although limited, these areas are considered adequate due to the close proximity of a large area of public open space i.e. Gadebridge Park. The proposed bungalow has a garden depth of 8m. This falls below Dacorum's minimum garden depth of 11.5m (see saved Appendix 3), however, the garden width is 18.7m and therefore the total garden area is considered more than sufficient for a dwelling of this size.

Scale

9.42 HCA6 (Gadebridge) states that all dwelling types are acceptable, although the specific type should relate well to adjacent and nearby development in terms of design, scale and height. With specific regard to height, three-storey development may be permitted where adjacent or nearby buildings are of a similar or greater height, dependent upon its impact on the character and appearance of the area.

9.43 The proposed block of flats would not be too dissimilar in terms of height when compared to the 3-storey properties to the west of the site (47-69 Long Arrotts). The overall impact on the character and appearance of the area is felt to be marginal. The design/scale of the bungalow differs from surrounding residential units, but is similar in to the neighbouring Scout Hut. Overall, the scale of the proposed buildings are considered acceptable.

Density

9.44 HCA6 states that density should be at the medium range, at around 30-35 dwellings/ha (net). However, this may rise to a higher density in the range of 35-50 dwellings/ha for sites at or close to the Rossgate Local Centre, where the character and appearance of the area is not unduly harmed (HCA6). The proposed density is 41 dwellings/ha. Considering that the site is situated close to Rossgate, and the push for the optimisation of urban land (saved Policy 10), a slightly higher density (than set out in HCA6) is considered to be appropriate.

Appearance

9.45 The external materials of the surrounding buildings is varied, with examples of red multi-brick, light brick, render and different roof tiles (e.g. concrete and slate). The proposed flats do not follow the characteristics of the surrounding properties of the area but would add to the existing variety of house styles/types.

9.46 Flat roof buildings are uncommon in the area. However, some examples can be found, such as the flats on Hilldown Road or the numerous garage blocks dotted around. Although the design of the block of flats differs from the normal characteristics of the area, the design/appearance, bulk, scale and height of the proposal is found to be acceptable in accordance with the HCA6 and Policy CS12.

10. Other Material Planning Considerations

Trees and Vegetation

10.1 Dacorum's Trees and Woodlands Department have assessed the submitted Tree Reports and have stated that no trees of significant landscape value or amenity will be detrimentally affected by the development. Furthermore, the Tree Protection Plan submitted provides adequate protection for all trees with amenity value.

10.2 It is noted that a fairly large number of small trees/hedgerows/shrubs would be effected by the proposal. Therefore, if the application is approved, a landscaping condition would be added to ensure that there is an appropriate level of replanting.

Ecology

10.3 The County Ecologist responded to the consultation from the Council and recommended a number of conditions and informatives relating to protected species and wildlife. These will be added to the planning consent if the application is approved.

Contamination

10.4 Dacorum's Contamination Department has identified that the proposed development is located within 105m of a former contaminated land use (i.e. unspecified garages). Therefore, they have requested that two conditions are placed on the application, if approved.

Affordable Housing

10.5 The Applicant, Watford Community Housing Trust (WCHT), are a housing

association. They purchased the land from Dacorum Borough Council under the proviso that affordable housing would be delivered on the site. Whilst, in planning terms, the affordable housing would not affect the acceptability of the development, it does weigh in favour of the scheme.

10.6 In-line with Policy CS19, which has been subject to updated interpretation through the Council's Affordable Housing SPD – Clarification Note, the construction of seven dwellings would not give rise to a requirement for affordable housing. Considering this, it is not considered necessary to require a legal agreement to secure the affordable housing. However, this would be subject to a separate agreement between the Applicant and Dacorum's Housing Department.

Community Infrastructure Levy

10.7 The proposed development would be subject to Community Infrastructure Levy (CIL) charges in accordance with Policy CS33 of the Core Strategy and the 'Charging Schedule'. The site is located within CIL Zone 3 and therefore a charge of £100 per square metre (plus indexation) would be levied against the proposal.

10.8 The applicants may be eligible for an exemption from the charge as an affordable housing provider and subject to the submission of a relevant and complete relief claim. These should be submitted and agreed with the Council prior to the commencement of works.

Response to Neighbour comments

10.7 The points raised by neighbours have been addressed within this report.

11. Conclusions

11.1 The site is not designated as a housing allocation in Dacorum's Local Plan, as such the site can be regarded as a 'Windfall' housing opportunity that will contribute to Dacorum Council's 5-year housing land supply. The proposal would make efficient use of a redundant previously developed site and part of an unkempt amenity area to provide six affordable 2-bedroom flats and one 4-bedroom bungalow. This would contribute to the choice of housing stock in the area.

11.2 A number of objections have been received from neighbouring residents, however, during the determination period the scheme has evolved to reduce any potential impacts on these neighbours. The resultant proposal would not have an unacceptable impact on loss of daylight, outlook or privacy to neighbouring dwellings.

11.3 The scheme provides acceptable internal spaces and layouts, and the external amenity areas are considered sufficient. Further, the proposal provides adequate parking, access arrangements and bin store facilities.

11.4 Overall, the proposals are considered to be acceptable and are felt to be in accordance with the development plan. Therefore, the application is recommended for approval, subject to a number of conditions listed below.

13. RECOMMENDATION – That planning permission be **GRANTED** for the reasons

referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013).</p>
3	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 2 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</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>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> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013).</p>
4	<p>Prior to first occupation of the development hereby permitted, full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>Raised hump relocated to the entrance to private access road rather than on the highway in Long Arrotts (this will allow the carriageway on the private access road to be raised to match the height of the existing footway and enable the shared access area to be created without interfering with the highway at the end of the cul-de-sac).</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).</p>
5	<p>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.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).</p>
6	<p>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.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).</p>
7	<p>A Landscape and Ecological Management Plan (LEMP) shall be submitted to,</p>

	<p>and approved in writing by, the Local Planning Authority prior to the commencement of development. The content of the LEMP shall include the following:</p> <p>a) Location, number and type of ecological enhancements;</p> <p>b) Specifications of species and seed mixes used in landscaping plans;</p> <p>c) Method statement as to how vegetation and enhancements are to be managed and maintained for the benefit of wildlife.</p> <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).</p>
8	<p>Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. It should follow guidance from the Bat Conservation Trust and CIE 150:2017 Warm-white (long wavelength) lights with UV filters should be fitted as close to the ground as possible. Lighting units should be angled below 70° and equipped with movement sensors, baffles, hoods, louvres and horizontal cut off units at 90°.</p> <p>Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).</p>
9	<p>Prior to the commencement of the development, a reptile survey shall be carried out within the site by a suitably qualified and experienced ecologist. A report of the findings, including a suitable mitigation/compensation strategy should reptiles be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).</p>
10	<p>Construction of the superstructures for the block of flats and bungalow hereby approved shall not take place until full details of both hard and soft landscape works for their respective curtilages (either side of the access road) has been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <p>all external hard surfaces within the site;</p> <p>other surfacing materials;</p> <p>means of enclosure;</p> <p>soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;</p> <p>minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or</p>

	<p>other storage units, etc.); and parking spaces allocations including visitor spaces.</p> <p>The landscape works shall be carried out in accordance with the approved details prior to first occupation of the respective buildings.</p> <p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of 3 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.</p> <p>Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).</p>
11	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>RT17075_LA_100 (Revision PL7) – Proposed Site Plan RT17075_LA_101 (Revision PL4) – Proposed Elevations RT17075_LA_102 (Revision PL2) – Proposed Flat Block Elevations RT17075_LA_103 (Revision PL4) – Proposed Floor and Roof Plan RT17075_LA_104 (Revision PL2) – Proposed Flat Block Plan (Level 0) RT17075_LA_105 (Revision PL2) – Proposed Flat Block Plan (Levels 1 and 2) MR/170304/FULL/sh – Development Site Impact Assessment & Method Statement MR/170304TPP – Tree Protection Plan MR/170304TCP – Tree Constraints Plan 15500/KL Rev A – Sustainable Drainage Strategy</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive pre-application engagement and and early 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> <p>Ecology</p> <p>Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water.</p>

<p>Any 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 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.</p> <p>Any limbs and tree sections which exhibit potential roost features (such as knot holes, cavities, etc.) shall be slowly lowered and cushioned, under the direct supervision of a suitably qualified ecologist, thereby reducing the impact on these tree sections as they are brought to the ground. Tree sections shall be left on the ground overnight before removal from the site. In the unlikely event that any bats are roosting this will allow them to disperse.</p> <p>Highways</p> <p>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.</p> <p>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</p> <p>Environmental & Community Protection</p> <p>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.</p>

Consultation Responses

Hertfordshire Ecology

The Hertfordshire Environmental Records Centre has no data regarding this site. MKA Ecology Limited carried out a Preliminary Ecological Appraisal (PEA) on the 13 December 2017, followed by a daytime aerial bat inspection of trees on 01 November 2018. These reports were appropriate in scope and methodology.

Bats

One of the buildings with lifted weatherboards was identified in the PEA as having low potential to support roosting bats. The suggestions with regards – to demolition of this building should be followed in full.

Trees identified as having some potential for bat roosts in the PEA were in the subsequent bat survey identified as having only low potential to support roosting bats and, following best practice guidelines, no further surveys are needed. However if these trees are proposed for removal, then precautionary soft-felling measures should be adopted. The following *Informative* should be added to any permission granted:

“Any limbs and tree sections which exhibit potential roost features (such as knot holes, cavities, etc.) shall be slowly lowered and cushioned, under the direct supervision of a suitably qualified ecologist, thereby reducing the impact on these tree sections as they are brought to the ground. Tree sections shall be left on the ground overnight before removal from the site. In the unlikely event that any bats are roosting this will allow them to disperse.”

With the proceeding PEA and this bat report, which include sensible precautionary measures, I consider the LPA has sufficient information to fully consider any impact on bats (which are classified as European Protected Species) prior to determination.

Reptiles

The PEA identified the rough grassland on site as being a potential habitat for supporting reptiles, in particular slow worms and grass snakes. These species are protected by the Wildlife & Countryside Act 1981 and consequently the following *Condition* should be added to any consent.

“Prior to the commencement of the development, a reptile survey shall be carried out within the site by a suitably qualified and experienced ecologist. A report of the findings, including a suitable mitigation/compensation strategy should reptiles be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.”

Nesting birds

The proposal will require the removal of a number of shrubs which could provide potential for nesting birds and I advise the following *Informative* is added to any permission granted:

“Any 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 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.”

Hedgehogs

The areas of rank semi-improved grassland and scrub provide potential habitat for hedgehogs. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline. In order to prevent harm to this species during the construction process I advise the following *Informative* is added to any permission granted:

“Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water.”

Lighting

Lighting that illuminates bordering vegetation, like the oak trees adjacent to the site, can impact on the natural foraging commuting behaviour of nocturnal species such as bats. To reduce the negative impact on protected species the following *informative* should be included with any consent.

“Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. It should follow guidance from the Bat Conservation Trust and CIE 150:2017 Warm-white (long wavelength) lights with UV filters should be fitted as close to the ground as possible. Lighting units should be angled below 70° and equipped with movement sensors, baffles, hoods, louvres and horizontal cut off units at 90.”

Opportunities for biodiversity enhancement

The habitats to be removed are not rare or of high ecological value, however they do represent a locally important resource for common species. Consequently their removal will result in a loss of biodiversity. The areas of defensive planting/ hedging and grass proposed in the DAS provide an opportunity to provide ecological enhancement to the site. To achieve this, species and seed mixes used should be in line with the recommendations of the PEA. The PEA makes other recommendations for ecological enhancements relating to bat and bird boxes, as well as measures for hedgehogs, and these should be adopted in full. The majority of the 12 bird boxes, to compensate for the loss of nesting sites, should ideally be of the type that are integrated into the building fabric.

I advise the following should form a *Condition*, to ensure the development delivers the proposed benefits for biodiversity:

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. The content of the LEMP shall include the following:

- a) Location, number and type of ecological enhancements;*
- b) Specifications of species and seed mixes used in landscaping plans;*
- c) Method statement as to how vegetation and enhancements are to be managed and maintained for the benefit of wildlife.*

NATS Safeguarding

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Parks and Open Spaces

Is it worth having walls and additional hedges. It would make more sense from a maintenance perspective to have one or the other.

Trees and Woodlands

The applicant has submitted a Tree Constraints Plan for the proposal which clearly identifies and categorises trees likely to be affected by the development. The majority of trees and groups are categorised either 'C' or 'U' and therefore are not of sufficient quality to require retention, with the exception of G815 ('B' category) and T801 ('A' category). There are a significant number of tree removals required to facilitate the development. However, there is limited available space to replant, and as both G815 and T801 are advised as being retained as part of the scheme, I have no concerns regarding this approach.

According to the Proposed Site Plan submitted, there are a number of trees being retained which are both within and outside of the development site. All trees are likely to be detrimentally affected by construction practices if they are not afforded adequate protection. As such, I require the applicant to submit a Tree Protection Plan which clearly demonstrates how the applicant intends to protect trees throughout the scheme, from commencement to completion.

Comments on additional information

The Tree Protection Plan submitted provides adequate protection for all trees with amenity value. Consequently, I have no further reservations regarding the application and recommend approval.

Contamination

Please be advise that we have no objection to the proposed development in relation to Noise, Air Quality and land contamination.

However, having given adequate consideration to the submitted Design and Access Statement and with the proposed development land located within 105m of a former contaminated land use i.e. un-specified garage, 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). Demolition Method Statement

Prior to demolition works commencing a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from

and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.

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

4). Un-expected Contaminated Land Informative

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

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:

1. The proposed access arrangements are not in accordance with Hertfordshire County Council's (HCC) specifications as documented in 'Roads in Hertfordshire; Highway Design Guide' and has the potential to interfere with the free and safe flow of highway users on the adjacent local access road. The proposals are therefore contrary to policy guidelines as outlined in 'National Planning Policy Framework (NPPF)' 2012 and HCC's 'Local Transport Plan 4' 2011.

Please see the following comments / analysis for further information:

COMMENTS / ANALYSIS: The proposal comprises of the demolition of 14 garages and construction of eight 2-bed dwellings on land at Long Arrotts, Hemel Hempstead. Long Arrotts, Hemel Hempstead is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.

The proposed works use an existing private access road which leads from the turning head at the northern end of Long Arrotts, which currently serves the 14 garage and a scouts hall. The proposals use this private access road to access two proposed dwellings on the site of the garages, a new access on the north side of the private road leading to six further dwellings (and the main proposed parking area) and maintain access for the existing scouts hall.

The access road is approximately 3.5m wide and would not enable two vehicles to pass one another. The arrangements are therefore not in accordance with HCC's Roads in Hertfordshire, which states that "a single lane access will normally be sufficient to serve up to 3 individual dwellings or equivalent". The existing proposals do not demonstrate sufficient measures to mitigate the effect of the anticipated use of the single lane stretch of road or in the vicinity of the site to ensure safe access for all.

There is also a lack of any formal turning facility within the site to enable any service, delivery or visiting vehicles to safely turn around and egress to Long Arrotts forward gear and the plans do not demonstrate that vehicles would be able to safely manoeuvre in and out of the proposed driveway for PLOT 7.

HCC as Highway Authority is recommending that the application be refused in its current form. The access arrangements are not in accordance with the Highway Authority's specifications and the proposals do not demonstrate sufficient measures to manage the flow of traffic along the access. There is the potential for opposing traffic flows and insufficient details have been provided to mitigate this at the entrance onto Long Arrotts or within the site boundary. It is therefore unable to recommend the granting of permission for this application in its current form and amendments and further details would need to be provided.

Comments on additional information

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:

Details

1. No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:

- Raised hump relocated to the entrance to private access road rather than on the highway in Long Arrotts (this would allow the carriageway on the private access road to be raised to match the height of the existing footway and enable the shared access area to be created without interfering with the highway at the end of the cul-de-sac).

Reason: To ensure construction of a satisfactory development in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Provision of Parking & Servicing Areas

2. 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 in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Construction Management

3. 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.

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) 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.

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

COMMENTS / ANALYSIS: The proposal comprises of the demolition of 14 garages and construction of eight 2-bed dwellings on land at Long Arrotts, Hemel Hempstead. Long Arrotts, Hemel Hempstead is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.

ACCESS: The site is accessed via a private access road, which leads from the turning head at the northern end of Long Arrotts and currently serves the 14 garages and a scouts hall. The access road is made up of a 3.5m wide carriageway in addition to a footway on the northern side, which functions as part of a larger pedestrian link between Long Arrotts and Manscroft Road. The footway / footpath (including at the northern end of the Long Arrotts turning head) is not part of the highway maintainable at public expense.

The proposals use the private access road to access two proposed dwellings on the site of the garages, a new access on the north side of the private road leading to six further dwellings and maintain access to the scouts hall. The amended plans are shown on submitted plans no. SK07 B and 100 PL4 and creates a 5m wide shared access route for vehicles, pedestrians and other highway users through the raising of the private carriageway to the same height as the footway. The width and general arrangements are considered to be acceptable by HCC as Highway Authority and in accordance with 'Roads in Hertfordshire: A Design Guide' and 'Manual for Streets (MfS)'.

In order for the overall proposals to be acceptable, HCC as Highway Authority would require that the raised hump is relocated to the entrance of the private access road rather than on the highway in Long Arrotts (this would allow the carriageway on the private access road to be raised to match the height of the existing footway and enable the shared access area to be created without interfering with the highway at the end of

the cul-de-sac). The applicant would need to enter into a Section 278 Agreement with the Highway Authority in relation to the amendments needed at the entrance into the site. Please see the above highway informatives for more details.

PARKING & MANOEUVRABILITY: The proposal includes the provision of 16 on site car parking spaces, the layout of which is shown on submitted plan no. 100 PL4. The layout and dimensions of the parking areas are acceptable and in accordance 'MfS' and 'Roads in Hertfordshire'. A swept path analysis has been submitted to illustrate that cars would be able to move in and out easily of the proposed parking areas. 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 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 (plan no. SK04 A) has been submitted to illustrate that a waste collection vehicle would be able to access the site, turn around 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 proposals enable recommended emergency vehicle access to within 45 metres of 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'. A swept path analysis for a fire tender vehicle is shown on submitted plan no. SK05 and illustrates that they would be able to access the site and turn around and egress to the highway in forward gear.

CONCLUSION: HCC as Highway Authority considers 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 any access works in the highway and at the entrance into the site. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives.

Hertfordshire Constabulary

Thank you for sight of planning application 4/02450/18/FUL, demolition of existing garages and construction of Two 2-Bed dwellings with off street parking and six 2-bed flats with amenity space and off street parking. Amenity Land and Garage Site, Long Arrotts, Hemel Hempstead.

I have no major concerns regarding this application, I would ask that the gate at the side of plot 8 is moved forward to prevent a recess and the applicant considers building the development to the Police Minimum Security Standard Secured by Design.

Neighbour Notification/Site Notice Responses

Long Arrotts

I am writing with regard to the proposed planning and development at Long Arrotts Hemel Hempstead.

I would like to state that I agree that we need more housing for the people of Hemel Hempstead. However, I believe that the proposed development has not considered the practicalities completely for this particular location.

All of the documentation provided by Watford Community Housing states that there is to be 9 2-bedroom flats and 2 2-bedroom houses. However at the consultation meeting it was stated that there would only be 6 2-bedroom flats not 9. Clarification and confirmation of the numbers is required.

There are a number of major concerns that affect me personally and also other residents of Long Arrotts and the surrounding roads.

Access.

The current road leading down from the 'turning circle' in Long Arrotts to the Scout Hut and the proposed 2 x Houses (Plots 7 and 8) to be built in the current Garage area is barely wide enough for a single vehicle. How will this road will be able to properly service those 2 houses, the Scout Hut and the access to the parking for the proposed new flats without causing major congestion?

Any vehicle going down the road to access either the houses or the Scout Hut will have no facility to turn around, resulting in 1 or more vehicles having to reverse up to 150 yards or more back out of the road. With children in the area this would be a major safety concern.

Parents needing to drop their children at the Scout Hut will have to either drive down, drop them off and then reverse back or, if at all possible – see point 2 below, park in Long Arrotts, where the parking is already inadequate. There can be many vehicles having to do this and any such vehicles will not be able to use the proposed new parking area to be developed, assuming there would be space, as this will be for the 'new' residents only. They can currently pull into the existing Garages, park and turn around to exit.

Parking.

There is already a major parking problem in Long Arrotts.

There are insufficient parking spaces for the current residents and the addition of new housing here will make the situation even worse.

Although there is a proposal to create 2 parking spots per plot - (14 plus the 2 alongside Plot 7) - these new parking spaces will be restricted to the new residents only.

All and any visitors to the new housing will need to park in Long Arrotts, leaving little or no room for the existing residents.

Having my 96 year old mother living with me requires that I park my car very close to the house. She cannot walk more than 10 or 20 yards.

There is a need to consider the creation of at least 20 new parking spaces in this section of Long Arrotts to meet the needs of the current residents, people using the Scout Hut and the probable extra demand of the new resident's family and friends when visiting.

Will Long Arrotts lose the 'turning area' – this is currently used for parking 4 vehicles normally due to the lack of sufficient, proper, parking spaces.

There will also be major parking problems for residents during the construction stage – see below.

Construction

In addition to the noise and other environmental factors that will be present during the construction phase, which I am told is likely to last about 12 months, I have already mentioned the limited access through Long Arrotts. Most of the time there is only room for a single vehicle to drive down Long Arrotts causing congestion even without the construction traffic. How do you propose to deal with this?

Large vehicles will have great difficulty in getting to the site and also being able to turn round to leave.

There will be many contractor's vehicles requiring to be parked whilst those people undertake their relevant work. The only place will be in Long Arrotts (or maybe surrounding roads which also have a similar parking problem) causing even more disruptions for the local residents. If I cannot park close to my house, as mentioned earlier, I will have major problems taking my mother to any doctor, hospital, dental, optician or other appointments, in addition to just 'taking her out to do some shopping'!

Who is responsible for any damage to the surrounding area i.e. the roads and green and resident's property, including vehicles. It was stated at the consultation meeting that the developers are not liable for the area outside their development. Both during, and when all the construction is complete, will Long Arrotts be left in a bad state of repair?

Galley Hill

I write in connection with the above planning application. I have examined the plans and wish to object strongly to the development of flats in this location.

Although there is always a need for additional housing in Hertfordshire, I would like to object to the 6 flats being built on the site of open space and trees at the North end of Long Arrotts in Hemel Hempstead for the following reasons:

Bulking

Building the flats 3 storey's in height is out proportion to the surrounding homes and will make the area feels cramped and will severely impact neighbours privacy within a 50 metres radius. At a height of 15 metres these will overlook homes to the West (flats and houses) and houses to North and South.

Daylight

In winter the angle of the sun can peak at an angle of 15 degrees. With the flats being 15 metres in height they will cast a shadow of 56 metres. This will mean that at certain times of the year several of the houses to the Northwest will be cast in shadow in early morning and the Scout hut will be in shadow in late afternoon when children will be using the building and the grounds surrounding it.

Size of Plot

The flats are being squeezed into a small area of green space and there will be extremely limited outdoor space for residents to enjoy (see diagram below) The area appears to be the size of 3 car parking spaces and is likely to cause local residents and children to overspill into nearby areas.

Existing Trees

There are 3 mature Oak trees with a circumference of 3.75 metres (200 years old) These are likely to be damaged by excavations for the foundations which are approx. 10 metres to the East of the tree trunk.

The architect drawings submitted understate the height and radius of the canopy area at the North West of the site. Please see drawing below.

Overshadowing of proposed flats by the existing trees

The proposed development and the living rooms of the 3 flats on the West side of the building will be within a few metres of the existing Oak canopy. As this canopy is double the height of the proposed flats, new residents are likely to ask for the trees to be thinned which is likely to cause stress to the trees.

Page 45 of the Dacorum Borough Council Conservation study 2006 states "As a principle no built development should be closer than the canopy spread +1 metre in order to conserve the local landscape contribution and maintain the ecological function of the immediate open space around the feature, particularly the reduction of impact upon root systems. Formal guidance can be found in 'British Standard 5837:2005 Trees in Relation to Construction', where details of determining Protected Areas and their implications are described"

The Architects journal confirms that "80-90 per cent of all tree roots are found in the top 600mm of soil and almost 99 per cent of the tree's total root length occurs within the topmost 1m of soil, with some variations depending on soil porosity. The undoubted nuisance that fine root systems create for the development of specific sites has to be weighed against the importance that they play in soil stabilisation on sloping ground (acting in a similar way to geotextile matting) Severing just one of a tree's major roots during careless excavation for construction or services can cause the loss of up to 20 per cent of the root system; this undermines the tree's ability to absorb water and also

leaves it unstable in high winds.

Section 8.14 of Dacorum's local planning framework core strategy states that existing land should only be developed provided it respects local character and I do not feel the submitted plans meet that criteria.

Spring Lane

The proposed area is already over populated. It is right next to a busy scout hall, and when dropping off and collecting, the area is awful and dangerous. Full of vehicles trying to navigate a dead end.

The plans will get rid of a well-used area of grass land where children play.

There is no parking in that area.

Fennycroft Road

I am a leader at 1st Gadebridge Scout Group which will be affected if these buildings go ahead. I object due to the limited access to the Scout Hut and the pressure on which the surrounding roads-namely Manscroft Road will incur. Parents will find it difficult to drop Children off directly outside and the pathway to Manscroft Road is not lit well. I worry about the increased number of cars due to the new builds, and feel that the close proximity of the builds to the hut pose a potential safeguarding issue. The lack of access will also hinder us hiring out the hut as it won't be so desirable if there's no turning space. We will lose much needed revenue due to this.

Sleets End

On the plans you have the houses closest to us (#16 Sleets End) but the car parking spaces on the other side of the property.

We would prefer if you were to move the new houses further up the hill and put the car parking spaces on our side of the build. This will give us a bit more room to not feel over powered by the build towering over our garden and also would not impact on the long arrotts houses as they have higher ground and therefor retain a feeling of space.

In short, would you please consider moving the car parking spaces to our side of the build.

Thank you.

Sleets End

My property is going to be directly effected by this build. The demolition of the garages will remove my rear boundary wall, builder has agreed to replace with a fence but this will be lower in height than the current integrated wall. The two bedroom houses will result in a loss of privacy to our rear garden, which is currently not overlooked. We are at a lower elevation to the proposed build site so will lose light and privacy. Main concern is regarding parking and traffic congestion in an area where there is already considerable pressure on spaces for current residents and visitors in all surrounding

cul de sacs. While there are 2 spaces proposed for each property there is no accounting for visitors spaces and additional flow of traffic and negotiating parked cars on either side. I believe this would present safety issues for pedestrians and potential for accidents, particularly in ice and snow.

Cooks Vennel

This development will severely affect our privacy, not only will we be overlooked by the development of flats, which are 3 storeys high, we will lose privacy due to removal of trees, which currently afford us privacy and provide some security. Our property is now surrounded by trees, which will be removed with a car park put in place, immediately adjacent to our garden/property. The flats development is also not in keeping with the immediate houses surrounding the area.

I am also concerned about wildlife, there is an established family of foxes who live in and around the land adjacent to our property, they have been established there for all the years we have lived there (16+ years).

If I lived in these new properties, I would also be extremely concerned about access for fire engines - Hilldown is extremely congested already with cars, my understanding is that the pathway is to be maintained, the road therefore cannot be made any wider, so I am not sure how fire engines would access the houses being built in the garages.

Sleets End

The boundary wall for the bottom of the gardens for the two bedroom houses is currently my side boundary wall backing onto the garages. The current materials are built from brick 70% and wood 30%. The current plan shows wood fencing which is lower than the existing wall. I would like to make an objection and would like a brick wall to be built. Reasons outlined as below:

1. Currently the fence facing onto the garages is legally maintained by DBC. Under the new owner this would fall to Watford Housing Trust. As a current property owner at this point the need for maintenance and future problems should be solved now at the time of building to eradicate all future issues.
2. The current proposal is lower than my current wall. This will be an invasion of privacy. The wall should be replaced for likewise height. Watford Housing Trust have not thought about the current residence in the plans for this site.
3. The garage forecourt in most parts is higher than my garden, without a brick wall we have a landslide problem and rotting wood with the current proposal. Outcome needs to be a brick wall.
4. My privacy is at risk with a wooden fence - brick will cease any problems to arise in future and the current height needs to be adhered too.

Parking: Currently the Scout Hall is used 3-4 times a week, the popularity of the venue is increasing and the amount of cars is increasing. We welcome the Scout Hut and it provides a positive influence and activity for our growing population within Hemel Hempstead, it would be a negative outcome for DBC to allow the numbers to dwindle because parents cannot park in the vicinity therefore reducing the growing numbers.

Parking in both Sleets End, Manscroft and Long Arrotts is already to dangerous levels with people parking on bends and double parking to reduce the access for the emergency services without losing valuable space for turning and parking in the garage forecourt.

Safety: Between the proposed houses and flats there is a right of way path which is used for the whole of the estate to access schools, shops and play areas/parks. with cars crossing this right of way and nowhere to turn for the cars the chances of a child being run over are increased dramatically. The proposed road to enter both the car park and the houses is a single track road, cars will be mounting the pavement/right of way path to access. Cars will be crossing the right of way path to access. This will have a major impact on safety.

Further comments

Having looked at the new plans

<http://plandocs.dacorum.gov.uk/NorthgatePublicDocs/44824021.pdf> I cannot see any other changes than the shared ownership of the public footpath.

In my previous objection I mentioned the danger to pedestrians walking on the pavement to get to the local schools and shops. Many older persons using walking aids and electric scooters and children walking without parental care. Looking at the following drawing <http://plandocs.dacorum.gov.uk/NorthgatePublicDocs/44824021.pdf> of the cars using the driveways to the houses it shows that to gain the full turning required to park they will mount the kerb of the public right of way and therefore cause an accident and put our most vulnerable in society at risk.

The swept path analysis for a medium size car (project number 1589) using a Skoda Octavia with an overall length of 4.572m shows a vast over steer onto the pavement, many properties have larger vehicles and vans which will result in using the public right of way as a turning area which will cause injury. This application for the houses has to be stopped for safety reasons.

The right of way for the public footpath for access to the flats will also cause a safety issue for all that use the right of way as many will use the car park to turn around in as the turning circle at the end of Long Arrotts is already full for parking. For this proposal to go ahead the Housing Trust should contribute the full costs of making more parking in Long Arrotts.

Further comments

As I have been unable to get hold of a person within Watford Community Housing I have no option but to Object to the new planning permission for a 4 bed bungalow.

My previous objection for safety for persons using the right of way alleyway has not changed. The building of a 4 bed bungalow will also bring the possibility of 8 cars within that dwelling and with only two parking spaces, there is no other areas in which to park in the immediate area without causing more congestion to other roads.

* A minor note: The bin storage for the proposed bungalow will also be right against my garden seating area which in the summer will not be enjoyable.

The proposal should be reduced to a 3 bed bungalow as the maximum.

Long Arrotts

We were away on holiday when this leaflet posted re drop in session so missed that so tried to put our views across but the phone number provided was a school and the email of WCHT was incorrect as emails bounced back. This left us upset as we felt we had no voice and no one to speak to regarding the proposed development.

We strongly object to the plans for Watford Community housing to develop to the rear of 68 - 70 Long Arrotts where the garages stand and green land lye next to the Scout Hut.

Parking is already an issue on this road and we feel it will get over crowded if more properties are built there will be more cars. Although you are proposing parking for the houses and flats is this going to be enough. I do not think it will be as you have to account for the amount of cars that fill up the road every time there is an event at the scout hut these can take place during the week and over the weekend. And what about all the people that move in I am sure they will have guests again more cars and not enough space.

Also we do not want to be disrupted by lorries, vans, diggers, dumpers builders making noise an ruining our roads with mud, concrete, dust and generally polluting our area with this suggestion. I think this is really going to cause problems as there is not enough access for lorries to manoeuvre.

I personally have found it difficult to log this objection, this process need to be made easier for all, not all people are so computer savvy so here should be other way for them to log there opinions and thoughts.

I also feel we should all bring residents been contacted in the first instance from Dacorum not WHCT it is only because one of the neighbours saw Mr Stickley at the proposed site we received letter about the proposals.

Long Arrotts

We are opposed to this build as we feel the proposed structures will impose on our house as we have 3 windows overlooking the areas and our small garden will have its natural light decreased. This we feel will cause a loss of privacy as the proposed structures are very close to our existing boundary's. We feel that the rear windows of the proposed flats block will be looking directly into our garden area which again will interfere with our privacy.

Currently the single track road to the side of our property is not built for the additional traffic that will be entering and exiting these proposed dwellings. On Scout nights and private functions held weekly at the scout hut already cause a massive problem with entering and existing the area, if we lose the garage area you are causing a bottle neck effect which will not allow people to turn around and there will be no way of passing as it was only ever designed for the odd car going in and out of the garage area.

We already have many parking issues in our street especially during the scout days,

We understand you have allowed additional parking for these dwellings which we assume will not be for Long Arrotts residents to use, however this will not stop visitors to the proposed dwellings parking in our already oversubscribed spaces.

We understand the need for affordable housing in Hertfordshire but cannot understand why you have chosen to shoehorn in flats and houses into an already over populated area. There must be brown field sites in Hertfordshire that would be more fit for purpose?

We have lived in Long Arrotts for over 20 years and have enjoyed the peace and quiet that this road offers. Currently looking out the side of our property we look on to trees and grass which attracts wild life such as birds, squirrels deer and foxes. The proposal would mean a 3 storey building only 6 metres from our house, which is a very sad thought.

Further comments

Your drawings showing larger vehicles entering the site do not show any parked cars which are always on the road in Long Arrotts, I feel that this could not only restrict access for the emergency services in the case of a fire as well as create excessive noise when the refuse trucks are trying to enter the new proposed dwellings.

This walkway is used by pedestrians taking their children to school as well as entering the scout hut, you are proposing that vehicles entering the site will be utilizing the pathway? This will not only be dangerous but will also cause excessive air pollution as these larger vehicles try and manoeuvre into the tight space provided.

As we have mentioned before this road was only ever made for one vehicle at a time and the additional traffic will cause a bottle neck which will create endless issues in this

Fennycroft Road

I object due to the increased traffic and strain on Long Arrotts and neighbouring roads.

Galley Hill

I am writing to give notice of my objections to planning application 4/02450/18/FUL in Long Arrotts.

Loss of trees and greenery; bad for the planet and those living in this area.

Loss of privacy from three-storey block of flats. Not fitting for the site. Two-storey as those in Feacy Down more suited to the surroundings.

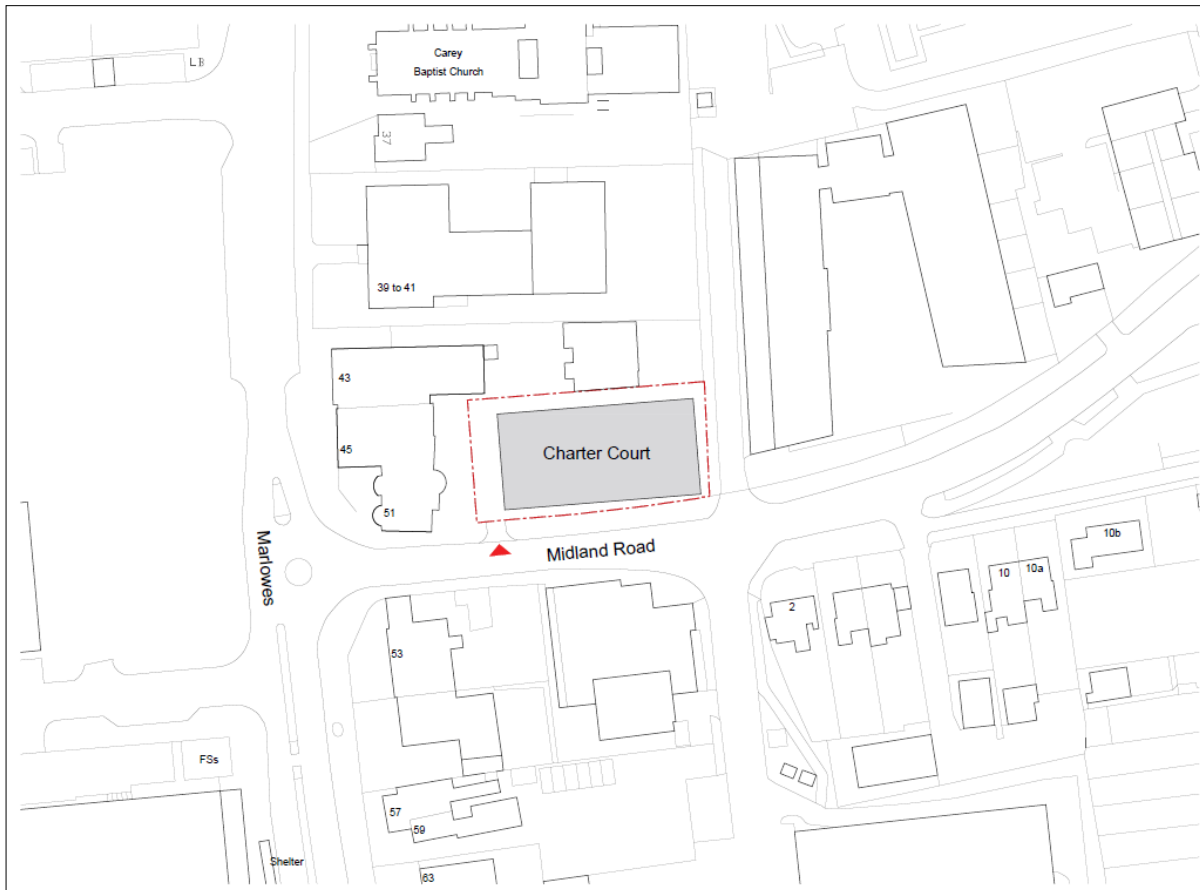
Additional traffic to an already high traffic area.

Reduction in value of existing property - we will be compensated for our losses?

Item 5b

4/01172/19/MFA CHANGE OF USE FROM OFFICE (CLASS B1(A)) TO RESIDENTIAL (CLASS C3) AND UPWARD EXTENSION TO CREATE TWO ADDITIONAL LEVELS, TO PROVIDE 33 APARTMENTS COMPRISING 18 ONE-BEDROOM AND 15 TWO-BEDROOM DWELLINGS WITH ASSOCIATED CAR PARKING, BICYCLE AND REFUSE STORAGE

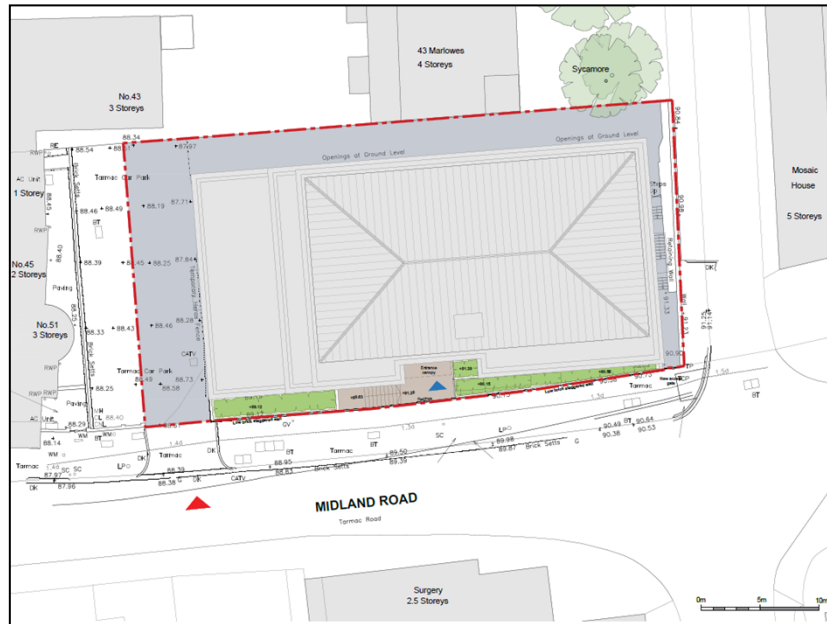
CHARTER COURT, MIDLAND ROAD, HEMEL HEMPSTEAD



Item 5b

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CHARTER COURT, MIDLAND ROAD, HEMEL HEMPSTEAD



4/01172/19/MFA	CHANGE OF USE FROM OFFICE (CLASS B1(A)) TO RESIDENTIAL (CLASS C3) AND UPWARD EXTENSION TO CREATE TWO ADDITIONAL LEVELS, TO PROVIDE 33 APARTMENTS COMPRISING 18 ONE-BEDROOM AND 15 TWO-BEDROOM DWELLINGS WITH ASSOCIATED CAR PARKING, BICYCLE AND REFUSE STORAGE
Site Address	CHARTER COURT, MIDLAND ROAD, HEMEL HEMPSTEAD, HP2 5RL
Applicant	Hightown Housing Association, Hightown House
Case Officer	Sally Robbins
Referral to Committee	Called in by Cllr Beauchamp due to concerns with residential amenity, parking and overdevelopment.

1. Recommendation

1.1 That planning permission be **DELEGATED** with a **VIEW** to **APPROVAL** subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990.

2. Summary

2.1 The proposal for 33 affordable dwellings would provide a comprehensive development of new dwellings in a sustainable town centre location. The scheme has been the subject of Pre-Application Advice and has addressed issues relating to the setting of the adjacent Listed Building. The proposed development would be an effective use of urban land, which would re-use an office building to provide much needed affordable housing in Hemel Hempstead. It is considered that the bulk and scale of the upward extension to provide two additional levels above the existing building is acceptable, taking into account surrounding built development. The overall design, layout, height and density are considered to respect the surrounding area. The provision of parking (at a ratio of 0.73 spaces per dwelling) is acceptable in this accessible town centre location, noting that Policy 58 of the Local Plan (2004) supports reduced parking for affordable housing. The scheme is therefore in accordance with Core Strategy (2013) Policies CS1, CS4, CS8, CS11, CS12, CS13, CS17, CS18, CS19 and CS23 and Dacorum Borough Local Plan (2004) Policies 58 and 119 and Appendices 3 and 5.

3. Site Description

3.1 The application site is located on the north side of Midland Road in the town centre of Hemel Hempstead. The site comprises an office building spread over three levels comprising basement/undercroft car parking as well as ground floor and first floor offices. The site has been the subject of a recent application for prior approval for the conversion of the offices to residential apartments. Externally the building is finished in facing brickwork with extensive glazing and blue coloured window frames and balustrades. The surrounding area comprises a mix of uses, including residential, business, retail and restaurants.

4. Proposal

4.1 The application seeks full planning permission for the change of use from office

(B1) to residential (C3) and upward extension to create two additional levels, to provide 33 apartments comprising 18 x 1-bedroom and 15 x 2-bedroom dwellings with associated car parking, bicycle and refuse storage. The applicant is a Registered Provider (Hightown Housing Association) and the dwellings would all be provided as affordable rented units.

5. Relevant Planning History

5.1 The site has recently been granted prior approval for the conversion of the offices to residential using Permitted Development Rights under Schedule 2, Part 3, Class O of the GPDO (ref. 4/00386/19/OPA). This prior approval application would permit the existing offices to be converted into 29 studio and 1-bed flats under Permitted Development (i.e. without planning permission and with no mechanism to secure any affordable housing).

4/00386/19/OPA	CONVERSION OF BOTH FLOORS OF EXISTING BUILDING FROM OFFICES TO APARTMENTS (15 STUDIO APARTMENTS AND 14 1- BED APARTMENTS). Prior approval required and granted 23/04/2019
4/02230/18/OPA	CONVERSION OF EXISTING BUILDING INTO 28 APARTMENTS CONSISTING OF 20 ONE BEDROOM AND 8 TWO BEDROOM Withdrawn 15/10/2018
4/01887/14/FUL	RE-INSTATEMENT OF SIGNAGE TO EXISTING FACADE (ENTRANCE CANOPY FASCIA AND WALL SIGN) Granted 09/10/2014
4/01888/14/ADV	RE-INSTATEMENT OF SIGNAGE TO EXISTING FACADE (ENTRANCE CANOPY FASCIA AND WALL SIGN) Granted 09/10/2014
4/02161/07/FUL	INSTALLATION OF DIESEL GENERATOR IN BASEMENT Granted 24/10/2007
4/00441/95/GOV	ERECTION OF AIR CONDITIONING PLANT PLATFORM Raise no objection 24/05/1995
4/01113/17/TEL	NOTIFICATION OF INSTALLATION OF CABINET BOX,PILLAR, PEDESTAL OR SIMILAR WHICH DOES NOT EXCEED 1.8M HEIGHT. Unknown

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

CS1, CS4, CS8, CS11, CS12, CS13, CS17, CS18, CS19, CS23 and CS35.

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

Policies 58 and 119 and Appendices 3 and 5

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Landscape Character Assessment (May 2004)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)

7. Constraints

- TOWN CENTRE/LOCAL CENTRE
- Former Land Use

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- The 'Tilted Balance'
- Impact on Character and Appearance of the Area
- Impact on Setting of Listed Building
- Impact on Parking
- Impact on Highway Safety, Access & Servicing
- Impact on Neighbours
- Other Matters

Policy and Principle

9.2 Core Strategy (2013) Policy CS1 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.

9.3 Within the core planning principles outlined in the NPPF (2019) there is heavy emphasis on the planning system's responsibility to deliver more homes to boost the supply of housing. Paragraph 68 of the NPPF states that decision makers should give great weight to the benefits of using suitable sites within existing settlements for homes. Additionally, chapter 11 of the NPPF (2019) seeks to ensure that decisions make effective use of land. Paragraph 118 d) promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. This is supported by Saved Policy 10 of the Local Plan (2004), which also seeks to optimise the use of available land within urban areas.

9.4 In terms of upward extensions, paragraph 118 e) states that planning decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

9.5 Regard must also be paid to Core Strategy Policy CS15, which seeks to retain the stock of floor space within the Borough for B Class uses. As outlined above, the site has recently been granted prior approval (ref. 4/00386/19/OPA) for the conversion of the offices to apartments, comprising 29 studio and 1-bed apartments. As such, it is considered that there is a real prospect of converting the offices to residential units. This possibility of development is a fall-back position in the consideration of the current application. As such, there is no objection to the loss of B1 floor space and the principle of development with respect to the change of use from office to residential is considered to be acceptable.

9.6 In addition to the above, due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, decisions should apply a presumption in favour of sustainable development. This is discussed in further detail below.

The 'Tilted Balance'

9.7 The LPA cannot currently demonstrate a 5 year housing land supply, and therefore paragraph 11 of the NPPF (2019) is engaged. 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. The most important policies for determining a housing application are considered to be Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages) and CS17 (New Housing). Paragraph 11 continues, "Plans and decisions should apply a presumption in favour of sustainable development....where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

a) the application of policies in this Framework that protect areas or assets of particular

importance provides a clear reason for refusing the development proposed; or

b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

9.8 The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental.

- The social benefits of the scheme would include a contribution towards making up the shortfall in housing in the Borough thereby facilitating the Government's aim of boosting the supply of housing. Additionally, the provision of affordable housing would meet the needs of those on the Borough's housing waiting list.

- The economic benefits of the scheme would include the creation of construction jobs in the short-term during the construction of the development. In addition, it is likely that future residents would support the local economy such as using the amenities in the town centre. It is therefore considered that the proposal will have some positive benefits to the local community, and can be considered sustainable from an economic perspective.

- In terms of the environmental benefits, the principle of residential development is acceptable in this location and the site does not reside within an area of particular importance (for example a habitat site, Green Belt, AONB, heritage site - see footnote 6 of the NPPF). One of the key strands of the NPPF is the expectancy of high quality development that will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Any new development is expected to protect the surrounding built environment and make effective use of land.

9.9 Taking the above into account, it is considered that there are social, economic and environmental benefits to the scheme. Therefore the proposal constitutes sustainable development and for that reason the tilted balance in favour of this number of housing units on the site is sufficient to justify development, subject to the considerations below.

Impact on Character and Appearance of the Area

9.10 Core Strategy (2013) Policies CS11 and CS12 state that development within settlements should respect the typical density in the area, integrate with the streetscape character and respect surrounding properties. Paragraph 127 of the NPPF (2019) seeks to ensure that developments are visually attractive as a result of good architecture and layout and are sympathetic to local character, including the surrounding built environment.

9.11 The proposed development comprises internal and external alterations to the existing building, as well as an upward extension to provide two additional levels.

9.12 At basement level there would be 24 car parking spaces (including 2 disabled spaces), a bin store and cycle store with 34 cycle spaces. At ground floor level the internal alterations would create 9 apartments (5 x 1-bedroom and 4 x 2-bedroom), two of which would include a private terrace (flats 1 and 9). At first floor level there would be 4 x 1-bedroom and 5 x 2-bedroom apartments

9.13 At second floor level there would be 5 x 1-bedroom apartments and 3 x 2-bedroom apartments. Flats 19, 20 and 21 would also comprise private roof terraces measuring between 29-41 sqm, which would be separated by frosted glass privacy screens. At third floor level there would be 4 x 1-bedroom apartments and 3 x 2-bedroom apartments. Flats 27 and 28 would comprise smaller private roof terraces measuring 16 sqm and 12 sqm respectively.

9.14 The external appearance of the building would be altered, including re-cladding the building in a combination of red brick slips and metal cladding, reducing the amount of glazing, removing the gable projections on the south elevation and replacing the blue balustrades with metal railings. It is considered that the alterations and external finish would provide more of a residential appearance to the building. The additional levels would be finished in facing brickwork to the second floor and metal cladding to the third floor. The roof would be hipped and finished in a standing-seam metal roofing system.

9.15 The proposed design and finish of the building is considered to harmonise with the surrounding area. The proposed scale and height of the building will respect surrounding properties, noting in particular the stepping upwards away from the adjacent listed building (51 Marlowes) towards Mosaic House (the impact of the proposal on the setting of the adjacent listed building is discussed in more detail below). In relation to Mosaic House, the proposed development would be approximately 2m lower.

9.16 In terms of density, Policy CS11 of the Core Strategy states that within settlements and neighbourhoods, development should respect the typical density intended in an area. Additionally Saved Policy 21 of the Local Plan (2004) states that higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centres. This is supported by Policy CS4 of the Core Strategy (2013), whereby high density development is encouraged where it is linked to the achievement of sustainability objectives.

9.17 The site area measures 0.11 hectares, which equates to a density of 300 dwellings per hectare. As outlined above, the application site resides within a sustainable location with good access to local facilities, public transport and other services. As such there is no objection to the high level of dwelling density proposed. Cllr Beauchamp raised concerns regarding overdevelopment, however as outlined above, there is policy support for high density development in this location.

9.18 Overall it is considered that the layout, design and scale of the proposed development is compatible with the surrounding area and will not have a detrimental impact upon the character and appearance of the street scene. Additionally, the proposal has been discussed at pre-application stage, thereby meeting the recommendations of paragraph 39 of the NPPF, which encourages early engagement. It is considered that the advice provided by the Council at pre-application stage has been followed.

Impact on Setting of Listed Building

9.19 Chapter 16 of the NPPF and Core Strategy Policy CS27 seek to ensure that all

development conserves or enhances the historic environment. Policy CS27 states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.

9.20 The application site is situated within an older character area within the town centre and in close proximity to several designated heritage assets along Marlowes. In particular, the close relationship to the Listed Buildings of 51 and 53 Marlowes was raised as a concern at pre-application stage. It was suggested that an abrupt increase in height adjacent to these Listed Buildings would have a negative impact on the setting of the Listed Buildings. The resulting design incorporates a stepped increase in levels away from the Listed Buildings, which the Conservation Officer considers has resolved the main concerns with respect to these designated heritage assets. Additionally, the Conservation Officer notes that externally the proposed design would enhance the built environment of the street scene. Overall there would be a neutral impact on the setting of the Listed Building and as such the proposal complies with the NPPF and Policy CS27 of the Core Strategy in that regard.

Impact on Parking

9.21 The application site resides within Accessibility Zone 2, according to the Accessibility Zones for the Application of Car Parking Standards SPG (2002). The maximum car parking standards are contained within Saved Appendix 5 of the Local Plan (2004), which states that for residential development within Accessibility Zone 2, the maximum requirements are 1 space for both 1-bedroom and 2-bedroom dwellings. The proposed development comprises 18 x 1-bedroom and 15 x 2-bedroom dwellings, with a total maximum requirement of 33 car parking spaces. The proposal comprises 24 car parking spaces located at basement level, which equates to 73% of the maximum requirement and a provision of 0.73 spaces per unit.

9.22 It should however be noted that the application site is immediately adjacent to Accessibility Zone 1. Midland Road delineates the boundary between Accessibility Zones 1 and 2, with Zone 1 lying to the south and Zone 2 to the north. Whilst the maximum parking standards for residential development are the same for Zones 1 and 2, the site's close proximity to Zone 1 gives a clear indication that the site is in a highly accessible location.

9.23 With regards to private parking provision, Saved Policy 58 of the Local Plan (2004) states that car free residential development may be considered in high accessibility locations. Parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g. special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport).

9.24 Paragraph 106 of the NPPF (2019) states that maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of the NPPF).

9.25 Additionally paragraph 105 of the NPPF states that if setting local parking standards, policies should take into account: the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport and local car ownership levels.

9.26 With regards to car ownership levels, the applicant (Hightown Housing) has provided a document entitled *Parking Provision Survey at existing Hightown developments*. The document outlines that Hightown have approximately 6,000 tenanted properties and the survey established that 30% of households have 0 cars, 53% of households have 1 car, 13% of households have 2 cars and 4% of households have 3 cars. Additionally, the document emphasises that the units at Charter Court would be let to people from Dacorum's housing waiting list, which works on a choice based letting system, where tenants will have the opportunity to view the property and would be made aware of parking provision prior to confirming their interest.

9.27 Councillor Wyatt-Lowe and Ward Councillor Beauchamp, as well as a number of local residents, have raised concerns with regards to the amount of parking provision. In particular, Cllr Wyatt-Lowe has requested that a condition be imposed that any resident of Charter Court is not allowed to apply for a parking permit in the 'Hospital Zone' (Controlled Parking Zone).

9.28 Paragraph 55 of the NPPF gives guidance with regards to planning conditions, stating that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Additionally, the NPPF outlines that planning conditions should be used where otherwise unacceptable development could be made acceptable through their use.

9.29 Taking all of the above into account, it is considered that the proposed level of car parking is acceptable, noting the accessible location, proximity to local services and policies that specifically support reduced levels of parking for affordable housing, including Saved Policy 58 and Appendix 5 of the Local Plan and paragraph 105 of the NPPF. It is furthermore not considered to be reasonable to impose a condition that restricts residents from applying for a parking permit, the control of which falls outside of the planning remit. Additionally, it would be difficult to enforce should some of the residents obtain parking permits. The imposition of this condition would not meet the tests set out in paragraph 55 of the NPPF.

9.30 The Highway Authority has been consulted and raised concerns that the proposed parking would not be able to accommodate all parking demand on site. However, it was acknowledged that it is ultimately the decision of the Local Planning Authority (LPA) to determine the suitability of the proposed parking. The Highway Authority raised no formal objection on the grounds of parking, however provided further guidance to the LPA with regards to car parking management, in the form of a suggested planning condition. The condition would require the developer to provide a Car and Cycle Parking Management Plan prior to first occupation of the development, to include details of car parking allocation and distribution, methods to minimise on-street car parking and monitoring of the Car Parking Management Plan. This condition is considered to be reasonable and necessary and will be secured, should planning permission be granted.

9.31 Taking all of the above matters into account, it is considered that due to the highly accessible location of the site and the fact that the proposed development would be 100% affordable housing, the application could not be refused on the grounds of parking.

Impact on Highway Safety, Access & Servicing

9.32 Policies CS8 and CS12 of the Core Strategy seek to ensure that any new development provides a safe and satisfactory means of access for all users. Paragraph 91 of the NPPF (2019) states that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible.

9.33 The existing access arrangements would be retained. The site is currently accessed by a single vehicular entry/exit point from Midland Road, situated at the western end of the site. Pedestrian access would be from two points of entry, one at ground floor level and one at basement level from the undercroft car park.

9.34 The Highway Authority raised a concern and suggested that the vehicular access could be improved by the removal or lowering of the wall adjacent to the access point. However, this wall does not lie within the application site. Additionally, as noted by the Highway Authority, this is an existing issue at the access point and is not likely to be exacerbated by the change of use.

9.35 In terms of refuse and servicing, the submitted plans show that the bin store would be located within 25m of Midland Road. It is proposed for refuse collection to be undertaken on-street in accordance with the current arrangement.

9.36 The submitted Transport Assessment proposes that most servicing and delivery vehicles 'can stop on-site within the car parking area clear of Midland Road in accordance with the current arrangement'. The Highway Authority has stated that it is not clear if this is referring to the parking within the undercroft level of the existing building or the parking area to the west of the building. Additionally, no vehicle tracking has been undertaken for servicing or delivery vehicles. The Highway Authority has recommended that a Servicing and Delivery Plan is secured by condition, should planning permission be granted, to include details of servicing, delivery and refuse collection.

9.37 Taking all of the above into account the proposal complies with Policies CS8 and CS12 of the Core Strategy and the NPPF in terms of highway safety and access, subject to the recommended conditions.

Impact on Neighbours

9.38 Policy CS12 of the Core Strategy states that developments should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Paragraph 127 of the NPPF (2019) seeks to ensure a high standard of amenity for all existing and future users. Saved Appendix 3 of the Local Plan (2004) states that minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. Additionally, Saved Appendix 3 states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided.

9.39 Planning permission has recently been granted for the construction of a four storey block of flats to the rear of 43 Marlowes (ref. 4/03686/15/FUL), which is situated to the north of the application site. Once constructed, the south elevation of 43a

Marlowes would be situated 3m from the north elevation of Charter Court. There are no concerns regarding overlooking or loss of privacy for the windows of 43a Marlowes as none are proposed on the south elevation of 43a. However, there is a terrace proposed at third floor level, which would be overlooked by two of the second floor windows on the north elevation of Charter Court. The plans have subsequently been amended to incorporate oriel windows so that views from the development would be oriented away from the proposed neighbouring terrace to mitigate any loss of privacy.

9.40 There are some concerns regarding the living conditions of future occupants of the Charter Court flats that would be immediately opposite 43a Marlowes. 8 of the flats would be single aspect, north facing apartments with a blank wall situated approximately 3.5m away. However, the site has prior approval to convert the existing offices on the ground floor and first floor to residential. In terms of the second and third floors, as shown on the submitted proposed section, the two top floors of Charter Court would be situated at a higher level than 43a Marlowes, which would be positioned 5.3m lower than the proposed Charter Court. As such, whilst there are a number of units that would be single aspect and north facing (10 out of the 33 proposed units), it is considered that the proposed design has mitigated this as much as possible by providing dual aspect apartments on all four corners.

9.41 Turning to the east, the existing east elevation of Charter Court is situated 10.5m from the west elevation of Mosaic House. There are no concerns with the ground floor level as this would face the under croft parking for Mosaic House. In terms of the higher levels, it is considered that there are several windows that could potentially result in additional overlooking. These concerns have been raised with the applicant and the plans subsequently amended showing that these windows would be partially obscure glazed. This measure is considered to mitigate the potential for additional overlooking or loss of privacy.

9.42 There is a doctor's surgery and car park to the south of the application site on the opposite side of Midland Road. As such there are no concerns regarding the impact of the proposed development on the residential amenity of properties to the south.

9.43 Finally, turning to the west, there are a number of flats situated above the ground floor commercial units of 43-51 Marlowes. The two proposed additional levels for Charter Court would be set back from the rear elevation of the buildings along Marlowes. External terraces are proposed for the second and third floor units on the western elevation, however these would be situated at a significantly higher level than the adjoining buildings. Furthermore, the balustrades for the terraces would be set back from the edge of the building, restricting any potential overlooking.

9.44 In terms of light provision, the submitted Daylight & Sunlight assessment shows that the proposed development would have a greater impact on a number of windows within Mosaic House and 43 Marlowes. However, when assessed using the mirror image methodology, all of the windows pass BRE guidelines, apart from one window (first floor, window 7 of Mosaic House). In response to these concerns, the Daylight Consultant provided the following response, "What is important to understand when reviewing these results is that the sunlight results of the mirror image methodology show that although the window (W7) on the first floor of Mosaic House does not meet the requirements recommended by the BRE Guidelines on its own, the room served by this window is also served by a further two windows. The BRE Guidelines state that if a room is served by more than one window, then the non-coincident sunlight hours

received by each window can be added together. The above results show that this bedroom is served by three windows in total, and the room as a whole surpasses the minimum values recommended by the BRE Guidelines. The mirror image methodology therefore shows that the impact to and daylight and sunlight received by Mosaic House would be negligible.” As such, the room as a whole surpasses the minimum values recommended by the BRE Guidelines.

9.45 Taking all of the above into account, it is considered that the proposed development will not have a significant impact on the residential amenity of neighbouring properties or future occupiers. Thus the proposal is considered to be acceptable in terms of the NPPF (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Other Material Planning Considerations

Landscaping

9.46 The proposed scheme has limited potential to provide soft landscaping or screening on site. However there is a small area to the frontage that would be planted, as well as appropriate screening. Should planning permission be granted a condition would be recommended requesting details of hard surfacing materials, proposed boundary treatment and screening and other soft landscaping details.

9.47 The proposal is considered to accord with Saved Policies 99 and 100 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Drainage

9.48 The proposed extension would be constructed over the existing building (and parking area) and there is no increase of impermeable area. The Lead Local Flood Authority (in previous comments supplied under 4/00386/19/OPA) confirmed that there were no records of flooding in the location. It is proposed to utilise existing arrangements for surface water disposal set out in the supporting Planning Statement which would be satisfactory in accordance with Policy CS32 of the Core Strategy (2013).

Response to Neighbour comments

9.49 Several letters of objection and petitions have been received primarily from the residents of Mosaic House with regards to loss of light, overlooking, visual intrusion, highway safety, increased pressure on doctors/schools, noise disturbance and parking. The material planning considerations have been addressed above.

CIL

9.50 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable, however may be eligible to affordable housing exemptions.

Affordable Housing and Planning Obligations

9.51 Policy CS19 of the Core Strategy seeks to secure 35% affordable housing on sites of a minimum size of 0.3ha or 10 dwellings (and larger) in Hemel Hempstead. This policy level shall be secured through a legal agreement, as a minimum provision (12 affordable units). However, the entire development shall be provided as affordable rented units by Hightown to those on Dacorum's housing waiting list. As such, the application has been assessed on the basis of a 100% affordable scheme, in line with the submitted Planning Statement.

10. Conclusions

10.1 The impacts of the proposal have been considered in relation to the character and appearance of the surrounding area, the impact on the adjacent Listed Building, parking, highway safety and residential amenity of surrounding units. The proposal for 33 affordable dwellings would provide a comprehensive development of new dwellings in a sustainable town centre location. Additionally, it has been identified that there are social, economic and environmental benefits to the scheme. Therefore the proposal constitutes sustainable development and for that reason the 'tilted balance' (paragraph 11, NPPF) in favour of this number of housing units on the site is sufficient to justify development. The scheme is therefore in accordance with Core Strategy (2013) Policies CS1, CS4, CS8, CS11, CS12, CS13, CS17, CS18, CS19 and CS23 and Dacorum Borough Local Plan (2004) Policies 58 and 119 and Appendices 3 and 5.

11. RECOMMENDATION – That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** subject to the completion of an agreement under **Section 106 of the Town and Country Planning Act 1990** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ul style="list-style-type: none">a. Construction vehicle numbers and typeb. Access arrangements to the sitec. Traffic management requirementsd. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas)e. Cleaning of site entrances, site tracks and the adjacent public highwayf. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times

	<p>g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway</p> <p>h. 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.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (2018) and Core Strategy (2013) Policy CS8.</p>
3	<p>Prior to occupation of the development hereby approved a Servicing and Delivery Plan shall 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.</p> <p>Reason: In the interests of maintaining highway efficiency and safety, in accordance with Core Strategy (2013) Policies CS8 and CS12.</p>
4	<p>No development (other than demolition works) shall take place until details of vehicle tracking of a standard vehicle to/from the parking spaces to demonstrate that the proposed disabled parking bays meet the required number and dimensions.</p> <p>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 (2018) and Core Strategy (2013) Policy CS12.</p>
5	<p>No development (other than demolition works) 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 to 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 Core Strategy (2013) Policy CS12.</p>
6	<p>No development (other than demolition works) 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>hard surfacing materials</p> <p>soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.</p>

	<p>The approved landscape works shall be carried out 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 Core Strategy (2013) Policy CS12.</p>
7	<p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Core Strategy (2013) Policy CS12.</p>
8	<p>Prior to the occupation of the development hereby permitted details of the Mechanical Ventilation with Heat Recovery (MVHR) system and a scheme for its maintenance shall be submitted to and approved in writing by the Local Planning Authority. The MVHR system details and scheme for its maintenance shall be provided for the following residential units:</p> <ul style="list-style-type: none"> - Ground Floor flats 1, 2, 8 and 9 - First Floor flats 10, 11, 17 and 18 - Second Floor flats 19, 25 and 26 - Third Floor flats 27, 32 and 33 <p>Development shall be carried out in accordance with the approved MVHR system details prior to first occupation of the above listed residential units.</p> <p>Reason: In order to safeguard the residential amenity of the occupants of the development from external noise sources and to ensure that the residential units are adequately ventilated, in accordance with Core Strategy (2013) Policies CS12 and CS32.</p>
9	<p>Prior to first occupation of the development, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:</p> <ul style="list-style-type: none"> - Details of car parking allocation and distribution - Methods to minimise on-street car parking - Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority. <p>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.</p> <p>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</p>

	encouraging the use of sustainable modes of transport, in accordance with Core Strategy (2013) Policy CS8.
10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A001 REV P3 (Location Plan) A010 REV P2 (Proposed Site Plan)</p> <p>A011 REV P4 (Proposed Plans Basement and Ground Floor) A012 REV P4 (Proposed Plans First and Second Floor) A013 REV P4 (Proposed Plans Third Floor and Roof Plan)</p> <p>A020 REV P3 (Proposed Elevations) A021 REV P4 (Proposed Elevations) A022 REV P2 (Proposed Street View) A023 REV P2 (Proposed Sections)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES</p> <p>1. 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: 0730hrs to 1730hrs on Monday to Friday, 08:00hrs to 1300hrs Saturday, and no noisy works permitted at any time on Sundays or bank holidays.</p> <p>2. Construction Dust - 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.</p> <p>3. 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.</p>

Appendix A

Consultation responses

1. Hertfordshire County Council (Growth and Infrastructure Unit):

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

2. Councillor Collette Wyatt-Lowe:

With regard to the above could a condition be imposed that any resident of Charter House is not allowed to apply for a parking permit in the Hospital Zone. As a local resident in East Street we are now suffering from other Hospital Zone permit holders using the street for their parking. This is a problem in this zone. I understand that a similar condition was imposed on residents of Mosaic House.

3. 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, 12 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.

4. Environmental and Community Protection (Land Contamination):

Having reviewed the submissions, in particular the Ashdown Environmental Phase I report dated April 2019 (Ref 13628) I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

5. Environmental and Community Protection (Noise):

I refer to the above application.

I cannot accept the noise report in its current format. The purpose of the report should be consider noise impact on future occupiers, and if this will have an adverse impact and where mitigation is required to reduce noise to an acceptable limit.

The report submitted only partially covers this by indicating what internal noise levels will be like if the development is implemented. However it fails to fully address noise and provision for ventilation, particularly where windows are relied upon for ventilation (i.e. open). The values detailed, I assume only cover circumstances under a window

closed arrangement. Therefore the internal noise environment would be higher. In addition the report does not fully take into account other sources of noise, which are noted. It identifies other sources being retail and food outlets in the vicinity and noise from cars entering the basement. Both are considerably different in noise character to road traffic that values stated in BS 8233 might not be appropriate.

Further comments:

I have read the comments below. It still falls short of an appropriate assessment with respect to future occupiers.

The use of trickle vents only provide background ventilation. They do not provide adequate ventilation such as purge ventilation or for summer time cooling. If residents have to open windows then desirable internal noise levels will not be met. High moisture content can also promote mould growth which is potentially detrimental to health due to spores. As the development is flats, residents will likely be drying clothes indoors with ventilation based on openable windows to ensure adequate air changes.

The revised data still also fails to adequately consider commercial sources of noise / odour identified by the original assessment. Residents cannot be expected to live in closed environment and are entitled to complain about noise from non-transport sources. The NPPF recognises that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established (NPPF 182). The site assessment has not quantified the impact from neighbouring commercial neighbours in respect of guidance published under the NPPF, noise planning policy and Noise policy statement for England.

Further comments:

The proposal for MVHR for the flats should be acceptable.

Can you ask the applicant to outline a spec for this as well as maintenance requirements to be provided by the housing association.

6. Councillor Rob Beauchamp:

Thank you for our conversation yesterday, regarding the planning application for Charter Court, Midland Road, Hemel Hempstead HP2 5RL (4/01172/19/MFA). I have been approached by a resident at 100 Mosaic House, Midland Road who has raised a number of concerns with regard to the proposed conversion of Charter Court office building to residential flats. I have also reviewed a letter signed by other residents living in Mosaic House who have also voiced objections to the proposed development.

I too have concerns this new application, regarding the development (4/01172/19/MFA) at Charter Court, which I understand is a new submission that requires the height of Charter Court to be increased from its current 3 floors to 5 floors and the number of flats incorporating in the building to be from 18 to 33. I understand that while the residents of Mosaic House did not object to the previous planning application they do feel that this current redevelopment is both an over development and overbearing development of the Charter Court site, which will have a detrimental impact on their lives.

While I also agree that the points regarding; overbearing and overdevelopment are valid, I would also like to add the following points for consideration:

- Reduction in light to some of the Mosaic House flats in block 1
- Lack of privacy as some of the flats in Mosaic House block 1 will be overlooked by the new Charter Court development
- Lack of parking, as there is insufficient onsite parking at Charter Court to accommodate the proposed increase in flats. Also any local on street parking is limited due to the proximity of the Hemel Hempstead Parking controlled zone.

While I have not expressed any opinion regarding the planning application 4/01172/19/MFA to any of the Mosaic Court residents, I do believe that these residents should have an opportunity to express their concerns at a DMC meeting. Therefore I would like to call in the planning application 4/01172/19/MFA for consideration at the appropriate planning meeting.

If you could please let me know the date that the planning application 4/01172/19/MFA will be up for consideration, together with the process for residents to attend, I will inform the residents of Mosaic House and they can decide if they are able to attend in person.

7. Highway Authority:

Decision

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

Decision

Hertfordshire County Council (HCC) as Highway Authority wishes to recommend that the application is approved, subject to conditions:

Conditions

Condition 1: 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 maneuvering 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 2: Car Parking Layout, Disabled Parking and Disabled Access

Prior to commencement of the redevelopment, the applicant should submit details of

vehicle tracking of a standard vehicle to/from the parking spaces, demonstrate that the proposed disabled parking bays meet the required number and dimensions and that wheelchair access between the footway and undercroft lift access is acceptable.

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).

Condition 3: Construction Traffic Management Plan

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

- a. Construction vehicle numbers, type, routing;
- b. 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).

S278 Agreement

No S278 agreement will be required for the proposals as no changes are required to the public highway

S106 Agreement

No S106 agreement contributions are likely to be required for the proposals.

Description of the Proposal

The planning application form states that the proposal is for 33 apartments comprising 18 one-bedroom, 9 two-bedroom and 6 three-bedroom at Charter Court, Midland Road, Hemel Hempstead. However, this is inconsistent with what is stated and assessed in the Transport Assessment and shown in the proposed floor plans. The Transport Assessment and floor plans depict proposals for the change of use from

office space to residential, to provide 18 one-bedroom and 15 two-bedroom apartments.

Previous Planning Applications

There have been two previous planning applications submitted for the Charter Court site within the last five years. The first application (ref. 4/02230/18/OPA) was for the conversion of the existing building into 28 apartments consisting of 20 one-bedroom and 8 two-bedroom apartments. This application was withdrawn. The second application (ref. 4/00386/19/OPA) was for the conversion of both floors of the existing building from offices to apartments consisting of 15 studio apartments and 14 one-bedroom apartments. This application has been approved with conditions.

Site Description

The existing site is a two-storey (B1 use) office building with an entrance off Midland Road. The site is located north of Midland Road just east of the mini-roundabout junction between Midland Road and Marlowes. To the west of the existing office is another office building, with the two separated by a car park, with capacity for approximately ten vehicles. It is not known whether currently any of these parking spaces are available to the existing office residents at Charter Court. A car park is located within the undercroft level containing approximately 25 parking spaces and a bin area. The undercroft car parking is accessed from Midland Road via the car park to the west of the site. At present, the ground floor and first floor provide approximately 530m² and 604m² of office space, respectively.

Analysis

In addition to the 'Notification for Prior Approval for a Proposed Change of Use of a Building from Office Use (Class B1(a)) to a Dwelling house (Class C3)' application form, the applicant has provided the following supporting documentation which is relevant to highways:

- Design and Access Statement
- Planning Statement
- Transport Assessment (TA)
- 211632-MBS Existing floor plans
- 8365-A001-P2 Site location plan
- 8365-A003-P1, 8365-A004-P1, 8365-A006-P1 Existing plans- 8365-A002-P1, 8365-A010-P1 Existing site plans
- 8365-A007-P1 Existing site photographs
- 8365-A011-P1, 8365-A012-P1, 8365-A013-P1 Proposed floor plans

Policy Review

A policy review has been provided in Section 1.2 and 1.3 of the TA which covers the following documents

- National Planning Policy Framework;
- Hertfordshire County Council Local Transport Plan 4;
- Roads in Hertfordshire - Highway Design Guide; and,
- Dacorum Borough Council Adopted Core Strategy.

Due to the size and nature of the application this is considered acceptable. However, a review of the following additional policy documents would be recommended as part of any future submission.

- National Planning Practice Guidance; and,
- Dacorum Borough Council Local Plan.

Trip Generation

Section 5 of the TA estimates the existing trip generation for the 1134sqm of the B1 Office Use using trip rates from the TRICS database. The trip generation for the proposed development has also been estimated using trip rates from TRICS. The trip generation has been calculated for the proposed 33 flats. The assessment shows that the proposed development would be expected to generate 6 vehicle trips in the AM peak hour and 6 vehicle trips in the PM peak hour. This compares to 28 vehicle trips in the AM peak hour and 35 vehicle trips in the PM peak hour estimated for the existing office use. As such, the proposed development would likely generate fewer trips than the existing office use during peak times. The likely trip generation of the proposals is considered acceptable.

Impact on the Highway

Junction Assessment

Section 6 of the TA considers impacts on the road network. It concludes that given that the proposals are predicted to generate fewer peak hour trips compared to the existing office use the development would have a negligible impact on the capacity of the local highway network. As such no junction modelling has been undertaken. Due to the size and nature of the proposed development this is considered acceptable as the development is not likely to have a detrimental impact on the operation of the local highway network.

Refuse and Servicing Arrangements

Section 3.3. of the TA outlines servicing proposals for the development. A refuse store is proposed to the rear of the site within a 25m carry distance of Midland Road and is shown on the undercroft floor plan (drawing 8365-A011-P1). It is proposed for refuse collection to be undertaken on-street in accordance with the current arrangement.

The TA proposes that most servicing and delivery vehicles 'can stop on-site within the car parking area clear of Midland Road in accordance with the current arrangement'. It is not clear if this is referring to the parking within the undercroft level of the existing building or the parking area to the west of the building. No vehicle tracking has been undertaken for servicing or delivery vehicles. This is not considered acceptable as it is unclear if the current arrangements would be suitable for the proposed changes to the site.

It would be recommended that a Servicing and Delivery plan be conditioned, which would include detail relating to the waste and refuse collection arrangements. The plan should clearly demonstrate how deliveries and collections would be made from the site and show how a refuse vehicle could safely collect refuse from the site.

Road Safety

Personal Injury Collision (PIC) data has not been provided or assessed as part of the application. Collision data in the vicinity of the site has been reviewed as part of this assessment and there are five slight collisions in the vicinity of the site. Three collisions occurred at the junction of Midland Road and Marlowes and the fourth occurred at the junction of Midlands Road and Fernville Lane. A fifth occurred on Midland Road approximately 100m east of the existing building. There does not appear to be a trend in the collisions; therefore, due to the likely reduction in vehicle trips and lack of any change to the public highway associated with the change of use, it is considered that the development proposals would not have a severe impact on the safety of the highway network.

Highway Layout

Access Arrangements

A review of the site has identified one potential safety issue associated with the existing access to the car park adjacent to Charter Court. The wall fronting the car park obscures visibility between a driver leaving the access and an eastbound pedestrian on Midland Road. This is an existing issue and would not likely be exacerbated by the change of use, however, it is recommended that the access is improved.

The Design and Access Statement states that the existing pedestrian entrances remain in the same locations at undercroft and street levels. The application form states that new external steps are proposed from the footpath of Midland Road to the front entrance doors.

Parking

Car Parking Provision

Section 3.4 and Section 7 of the TA outline the parking proposals for the development. It states that a total of 24 parking spaces in the undercroft parking would be retained. The proposed basement plan (drawing 8368-A011-P1) shows the layout of the 24 spaces. The spaces would be accessed from Midland Road. It is not stated how residential and visitor parking would be managed and whether spaces would be allocated.

It is not clear if the existing car parking area to the west of the building would be available to future residents of the proposed development or if any changes are proposed to this car park.

The proposed parking should be assessed against the current parking standards found within Appendix 5 of the Dacorum Borough Local Plan (adopted April 2004). The standards state that new residential development will generally be expected to accommodate all parking demand on site.

A maximum of 1 space per one-bedroom flat or two-bedroom flat and 1.5 spaces per two-bedroom flat apply for Zone 2 where the site is located.

This equates to a maximum 33 spaces for the proposals for 18 one-bedroom and 15

two-bedroom.

The TA references a Technical Review of parking standards undertaken for Dacorum Borough Council. The Technical Review will form part of the evidence base to the new Local Plan and proposes new parking standards on a requirement basis. Applying the proposed (although not adopted) standards identifies a parking requirement of 38 parking spaces.

The car parking is considerably lower than the maximum standards, equivalent to 0.73 space per dwelling. However, the site is in a central location with good access to public transport. There are concerns that the proposed parking would not be able to accommodate all parking demand on site. These concerns reflect the message in the Technical Review that basing all standards on a maximum approach is, in some cases, likely to lead to under provision of parking and pressure on scarce on-street resources. However, it is ultimately the decision of the Local Planning Authority (LPA) to determine the suitability of the proposed parking.

The site is situated within a Controlled Parking Zone (CPZ) which is operational between the hours of 8am and 8pm Monday to Saturday.

Disabled Parking

The proposed basement plan (drawing 8368-A011-P1) shows the layout of the 24 spaces including two spaces for disabled people. The Design and Access Statement states that access by wheelchair is possible from the undercroft level by the passenger lift that serves all floors.

The standards require one disabled space for every dwelling which is built to mobility standards. It is not stated if any of the apartments would be built to mobility standards. Information should be provided to ascertain if the number of disabled parking spaces proposed are in keeping with the number of dwellings to be built to mobility standards. However, it is ultimately the decision of the Local Planning Authority (LPA) to determine the suitability of the proposed parking.

Car Parking Layout

The proposed plan drawing 8368-A011-P1 and existing plan 8365-A003-P1 show that it is proposed to retain 24 of the existing car parking spaces in the undercroft level. The spaces would be accessed from Midland Road to the west of the building, reflecting the existing situation.

It is acknowledged that no fundamental changes are proposed to the existing car parking layout; however, parking space number 12 appears to be narrow where the column and new barrier for the cycle parking will be located. It is considered that this spot may only be accessible to small cars.

Cycle Parking

Cycle parking standards for Dacorum Borough Council state that one long term space should be provided for per unit. This equates to 33 cycle parking spaces for the size of the proposed development. Cycle stores providing space for 34 cycles are proposed within the undercroft level of the building (as shown in drawing 8368-A011-P1). As

such, the proposed level of cycle storage is considered acceptable for the size of the proposed development and consistent with Dacorum Borough Council Standards

Accessibility

Bus Services

Section 4.1 outlines the nearest bus stops to the site and the general frequency of services. The nearest bus stop to Charter Court is situated less than 100m to the east on Midland Road just east of Fernville Lane. This stop is served by numerous bus and coach services, with regular buses to the centre of Hemel Hempstead. The station on Combe Street (Stop G), which is less than a five-minute walk from the site, provides access to a greater number of services.

Rail Service

Section 4.2 outlines the nearest railway station and the general frequency of rail services. The nearest railway station to Charter Court is Hemel Hempstead station. It is 1.5 miles away so outside of comfortable walking distance, but is easily accessible via bus services accessible from Combe Street. The station is also considered to be easily accessible by bicycle. Hemel Hempstead provides access to West Midlands Trains and Southern services, with routes to London Euston, Milton Keynes and Northampton.

Walking

Local pedestrian infrastructure is considered adequate with wide footways in good condition immediately adjacent to the site. There is an uncontrolled crossing with dropped kerbs at the mini-roundabout west of the site, with a signalized crossing to the north of the mini-roundabout on Marlowes.

Cycling

Fronting the site on Midland Road is a shared use-facility for cyclists and pedestrians. The current southern end of National Cycle Network Route 57 is situated on Midland Road 0.2 miles east of the site.

Construction

No Construction Traffic Management Plan has been provided as part of the application. Due to the location of the proposed development site, a Construction Traffic Management Plan will be required. A Construction Traffic Management Plan (CTMP) will be required to ensure that construction vehicles will not have a detrimental impact in the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to highway safety.

Travel Plan

No Travel Plan has been provided as part of application. Due to size and nature of the proposed development, this is considered acceptable.

Section 278 Agreement

No S278 agreements will be required as no changes are proposed to the public highway.

Planning Obligations / Community Infrastructure Levy

Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore any contributions would be sought by CIL, if the LPA deemed it appropriate.

Summary

HCC as highway authority has reviewed the application submission and wish to recommend that the proposed application is permitted, subject to conditions.

Further comments received:

Possible wording for a condition for a Car Parking Management Plan:

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

- Details of car parking allocation and distribution;
- Methods to minimise on-street car parking; and,
- Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority.

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

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

In terms of access improvement - if possible, removal of the wall, or lowering of it so it is at or below 0.6m height. However, as stated in the response, this is an existing issue at the access and is not likely to be exacerbated by a change of use.

8. Conservation & Design:

The existing office appears to date from the second half of the 20th century. It is of lesser interest although due to the design and detailing it is clearly a building of its time. We do not believe that it would be considered a heritage asset.

The proposal has been discussed at a pre application stage with officers. Our responses to the original ideas appear to have been considered as part of the proposed scheme. The main concern due to the adjacent grade II listed town house has been resolved. The building steps up away from the listed building and we do not

believe that it would cause any additional harm to the setting when compared to the current situation. Therefore we believe that this has a neutral impact on the setting of the listed building.

In relation to the proposed design we believe that externally it would enhance the built environment of the street. The design and detailing would sit comfortably with the adjacent block and the proposed elevations appear appropriately detailed. We would welcome the creation of a vertical emphasis and believe that the mixture of brick cladding and standing seam metal would be appropriate. We would also welcome the introduction of the planted beds to Midland Road as it would soften the entrance.

We would have a concern about the proposed colour of the roof element and it may benefit from being darker rather than the light colour shown in the sketches. It may also be useful to consider having a different colour to the central entrance element and the top floor element. Otherwise we believe that the scheme would be acceptable from an external design point of view.

Recommendation: We would not object to the proposals but would recommend that the cladding be reviewed as noted above. External materials and finishes subject to approval. It would be recommended that the windows to the brick clad elevations be recessed rather than flush to create shadow lines and visual interest to the property.

9. Secure by Design:

Thank you for sight of planning application 4/01172/19/MFA change of use from office (Class B1 (A) to residential (Class C3) and extension to create fourth & fifth levels, to provide 33 apartments comprising 18 one bedroom, 9 two- bedroom and 6 three bedroom dwellings with associated car parking, bicycle and refuse storage. Charter Court, Midland Road, Hemel Hempstead, HP2 5RL.

I am content that security and safety has been addressed for this application. If planning permission is granted it is the applicants intention to build to the Police minimum security standard Secured by Design.

Appendix B

Neighbour notification/site notice responses

Objections

- Two separate petitions (in objection) signed by 32 addresses at Mosaic House and Iveagh Court, Alexandra Road regarding:

Loss of light, overlooking, visual intrusion, highway safety, increased pressure for Fernville Doctors surgery, local schools are already at capacity, noise disturbance (e.g. refuse collection) and parking.

- Further letters of objection received from Mosaic House (four) addresses summarised as follows:

Loss of light or overshadowing, overlooking / loss of privacy, adequacy of parking / turning, noise and disturbance resulting from use

- Mosaic House:

Letter of objection received, summarised as follows:

Loss of light to Mosaic House, overlooking, increase in volume of traffic, highway safety in relation to adjacent super market delivery lorries and parking.

- East Street:

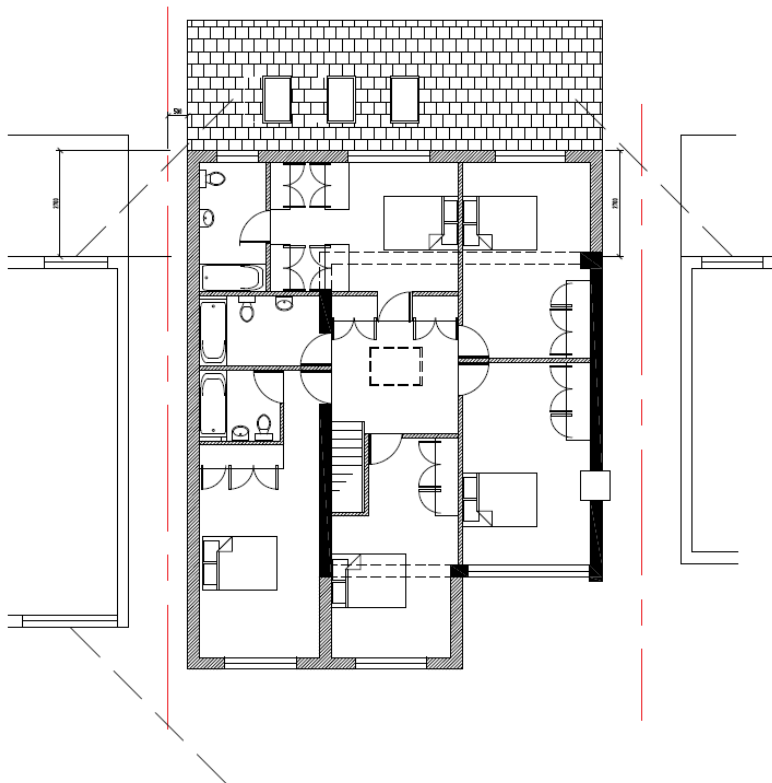
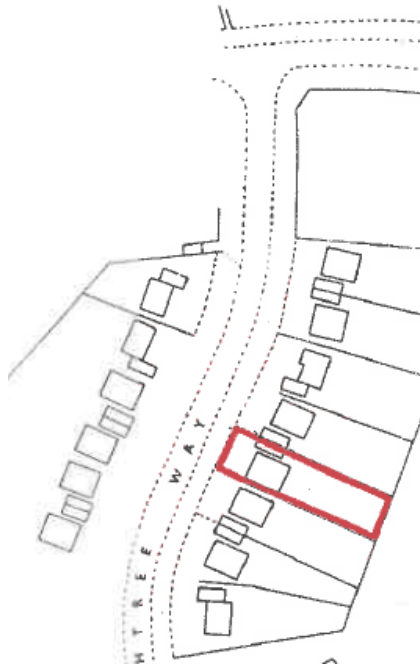
I have objected to previous applications regarding change of use from office to residential on grounds of insufficient parking provision and lack of amenity space on this very restricted site. The current application proposes to double the floor space of this building whilst reducing the number of parking spaces!!!! The Design and Access Statement accompanying the application indicates a density of 300 dwellings per hectare for this site of 0.11 of a hectare - surely that truly is a massive and gross over development of this very small site. As with previous objections I expect my comments will again be totally ignored.

Agenda Item 5c

Item 5c

4/01558/19/FHA TWO STOREY SIDE, FRONT AND REAR EXTENSION

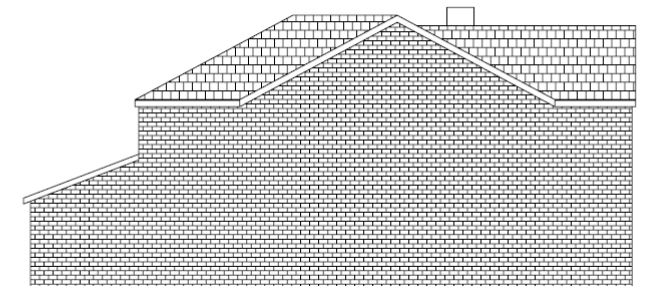
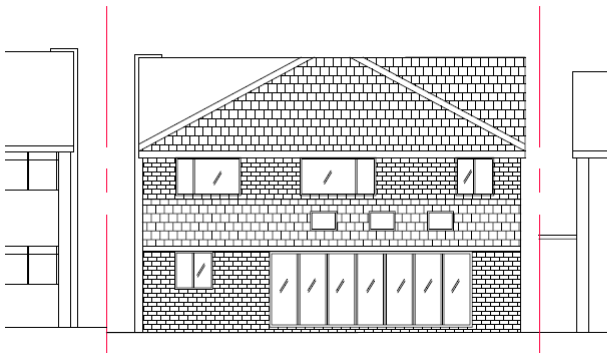
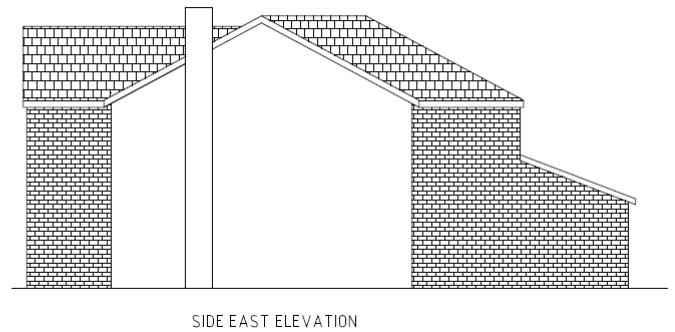
26 ASHTREE WAY, HEMEL HEMPSTEAD HP1 1QS



Item 5c

4/01558/19/FHA TWO STOREY SIDE, FRONT AND REAR EXTENSION

26 ASHTREE WAY, HEMEL HEMPSTEAD HP1 1QS



4/01558/19/FHA	TWO STOREY SIDE, FRONT AND REAR EXTENSION
Site Address	26 ASHTREE WAY, HEMEL HEMPSTEAD, HP1 1QS
Applicant	Mrs K Waterman, 26 Ashtree Way
Case Officer	Briony Curtain
Referral to Committee	Called in by Cllr Allen

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed two storey front, side and rear extensions are large, and different in their design such that they will change the appearance of the host dwelling, however they will not be detrimental to the overall appearance of the property or detract from the wider street scene. Moreover there are several existing examples of similar two storey front/side extensions in the immediate street scene such that the proposal will successfully integrate. The height, size and siting of the extensions respect adjacent buildings and their design replicates common features exhibited in the existing street scene. The development would not have a significant adverse impact on the amenity of neighbouring properties in terms of light, privacy or visual intrusion. The site is sufficient in size to provide acceptable parking and amenity space to serve the resulting larger dwelling. The proposal is therefore in accordance with the National Planning Policy Framework, and Policy CS12 of the Dacorum Core Strategy 2013.

3. Site Description

3.1 The application site is located to the northern side of Ashtree Way and comprises a residential dwelling with associated parking and gardens. The area is characterised by medium to large detached dwelling of varying designs many of which have been extended and altered.

4. Proposal

4.1 Planning Permission is sought for the construction of a two storey side, front and rear extension. The proposal has been amended during the course of the application to set it away 500mm from the common boundary with No. 30. The plans have also annotated to illustrate a 45 degree line to neighbouring habitable windows.

5. Relevant Planning History

None.

6. Policies

6.1 National Planning Policy

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

6.2 Adopted Core Strategy –

NP1, CS1, CS4, CS8, CS9, CS10, CS11, CS12, CS29, CS30, CS31, and CS32.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, and 58
Appendices 3, 5 and 7.

6.4 Supplementary Planning Guidance

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area HCA 8:Counters End.
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. **Constraints**

- 45.7M AIR DIR LIMIT
- Residential Character Areas
- SSSI IMPACT RISK ZONES
- CIL3

8. **Representations**

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. **Considerations**

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Visual impact on property / street scene
- Impact on residential amenities of adjoining properties
- Impact on Highway Safety
- Other

Policy and Principle

9.2 The application site is located within the town of Hemel Hempstead wherein

appropriate residential development is encouraged in accordance with Policy CS1 and CS4 of the Core Strategy 2013. The principle of the extensions is thus acceptable.

Impact on appearance of existing property

9.3 The existing dwelling is simple and whilst the extensions are large and different in their design, which will undoubtedly alter the appearance of the property, they will not be detrimental. The size and scale are considered compatible with the existing built form and the plot is large enough to accommodate them without appearing cramped or overdeveloped. The continuation of the existing ridge to the side extension would be acceptable and the front gable is slightly set down to sit comfortably and tie together the existing dwelling and new side extension. The design of the two storey rear extension is unfortunate and a reduction in width to facilitate the omission of the crowned central section would be welcomed, however this section is only 2.7m in depth so would not appear unduly dominant and sufficient space is retained around the building to avoid a cramped appearance. This element would not be visible from public vantage points and as such it is concluded that a refusal on this element alone could not be sustained. The single storey rear extension whilst projecting for a further 3m would not dominate the building or plot. A generous rear garden area way in excess of the 11.5m policy requirement would remain. It is also important to note that whilst a prior approval application would be required a single storey rear extension up to 8m in depth may be permissible under Class A of the Town and Country Planning (general Permitted development) Order and this is a material consideration. Both adjoining properties already feature 3m deep full width single storey rear additions. Appropriate wall to window ratios are achieved. The proposed building materials would match those of the existing and the windows design and proportions are generally consistent.

9.4 For the reasons outlined above the proposal would achieve a comfortable degree of compatibility with the existing property to comply with Policy CS12.

Impact on Street Scene

9.5 The site is situated within HCA 8:Counters End which is broadly characterised as 'a spacious, high quality and largely informally laid out area of planned detached housing featuring large areas of amenity land, open plan front gardens and mature landscaping dating mainly from the late 1960s/early 1970s'. The development principles for the area are as follows;

Housing

Design: Scope for variety, innovation and modernity in design.

Height: new buildings should not normally exceed two storeys.

Size: medium to large dwellings are encouraged.

Layout: informal layouts are acceptable, although dwellings should follow a defined building line. Spacing should be provided in the medium range (2m to 5m).

9.6 The proposed extensions (as amended) are considered to be acceptable from a design aspect and would successfully integrate with the street scene. The proposal introduces significant extensions to the property but the area is characterised by medium and large dwellings (which are encouraged) such that the resulting building would not appear at odds or unduly dominant in its setting. The rear extension is large, but would not be visible from public vantage points and as such would not harm the

character or appearance of the street scene. A prominent front gable is being introduced, however its minimal projection at 2.3m beyond the main front wall (1.3m beyond the existing garage), and its proximity to other existing examples in the street scene means it will harmonise well. The remainder of the street scene is varied and the original building line is no longer overly evident. As such the proposals would not appear as dominant or incongruous features in the street scene. Moreover, the architectural quality of the dwellings is not such that it should be preserved without alteration, innovation and variety is encouraged in the area. The build line is no longer clearly defined with many properties extending forward of the original main front walls. The proposals do therefore follow the general build line.

9.7 The property one away to the west; No. 30 features a 3.6m deep, 6m wide, two storey gabled front/side extension which would project further into the street than the extension currently proposed. In addition both No.s 18 and 20 to the east exhibit similar two storey gabled front/side extensions which again exceed the depth of that currently proposed. Given their position at the bend in the road both No.s 18 and 20 occupy a far more prominent position than the application site and both extensions were considered acceptable and granted planning permission. Albeit smaller in width and of differing design there are also other examples of first floor extensions in the immediate vicinity. Both No.s 24 and 22 immediately to the right feature first floor front/side gabled extensions set forward of their original build line. Given the existing larger, more prominent examples in the immediate street scene the proposals would successfully integrate to comply with Policy CS12.

9.8 Turning to the proximity of the extension to No. 30, the proposal has been amended during the course of the application and has now been set 0.5m from the common boundary. Whilst it would be preferable for the separation distance to be increased, given the existing street pattern it is considered that a refusal could not be sustained. There is no uniformity in the general spacing of the properties and many have been extended right up to the common boundary such that there is very little space in between some properties. The 0.5m set in proposed would ensure the development does not appear cramped and together with the gabled design would ensure no terracing effect with No. 30. The spacing with No. 24 does not alter as a result of the proposal.

9.9 Despite its forward projection and proximity to the boundary, given the numerous existing examples in the immediate street scene, the two storey front/side extension proposed is not considered dominant or intrusive but would successfully integrate into the area. The rear extension would not be visible so would have a negligible impact on the area.

Impact on Residential Amenities of Surrounding Properties.

9.10 The application site has three directly adjoining properties, including the dwellings either side at No's 24 and 26 Ashtree way and one dwellings to the rear at No's 121 Green End Road.

9.11 The proposed extensions would be located 46m from No. 121 Green End Road beyond their own rear garden and that of the application property. At this distance it is not considered there would be any concerns with respect to visual intrusion or loss of light. Despite being 2.7m closer to the properties of Green End Lane the proposed first floor windows would not significantly increase overlooking levels when compared to

existing levels.

9.12 Turning to the properties either side, given their size and position the extensions would be visible from, would alter light levels to habitable windows and cause slight overshadowing of adjoining properties. However not to such a degree as to appear intrusive or harm residential amenity. The scheme has been amended since original submission and an acceptable amount of light and aspect would now be maintained to both adjacent properties. The Building Research Establishment (BRE) guidelines "Site Layout and Planning for daylight and Sunlight: A Guide to Good Practice" provides guidance on avoiding unacceptable impacts. A useful guideline for measuring the impact of new developments is the 45 degree rule of thumb whereby an extension must clear a 45 degree line (plan and elevation) taken from the centre point of adjacent habitable windows. The proposed two storey front and rear extensions do not project for an unacceptable distance to the front or rear of adjacent properties, are set away from the common boundaries, albeit only marginally to the west, and as such they now clear a 45 degree angle from all nearest adjacent front and rear first floor habitable rooms. The following windows have been fully considered and assessed and there is no harm identified; to the rear No. 28 has three rear facing window in close proximity to the common boundary with No. 26, the ground floor serving a kitchen which is set 3m beyond the current rear elevation of the application property and the first and second storey ones, both serving bedrooms. The kitchen is also served by secondary windows/doors. To the front there are two windows to consider, the first floor serving a bedroom and the ground floor an office / study. Looking at No. 24 it features ground floor sliding doors which are set approximately 3m behind No. 26 and the first floor is a bedroom window. To the front the extension are set some distance from the common boundary such that no assessment has been undertaken. The two storey elements of the proposal would not result in a significant loss of light to adjacent properties or appear unduly oppressive to the detriment of residential amenity. Given the orientation of the properties the extensions proposed would overshadow the adjacent immediate gardens in the early morning (No. 30) and late evening (No.24) but for the majority of the day the impact would be comparable to the existing circumstances. All the properties in this section of the road are served by generous rear gardens which rise to the north, as such other areas of the gardens would continue to provide an acceptable level of amenity to occupiers.

9.13 At ground floor level it is proposed to extend for 6m beyond the existing rear wall. However given both adjoining properties have been extended themselves by approx 3m, the ground floor projection would actually be only 3m beyond the adjacent properties. At 3m in depth the single storey rear extension would not have a significant adverse impact in terms of light, or visual intrusion. Moreover the resulting impact to No. 24 and 30 would be similar to that of the existing extensions on the rear facing windows of the current application property, which are not significantly harmful to residential amenity. In addition to the rear extension No. 24 has erected a tiled pitched roof garden pavilion structure further to the rear which projects for a similar depth to the current proposals. This would further reduce the impact of the proposals on their rear facing habitable rooms as their own structure would be far more visible and restrictive to light levels than the proposals. It is important to note that under the Town and Country Planning (General Permitted Development) Order for a detached dwelling such as this the construction of a 4m deep rear extension similar to that proposed does not require formal planning permission. This suggests that the impact of such an extension is deemed acceptable and does not result in material harm to adjacent properties. The current proposal extends only 3m further to the rear.

9.14 The proposals would not result in a loss of privacy or increase overlooking levels. The rear facing windows would permit similar views over adjoining properties to the existing rear facing windows and it is not proposed to introduce any windows to the side flank elevations.

9.15 the proposals do not result in material harm to the residential amenities of adjacent and surrounding properties to comply with Policy CS12 of the Dacorum Core Strategy 2013.

Impact on Highway Safety

9.16 The proposals do not alter the sites existing access arrangements and as such there would be no harm to the safety or operation of the highway. The resulting building would have five bedrooms which would require a maximum of three on site parking spaces under saved Appendix 5 of the Local Plan. Whilst it is proposed to extend to the front, at ground floor level the projection is only 1.3m further than the existing garage and as such the remaining frontage would be of sufficient depth and area to accommodate three parking spaces to the required minimum dimensions (2.4m x 4.8m). It is important to note that provided it is porous, the amount of hard surface to the front of the dwelling could be increased without the need for planning permission and most of the properties to this section of Ashtree way have constructed larger driveways to the front. An indicative plan demonstrating the space available to the front and possible future parking arrangements has been submitted but these do not form part of the proposal. In addition to the generous frontage the plans illustrate a garage is to be retained, although given the limited width it is unlikely this would be used for parking. Given that three spaces can clearly be provided it therefore follows that the parking arrangements are sufficient and would not result in displacement parking onto the local highway network.

Other Material Planning Considerations

9.17 No trees or significant landscape features would be affected by the proposals.

Response to Neighbour comments

9.18 Concern has been raised by local residents in relation to the building line, parking, visual intrusion, loss of light, design out of keeping and dominant in street scene. These issues and concerns have been considered in the above sections but in addition to these concern is expressed in relation to over-development, covenants, raising the roof, and the total floor area increase.

9.19 Overdevelopment - the proposal does not amount to an over-development. The plot is large and whilst the resulting building would span almost the entire width, the site coverage with buildings is minimal. A generous front and rear garden and adequate and functional space for servicing the enlarged dwelling (parking, bins etc) is retained.

9.20 Covenants - the existence of covenants would not be a matter for consideration by the Local Planning Authority, these are legal restrictions placed upon the land.

9.21 Raising the roof - the proposal does not involve the raising of the roof. The side

and rear extension extend at the same height as the existing property and the two storey front extension is set marginally down from the existing ridgeline.

9.22 Floor Area increase - given the site is located within the town of Hemel Hempstead, whilst Policy CS12 requires development to respect the mass, bulk, height etc of the existing and surrounding properties there is no restriction on the size increase or the necessity for the extension to be proportionate to the original building like would apply to development proposed in the Green Belt (CS5).

CIL

9.19 The development would not be CIL liable.

10. 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>06/19/26A WWHH-201 REV A 06/19/26A WWHH-202 REV A 06/19/26A WWHH-203 REV A 06/19/26A WWHH-204 REV A 06/19/26A WWHH-205</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35;</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

Appendix 1

Consultation responses

No responses received.

Appendix 2

Neighbour notification/site notice responses

8 Representations have been received all objecting to the proposals. The MP has made written representation supporting the objectors concerns.

Objections

(Objects)

Comment submitted date: Wed 31 Jul 2019

I fully support the objections raised by Mr Caterer and his concerns regarding the potential impact on neighbours either side and the street in general.

of particular concern is the plan to build beyond the 'building line' and its subsequent reduction in off road parking which will add to existing parking problems.

the proposal is too close to the neighbouring property and it cannot be right that the proposed gap will not allow room for any maintenance work.

the proposed building will impact on privacy and reduce sunlight to the adjacent property.

whilst the proposal does not directly affect me, i am concerned that planning permission that is sought, without due consideration of neighbours and the local environment, should be sympathetically considered, and in this case rejected.

(Objects)

Comment submitted date: Wed 31 Jul 2019

We live directly opposite No. 26.

We do not object to sympathetic planning but we do object to the current proposals particularly in relation to the front build line and also because the proposals would mean that the gap between the properties is not 2m and this will make the properties look semi-detached when we are all currently detached.

It would appear that DBC policy is being flaunted by these proposals by not adhering to the 2m gapping and the build line that has been in place for years.

We also object in to the front in terms of privacy, parking and that the whole proposals are not in keeping with the neighbouring properties or indeed those opposite.

the properties opposite all comply with the build line and we object to the way this will affect Ashtree Way and its visual appearance.

Looking at the proposals for the rear, whilst this does not materially affect us it is obvious that the large two storey rear projection will take privacy away from our neighbours and to their gardens as the sun moves around the building.

We understand the ward councillor has called in the application and we trust this has happened.

(Objects)

Comment submitted date: Tue 30 Jul 2019

We are in support of an extension that is in line with the front line neighbouring buildings.

We have reservations about the extent of the expansion towards the road which will break the view line of/with the neighbouring buildings.

Such an expansion may reduce parking opportunities which are becoming increasingly difficult in this road.

(Objects)

Comment submitted date: Fri 05 Jul 2019

original plans ;

Concerns Received - too large, impact on light to habitable rooms, breach of front build line.

Revised plans;

Following the submission of the revised plans, we have tried to log into the website to respond in the time suggested, but two attempts have failed, so we are emailing you and will drop in the original, so that they can be added by you.

1. This proposal represents significant over development of the site, the bulk and mass of the proposed extension would result in an overbearing and ugly house with a discordant and over dominant front gable.
2. The convoluted and discordant roof form is indicative that the floor plans are too large, also proven by the need for a crown roof. If the roof spans were reasonable the resulting pitched roof forms would sit well in the street scene without the need for fake ridges generated by a crown roof. Daylight to some rooms of the proposal will be significantly compromised and we note the 'snug' doesn't even have any natural daylight so is not technically a habitable room.
3. The proposal comes significantly forward of the building line which is quite a strong feature of the 3 houses in a row, nos 24 ?28. Other extensions on Ashtree Way which have eroded the building line are on a bend in the road and so the impact is much less.
4. The extension would fill in the gap between Nos 26 and 28, which is directly south of the rear terrace / amenity space of no 28 therefore creating significant shading and loss of light to that rear terrace / amenity space of no 28. This is exacerbated by the large front extension with a dominant gable element.

5. The existing extensions to Nos 24 and 28 respect and preserve the bulk and mass of the original house form, and the original roof form is easily legible. The proposal for no 26 extends much further back at both ground and first floor levels than its neighbours and is excessively deep and inappropriate.

6. The large bulk and mass of the proposal results in big blank side elevations which although partly obscured by the adjacent houses will nonetheless detract from the street scene.

7. Whilst we acknowledge there is now a 500mm gap between the proposed extension and the boundary, this should be increased to at least 1m to avoid a terracing effect of the properties. In addition, 500mm is not sufficient space for a scaffold to carry out the building works or to carry out any ongoing maintenance / decoration in subsequent years, again at least 1m is required. This is supported by the fact that the current gap between no. 28 and 30 is 2.2meters and the current gap between no. 26 and 24 is 2.7m. See the planning policy 'development within the plot'

8. The planning office will obviously and most definitely protect and defend any attempt to break the layout planning policy for Counters End and Boxmoor. The points laid out in our objection make this obvious.

Summary of Dacorum Planning Policy, HCA8 Counters End

Layout

Dwellings generally front the road in an informal layout although there is a distinct pattern to the development which produces curved building lines. This gives visual interest to the area but also contributes strongly to a feeling of spaciousness. Spacing generally within the medium range 2m to 5m between dwellings.

Traffic : Off-street parking

Dwellings have generally good on-site provision.

No.26 Ashtree Way, has a large grass frontage and existing drive which, if copied from the existing drive on the neighbouring property no. 28 could facilitate five cars off road. Recent parking policy has increased on-road parking in Ashtree Way significantly and surely highways could not support an erosion of the possibility to remove some of this unwanted on road vehicle use.

Development of the Plot

Extensions should normally be subordinate in terms of scale and height to the parent building.

9. Whilst we strongly object to the current plans that have been submitted we are not adverse to the property having a sympathetic extension which incorporates both planning policy and a neighbouring right to correct spacing and to enjoy the natural light between dwellings. It seems to us and it is our opinion the planning application is being judged on purely as permitted development. We understand that permitted development only covers the ground floor extension to the rear. Permitted development does not cover the huge second floor proposal or the closeness of the new development to No. 28.

It would be far more in keeping to the street scene to adopt the build line that both 24 and 28 Ashtree way have adhered to of which a covenant is in place to protect this boundary.

New plans should be submitted which would incorporate a staggering effect, grading the rear extension to the original exterior wall and having the largest second floor extension area central to the new plans. This seems an obvious way forward to reduce mass and least affect both parent properties.

10. Any previous applications that have been passed in Ashtree Way should not be used as a

precedent for future planning mistakes to further erode the correct scene.

Comment submitted date: Tue 30 Jul 2019

1. This proposal represents significant over development of the site, the bulk and mass of the proposed extension would result in an overbearing and ugly house with a discordant and over dominant front gable.
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5. The existing extensions to Nos 24 and 28 respect and preserve the bulk and mass of the original house form, and the original roof form is easily legible. The proposal for no 26 extends much further back at both ground and first floor levels than its neighbours and is excessively deep and inappropriate.
6. The large bulk and mass of the proposal results in big blank side elevations which although partly obscured by the adjacent houses will nonetheless detract from the street scene.
7. Whilst we acknowledge there is now a 500mm gap between the proposed extension and the boundary, this should be increased to at least 1m to avoid a terracing effect of the properties. In addition, 500mm is not sufficient space for a scaffold to carry out the building works or to carry out any ongoing maintenance / decoration in subsequent years, again at least 1m is required. This is supported by the fact that the current gap between no. 28 and 30 is 2.2meters and the current gap between no. 26 and 24 is 2.7m. See the planning policy "development within the

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New plans should be submitted which would incorporate a staggering effect, grading the rear extension to the original exterior wall and having the largest second floor extension area central to the new plans. This seems an obvious way forward to reduce mass and least affect both parent properties.

10. Any previous applications that have been passed in Ashtree Way should not be used as a precedent for future planning mistakes to further erode the correct scene.

We reserve the right to make further comments.

We await to hear from you urgently.

(Objects)

Comment submitted date: Tue 30 Jul 2019

With reference to the proposed development of 26 Ashtree Way, I would wish to provide my response as a resident in Ashtree Way which is very close to this property.

Whilst I acknowledge that the property in question has scope for extending as it is similar in size and shape to our original house prior to us extending, the sheer scale of what is proposed appears to exceed what would fit in with the neighbouring houses in Ashtree Way as well as those along the whole road.

Whilst the plans uploaded do not provide a visual context with the neighbouring properties, from the measurements provided; the raising of the roof line and the requirement to include a Crown roof, these lead to the conclusion that this proposal is very substantial and out of keeping with other properties.

For example:

1) The front edge of the property would exceed the natural building line of this and adjoining properties. With this being two storeys high with a gable end to the roof, this would be a significant structure out of keeping with neighbouring properties. Similar developments along Ashtree Way, albeit not quite to the same scale, are on properties which have a larger frontage, thereby giving a less obtrusive image. Furthermore, when we extended our property, we were refused a request to build beyond the building line so I question what has changed?.

2) The front extension would see a reduction in their off-street parking provision which for a house being increased from 4 to 5 beds comes across as a negative move. Again, we were required to increase our off-street parking when we added 1 bedroom.

3) The ridge height has been raised for no other reason other than to enable the extensive extensions to be built (as opposed to utilising the roof space for additional bedrooms). This suggests the overall external dimensions of the property are too great.

4) The reduction in the space between this property and its direct neighbours at 24 and 28 leads to the impression that the houses will be terraced. Again, this was raised when we extended our house and required us to provide an alternative so as to break up the ridge line. The properties at 22 / 24 Ashtree Way and 25 / 27 Ashtree Way were given by us as examples of such permission to which the Planning Officer replied saying they didn't like the image these created.

5) From a rough calculation, the existing house (excluding garage) is approximately 115m² (both floors) whereas the proposed extensions would result in approximately 250m² (excluding garage) which appears an excessive increase.

In summary I consider the proposal to be out of keeping with other properties in the road being too obtrusive with substantial front and side extensions (I cannot really comment about the rear) and raised roof line with reduction in off-street parking.

I am also concerned that if this proposal was granted, this would provide a precedent for other properties in the road.

Overall, I do believe this proposed development is of a size and appearance which is out of keeping with the area and whilst I would not have any objection to a more appropriate proposal, this one as it stands is excessive.

(Objects)

Comment submitted date: Mon 29 Jul 2019

Blocking light, spoiling the line of houses and encroaching on the drive way making the houses look like semis and devaluing at the same time

Reducing parking in general

(Objects)

Comment submitted date: Mon 29 Jul 2019

I have seen the application to extend this house and think that the extension is overdone. The proposal is far too big and out of line with other residences on the same road. I park my car in the road and there is often not enough parking spaces. If the proposed extension does go ahead, there will be less parking spaces on Ashtree way as the occupants will have to park their cars on the road, reducing the available spaces for non-residents. Why does the council continue to allow people to build these hideous monstrosities, no doubt just to make as much money as they can and then sell up and leave again.

(Objects)

Comment submitted date: Sun 28 Jul 2019

With regards the planning application 4/01558/19/FHA, 26 Ashtree Way, Hemel Hempstead.

My wife and I, and other local residents are deeply concerned by the revised plans and wish to lodge our objection to the proposed plans. We are in no way against an extension of a reasonable size at the property, one that has a similar profile to the houses either side of number 26, one that has less of an impact to the look and feel of the street itself and does not impinge on the quality of life of the neighbours. The changes in the revised plans, compared to the initial proposal, are so slight they are all but inconsequential. The fact the revised plans seem set to be approved, with very little change, strongly indicates that the only consideration given was in relation to the 45 degree right to light. However, the plans have a much greater, more significant, impact on the locality and the neighbours.

The current plans are grossly oversized and are absolutely not in keeping with the surrounding houses. The size and style of the proposed first floor extension, with the crown roof, will cause issues for us at number 24, greatly impacting residential amenities due to the sheer bulk and size of the proposed plans. This will result in us losing direct sunlight much earlier in the evening. As the sun goes down it will now be blocked by the new rear extension, putting our patio and garden pavilion in the shade. This is, by far the area of the garden we use most. As both myself and my wife work full time we are only able to use the garden and patio in the early evenings which is exactly when the oversized first floor rear extension will block out the sunlight, putting us in shade. Were the first floor rear extension to be limited in size to that of numbers 28, 24 or even 22 (as these houses are all in a straight line) we feel it would be unreasonable of us to object, however, the current plans are for the first floor extension to come out further than any of the existing rear extensions. I also believe the fact a crown roof is required indicates the proposals are oversized for the plot and the current streetscape.

In addition to the first floor rear extension, the size of proposed side extension is currently, in our opinion, too close to number 28. This will not only impact the residents at 28, due to loss of direct sunlight but also will give the street the feel of terraced housing, which is not a look that sits well with us.

With regards the front extension, we were flabbergasted that this is potentially going to be permitted. A covenant in the deeds clearly states that residents may not even install a small boundary such as a fence or bush, so for an extension coming out over 2 metres from the front of the current property to be permitted is somewhat of a shock. The property line must be taken from the houses that are directly parallel. We fail to see how any other houses that are around bends of the road can be used as a benchmark for how far any extension can protrude from the front. In addition to the visual intrusion and the fact that it will look grossly out of character the front extension will clearly impact the available parking on the road. This has already been severely impacted by the recent introduction of residents permits on Green End Road, which has forced commuter traffic from the train station onto Ashtree Way and the loss of off-road parking at number 26 will further exacerbate this issue. The new family at no 26 are potentially a 5 car family, so to build out over what is currently ample off-road parking is an act of extreme folly.

As stated above, we are in no way against expansion, but we do object in the strongest possible terms to the proposed plans due to the size of the first floor, front, side and rear extensions.

Item 5d

**4/00611/19/FHA CONSTRUCTION OF A 1.5 STOREY SIDE/FRONT EXTENSION,
REPLACEMENT SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION**

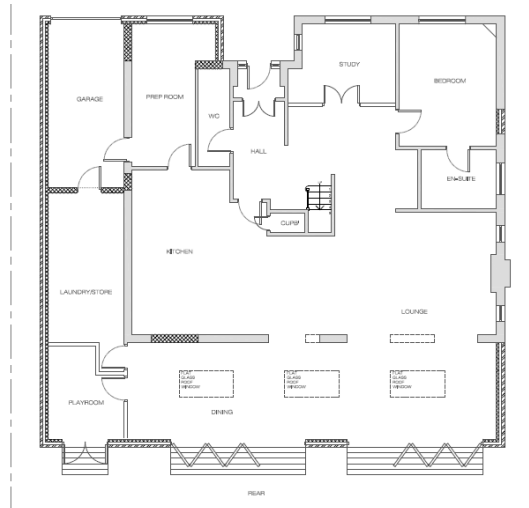
74 SCATTERDELLS LANE, CHIPPERFILED



Item 5d

**4/00611/19/FHA CONSTRUCTION OF A 1.5 STOREY SIDE/FRONT EXTENSION,
REPLACEMENT SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION**

74 SCATTERDELLS LANE, CHIPPERFILED



PROPOSED GROUND FLOOR PLAN



PROPOSED FRONT ELEVATION



4/00611/19/FHA	CONSTRUCTION OF 1.5 STOREY SIDE/FRONT EXTENSION, DEMOLITION OF EXISTING REAR SINGLE STOREY CONSERVATORY. REPLACEMENT SINGLE STOREY REAR EXTENSION AND FRONT HIP TO GABLE ROOF EXTENSION. INSTALLATION OF REAR ROOF WINDOWS.
Site Address	74 SCATTERDELLS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EX
Applicant	Mr A Doouss, 74 Scatterdells Lane
Case Officer	Sally Robbins
Referral to Committee	Contrary view of Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The site is located within the Green Belt, wherein proportionate extensions to existing buildings are acceptable, in accordance with Core Strategy (2013) Policy CS5 and paragraph 145 c) of the NPPF (2019). The proposed design, scale and finish of the extensions are considered to respect the original building and surrounding properties, as well as the residential amenity of surrounding units, in accordance with Core Strategy (2013) Policies CS11 and CS12, Saved Appendix 7 of the Local Plan (2004).

3. Site Description

3.1 The application site is located on the southeast side of Scatterdells Lane in Chipperfield. The site comprises a single storey detached dwellinghouse in an elongated plot. The site is located within the Green Belt and the surrounding area is rural in character with Chipperfield village centre lying directly to the south. The site itself lies just outside of the designated village boundary. The residential character of Scatterdells Lane comprises a varied mix of mostly detached dwellinghouses in a range of architectural styles and sizes.

4. Proposal

4.1 The application seeks full planning permission for the construction of a 1.5 storey side/front extension, demolition of the existing rear single storey conservatory, replacement single storey rear extension, front hip to gable roof extension and installation of rear roof windows.

5. Relevant Planning History

5.1 The application is an amended scheme following the refusal of a similar scheme in February 2018 (ref. 4/02491/17/FHA). The refused scheme was referred to Development Management Committee on 15 February 2018 due to the contrary view of Chipperfield Parish Council. The application was refused for the following reason:

‘The proposed development would be overbearing and cause significant harm to

the residential amenity of adjoining properties in terms of loss of light due to its size, contrary to Policy CS12 c) of the Core Strategy (2013). The proposal would result in disproportionate additions over and above the size of the original dwelling, contrary to paragraph 89 of the NPPF and Policy CS5 c) of the Core Strategy (2013).

The proposed front, side and rear extension; loft conversion with crown roof and front gable extension are not considered limited and will significantly increase the bulk, massing, prominence of the property thereby failing to comply with Policies CS5 and CS12 of the Core Strategy (2013) and the National Planning Policy Framework (2012).'

5.2 The scheme has subsequently been amended to address these issues, specifically the bulk has been reduced to the rear so that the rear extension is single storey only. The proposed front elevation remains unchanged from the previous scheme.

4/02491/17/FHA FRONT, SIDE AND REAR EXTENSION. LOFT CONVERSION WITH CROWN
ROOF AND FRONT GABLE EXTENSION
Refused
19/02/2018

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

CS5, CS11, CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 22
Appendix 3, 5 & 7

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

- GREEN BELT

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

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

Policy and Principle – Impact on Green Belt

9.2 The application site is located within the Green Belt. Core Strategy (2013) Policy CS5 aims to protect the character and openness of the Green Belt and states that small-scale development will be permitted, such as limited extensions to existing buildings, provided that it has no significant impact on the character and appearance of the countryside. Paragraph 145 of the National Planning Policy Framework (NPPF) (2019) states that one of the exceptions to inappropriate development in the Green Belt is 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. Regard is also given to Saved Policy 22 of the Local Plan (2004), which requires an assessment based on the increase in floor area, allowing for a 30% increase. Policy 22 is only partly consistent with the more recent NPPF and Core Strategy and as such Policy 22 is given less weight. The main issue is whether the proposed extension is 'limited' and 'proportionate' and whether it would have a significant impact on the character and appearance of the countryside.

9.3 Although percentage increases are no longer typically used as a limiting factor in establishing whether an extension is acceptable in principle, these measurements do provide a good starting point in an assessment of the proportionality of a development. The existing floor area is 324 sqm and, as a result of the extensions, the floor area would be 462 sqm, which equates to an increase of 42%. The existing volume of the building is 996 cubic m and the proposed volume would be 1108 cubic m, which would be an increase of 11%.

9.4 Whilst the increase in floor area exceeds the threshold set out in Saved Policy 22, as mentioned above less weight is given to this than an assessment in terms of proportionality as defined in the NPPF. Furthermore, there would be no increase in maximum roof height and the majority of the increase in floor area would be comprised within the roof space. It is considered that the volume increase gives a better indication of the proportionality than floor area measurements.

9.5 Planning permission has been granted for similar extensions to the proposed scheme. Examples include: 102 Scatterdells Lane (ref. 4/04032/15/FHA) - floor area increase of 51% and volume increase of 60%; 70 Scatterdells Lane (ref. 4/01064/15/FHA) – floor area increase of 65%; 72 Scatterdells Lane (ref.

4/00584/16/FHA) – floor area increase of 88%; 80 Scatterdells Lane (ref. 4/03996/15/FHA) – floor area increase of 46%; 96 Scatterdells Lane (ref. 4/00026/13/FHA) – floor area increase of 50%.

9.6 Taking all of the above into account, it is considered that the proposed development would constitute a limited extension (in accordance with Policy CS5) and would not result in disproportionate additions over and above the size of the original dwelling (in accordance with the NPPF). Additionally it is considered that, subject to the below assessment of design and finish, the proposed development will not have a significant impact on the character and appearance of the countryside, to accord with Policy CS5. The proposal is therefore acceptable in principle, subject to the considerations below.

Layout, Design & Scale

9.7 Core Strategy (2013) Policies CS11 and CS12 and Saved Appendix 7 of the Local Plan (2004) seek to ensure that new development within settlements respects the typical density in the area, integrates with the streetscape character and respects adjoining properties. Furthermore, chapter 12 of the NPPF (2019) emphasises the importance of good design and, in particular, paragraph 127 states that planning decisions should ensure that developments are visually attractive as a result of good architecture and layout.

9.8 The surrounding area is varied in terms of dwelling size and architectural features, with many properties showing evidence of extension/alteration. There are also examples of prominent gable ends facing the road, for example numbers 34, 36, 46 and 75 Scatterdells Lane. The proposed extensions would be visible from within the street scene, particularly the roof alterations and side extension.

9.9 The proposed side extension would be set back from the boundary with 72 Scatterdells Lane by 1m. As a result of the alterations proposed, there would be two front gable projections measuring 2.3m to eaves and 5.9m to the ridge. There would be no increase in the overall height of the main roof.

9.10 To the rear the existing sun room would be demolished and replaced by a full width single storey rear extension with a flat roof measuring 3.2m high comprising three roof lights. There would also be additional roof lights and a dormer window on the rear elevation.

9.11 The proposed extensions would be finished in materials to match the parent dwelling, including red facing brickwork, red roof tiles and brown window and door frames.

9.12 It is considered that the design, scale and form of the proposed extensions will not have a significant impact on the character and appearance of the existing building or surrounding area. There would be sufficient space around the dwelling to avoid a cramped appearance and the sympathetic design would help it to integrate with the surrounding area. The proposal complies with Core Strategy (2013) Policies CS11 and CS12, Saved Appendix 7 of the Local Plan (2004) and the NPPF (2019) in terms of visual impact.

Impact on Residential Amenity

9.13 Core Strategy (2013) Policy CS12 and Saved Appendix 3 of the Local Plan (2004) seek to preserve residential amenity of surrounding properties. Furthermore, paragraph 127 of the NPPF (2019) states that planning decisions should ensure that developments create places that have a high standard of amenity for existing and future users.

9.14 The proposed extensions would result in an increase in bulk at roof level, which would be visible from the occupants of both adjoining properties. In relation to 76 Scatterdells Lane, the proposed front extension would be in line with the front elevation of no. 74. There are two side facing ground floor windows on the southwest side elevation of no. 76, which are secondary windows serving an open plan living/dining area that also has windows on the front and rear elevations. No. 76 has recently been granted a Lawful Development Certificate for a proposed single storey rear extension (ref. 4/00067/19/LDP), however the internal layout would remain open plan with adequate light provision from the front and rear elevations. As such there are no concerns that the proposed extensions for no. 74 would have a significant impact with regards to light provision or being visually overbearing to no. 76. No additional windows are proposed on the northeast elevation of no. 74 and as such there are no concerns regarding loss of privacy or overlooking.

9.15 Turning to 72 Scatterdells Lane, the proposed side extension would project from the existing side elevation by 3.1m. A gap of 1m would be retained from the common boundary. One first floor side facing window is proposed for no. 74, which would be obscure glazed. The front elevation of the proposal would be set forwards of the front elevation of no. 72 by approximately 6m. However a separation distance of 5m at first floor level would be retained. As such, there are no primary habitable windows on the front elevation of no. 72 that would be detrimentally impacted upon with regards to light provision. Additionally, there are no side facing windows on the northeast elevation of no. 72.

9.16 There are no concerns with regards to the proposed extensions to the rear of the dwelling. The single storey rear extension would be modest in scale and height and will not cause a significant loss of light or amenity to the adjoining properties.

9.17 Taking all of the above into account, whilst visible from neighbouring residential units, it is not considered that the proposed extension would have a significant impact in terms of loss of privacy, overlooking, loss of light or visual intrusion. The proposal complies with Core Strategy (2013) Policy CS12, Saved Appendix 3 of the Local Plan (2004) and the NPPF (2019) with regards to residential amenity.

Impact on Trees and Landscaping

9.18 There are no trees of significance that will be removed as a result of the proposed extensions. Neighbours have raised concerns regarding the presence of Japanese Knotweed. However, this is an existing condition affecting the site and would not be reasonable to be remedied by the current application, additionally it is a matter covered by separate legislation (Environmental Protection Act 1990 and Wildlife and Countryside Act 1981), which controls the disposal and spread of soil or plant material contaminated with non-native and invasive plants like Japanese knotweed. As such an informative shall be included if planning permission is granted.

Other Material Planning Considerations

Response to Neighbour comments

9.19 A representation was received requesting that the first floor side facing window is obscure glazed. It is confirmed that the plans do specify obscure glazing for all side facing windows.

9.20 A letter of objection was received regarding: the presence of Japanese Knotweed; the proposed front gable would be dominant and overbearing, would impact upon light provision; resubmitted plans do not address the objections raised on the previous refusal; inconsistencies between application description and plans. The plans did show some minor inconsistencies, including the presence of a door on the side elevation that has recently been infilled and the presence of a ground floor window on the elevations that was not on the floor plans. These minor amendments have been addressed with a set of updated plans. Additionally, the application description has been updated accordingly. The other concerns raised by this neighbour have been addressed above.

Response to Parish Council objection

9.21 Chipperfield Parish Council raised the following objection, "*The proposed development would be overbearing and cause significant harm to the residential amenity of adjoining properties. The proposed front extension will significantly increase the bulk, massing, prominence of the property caused by the dominant double gables. Should the scheme be amended to two hip rather than two gables, CPC would be willing to withdraw the objection.*"

9.22 As outlined above there are other examples within the vicinity of gable-ends facing the street, such as numbers 34, 36, 46 and 75 Scatterdells Lane. Additionally, paragraph 130 of the NPPF (2019) states that where the design of a development accords with clear expectations in plan policies (e.g. Policy CS12 – Quality of Site Design), design should not be used by the decision-maker as a valid reason to object to development. The above assessment carried out under the sub-heading 'Layout, Design & Scale', demonstrates that the proposed development complies with Policy CS12. Furthermore, the impact of the proposal in terms of residential amenity has been addressed above and found that there will not be a significant detrimental impact.

CIL

9.23 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable (over 100 sqm of additional floorspace).

10. 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Core Strategy (2013) Policy CS12.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>LOCATION PLAN & BLOCK PLAN 74SCLN102 (Proposed Ground Floor Plan) 74SCLN104 (Proposed First Floor Plan) 74SCLN106 (Proposed Roof Plan) 74SCLN107 (Existing & Proposed Front Elevation) 74SCLN108 (Existing & Proposed Rear Elevation) 74SCLN109 Revision A (Existing & Proposed Left Side Elevation) 74SCLN110 Revision A (Existing & Proposed Right Side Elevation) 74SCLN111 (Existing and Proposed Site Plan)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. 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>Japanese Knotweed Informative</p> <p>The applicant is advised that the removal, disposal and spread of soil or plant material contaminated with non-native and invasive plant species, including Japanese knotweed, is set out under the Environmental Protection Act 1990 and Wildlife and Countryside Act 1981. It is an offence to plant or cause Japanese knotweed to spread under the Wildlife and Countryside Act 1981 and all waste containing Japanese knotweed comes under the control of Part II of the Environmental Protection Act 1990.</p>

Appendix A

Consultation responses

1. Chipperfield Parish Council:

CPC: OBJECTION The proposed development would be overbearing and cause significant harm to the residential amenity of adjoining properties. The proposed front extension will significantly increase the bulk, massing, prominence of the property caused by the dominant double gables. Should the scheme be amended to two hip rather than two gables, CPC would be willing to withdraw the objection

Appendix B

Neighbour notification/site notice responses

Comments

Scatterdells Lane:

Have no issue with extension but would like a frosted top side window as this could look into our bathroom as will be close to boundary.

Objections

Scatterdells Lane:

Letter of objection received regarding the following:

Japanese Knotweed

Propose front gable would be dominant and overbearing, would impact upon light provision

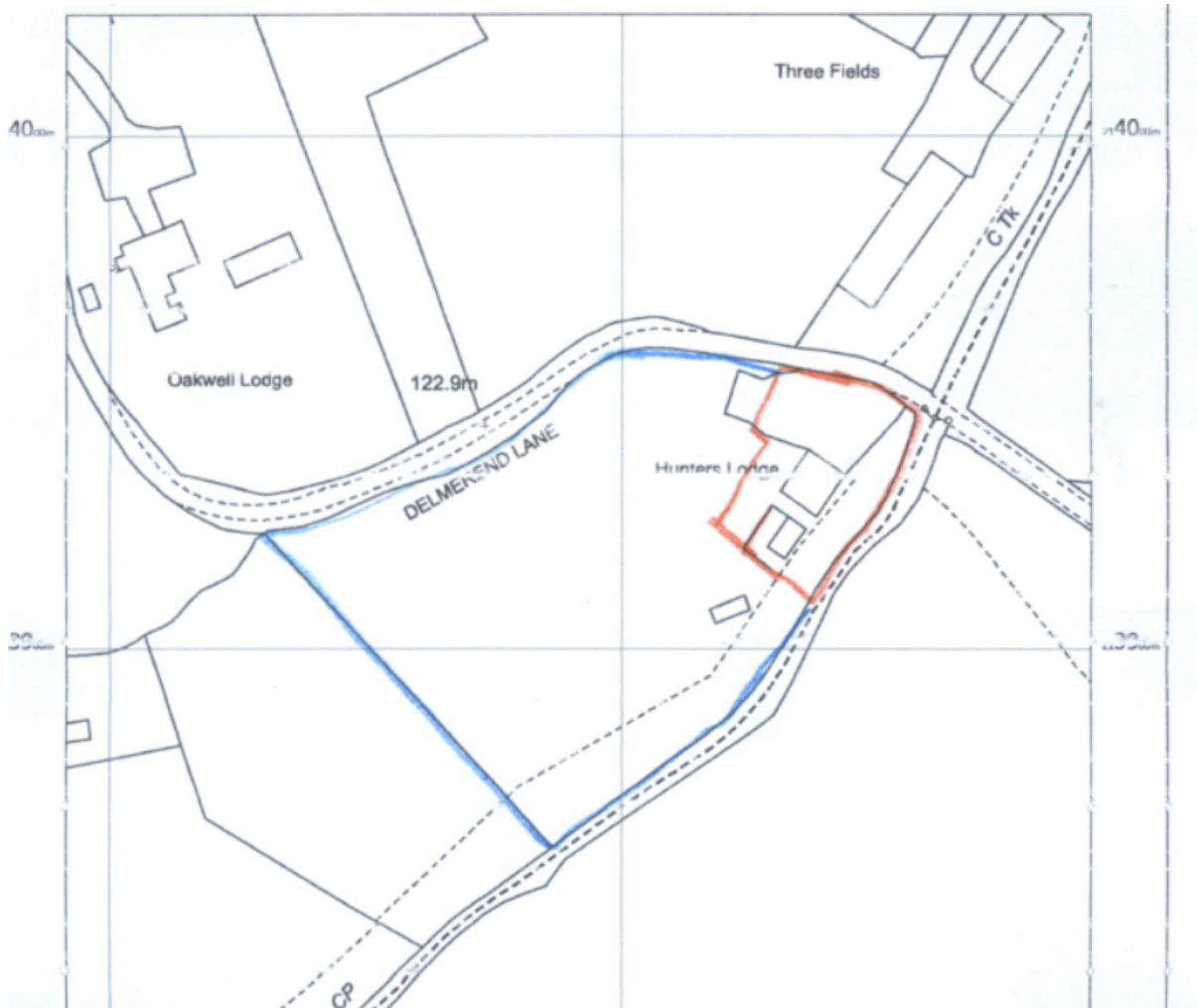
Resubmitted plans do not address the objections raised on the previous refusal

Inconsistencies between application description and plans

Item 5e

4/01218/19RET USE OF STABLE BUILDING AS A DWELLING

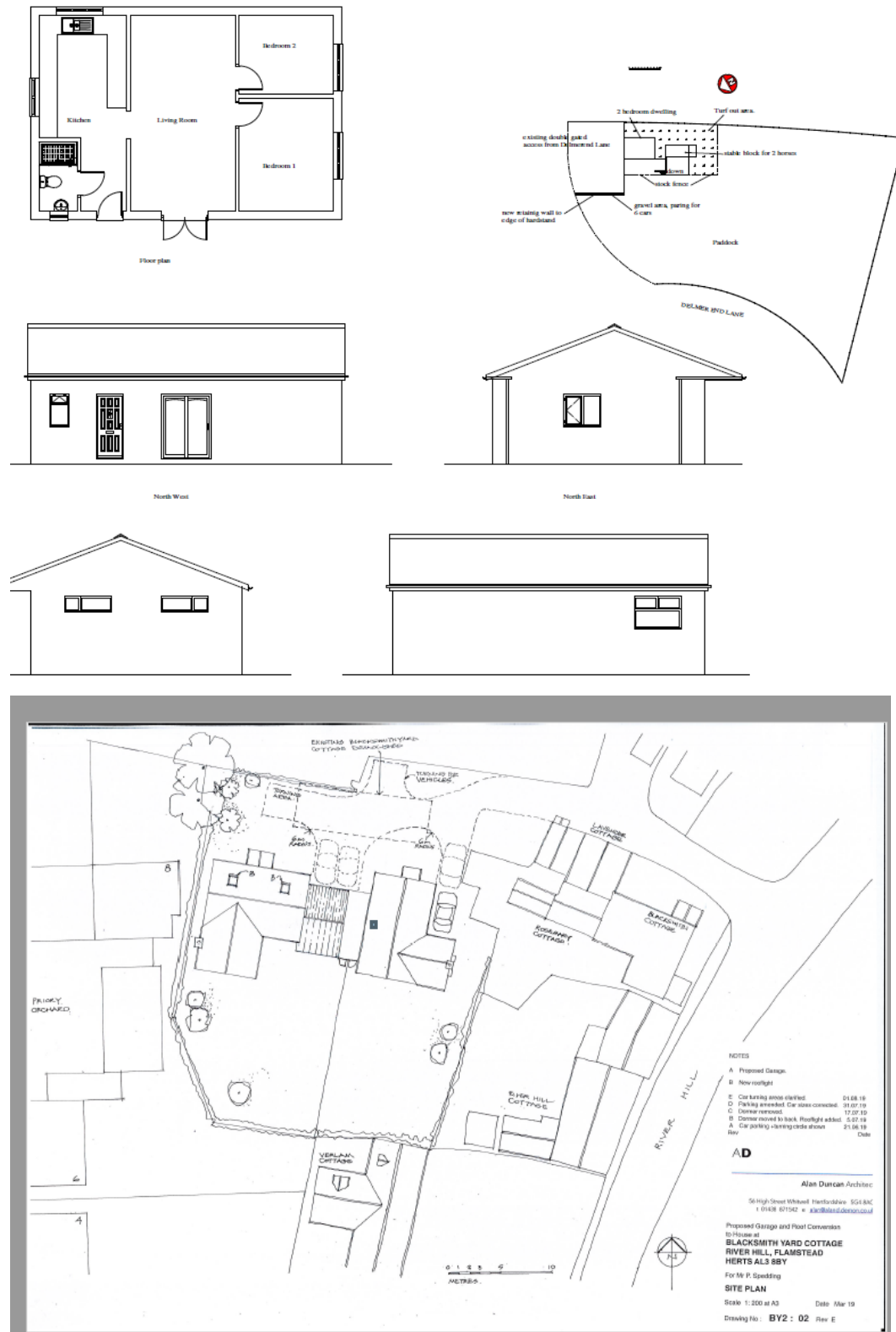
HUNTERS LODGE, DELMEREND LANE, FLAMSTEAD



Item 5e

4/01218/19RET USE OF STABLE BUILDING AS A DWELLING

HUNTERS LODGE, DELMEREND LANE, FLAMSTEAD



4/01218/19/RET	RETENTION OF USE OF BUILDING AS A DWELLING
Site Address	HUNTERS LODGE, DELMEREND LANE, FLAMSTEAD, ST ALBANS, AL3 8ES
Applicant	Mr Davis
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to the committee in view of the objections of Flamstead Parish Council.

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposals would be an appropriate reuse of this rural building. The proposals would not detract from the character and appearance of the building or the area in which it is located and would not prejudice the aims and objectives of the Green Belt. The proposals would thus be in accordance with Policies CS5, CS8 and CS12 of the Core Strategy.

3. Site Description

3.1 The site is located to the south of the village of Flamstead close to where Delmerend Lane joins Lybery Lane. Bridleway 55 runs along the length of the south western boundary to the site.

3.2 A large close boarded timber fence screen the site from Bridleway 55 and Delmerend Lane with an access gate onto Delmerend Lane. The entrance is demarcated by the introduction of paving providing a stark contrast with the landscaped and rural appearance of the Lane itself. A hard standing area is located between the gate and the dwelling to be retained. A stable building is beyond this building providing stabling for two horses. The remaining area still appears to be within equine use.

4. Proposal

4.1 The proposal seeks to retain the use of the existing building as a dwelling. The property is a single storey two bedroom property measuring some 10m in width and 6.8m in depth with a roof overhang of approximately 1.3m. The building has a gross internal floor area of some 60 square metres.

5. Relevant Planning History

5.1 It is not clear from the planning history of the site when the stable buildings on the site were constructed although they are clearly evident in historic photographs of the site from 2000.

5.2 The site appears to come to the attention of the local planning authority from 2003 and through the planning enforcement function. The construction of a site access and an increase in height of boundary fencing was investigated in 2003 (E/03/00210) This case was resolved by a subsequent reduction in the height of the boundary to its

historic extent and by the removal of hard standing from the adjacent bridleway. The officer notes highlight that there was a shower/toilet within a stable building and suggested that the site be monitored for residential use. The notes further indicate that the owner had intimated that the site had been used for residential purposes but would subsequently be utilised for its lawful equine/agricultural use.

5.3 A further enforcement case, E/08/00163, was opened in 2008 given complaints that the stable building was being used as a dwelling without planning permission. The investigation concluded that there was no evidence of such use at this time.

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1, CS1, CS5, CS8, CS12, CS17, CS18, CS28, CS29 and CS31

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 51, 58 and 80

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Environmental Guidelines (July 2002)
- Water Conservation & Sustainable Drainage (June 2005)#

7. Representations

Consultation responses

7.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

7.2 There has been no response to the application from neighbouring parties.

8. Considerations

Procedure

8.1 One of the main objections to the scheme is that the proposals seek retrospective planning permission for works that have been undertaken to the building and for its use for residential purposes. Members of the committee would be reminded that the fact that an application is retrospective is not in its own right a legitimate ground for objection to it. The application should be judged on its own merits and against current planning policies.

Policy and Principles

8.2 The site is located within the Green Belt where in accordance with Policy CS5 of the Core Strategy the appropriate reuse of permanent and substantial buildings would be acceptable providing that it has no significant adverse impact on the character and appearance of the countryside and it supports the rural economy and maintenance of the wider countryside. This would extend to the residential use of such buildings.

8.3 All residential developments are expected to provide high quality design both in the context of the site and the wider area in accordance with Policies CS10, CS11 and CS12 of the Core Strategy.

8.4 The proposal residential use of the site would contribute to the requirement for new housing in the Borough supporting the delivery of the housing target set out in Policy CS17 of the Core Strategy and also contributing to the mix and choice of dwellings required under Policy CS18 of the Core Strategy.

Layout and Design

8.5 The proposed development is considered to be appropriate in terms of its design, bulk, scale and use of materials and as such is considered acceptable under Policies CS12 of the Core Strategy. Minimal alterations have been undertaken to the building to facilitate its residential use and as such the building still has the appearance of a stable building; particularly from the limited public views of the site from its surroundings. As such it would be difficult to conclude that the use of the building for residential purposes has any adverse visual impact or would result in any significant harm to the rural appearance of the area and the open character of the Green Belt.

Impact on Highway Safety

8.6 The application incorporates a reduction in the extent of hard standing associated with the site. The area left would be sufficient in size to park a number of vehicles far in excess of that required by the residential use of the site and associated circulation space. The proposed parking and access to the site would be satisfactory in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.

Conditions

8.7 There is a need to remove permitted development rights for the new residential property and restrict the extent of the residential curtilage of the dwelling in the interests of the visual amenities of the Green Belt via suitably worded planning conditions.

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

Conditions

No	Condition
1	<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 and F</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of the visual amenity of the locality.</p>
2	<p>The residential use of the building and site hereby permitted shall only extend to the use of the area outlined in red on drawing wren naj 36a 2019</p> <p>Reason: For the avoidance of doubt and to safeguard the visual amenity of the Green Belt in this locality.</p>

Appendix A

Consultation responses

Flamstead Parish Council:

The Parish Council objects to this application (with 1 x abstention) It was questioned as to why temporary consent was given in the first place. It was felt that there was inadequate information to support the application. The main issue is with the retrospective nature of the application. The council would like to see more done to deter such practices.

Hertfordshire Highways:

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

INFORMATIVES:

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

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to

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

3. 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-and-developer-information.aspx>.

COMMENTS

This application is for: Retention of use of building as a dwelling

ACCESS

The site is located on Delmer End Lane, which is an unclassified local access road with a 60mph speed limit

No new or altered vehicular or pedestrian access to the highway is required and no works are proposed in the highway.

PARKING

No changes to current parking arrangements are proposed.

CONCLUSION

HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the informative notes above.

Contaminated Land Officer

I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

Rights of Way Officer

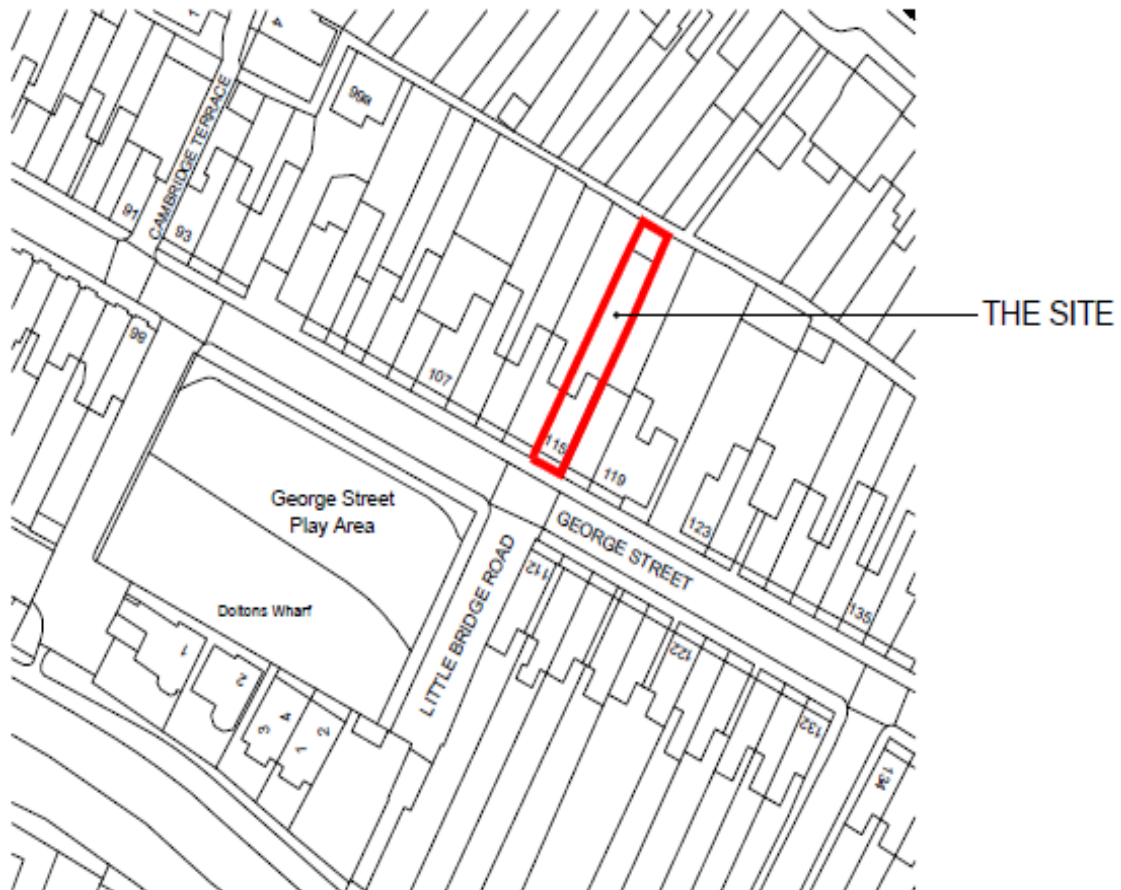
The site abuts bridleway 55 but there are no objections to the proposals.

Agenda Item 5f

Item 5f

4/01698/19/FHA SINGLE STOREY PART SIDE PART REAR EXTENSION

115 GEORGE STREET, BERKHAMSTED, HP4 3TP



Item 5f

4/01698/19/FHA SINGLE STOREY PART SIDE PART REAR EXTENSION

115 GEORGE STREET, BERKHAMSTED, HP4 3TP



4/01698/19/FHA	SINGLE STOREY PART SIDE PART REAR EXTENSION
Site Address	115 GEORGE STREET, BERKHAMSTED, HP4 2EJ
Applicant	Mr A Fyvie-Rae, 115 George Street
Case Officer	Colin Lecart
Referral to Committee	Contrary views of Berkhamsted Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed extension would not be visible from the street scene and not detrimentally impact upon the character of the Berkhamsted Conservation Area. With regards to light loss, the extension would not breach a 45 degree angle from the nearest habitable window at number 113 in elevation and would be 0.6m higher than the existing fence line. Therefore, it is considered that the proposal would not result in significant light loss over the existing situation. Thus, the proposal accords with Policies CS11, CS12 and CS27 of the Core Strategy (2013) and Saved Appendices 3, 5, and 7 of the Local Plan (2004).

3. Site Description

3.1 115 George Street is a modest late 19th century terraced property of rendered brick construction fronting George Street which is situated within the Berkhamsted Conservation Area. The rear of the property can be accessed via the footpath which runs between the rear gardens of properties along George St and Ellesmere Rd.

4. Proposal

4.1 The application seeks permission for the construction of a part side part rear single storey extension. The extension would infill an area between an existing rear outrigger and extend beyond it to the rear.

5. Relevant Planning History

None

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

Policy CS4
Policy CS11
Policy CS12

Policy CS27

6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Appendix 3

Saved Appendix 5

Saved Appendix 7

7. Constraints

- SSSI IMPACT RISK ZONES
- RAILWAY (100M BUFFER)
- Right of Way
- Former Land Use
- CANAL RIVER TRUST PLANNING BUFFER
- CONSERVATION AREA

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Principle of Development
- Impact on Street Scene and Conservation Area
- Impact on Residential Amenity
- Car Parking and Access
- Contaminated Land
- Railway and Canal

Policy and Principle

9.2 The application site is located within an established residential area of Berkhamsted wherein accordance with Policy CS4 of the Core Strategy (2013) the principle of residential extension is acceptable.

Impact on Street Scene and Conservation Area

9.3 The extension would not be visible from the street and so would not have a detrimental impact on the street scene and surrounding area in accordance with Policies CS11 and CS12 of the Core Strategy (2013).

9.4 Conservation and Design have been consulted and overall it was considered that as the single storey extension was to the rear, discretely sited and of modest proportions the character of the conservation area would be preserved in accordance with Policy CS27 of the Core Strategy (2013). It was previously suggested that the proposed rear projection incorporated a pitched roof. However, due to concerns from the neighbouring property regarding potential light loss, it is considered the proposed flat roof is acceptable.

Impact on Residential Amenity

9.5 There have been concerns regarding potential light loss to the rear window of number 113 George Street. British Research Establishment Guidance states that if an extension is to breach a 45 degree line drawn of the centre of the nearest habitable window in *both* elevation and depth then light loss may occur. Whilst the extension would breach this angle in depth, it would not breach it in elevation.

9.6 Furthermore, the height of the existing fence is approximately 2m whereas the extension would measure approximately 2.6m in height. The increase in height of 0.6m would not lead to a significant loss of light beyond the existing situation, especially when taking into account the existing pitched roof of the outrigger.

9.7 It should also be noted that an infill extension has been constructed at number 177 and a number of other properties along the street have extended onto their existing outriggers. Thus, this type of development is established on the street.

9.8 Due to the above, it is considered the proposed extension would not have an adverse impact on the residential amenity of the adjacent properties in accordance with Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).

Car Parking and Access

9.9 No changes to the existing car parking and access arrangements are proposed and the application would not introduce a new bedroom into the property. As such, no objection is raised with regards to car parking provision and access

Contaminated Land

The scientific officer has been consulted on the application and has not recommended any conditions relating to contaminated land.

Railway and Canal Buffer

Network Rail have been consulted and have no comments to make on the application. With regards to the canal buffer, there is built development on the southern side of George Street and roads such as Little Bridge Road and William Street where development backs onto the canal. The proposed extension is minor in nature and at a distance where it would not have an impact on the Canal.

Rights of Way

The development would not impact upon the right of way to the rear of the site.

10. Conclusions

10.1 The application is 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	<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>20191.004 20191.005</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 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 Dacorum 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>

Appendix A – Consultation responses

Berkhamsted Town Council:

Objection

The proposed rear extension will fill the full width of the rear space resulting in the potential loss of light to the neighbouring property.

It is unclear from the drawings whether the 45° line is breached and the Committee requested clarification on this from the Planning Officer.

Appendix 3 (iv)

Conservation and Design:

115 George Street is a modest late 19th century terraced property of rendered brick construction fronting George Street and within the Berkhamsted Conservation Area. The rear of the property can be accessed via the access path which runs between the rear gardens of properties along George St and Ellesmere Rd but the rear is not all that publicly visible due to boundary treatments and planting etc.

The application proposes a flat roofed single storey extension which wraps around the shared single storey rear wing, there is no objection in principle to the scale of the extension. The flat roofed element to the side reflects that previously approved at no. 117 (the adjoining property) however, the way the flat roofed element then extends beyond the end of the rear wing is less successful in design terms. It was recommended this rear projection was amended to incorporate a pitched roof but it has been highlighted that this would be problematic in planning terms due to the increased level of light loss that would occur.

The proposed flat roof rear projection and the way it wraps around the rear wing is not ideal in design terms however, the single storey extension is to the rear, discretely sited and of modest proportions. On balance the proposal is considered to preserve the character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27.

Network Rail:

Network Rail has no comments

Contaminated Land:

Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

Noise and Air Quality:

No objections on noise or air quality grounds.

Appendix B – Neighbour responses

Objections:

113 George Street:

I would like to draw your attention to the potential loss of light from this proposed application. My office is in the rear of my house and if using the image in " 3a CONTEXTUAL APPRAISAL Site Area Photographs" following the roof line from the extension at 117 to my property at 113 , it would result in a loss of considerable light..

Especially as, my property is LOWER than the 115/117 cottages.

I also draw your attention also to the '45-degree rule'

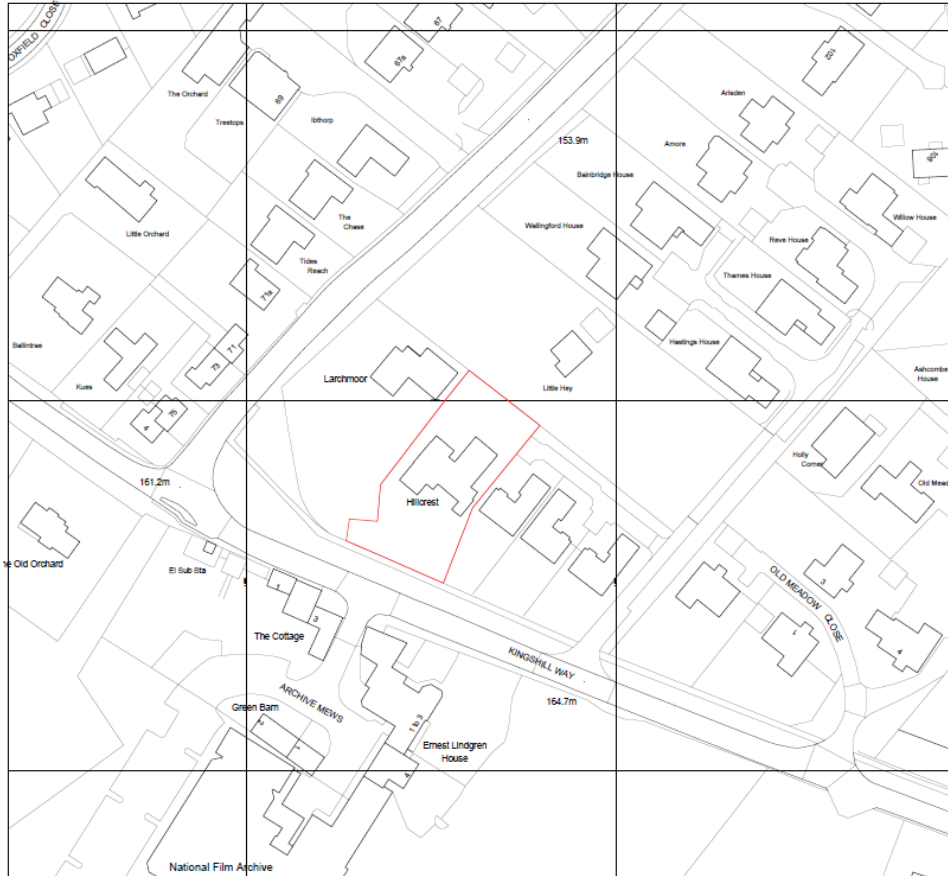
I hope this can come into consideration before granting this application.

Agenda Item 5g

Item 5g

4/01557/19/FUL DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF A PAIR OF SEMI-DETACHED DWELLINGS

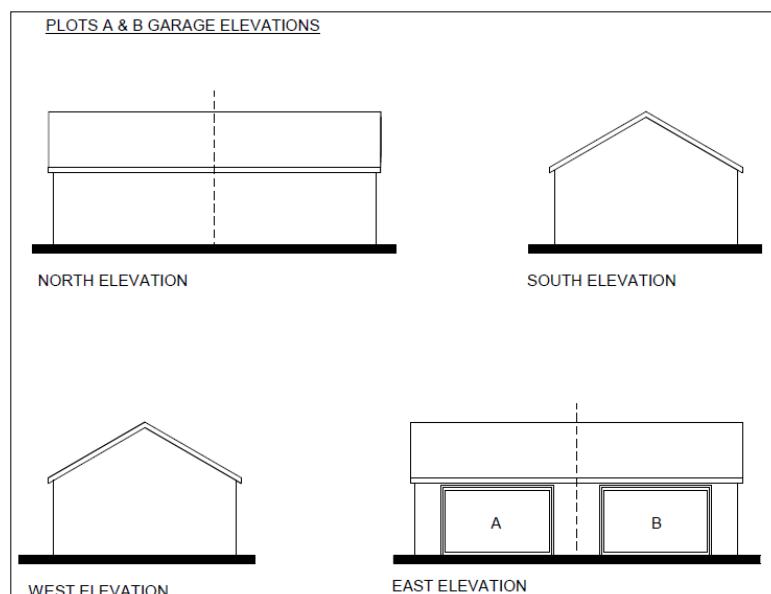
HILLCREST, KINGSHILL WAY, BERKHAMSTED, HP4 3TP



Item 5g

4/01557/19/FUL DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF A PAIR OF SEMI-DETACHED DWELLINGS

HILLCREST, KINGSHILL WAY, BERKHAMSTED, HP4 3TP



4/01557/19/FUL	DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF A PAIR OF SEMI-DETACHED DWELLINGS.
Site Address	HILLCREST, KINGSHILL WAY, BERKHAMSTED, HP4 3TP
Applicant	Lexibell Ltd, 9 Bonhill Street
Case Officer	Simon Dunn Lwin
Referral to Committee	Due to contrary view of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED** subject to conditions.

2. Summary

2.1 This application seeks full planning permission for demolition of existing bungalow on the site and redevelopment to provide 2 x four bedroom semi-detached dwellings with attached double garages.

2.2 The site is located within a designated residential area of Berkhamsted wherein the principle of development is acceptable in accordance with Policies CS4 and CS17 of the Core Strategy (2013). Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas. This proposal seeks to optimise the use of urban land.

2.3 There would not be any adverse impacts on neighbouring amenity. The access to the development would not compromise highway safety. The design and form of the development would be in character with the area, which displays a diversity of architectural forms. It would be in keeping with the approved development of three houses at Appledore on the adjoining site to the southeast, which is currently under construction.

3. Site Description

3.1 The site lies on the northern side of Kingshill Way, a residential area of Berkhamsted and comprises a bungalow set back from the main road, on a large plot of land with a site area of approximately 0.13 hectares. The site is located approximately 100 m from the junction with Kings Road and Shootersway to the northwest. There is an existing shared access point from Kingshill Way to the southwest, which lies opposite the BFI National Archive complex.

3.2 The site is bounded by well established trees and a tall hedge to a height of approximately 4 to 5m on the boundary with the neighbouring property at 'Larchmoor' to the northwest and 'Little Hay' to the northeast, also set within large plots. A private road off Kingshill Way located approximately 55m to the southeast serves recent high density development on smaller plots similar to the approved development on the adjoining site at Appledore. A mature hedge to a height of 4/5m on Kingshill Way encloses the site to the south. The existing bungalow is virtually indiscernible from the main road other than a glimpse through the existing access point.

4. Proposal

4.1 The proposal is for the demolition of the existing bungalow and redevelopment of the site to provide two four bedroom semi-detached dwellings with attached double garages and off street parking/landscaping.

5. Relevant Planning History

4/01655/02/FHA SINGLE STOREY EXTENSION AND RE-FACING OF EXISTING BUILDING
Granted
08/01/2003

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy 2013

NP1, CS1, CS2, CS4, CS8, CS9, CS10, CS11, CS12, CS17, CS18, CS23, CS29, CS31, CS32.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 58 and 111
Appendices 3 and 5.

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area BCA12 Shootersway.
- Water Conservation & Sustainable Drainage (June 2005)
- Accessibility Zones for the Application of car Parking Standards (July 2002)

6.5 Advice Notes and Appraisals [include only those relevant to case]

- Sustainable Development Advice Note (March 2011)

7. Constraints

- Residential Character Area BCA12 Shootersway
- CIL1

8. Representations

Consultation responses

8.1 They are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 This is referenced in Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Design impact
- Impact on neighbour amenity
- Ecology
- Impact on Highway Safety and Parking
- CIL

Policy and Principle

9.2 The Government's objective of boosting the supply of homes is set out in Paragraph 59 of the NPPF. Chapter 11 also sets out the effective use of land by supporting development that makes efficient use of previously developed land. This means avoiding homes built at low densities to ensure developments make optimal use of the potential of each site.

9.3 Core Strategy Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged. Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas and Policy 21 sets out a density range of 30-50 dwellings per hectare (dph) to achieve this aim, subject to other criteria including the impact on amenity and character of the surrounding area.

9.4 The application site is located within the urban area of Berkhamsted. The town's infrastructure and good transport links makes this previously developed land a sustainable location for redevelopment. There are also services and facilities available within close proximity to the site.

9.5 The proposed density is approximately 15 dph, which is commensurate with the approved development on the adjoining site at Appledore and similar to the plots further west of the site. The BFI National Film Archive is located opposite the site across Kingshill Way to the southwest. This site has been redeveloped into flats with cottages fronting Kingshill Way. Little Hey to the north is a two –storey property which sits in a much larger plot. The land further to the north and east comprises large dwellings on much smaller plots.

9.6 In view of the above, the proposal would be located in a sustainable location and achieve the optimal use required of previously developed land. It would make a valuable contribution to the Borough's existing housing stock. The proposal is therefore considered to be in accordance with Policies CS1, CS4, CS17 and CS18 of the Core Strategy (2013), Saved Policies 10 and 21 of the Local Plan (2004) and the NPPF (2019).

Design Impact

9.7 The layout, scale and design of the proposed semi-detached houses would be in keeping with the approved development at Appledore by positioning the gardens to the front on Kingshill Way with garages and car parking area placed immediately adjacent to the main access but preserving privacy from the main road. The houses are set deep into the site (similar to the existing bungalow) but the footprint is stepped to respect the building line of the new development at Appledore and existing Larchmoor on the adjoining sites. The existing high hedges and trees surrounding the site will remain. A condition is recommended for their protection during the construction process.

9.8 The design of the proposal is contemporary with reference to traditional forms and materials. The houses have been design to allow abundant natural light and low carbon footprint in fabric and services. Gardens would exceed the minimum standard for garden depths at approximately 22m and 18m for Plots A and B respectively.

9.9 The Town Council have objected on the basis that the proposed semi-detached dwellings would be out of character with the area and contrary to policy. Area Based Policies (May 2004), Residential Character Area BCA12 Shootersway identities the character of the area as 'a large, mainly very low density residential area on the southern side of town featuring a variety of mainly detached houses in a spacious semi-rural setting, dominated by informal heavy landscape'.

9.10 The site is located in an area where there is a range of densities generally less than 15 dph but typically between 6-8 dph, with a variety of architectural styles. Density is higher and more varied at the eastern end of Graemesdyke Road, where flats and semi-detached dwellings prevail, in addition to detached houses and for recent development at 15 dph.

9.11 The BFI Nation Film Archive across Kingshill Way and the cottages that front the main road are all traditional in design. The existing houses to the west of the site are generally more modern large detached properties on large plots but semi-detached properties are within close proximity at the junction of Kingshill Way and Kings Road about 50m away from the site.

9.12 To the southeast of the site are large modern detached two storey dwellings on much smaller plots (Old Meadow Close), including the adjoining Appledore development. The most recent development further to the southeast where the dwellings are not dissimilar to the current development in that they are large two storey dwellings on smaller plots, albeit detached, and of a similar scale.

9.13 The verdant character of the site is to be preserved and boundary hedges and trees maintained. The proposal will be consistent in design with the adjacent approved development at Appledore. It is considered that the bespoke design and potential neighbour amenity impacts (see below) should be safeguarded and substantial alterations that would otherwise be allowed under permitted development restricted to address these issues. It would also ensure consistency in decision making with the recent Appledore approval. Therefore, a condition restricting PD rights is recommended.

9.14 In view of the above, and on the balance of material considerations, the proposal

is considered appropriate and sympathetic to the character of the surrounding area, compliant with Core Strategy Policies CS11 and CS12.

Impact on Neighbour Amenities

9.15 In order to ensure that there will be no loss of privacy for the existing neighbour at Larchmoor and Little Hey all first floor windows in the side and rear elevations facing the neighbours are obscure glazed. The distance between Little Hey, which sits directly in line to the north from the rear elevation of Plot A, is approximately 27m between buildings.

9.16 Plot B would sit adjacent to the common boundary with Larchmoor to the northwest. It would have a side-to-side relationship with this neighbour and no loss of privacy or loss of light is envisaged. The gap between the respective properties would be approximately 4m and screened by the intervening boundary hedge, which rises to about 3m along this edge, increasing to 4/5m for the remaining length.

9.17 The proposal (Plots A and B) would have side windows facing the approved development at the adjoining site to the southeast at Appledore. The nearest detached house under construction on Plot 3 of the adjoining site at Appledore has two windows facing the application site above ground level. However, the permission for the Appledore scheme (4/00478/18/FUL) imposes an obscure glazing condition for all first floor windows facing the application site. Consequently, it is not considered that there would be any privacy issues between the proposal and Plot 3 in the Appledore development.

9.18 In view of the above, it is considered that the proposal would not adversely affect neighbouring amenities and comply with Policy CS12.

Ecology

9.19 A Preliminary Roost Assessment has been submitted in support of the application. This report has been considered by Hertfordshire Ecology, who are satisfied that the proposal will not have a detrimental impact on local ecology to enable a decision to be made subject to informatics which are set out below.

Impact on Highway Safety

9.20 The County Council as Highway Authority have raised no objection to the proposal subject to conditions. The Highway Authority are satisfied that the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

9.21 Policy CS12 of the Core Strategy seeks to ensure developments provide safe and satisfactory means of access and provide sufficient parking. Appendix 5 of the Local Plan lists Parking Standards for the Borough. A four bedroom dwelling requires 3 spaces. The proposal includes provision of 3 car parking spaces per dwelling and meets the parking standards.

9.22 In view of the above, it is considered that the scheme would have a satisfactory impact on road safety and provide sufficient parking to comply with Core Strategy Policy CS12.

CIL

9.23 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 development of 2 new dwellings will be CIL liable.

10. Conclusions

10.1 The proposal is considered an appropriate and sympathetic development, which would not have adverse impacts on the character of the surrounding area, neighbouring amenity, highway safety or local ecology. Permission should be granted.

11. RECOMMENDATION – That planning permission be **GRANTED** for the reasons set out 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>11798(L) 00-100 - Site Location Plan 11798(L) 00-101B - Proposed Site Plan 11798(L) 00-102A - Proposed Block Plan 11798(L) 00-103 - Proposed Floor Plans 11798(L) 00-104A - Proposed Roof Plan 11798(L) 00-105D - Proposed Plots A and B Elevations 11798(L) 00-106A - Existing Block Plan with Proposed Overlaid 11798(L) 00-107A - Proposed Plots A & B garage Elevations BAT REPORT DESIGN AND ACCESS CIL Form V3</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <p>a. Construction and storage compounds (including areas designated for car parking);</p>

	<p>b. Siting and details of wheel washing facilities; c. Cleaning of site entrances, site tracks and the adjacent public highway; d. Timing of construction activities to avoid school pick up/drop off times;</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way Core Strategy Policy CS8.</p>
4	<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 and comply with Core Strategy Policy CS12.</p>
5	<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 with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; • trees and hedges 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>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 to comply with Core Strategy Policy 12.</p>
6	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written</p>

	<p>approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes A, B, C, E, F and G Part 2 Classes A and B.</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>
7	<p>The development shall not be occupied until the area to the front of the garages shown on approved Drawing No. 11798(L) 00-101B has been drained and surfaced, as approved under Condition 5 of this permission, and that area shall not thereafter be used for any purpose other than the parking of vehicles.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities to comply with Core Strategy Policy CS8.</p> <p>Informatives:</p> <p>Article 35 Statement</p> <p>1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process, which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>4. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within</p>

	<p>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-and-developer-information.aspx</p> <p>5. 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>6. Any demolition of the building or clearance of vegetation 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>
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Appendix A

Consultation responses

BERKHAMSTED TOWN COUNCIL, THE CIVIC CENTRE THE CIVIC CENTRE	17/07/19	<p>Objection</p> <p>The scheme seeks to build a pair of semi-detached properties in a plot suited to the existing single dwelling. There are also no other semi-detached dwellings along Kingshill Way. In addition, the proposal to locate the garden amenity space predominantly to the front of the properties will result in the prospective occupants being subject to an unsatisfactory level of traffic noise from the main thoroughfare should they wish to use their gardens.</p> <p>The design is out of character with the area and street scene, and by its mass and bulk for the plot.</p> <p>CS11, CS12, BCA12.</p>
HCC - Dacorum Network Area HERTS COUNTY COUNCIL	19/07/19	<p>Decision</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 conditions:</p> <p>CONDITIONS</p> <p>1. Construction of the development hereby approved shall not commence until a Construction Management</p>

		<p>Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ul style="list-style-type: none"> a. Construction and storage compounds (including areas designated for car parking); b. Siting and details of wheel washing facilities; c. Cleaning of site entrances, site tracks and the adjacent public highway; d. Timing of construction activities to avoid school pick up/drop off times; <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.</p> <p>2. Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure the permanent availability of the parking area, in the interests of highway safety The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-</p> <p>INFORMATIVES:</p> <p>1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such</p>
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		<p>as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047</p> <p>3. 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-and-developer-information.aspx</p> <p>COMMENTS: This application is for Demolition of existing dwelling. Construction of a pair of semi-detached dwellings.</p> <p>PARKING The proposals allow for two parking spaces for each new property in proposed new double garages. Sufficient space is retained within the site to enable vehicles to manoeuvre in order to leave the site in forward gear.</p> <p>ACCESS No new or altered pedestrian or vehicular access is required and no changes are required in the highway. There is a current access onto Kingshill Way, which is shared with the neighbouring property and appears to operate without any issues. There have been no accidents in the vicinity of the site in the last five years. Kingshill Way is an "A" classified main distributor road, the A416 with a speed limit of 30mph, so vehicles are required to enter and leave the highway in forward gear.</p> <p>CONCLUSION Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.</p>
DBC - CONSERVATION	14/08/19	<p>In general the proposals are acceptable and in keeping with the adjacent approved scheme. Assuming that the overlooking etc including from the</p>

		<p>neighbours is all ok, a few minor points.</p> <p>1) Roof should be natural slate to match the adjacent 3 houses (re discharge and that is what they are doing, not tile noted in the application)</p> <p>2) I'd remove the rooflights from the street frontage to avoid the roofs appearing overly cluttered. (from the plan they all serve bedroom 2 which seems excessive as it has a large dormer window)</p> <p>3) I recognise that the hedge blocks views from the road but we cannot ensure its long term survival so ideally both garages but in particular that to house 1 be moved further into the site. Perhaps it might be better to have a semi-detached block in line with T3 and this could also help in particular plot B have a more useable area of garden rather than 2 wasted spaces at each side of the garage?</p>
HERTFORDSHIRE ENVIRONMENTAL RECORD CENTRE ENVIRONMENTAL RESOURCE PLANNING	10/07/19	<p>A Preliminary Roost Assessment was carried out by Arbtech on the 6/3/2019. This found no evidence of bats and identified no suitable bat roosting features on or in the survey building which was assessed as having negligible potential for roosting bats In addition the report identified the building and site as having potential for nesting birds which are protected under Schedule 1 of the Wildlife and Countryside Act 1981.</p> <p>As the building is being demolished as a precaution the following Informatives should accompany any consent granted.</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>'Any demolition of the building or clearance of vegetation 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>Furthermore, the planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. The ecological enhancements recommended within the PRA relating to bats and birds provide suitable biodiversity gain for the site and should be adopted in full.</p>

		I consider the LPA now has sufficient information on bats to satisfy their obligations under the Conservation of Habitats and Species Regulations 2018 and the application can be determined accordingly.
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Appendix B:

Neighbour notification/site notice responses

26 neighbours notified and a site notice posted on Kingshill Way. No response.

6. APPEALS UPDATE

A. LODGED

4/00659/19/FUL Platinum Land and Developments Ltd
DETACHED ONE BED DWELLING
LAND ADJ. TO 16 CHARLES STREET, HEMEL HEMPSTEAD,
HP1 1JH
[View online application](#)

4/01275/19/FUL Kennealy
CONSTRUCTION OF DETACHED DWELLING AND GARAGE
THE OLD STABLES, SHENDISH DRIVE LEADING FROM
LONDON ROAD, SHENDISH, HEMEL HEMPSTEAD, HP3 0AA
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/01695/18/FUL RELX (UK) Ltd
CONSTRUCTION OF TIMBER SECURITY FENCE.
LAND ON THE SOUTH SIDE, BULBOURNE ROAD, TRING
[View online application](#)

The main issues in the case were:

- Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies.

- The effect on the openness of the Green Belt.
- The effect of the proposal on the character and appearance of the area.

The development would be within the Green Belt where development is generally considered inappropriate in accordance with paragraph 145 of the National Planning Policy Framework of 2019 (the Framework). Policy CS5 of the Dacorum Core Strategy of 2013 (the Core Strategy) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt. Paragraph 133 of the National Planning Policy Framework of 2019 (the Framework) states that the essential characteristics of Green Belts are their openness and their permanence. This refers to the absence of buildings and I find that the construction of a fence, of greater proportions than permitted development, should be considered to be a form of building construction on the appeal site. As such it would amount to an encroachment contrary to the purpose of the Green Belt as described in paragraph 134 of the Framework.

Paragraph 145 of the Framework refers to new buildings in the Green Belt that would be considered inappropriate and sets out the exceptions which may be allowed. The proposed fence would not be described as one of these exceptions. I conclude that the development proposed would be inappropriate and contrary to policy CS5 of the Core Strategy; and, without very special circumstances, the development would be unacceptable and lead to significant detrimental impact on the openness and permanence of the Green Belt.

The use of timber and open boarding for the construction of the fence in conjunction with the associated informal vegetation and trees would assist in the creation of a soft boundary feature in accordance with policy CS10 and CS12 of the Core Strategy which are concerned to achieve good design appropriate to the area and local character.

The Appellant has put forward, as a very special circumstance, that the fence will only be 0.25m higher than the height of 2m fence which could be constructed as permitted development. The Appellant has experienced difficulty securing the site from unauthorised access at this perimeter with a previous fence, of a size allowed for permitted development. There is no detailed evidence to support a reason why the additional height would be essential. I find the proposal to conflict with policies CS10 and CS12 of the Core Strategy and that there are no very special circumstances in this instance.

The appeal should be dismissed.

F. ALLOWED

4/00394/19/FHA Gray
 INSTALLATION OF 12 SOLAR PANELS TO ROOF
 LONGCROFT, 3 HASTOE FARM BARNs, BROWNS LANE,
 HASTOE, TRING, HP23 6QD
[View online application](#)

1. The appeal is allowed and planning permission is granted for the installation of 12 solar panels to the roof at 3 Hastoe Farm Barns, Longcroft, Browns Lane, Hastoe HP23

6QD in accordance with the terms of the application Ref 4/00394/19/FHA, dated 13 February 2019 subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision. 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Location plan, Proposed elevation (showing 2m high wooden fence), proposed elevation (without fence) and detailed solar panel specification plan.

Procedural Matters

2. In my decision I have used the description of the proposal from the Council's decision notice. It adequately and simply describes the proposed development instead of the more detailed description in the banner heading above, which is taken from the application form.

3. The application form names the appellants as Mr and Mrs Gray, whilst the appeal form names Dr Dina Gray. Following clarification, Mrs Gray and Dr Dina Gray are confirmed as the same person.

4. The site is in the Green Belt but the Council has not raised the issue that the development is not inappropriate and the Council has not refused on Green Belt reasons. From the information before me I have no reason to take a different view. The proposed alterations would comply with paragraph 1.45c) of the National Planning Policy Framework (the 'Framework') as an exception.

5. There is also an error with reference to Core Strategy (CS) Policy CS6 in the refusal reason. This policy relates to 'Selected Small Villages in the Green Belt'. As the appeal site is not located within one of the named villages and the policy text the Council quotes does not come from this policy, is not directly relevant to the main issue.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the rural area and the Chilterns Area of Outstanding Natural Beauty.

Reasons 7. The appeal property is one of a number of dwellings converted from a range of brick and tile farm buildings. The group of buildings are situated in a countryside location on the corner of Browns Lane and Gadmore Lane near the village of Hastoe. The appeal site is located within the Green Belt and within the western fringe of The Chilterns Area of Outstanding Natural Beauty (AONB). A characteristic feature of the AONB and its chalk hills are its historic farm buildings and the consistent use of materials in its vernacular architecture.

8. Browns Lane is a public byway and passes the end of the appeal property. Beyond it a signposted public footpath leads off Browns Lane to cross a field. From the various sign posts I saw on my visit, there are a network of footpaths and trails passing close to the appeal site indicating to me the area is popular with walkers and cyclists.

9. The proposal is to install 12 solar panels on part of the rear roof slope between two protruding gables. The solar panels would be arranged in two rows, one above the other, with the top row longer than the bottom row forming a fat 'T' shape. According to the submitted plans, the top row would measure approximately 6.9m in length and the lower row 4.9m. The two rows combined would extend approximately 3.3m down the roof slope. The roof slope on which the solar panels would be sited, faces a tall close boarded timber boundary fence along the boundary with the adjacent property, 2 Dove Cottage, and its driveway.

10. The roof slope is at right angles to Browns Lane and does not present a single uninterrupted roof slope to it due to the protruding gables. This is in contrast to the long uninterrupted roof slopes to the other converted properties 'Cobwebs' to the north and

Dove Cottage and Hawthorn Barn to the south, which are prominently sited close to, and parallel with, Browns Lane albeit they are punctuated with rooflights.

11. Users of Browns Lane approaching from the south would not be significantly elevated or exposed as to look down on the complex of buildings and its roofscape as a whole or see it within a wide landscape vista. Due to ground levels and Browns Lane sloping down to the junction with Gadmore Lane/Church Lane, the rear roof slope is read as single storey. As one nears the appeal building, there would be brief views of the roof slope and solar panels, visible between the gap at the end of 2 Dove Cottage. However, views would be oblique and partially obscured by a tree outside 2 Dove Cottage, although views would be more apparent in the winter when the tree would not be in leaf, and by the existing protruding roof gables. Therefore, any views of the solar panels would be indirect and only possible from along a short section of Browns Lane approaching from the south.

12. The solar panels would not be visible to users of Browns Lane when approaching from the north, from the junction with Gadmore Lane/Church Lane, unless they turned to look behind them.

13. I therefore find there would be limited views of the solar panels from afar and when close to. As a result, due to their proposed siting and positioning, the solar panels would not harm the character and appearance of the countryside and the Chilterns AONB.

14. The farm buildings are described by the Council as a non-designated heritage asset. I have not been provided with any substantive evidence of the building's significance apart from its association by name to the Rothschild family. The appellant says Rothschild used the barns to store hunting dogs and pigs, but that they fell into disrepair until they were converted into dwellings in the early 1990s. From my observations the buildings' significance derives from the overall historic farm use and simple unity of design with consistent building materials, including long clay tile roofscapes. Despite residential conversion and various domestic paraphernalia, such as roof lights, satellite dishes, wheelie bins as was evident from my visit, the buildings still make a positive contribution to the wider rural countryside setting of the ANOB.

15. Paragraph 197 of the National Planning Policy Framework (NPPF) states that 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 presence of a modest array of solar panels on a partially obscured rear roof slope which has no significant views from the public realm, on a complex of farm buildings that have already been converted to residential, would not erode the integrity, setting or distinctiveness of the building or its group value and would not cause harm to the asset's significance.

16. There would be some environmental benefits from the use of solar panels. However, as I have not found harm on the main issue this matter has not been determinative to my decision.

17. Accordingly, the proposal would not conflict with CS Policies CS11, CS12, CS24 and CS27, and saved Appendix 3 of the Dacorum Local Plan 2004. These policies collectively seek to ensure high quality design that preserves and integrates with the street space, conserves the special qualities of the ANOB and the integrity, setting and distinctiveness of non-designated heritage assets. It would also comply with paragraphs 127 and 197 of the Framework relating to achieving good design and non-designated heritage assets respectively.

Other matters

18. I was invited to view the appeal site and roof slope from the neighbouring property 2 Dove Cottage. The roof slope is close to the tall boundary fence and due to a difference

in ground levels most of the roof slope and array of solar panels would be visible from the property. However, I observed that the part of the roof slope that would house the solar panels is not read as part of a larger or longer roof space due to the protruding gables and existing landscaping to the side. Furthermore, as the solar panels would only be marginally protruding above the roof slope and not significantly encroach towards the neighbouring property the proposal would not be visually intrusive to harm their outlook.

19. The Council raised a concern that in allowing planning permission for this site it would set a precedent for other similar development. The Planning Act requires development to be considered against the development plan and any other material considerations. As a result, each application for planning permission would have to be treated on its own merits and each will have its own site specific characteristics.

Conclusion

20. Having had regard to all other matters raised, it is concluded that the appeal should succeed and planning permission should be granted subject to conditions necessary for the avoidance of doubt.

4/02338/18/FUL

Avon Services

TWO 1-BED UNITS AND TWO 2-BED UNITS FROM THE
CONVERSION AND PART DEMOLITION OF THE EXISTING
BUILDINGS (AMENDED SCHEME)

NISSEL HOUSE, FENSOMES CLOSE, HEMEL HEMPSTEAD,
HP2 5DH

[View online application](#)

Decision

1. The appeal is allowed and planning permission is granted for the creation of 2no. 1 bed units and 2no. 2 bed units from the conversion and part demolition of the existing buildings on the site at Nissel House, Fensomes Close, Hemel Hempstead HP2 5DH in accordance with the terms of the application, Ref 4/02338/18/FUL, dated 16 September 2018, subject to the conditions set out in the attached schedule.

Procedural Matters

2. In my heading above, I have used the description of development in the planning application form. However, during the course of the planning application the proposal was amended to remove 1no. 1 bed unit and this was the scheme upon which the Council made their decision. Therefore, I have considered the appeal on this basis, and the description of the development in my decision reflects this.

Main Issues

3. The main issues are:

- The effect of the proposal on the character and appearance of the area with particular reference to density, and;
- The suitability of the access and parking arrangements having regard to local and national policies.

Reasons

Character and Appearance

4. The appeal site is located in a predominantly residential area within which there is a mixture of housing types and densities in evidence. The dwellings nearest the appeal site, although reflecting a range of ages, take a traditional form, regularly set back from

the street but with longer rear gardens and so, have a low to medium density. However, further to the west there is an apartment block and a residential care home reflecting a higher density form of development. The range of development combines to result in a somewhat mixed, but pleasant sub-urban character and appearance to the area.

5. The appeal site is somewhat at odds with the majority of the surrounding residential development in terms of its commercial use, site coverage and utilitarian form. The lack of an obvious principal elevation and expanse of flat roof over the garaging and workshops do little to enhance the appearance of the street. Nevertheless, this is tempered by the relatively modest scale of the site which has a discreet location in a private road.

6. The proposal would convert much of the existing building and the provision of communal open space would reduce the existing footprint and site coverage. Furthermore, the flat roof over the workshops and garaging would be replaced with a mansard style roof which would result in the overall height of the single bedroom dwellings being broadly similar to the eaves height of Nissel House. Notwithstanding the modest increase in height of the building, when combined with changes to the roof form, reduction in footprint and provision of garden space, there would be a reduction in the overall massing of the built form. As a result, the appeal proposal would appear more spacious than the existing buildings.

7. I acknowledge that the development would reflect a higher density than the dwellings in the immediate vicinity. However, given the mixed character of the wider area there is room for a degree of variety. Moreover, an increase in density does not necessarily result in a harmful impact on the surroundings. The tightly knit built form of the existing buildings and their relatively unobtrusive position in Fensomes Close would assist in the proposed development being absorbed into the general mix of residential development, without undermining or harming the overall pleasant suburban character.

8. Saved policy 10 of the Dacorum Borough Local Plan 1991-2011, April 2004 (LP) encourages optimising the use of urban land by supporting the maximum density compatible with the character of the area. In addition, policy 18 of the LP expressly refers to the need for 1-2 bedroom units to accommodate small households. Further support for higher density development in appropriate locations can be found in policy 21 of the LP which promotes the more efficient use of land, especially where there is good access to local facilities and public transport. Notwithstanding that some nearby residents have indicated a preference for a fewer number of units providing family housing, the provision of 1 and 2 bedroom dwellings would be beneficial as it would address provision supported by the development plan.

9. Furthermore, these policies align with advice in paragraphs 122 and 123 of the National Planning Policy Framework (the Framework) which encourages development that makes more efficient use of land by using higher densities. The development would also accord with the advice in paragraph 117 of the Framework which promotes the use of previously developed land.

10. Accordingly, I find that the proposal would respect the character and appearance of the area and would comprise a density that is compatible with its surroundings.

Therefore, I find no conflict with policies CS11 and CS12 of the Dacorum Borough Council, Core Strategy 2006-2031, September 2013 (CS) which, amongst other matters, seek to ensure a good quality of design for new development that respects the general character of the local area. In addition, it would accord with policies 10, 18 and 21 of the LP which, amongst other matters, seek to promote the efficient use of land using compatible densities with the surrounding area and the provision of a mix of housing with particular reference to small households.

Access and Parking

11. Fensomes Close is a short, reasonably straight private road with a dead end for

vehicular traffic, the restricted width of which would generally prevent the passage of two way movements. It is accessed at the corner of East Street and Broad Street and there is a pavement on one side leading to a pedestrian route to Christchurch Road, through which cycling is prohibited.

12. The proposal would use the existing vehicular access and the proposed area for the five parking spaces shown in Drawing reference 1801 A100 001 P3 indicates that it would be similar in size and configuration to the currently available parking space serving the commercial uses.

13. The Highway Authority have not raised an objection to the use of the access or provision of parking in this location. Given their technical expertise and local knowledge, I have attributed significant weight to their views. Furthermore, as the 4 dwellings would displace the existing commercial use of the site as well as garaging, the traffic generated by the development is unlikely to be significantly more harmful than the present uses¹, with the nature and size of vehicles likely to be commensurate with domestic use.

¹ Council appeal statement refers to large vehicles often visiting the site

14. The amount of car parking provided accords with the maximum standard of 5.5 spaces set out in Appendix 5 of the LP for the 4 dwellings proposed. In addition, given the reasonably good access to local facilities and public transport, I have not seen evidence that would justify requiring spaces in excess of the adopted maximum standard.

15. Although some residents raise concerns that the proposal would result in a more intensive use of the parking area, with parked vehicles projecting further into Fensomes Close, it is not shown that there are restrictions controlling how or when commercial vehicles can presently park within the space. Although I accept that past experience indicates that the use of the parking area outside of business hours has been limited, this does not signify it would continue to be case, nor that business hours would necessarily remain the same. Accordingly, this attracts limited weight.

16. Nevertheless, taking the relatively limited width of Fensomes Close and the recommendations of the Highway Authority into account, I concur that the spaces provided should be wider than the normal standard of 2.4 metres in order to allow opportunities for greater manoeuvring. Furthermore, an area should be kept free of parking to allow for the turning of service or visitor vehicles to avoid the need to reverse towards Broad Street. Based on the submitted plans and my observations on site, there would be adequate space to incorporate such measures in order to assist the movement of vehicles in Fensomes Close. This could be secured by using a planning condition to agree a detailed parking layout.

17. I acknowledge that the width of Fensomes Close is restricted to an extent. However, the parking provided is shown as being contained within the appeal site and the evidence does not show that, subject to a detailed parking layout being agreed, a suitable amount and arrangement of spaces could not be provided. Furthermore, I have seen limited evidence to suggest that it is so restricted that parked and manoeuvring vehicles would affect the pedestrians using the pavement and route to Christchurch Road and I have given weight to the comments of the Highway Authority in this regard.

18. I have had regard to the concerns of nearby residents that the parking arrangements would prevent other residents of Fensomes Close from accessing or egressing their property. Given that I have found that the proposed parking and access arrangements would be unlikely to result in harm in comparison to the existing situation, it follows that the development is unlikely to cause harm to highway safety or to the general living conditions of nearby residents. Furthermore, it is an established principle that the planning system does not exist to protect private interests, as there is specific separate redress for landowners to protect their private land rights.

19. Although concerns have been raised in relation to access for emergency vehicles the

evidence suggests that the layout would allow for emergency vehicle access to within 45 metres of all dwellings which adheres to the recommendations in relevant national and local guidance². Moreover, there is little robust evidence to substantiate concerns regarding refuse collection given that the Highway Authority find the arrangements would be acceptable.

² Manual For Streets & Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B vol 1 – Dwellinghouses.

20. Accordingly, the proposal would not significantly alter the existing access and parking arrangements and therefore, would be unlikely to harmfully impact on the movement of pedestrians and vehicles within the immediate area. Having regard to the advice in paragraph 109 of the Framework, the appeal proposal would not result in an unacceptable impact on highway safety and nor would the residual cumulative impacts on the road network be severe.

21. Therefore, I find that, subject to an appropriate condition, the development would accord with the relevant objectives in policies CS8, CS9 and CS12 of the CS in that it would provide a satisfactory means of access and sufficient, safe and convenient parking based on adopted car parking standards such that it would allow for the safe movement of other road users and pedestrians. Furthermore, it would not conflict with the requirements of policy 51 of the LP, which amongst other matters, requires new development to have suitably designed parking areas of an appropriate capacity

Other Matters

22. The replacement of the commercial use of Nissel House, the workshops and garages with a residential use would be compatible with the surrounding residential uses. I have had regard to the objections raised by some local residents that the development would unacceptably harm their living conditions by reducing privacy. However, this was not a matter raised by the Council and the proposal will to a significant extent reuse an existing building. Nevertheless, two additional ground floor, high level bedroom windows are shown on the north and west elevations respectively. Given the proximity of the building to the generally private gardens of the adjoining dwellings it would be necessary in the interests of safeguarding the privacy of nearby residents to ensure that these windows remain high level and furthermore, that no additional windows are inserted into the rear and side elevations.

23. There is no firm evidence, given the modest scale of the development, to suggest that it could not be appropriately drained or would otherwise result in an unacceptable strain on local utilities. Further concerns are raised that, in light of the commercial use of the building, chemicals may have been stored at the site. Paragraph 179 of the Framework advises that where a site is affected by contamination, primary responsibility for securing a safe development rests with the developer and/or landowner, and I have not seen specific evidence to suggest there would be a significant risk in relation to the appeal site such that additional safeguards would be justified.

Conditions

24. Although the Council have not suggested any conditions in relation to the appeal, I have had regard to the 7 recommended conditions in the officer report to the planning committee. The three year period in which the planning permission may be implemented is a statutory requirement but I also consider that it is necessary in the interests of clarity to specify the plans that are approved, and that the development shall be undertaken in accordance with these. Conditions requiring agreement in relation to the external materials and landscaping of the outdoor space are reasonable and necessary in order to protect the character and appearance of the area. However, these are not such fundamental matters that details need to be submitted prior to the commencement of any development. In addition, I have adjusted the wording of the landscaping condition to

make it more proportionate to the nature and size of the space provided.

25. For the reasons outlined above, a condition to agree and secure the parking layout and turning space is necessary in line with the recommendation of the Highway Authority, to allow for greater opportunities to manoeuvre into and out of the spaces.

26. I accept it is important to ensure the provision of cycle storage and bin storage facilities prior to the occupation of the dwellings. However, these areas are shown on the submitted plans, and the Council have not suggested that they would be inadequate. Moreover, the Highway Authority comments indicate that they have no objection to the details provided. As such, the condition wording need only secure the implementation of the details already shown rather than the submission of additional plans

27. The committee report suggests that a construction management plan should be agreed prior to the commencement of development. Planning Practice Guidance (PPG) advises that such pre-commencement conditions should only be used where they are so fundamental to the development permitted it would have been otherwise necessary to refuse the whole permission. There is little evidence to suggest that a development proposal of this relatively modest scale would result in a significant highway safety concern even during construction, and therefore it would be disproportionate to impose a condition in these circumstances. Accordingly, I do not consider this condition would meet the tests set out in the Framework or the PPG.

28. Finally, although not suggested by the committee report, I have imposed a condition to prevent the insertion of additional windows, or alterations to those approved, in the north, south and west elevations of the development. The additional windows in the proposal on those elevations are high level windows, which would prevent intrusive views, however if additional or larger windows were to be inserted, this would be likely to result in an unacceptable loss of privacy to the more private garden areas of nearby dwellings as well as the communal amenity space for the development itself.

Conclusion

29. For the reasons given above I conclude that the appeal should be allowed.