

**4/00657/17/FUL - CONSTRUCTION OF A FOUR BEDROOM DETACHED DWELLING.
ADJ. 4, ASHBY ROAD, NORTHCHURCH.
APPLICANT: MR DOUGHTY.**

[Case Officer - Aidan Wood]

Summary

The principle of residential development is considered acceptable in this location within a designated residential area. The design of the property is considered acceptable and sympathetic to the surrounding and the streetscene. The proposal will not result in significant loss of amenities to neighbouring properties. Sufficient parking and access are provided. The proposal therefore accords with the planning policies highlighted in this report and therefore the application is recommended for approval.

Site Description

The proposed site is a vacant plot adjacent to 4 Ashby Road situated in the Northchurch residential area, west of Berkhamsted.

The site lies on a slope, with a shared driveway to the Southwest of the site.

Most of the development here is from the 1940s and 1950s and consists of medium sized, two storey and bungalow dwellings.

The style of buildings is simple but angled front bays are common. It has some semi-rural qualities. Within this north western part, designs and ages are more varied and more informal in nature. The dwellings either side of the site are two storey semi-detached dwellings, while the dwellings directly across are bungalows. To the rear of the site are rear gardens and two garages accessed via the driveway to the side of the vacant plot.

Spacing is largely regular between dwellings at 2m to 5m. Siting of dwellings is conventional with gardens front and rear, and facing onto the road. Dwellings are set well back from the road, giving an open feel to the area. Enclosure of front gardens by low wall and planting is common.

Proposal

The application seeks permission for a detached two storey dwelling with an integral garage and incorporating 4 bedrooms and 2 reception rooms. The main face of the dwelling incorporates a staggered roofline and features a combination of hipped and gabled roof forms.

The dwelling also has a single storey rear element that does not run along the entirety of the rear wall and is predominantly located Western side of the dwelling. The Southwestern elevation has a side opening door, while the North-eastern elevation has a ground floor door and a first floor bathroom window. The property will be constructed of traditional brickwork with a plain tiled roof.

The site has proposed two parking spaces at the front of the dwelling in addition to the garage parking space. The site has also indicated a rear garden space measuring roughly 9.0m between the rear garden fence and the dwelling.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Northchurch Parish Council.

Planning History

4/01502/12/FUL	CONSTRUCTION OF DETACHED 3 BED DWELLING AND NEW VEHICULAR ACCESS GRANT 26/10/2012
4/01332/02/FUL	DETACHED DWELLING AND GARAGE GRANT 30/09/2002
4/01055/99/FUL	DETACHED DWELLING AND GARAGE REFUSED 05/10/1999

Constraints

1	A15.2	15.2M AIR DIR LIMIT
2	FLU	Former Land Use
3	HDBZ	Halton Dotted Black
4	CIL1	CIL1

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
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
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 21, 58 and 99
Appendices 3, 5

Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area BCA1 - Hall Park

Water Conservation & Sustainable Drainage (June 2005)

Energy Efficiency & Conservation (June 2006)

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

Planning Obligations (April 2011)

Affordable Housing (Jan 2013)

Summary of Representations

4 Ashby Road - Object

1. The plans and Design and Access Statement have some inaccuracies.
2. Applicant failed to supply accurate elevations, nor show the relation of the development and the North and south directions.
3. Development too big for site with the retention of the hedge and the retaining wall needed between 4 Ashby Road.
4. Loss of light/Privacy
5. Planted trees will further restrict light
6. Over development of the site which is not sympathetic to existing streetscene.
7. Development site is inappropriate for development.
8. Risk to 4 Ashby and potential damage to building during construction/long term damage due to soil.

Comments received from objector after viewing the BRE assessment

1. Report fails to consider protected trees impact on light access.
2. Fails to account for downs stairs bathroom.
3. Fails to account for window size between front and side.
4. Argues that other local examples of approved dwellings provide better examples of development for light protection (a list of 5 dwellings was provided).
5. Requests that any future application ensure a 2.0m gap between 4 Ahsby, have an eaves height difference no greater than 50cm and that the side access route be left unobstructed.

177 High Street South - Object.

1. The plans did not include measurements
2. Elevations were not supplied comparing the neighbouring properties.
3. The scale does not appear to be realistic for the site

4. Inaccurate plans
5. Side access discrepancy on plans and the ability to retain the hedge
6. Distance between proposal and neighbouring property
7. Loss of light
8. Method of construction consider the impact it will have on its surroundings

The Northchurch Parish Council- Object

1. The proposal is too large for the site, hedge retention
2. Impact residential amenities
3. Inaccuracies with plans when compared to site, no dimensions supplied
4. Bin storage
5. Loss of light and overlooking to 175 177 High Street
6. Garage not large enough
7. Sewage/piping status unknown
8. Lighting for downstairs toilet
9. Environmental sustainability and carbon footprint.

Officers response to matters raised

The site is considered an appropriate site for development as it is maximising use of urban areas and is in close proximity to services. All plans were accompanied with a scale bar, which provided consistent measurements across all the provided drawings. The site location plan also provided a North South compass. Upon conducting a site visit to compare measurements of the drawings and site it was found that the site there was no discrepancy between the two. To assess the light access impact of the proposal a BRE assessment was asked of the applicant which found the proposal would not impact the neighbouring dwelling of 4 Ashby Road. The application form states that bin storage will be located at the front and it is believed the site has an adequate amount of space at the front to house refuse bins. The garage width roughly measured at 2.5m which would adequately house a small car or bikes. Piping consideration overlaps between building control and planning; in this case however it is considered to be a BC matter. Bathrooms are not required to have a light source as they are not considered habitable rooms. Environmental officer assessed the sight and found no cause for objection and as such a carbon footprint increase is not believed to be sufficient grounds for refusal. All builds are expected to adhere to best practice during construction and governed by Building Regulations and Environmental Protection legislation (see informatives for more details). The overlooking proposed by this application will not be more imposing than that of the existing neighbouring dwellings. The distance between the proposed property and the neighbouring dwelling is considered acceptable. It is not believed the planting of trees and the size of the property will significantly inhibit the neighbouring properties access to light nor increase overshadowing to an adverse level.

Environmental Health

The site is located within the vicinity of the following potentially contaminative former land uses:

- Former landfill located approximately 180 metres to the north-northeast.
- Infilled ponds located approximately 225 metres to the southeast.

Consequently there may be land contamination issues associated with this site. I recommend that the contamination conditions be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website:
(www.dacorum.gov.uk/default.aspx?page=2247).

Infrastructure Officer

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 1 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Building Control Officer

I have taken a look at this project my only comments

- Confirmation level threshold is provided in respect to disable access.

HCC Highways Officer

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

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

CONDITIONS

1. Before the accesses are brought into use the site frontage shall be kept free of all obstruction to visibility over a height of 0.6m for a distance of 0.65m to both sides of the driveway above the adjoining footpath level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

2. The proposed car parking spaces shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

3. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside

highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

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

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

5. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

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

6. Road deposits. Best practical means shall be taken at all times to ensure that all vehicles leaving the development 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.

Reason. To minimise the impact of construction vehicles and to improve the amenity of the local area.

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

INFORMATIVES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

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

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during

construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

This application is for Construction Of A Four Bedroom Detached Dwelling on land adjacent to 4 Ashby Road, Northchurch.

PARKING AND ACCESS

The new property will be provided with two parking spaces on the forecourt, and another in an integral garage, accessed via a new VXO on Ashby Road, which is an unclassified local access road, subject to a 30mph speed limit. Vehicles are not required to enter and leave the highway in forward gear.

CONCLUSION

HCC as highway authority considers that the proposals would not have an unreasonable impact upon highway safety or capacity, subject to the conditions and informative notes above.

Considerations

The main issues of relevance to the consideration of this application relate to the policy and principle of development in this location, the impact on layout and the character and appearance of the street scene, the impact on neighbouring properties, and the adequacy of car parking.

1. Policy and Development

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. Similarly, Policy CS4 of the Core Strategy directs residential development to the towns including Berkhamsted (of which Northchurch is a part of) and within established residential areas, where the application site is located. Policy CS17 seeks to promote residential development to address a need for additional housing within the Borough. The provision of new dwellings is supported in principle under Policy CS18 of the Core Strategy.

It is noted that the proposal involves development of part of what is believed to have once been part of the residential garden space for 4 Ashby Rd. It is important to note that there are no specific policies which restrict development of residential gardens. Paragraph 53 of the NPPF is acknowledged, which states that local planning authorities should consider setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. There are other guidelines embedded in local policy (in particular saved Appendices of the Local Plan and Supplementary Planning Guidance) which seek to protect the character of particular areas and neighbourhoods, and to safeguard the amenity of neighbouring properties. These issues have been addressed below.

Furthermore, the National Planning Policy Framework (henceforth referred to as the NPPF) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Though the application site is not considered to be previously developed (with regards to Annex 2 of the Framework) Local Plan Policy 10 seeks to optimise the use of available land within urban areas.

The application site is situated within an urban residential area of Northchurch. The site is also located within close proximity to local services and facilities.

Taking all of the above into account, the proposal would make a small but valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, and given that the development would be located in a sustainable location, the proposal is in accordance with policies NP1, CS1, CS4, CS17, CS18 and the NPPF. There is therefore no compelling objection to the principle of the proposed development.

It should be noted that the principle of development with a single dwellinghouse on this site has been approved on numerous occasions, most recently in 2012.

2. Impact on site layout, appearance of building and street scene

Core Strategy Policies CS11 and CS12 state that development within settlements should respect the typical density in the area and integrate with the streetscape character. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

The design of the proposed dwelling is attractive, in an area that does not boast any significant design characteristics that would warrant copying. The individual materials of the two storey detached proposal will consist of facing brickwork (Facing Brick – Freshfield Lane – First quality multi) with feature brickwork (Ibstock –Berkshire orange) and plain tile roofing (Forticrete – Gemini Interlocking Autumn Plain Tile). It is considered the proposal will be sympathetic to the overall character of the area.

The roofline, window styles and single storey rear element would break up the bulk and mass of the proposal. Similarly the roofline at the front with its staggered frontage further benefits from this, creating a less imposing character than previously approved.

The one part of the proposed dwelling that would protrude further than the neighbouring dwelling of 4 Ashby by roughly 1.0m and will be approximately 4.5m from the footpath. The section with the garage will be roughly 6.5m from the footpath. The rear garden will be approximately 9.0m from the rear face of the dwelling; this is not including the single storey rear structure which measures 7.0m to the rear fence. The property will have a 2.0m separation from the dwelling at 4 Ashby and another 1.0m to the opposite side (incorporating the hedge). The total width of the dwelling will be 9.0m.

Taking the above into account, and as the proposal would be similar in scale to surrounding units, it is considered that sufficient spacing would be left about the proposed dwelling so that the unit would not appear cramped or overdeveloped upon its plot and the dwelling would not be visually intrusive or dominant within the immediate streetscene. Notwithstanding this, it is considered reasonable to remove permitted development rights for Schedule 2, Part 1, Class A (extensions and alterations) to ensure that the spacing about the unit remains acceptable.

For the above reasons it is considered the proposal will not appear cramped or constitute overdevelopment.

Though the proposal would be similar in size to its neighbouring dwelling of 4 Ashby Road; the fact that the proposal is located on a slope caused concern for neighbours and the Parish Council that proposal would be overbearing. Further details have been submitted to clarify the proposed slab levels. The proposal will include some excavations with the slab being slightly higher than Number 4 but well below that of 6 Ashby Rd.

The proposal has highlighted the desire to retain the hedge at the side of the property. Any damage to the hedge during construction would be regrettable but is not considered that this would result in significant and demonstrable harm to the character of the area to warrant a refusal on these grounds alone. Additionally, as this vegetation appears to be within the ownership of the applicant and the site is not within a Conservation Area, this vegetation may be removed without approval from the Local Planning Authority.

3. The potential impact on the living conditions of the occupants of surrounding residential units

Policy CS12 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

Some of the main concerns for the proposal is the potential effect a dwelling might have on the neighbouring dwelling of 4 Ashby Road and also the increased overlooking to the rear of the property at 177 High Street South. It is noted that in 2012 (reference number 4/01502/12/FUL) a similar size detached dwelling was approved and received this response from the parish council:

"We noted that although this new property would be very close to No. 4, the downstairs back door and garage plus the bedrooms upstairs which both have two windows so in each case one window would not be effected, by this new proposal., The site is about the same size as No 4. and has more garden at the rear. and on the southern side there is an alley way for vehicles so a decent gap between the new proposal and its southerly neighbour.."

We are therefore of the opinion that we have "No Objections to this application being Granted"

Perhaps the most contentious part of the proposal is the dwellings relation to the 4 Ashby Road. It is acknowledged that the proposal would to some degree affect the light that 4 Ashby currently receives, as the Southwestern windows benefit from some North facing light. As each proposal is assessed on its merits a BRE Daylight Sunlight assessment was asked of the applicant to show the impact on the neighbouring dwellings. The BRE concluded that:

"The detailed analysis undertaken as part of this assessment has examined the impact of the proposed development on the amount of daylight enjoyed by the neighbouring building. In line with the assessment criteria prescribed by the BRE Guideline, it has been shown that the reduction in daylighting to the windows of the neighbouring buildings is less than the value that is considered to represent a notable impact.

The assessment of the impact of the proposal of the proposed development on the sunlight enjoyed by the neighbouring buildings has also shown that whilst there will be a reduction in the number of probable sunlight hours enjoyed by these windows, this reduction is again within the limits prescribed by the BRE Guidelines as being acceptable.

In summary, the development proposals have been appraised in line with the guidelines set out in the BRE Document. When assessed against the criteria for establishing whether the proposed development will have a significant impact, it has been possible to conclude that the development will not result in a notable reduction in the amount of either daylight or sunlight enjoyed by the neighbouring buildings."

This BRE assessment provided conclusive evidence that the proposal will not impact the neighbouring property's to an unacceptable degree. In terms of overlooking to the rear, it is not believed the proposal will overlook the rear dwellings more than what they currently experience from the existing dwelling of 4 Ashby Road. It is common within urban areas to have an element

of mutual overlooking from first floor windows.

There was concern that due to the sloping nature of the site, that overshadowing impacts will be further felt from the height difference. Upon receiving the revised elevations it was found the overshadowing effect of the proposal will be mitigated by the fact that it will be almost level with 4 Ashby Road.

4. Highway Safety and Parking Provision

Policy CS12 seeks to ensure developments have sufficient parking provision. Paragraph 39 of 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. Saved Policies CS8, 57 and 58 (and associated Appendix 5) of the Local Plan promote an assessment based upon maximum parking standards.

The proposed unit would benefit from two onsite parking spaces and an integral garage. The number of parking spaces proposed meets the current maximum standards and the provision is therefore considered acceptable for a property of this size and in this location.

The Highway Authority raises no objection to the works stating "*the proposal would not have an increased impact on the safety and operation of the adjoining highways and does not object to the development*". It is not believed that the proposal would have a negative impact on the highway, motorised traffic or pedestrian traffic and therefore accords with the previously stated policy.

i) Former land use - Contaminated Land

Policy CS32 seeks to maintain soil quality standards and ensure any contaminated land is appropriately remediated.

Dacorum Environmental Health Department have been consulted and consider that, as the site is located within the vicinity of potentially contaminative former land uses, a standard contamination condition should be imposed. This condition would require an initial investigation and risk assessment and is phased so if no risk is identified at the desk top study stage then there is no need to proceed further and the condition can be 'discharged'.

This condition is considered reasonable and would ensure that any contaminated land at the site is appropriately dealt with.

ii) Refuse and Recycling Storage

Saved Policy 129 seeks to ensure that developments have adequate storage for refuse and recycling. The proposed dwelling would provide secure space to the front to store wheelie bins, which themselves could be presented to the highway boundary for collection when required. As such, it is considered that the development could be incorporated into the existing refuse and recycling service and therefore complies with Policy 129.

iii) Community Infrastructure Levy (CIL)

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. The Charging Schedule clarifies that the site is in Zone 1 within which a charge of £250 per square metre is applicable to this development. The CIL is calculated on the basis of the net

increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

iv) Building Control assessment

The councils Building Control officer assessed the proposal and had requested that the Confirmation level threshold is provided in respect to disable access. This was brought to the attention of the applicant for future building control applications should approval be granted.

v) Garden size

Although the proposed garden falls slightly below the minimum garden depth of 11.5m (Appendix 3) it is considered that the garden proposed provides a functional area of amenity space compatible with the surrounding area. Appendix 3 states that "for infill developments garden depths which are below 11.5m but of equal depth to adjoining properties will be acceptable".

6. CONCLUSION

The proposal complies with the Council's settlement strategy and would be located within a sustainable location. There is therefore no compelling objection to the principle of the proposed development.

The proposed development would not have any adverse layout implications, and the proposed dwelling would be acceptable in terms of its appearance and would not detract from the street scene. The development would not have a significant detrimental impact on the amenity of neighbouring properties. The access, car parking arrangements and on other relevant material considerations are satisfactory. It has been concluded that the proposal is acceptable in terms of the above. As such, the development is in accordance with the relevant policies the adopted Local Plan and Core Strategy and the relevant Sections of the Framework.

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

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

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

- 2 The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings/forms or such other materials as may be agreed in writing by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to accord with Policy CS12 of the Core strategy.

- 3 Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further**

investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition:

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 4 All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 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.

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

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting**

that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:

**Schedule 2 Part 1 Classes A, B, C, E,
Part 2 Classes A, B and C.**

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 to ensure satisfactory amenity space and amenities of neighbouring properties.

- 6 Prior to commencement of development full details of existing and proposed levels, including slab levels, sections and any retaining structures shall be submitted and approved by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: For the avoidance of doubt and to ensure a satisfactory development and to accord with Policy CS12 of the adopted Core Strategy.

- 7 Before the accesses are brought into use the site frontage shall be kept free of all obstruction to visibility over a height of 0.6m for a distance of 0.65m to both sides of the driveway above the adjoining footpath level.**

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it in accordance with CS12(a).

- 8 The proposed car parking spaces shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.**

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway in accordance with CS12(a).

- 9 The parking areas shall be constructed in accordance with the details specified on the approved plans/application forms. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises in accordance with CS12(a).

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

DESIGN AND ACCESS STATEMENT
ASH.PLN.101
ASH.PLN.102
ASH.PLN.103
ASH.PLN.104

SUSTAINABILITY STATEMENT

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

Article 35 Statement

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

INFORMATIVES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

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

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

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

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

5. All materials and equipment to be used during the construction shall be stored

within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

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

6. Road deposits. Best practical means shall be taken at all times to ensure that all vehicles leaving the development 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.

Reason. To minimise the impact of construction vehicles and to improve the amenity of the local area.