

**4/00597/17/RES - SUBMISSION OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, SCALE AND LAYOUT) TO OUTLINE PLANNING PERMISSION 4/03072/15/MFA (HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSPACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE)..**

**BOURNE END MILLS, UPPER BOURNE END LANE, HEMEL HEMPSTEAD, HP1 2UJ.  
APPLICANT: MEARS GROUP.**

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[Case Officer - Rachel Marber]

## **Summary**

The application is recommended for approval.

It is considered that the proposals with hybrid application (4/03072/15/MFA) brought about a substantial physical upgrade to the site and through the provision of new strategic landscaping areas, open space and sustainable urban drainage delivered significant environmental, biodiversity and ecological improvements.

The residential component subject to this Reserved Matters Application regards appearance, landscaping, scale and layout. It is considered that the proposed layout of development, quality of materials and architectural style, detailing and built form of the proposed 45 units would be sufficiently varied in character to add interest and ensure a high quality of sustainable development in addition to reflecting and assimilating with the character of adjoining Bourne End Village, Green Belt environment and surrounding AONB.

Furthermore, the proposed development would not have an undue impact upon the residential amenity of the neighbouring residents, highway safety or ecological landscape. The proposal therefore adheres with Policies 18, 51, 58, 99, 100 and Appendices 3, 5 and 6 of the Dacorum Local Plan (2004) and Policies CS10, CS11, CS12, CS13, CS25, CS26, and CS29 of the Core Strategy (2013), and the National Planning Policy Framework (2012).

## **Site Description**

Bourne End Mills Industrial Estate is located, approximately 1 mile to the west of Hemel Hempstead, and forms an extension to the urban area of Bourne End Village to the immediate north east.

The Site is located in a valley of the Chiltern Hills, within the Metropolitan Green Belt and is therefore designated as a Major Developed Site (MDS) and Employment Area in the Green Belt.

The A41 loops around the southern part of the site connecting it to the neighbouring towns of Tring and Watford and to the M25 and M1 motorways. The site is bound to the north by Green

Belt land, to the east by the residential properties of Bourne End Village, to the south by Upper Bourne End Lane and to the south west by Stoney Lane, both of which provide direct road access onto the A41.

The site is in a valley which is drained by a culverted winterbourne, the Bourne Gutter. It occupies a relatively low profile position in the valley bottom with limited views in from the A41. However, there are views into the site from the surrounding Chilterns Area of Outstanding Natural Beauty. The application site under consideration within this application comprises the residential half of the site, granted outline consent for 45 residential properties within Hybrid application ref: 4/03072/15/MFA. Construction of the B1/B2/B8 units on the neighbouring half of the site, also granted within a Hybrid planning application ref: 4/03072/15/MFA, has been completed.

## **Proposal**

The application is for reserved matters pursuant to outline permission 4/03072/15/MFA relating to appearance, landscaping, scale and layout for the erection of 45 dwellings, associated garages, car parking, roads and infrastructure.

Dwelling mix proposed comprise: 20 x Mansfield 4 bed, 18 x Langbourne 3 bed, 6 x Barton 2 bed 4 person and 1 x Thornberry 4 bed 4 person with 89 spaces off street parking spaces provided, averaging 2 spaces per dwelling.

## **History of Site**

The site was originally granted permission for entirely employment generated use (2010-2013), this however failed to be delivered on the site due to the remediation costs involved in redeveloping the site and delivering the required environmental improvements; conflict between commercial market demand and concerns of local residents. Due to the failure to gain approval at reserved matters stage for an entirely commercial development, despite Outline consent having been granted, Officers underwent pre-application discussions with the applicant in an attempt to come up with a mutually acceptable solution. It was concluded that the site would be redeveloped to retain a high quality commercial use at the site, whilst simultaneously utilising half of the site to create a residential buffer between the commercial use and the existing village.

Subsequently, planning consent in March 2016 was granted for B1, B2 and B8 floor space and associated highway works including, highway improvements (upgrading of bus stops, network and associated footway) which created a new access from Upper Bourne End Lane and blocked motor vehicle access to the site from Bourne End Lane; traffic calming measures were also agreed to be introduced along Upper Bourne End Lane. A sustainable drainage system was approved which created a deculverted Bourne Gutter and introduction of new public open space and landscaping along the north west of the site. This resolved the problem of water runoff and resultant flooding of the site. These works formed the S106 agreement for the site.

The residential outline consent granted in March 2016 was for 45 dwellings up to 2.5 storeys high, varying in size from 2 to 5 bed. Further details in regards layout, scale, appearance and landscaping of the residential half of the site have been submitted under this Reserved Matters application.

## Referral to Committee

This Reserved Matters application is referred to the Development Management Committee due to Outline having been granted by the Development Management Committee on the 25<sup>th</sup> February 2016.

## Relevant Planning History

4/00596/17/DRC DETAILS AS REQUIRED BY CONDITIONS 8 (FLOOD RISK ASSESSMENT) AND 9 (DRAINAGE) ATTACHED TO PLANNING PERMISSION 4/03072/15/MFA (HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSPACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE).)

Granted

25/05/2017

4/02570/16/DRC DETAILS AS REQUIRED BY CONDITIONS 14 (HIGHWAY IMPROVEMENT WORKS) AND 22 (SITE COMPLETION REPORT) ATTACHED TO PLANNING PERMISSION 4/03072/15/MFA (HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSPACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE).

Delegated

4/02417/16/ADV ONE TOTEM SIGN AND UNIT NUMBERS TO GO ONTO BUILDINGS.

Granted

31/10/2016

4/02367/16/DRC DETAILS REQUIRED BY CONDITIONS; 11 (LANDSCAPE MANAGEMENT PLAN); 12 (FIRE HYDRANTS) 13; (OPERATIONAL

WASTE) ; 16 (INTERNAL ROAD MANAGEMENT); 20 (TRAVEL PLAN) ATTACHED TO PLANNING PERMISSION 4/03072/15/MFA (HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSPACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE).  
Granted  
07/11/2016

4/02089/16/DRC DETAILS REQUIRED BY CONDITION 23 (FLOODLIGHTING) ATTACHED TO PLANNING PERMISSION 4/03072/15/MFA - HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSPACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE).  
Granted  
30/11/2016

4/00979/16/NM NON MATERIAL AMENDMENT TO PLANNING PERMISSION  
A 4/03072/15/MFA - HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSPACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE).  
Granted  
09/05/2016

4/00782/16/DRC DETAILS REQUIRED BY CONDITION 5 (PHASING), 6 (EMPLOYMENT UNIT MATERIALS) , 9 (DRAINAGE SCHEME MANAGEMENT), 17 (CONSTRUCTION PARKING), 18 (CONSTRUCTION TRAFFIC MANAGEMENT PLAN) AND 19 (WHEEL CLEANING) ATTACHED TO PLANNING PERMISSION 4/03072/15/MFA - HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSFACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE) - PARTIAL DISCHARGE RELATING TO PHASES 1, 2 AND 3 ONLY.

Granted

17/05/2016

4/03072/15/MFA HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF BOURNE END MILLS INDUSTRIAL ESTATE TO PROVIDE B1 AND/OR B2 AND/OR B8 FLOORSFACE AND EXTERNAL ALTERATIONS TO THE REAR OF UNIT 28 UPPER BOURNE END LANE WITH ASSOCIATED PARKING AND SERVICE AREAS, ACCESS FROM UPPER BOURNE END LANE, LANDSCAPING AND PUBLIC OPEN SPACE AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER (DETAILS SUBMITTED IN FULL); AND RESIDENTIAL DEVELOPMENT OF UP TO 45 DWELLINGS, ASSOCIATED POINT OF ACCESS FROM UPPER BOURNE END LANE AND WORKS TO THE PUBLIC HIGHWAY BETWEEN BOURNE END LANE AND UPPER BOURNE END LANE (DETAILS SUBMITTED IN OUTLINE).

Granted

09/03/2016

4/01944/15/SCE MIXED USE RESIDENTIAL/COMMERCIAL DEVELOPMENT

05/06/2015

4/02620/14/DRC DETAILS OF ECOLOGY AS REQUIRED BY CONDITION 33 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSFACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

22/06/2015

4/01988/14/RES SUBMISSION OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) TO OUTLINE PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSFACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

14/06/2015

4/01989/14/RO  
C REMOVAL OF CONDITION 18 (OPENING HOURS) AND 22 (ROOF HEIGHT/PITCH) ATTACHED TO PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSFACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Refused

23/12/2014

4/01982/14/DRC DETAILS OF NOISE LEVELS AS REQUIRED BY CONDITION 31 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSFACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

14/06/2015

4/01983/14/DRC DETAILS OF SCHEME FOR THE OPENING UP OF THE BOURNE GUTTER AS REQUIRED BY CONDITION 24 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSFACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

14/06/2015

4/01984/14/DRC DETAILS OF CONTAMINATION AND REMEDIATION AS REQUIRED BY CONDITIONS 21 AND 26 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSPACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

14/06/2015

4/01985/14/DRC DETAILS OF SUSTAINABILITY AS REQUIRED BY CONDITION 20 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSPACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

14/06/2015

4/01986/14/DRC DETAILS OF HARD AND SOFT LANDSCAPING, SCHEME INDICATING PROPOSED MEANS OF ENCLOSURE WITHIN AND AROUND THE SITE AND EXTERNAL BOUNDARIES, AND A LANDSCAPE MANAGEMENT PLAN AS REQUIRED BY CONDITIONS 5, 7 AND 25 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSPACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)

Withdrawn

14/06/2015

4/01987/14/DRC DETAILS OF PARKING, ACCESSES AND JUNCTION ARRANGEMENTS, VISIBILITY SPLAYS, STOPPING UP OF VEHICULAR ACCESS FROM BOURNE END LANE AND PHASING PLAN AS REQUIRED BY CONDITIONS 9, 10, 11, 12, 13 AND 16 OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSPACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT

TO PLANNING PERMISSION 4/02524/08/MOA)  
Withdrawn  
14/06/2015

4/01990/14/DRC DETAILS OF MATERIALS, SLAB, FINISHED FLOOR AND RIDGE LEVELS OF PLANNING PERMISSION 4/02245/12/VOT (THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA)  
Withdrawn  
14/06/2015

4/02245/12/VOT THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE - VARIATION OF TIME LIMIT TO PLANNING PERMISSION 4/02524/08/MOA  
Granted  
23/05/2013

4/02524/08/MO A THE DEMOLITION OF EXISTING BUILDINGS AND THE REDEVELOPMENT TO PROVIDE B1c, B2 AND B8 FLOORSACE TOTALLING APPROXIMATELY 15,500 SQ M WITH ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING WORKS AND THE REALIGNMENT AND OPENING UP OF THE BOURNE GUTTER AND CREATION OF A NEW PUBLIC SPACE AT THE WESTERN END OF BOURNE END LANE  
Granted  
01/04/2010

4/00970/02/OUT REDEVELOPMENT FOR OFFICE/INDUSTRIAL (CLASS B1) AND WAREHOUSE/STORAGE (CLASS B8) USE (OUTLINE)  
Withdrawn  
03/10/2002

## **Policies**

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)



CS8 - Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of the Public Realm  
CS25 - Landscape Character  
CS26 – Green Infrastructure  
CS29 - Sustainable Design and Construction

#### Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 18 - The Size of New Dwellings  
Policy 51 - Development and Transport Impacts  
Policy 58 - Private Parking Provision  
Policy 99 - Preservation of Trees, Hedgerows and Woodlands  
Policy 100 - Tree and Woodland Planting  
Appendix 3 - Gardens and Amenity Space  
Appendix 5 - Parking Provision  
Appendix 6 – Open Space and Play provision

#### **Constraints**

- Major Developed Site in Green Belt
- Employment Area within Green Belt
- Area of Special Control for Adverts
- Green Belt

#### **Summary of Representations:**

#### **Comments received from consultees:**

##### Crime Prevention Officer

1. Layout: I thank the applicants for section 2.10 in the Design and Access Statement (DAS) and confirm I am content with the layout
2. Physical Security – ADQ and SBD:

I thank the applicants for their Proposed SBD plan. Building Regulation, Approved Document Q (ADQ) requires that dwellings are built to “Prevent Unauthorised Access”. This applies to any “dwelling and any part of a building from which access can be gained to a flat within the building”. Achieving the Secured by Design (SBD) award meets the requirements of Approved Document Q (ADQ), and there is no charge for applying for the Secured by Design award. Further details are available from Hertfordshire Police Crime Prevention Design Advisors at 01707-355226.

I would obviously be keen to see any development actually built to the physical security standards of Secured by Design which is the police approved minimum security standard, as this will reduce the potential for burglary by 50% to 75% and therefore demand on the Police as

well as achieving ADQ. I would encourage the applicants to apply for the Secured by Design award if this application is approved

I would ask that if permission is granted, the above information is passed on to the applicant by way of informative.

#### Herts Property Services

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 2 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team ([development.services@hertfordshire.gov.uk](mailto:development.services@hertfordshire.gov.uk)).

#### Environment Agency

Thank you for consulting us on his application. However as we had no comments to make on the outline application we have no comments to make in regard to the reserved matters.

#### Lead Local Flood Authority

#### **No Objection**

Thank you for consulting us on the above reserved matters application for appearance, landscaping, scale and layout to outline planning permission 4/03072/15/MFA (Hybrid application for the demolition of the existing buildings and the redevelopment of Bourne End Mills Industrial Estate to provide B1 and/or B2 and/or B8 Floorspace and external alterations to the rear of unit 28 upper Bourne End Lane with associated parking and service areas, access from upper Bourne End Lane, landscaping and public open space and the realignment and opening up of the Bourne Gutter (details submitted in full); and residential development of 45 dwellings, associated point of access from Upper Bourne End Lane and works to public highway between Bourne End Lane and upper Bourne End Lane (Detailed submitted in outline).

We note a separate application has been submitted on the discharge of conditions relating to drainage, where we will provide further detailed comments in relation to surface water management and flood risk. As this application does not alter the drainage and the original FRA was already approved, we can confirm that we have no objection to this application on flood risk grounds.

#### Environmental Health

I have considered this development in terms of likely future nuisance.

On that basis I do not wish to make any adverse comment or suggest any conditions on the final development, but I would like to see the conditions below applied to the construction phase over the whole site.

- Building work and all related activities on the site, including deliveries and collections shall only take place between 7-30 am and 6-30 pm on weekdays (Monday to Saturday inclusive) and no work shall take place on site on Sundays or Bank Holidays.
- No waste material, wood or other material shall be burnt on site at any time

I had looked at this previously and concluded that from a purely acoustic standpoint the changes proposed to the bund would be totally insignificant from my standpoint. I would not expect any measureable differences as a result of the bund changes, so I have no objections to the revisions proposed.

#### Rights of Way Officer

The path (the ROW) was extinguished so no Public Right of Way now.

#### Herts Property Services

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

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

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

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

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

#### Justification

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

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

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

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

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

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

(ii) Directly related to the development;

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

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

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

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

#### DBC Conservation

In general the proposals would be acceptable. However we would recommend some minor changes to the design elements.

Proposed houses 1&2. The roof plan should match 41 & 42 and rather than rooflights the rear roof should have dormer windows. This should help create a balance gateway feature when entering the site. Plot 45 should be carefully considered design wise and the gable element

facing the main road reviewed. This is to prevent a blank 2 storey brick gable being seen on the principle approach to the site. It would also be recommended that this row of housing and plots 1&2 have chimney stacks added to enhance the interest of the roofscape.

Plot 6 and 7 design should be swapped to provide a handed composition with plots 4 and 5. The materials however could stay as currently proposed.

Within the site the principle elevation to review would be the flank wall of 38 as this dwelling is located on the principle approach into the site and in some ways provides a visual terminus between plots 1 and 41 on the approach. It may therefore be useful to consider changing the aspect of part of this proposal to take advantage of this aspect and enhance the entrance area.

In addition although we have lesser concerns Plots 26, 27 34 and 40 should be reviewed and some visual interest added to the flank elevation wall facing onto the road. This could perhaps be done through the use of materials.

**Recommendation In general the proposals are acceptable and the new development would sit comfortably within its environs. However the above issues should be addressed in particular to enhance the approach and large blank flank walls within the site.**

#### Herts Ecology

Hertfordshire Ecology has commented at the Hybrid Planning stage of this application and at the time we had no objections to the application submitted. Therefore providing that the Ecology Statement (RT-MME-117375-04) is still being followed I have no reason to believe that ecological conditions have changed in the interim. I therefore assume that ecological constraints on site have been accounted for and that all avoidance, mitigation and compensation activities as set out in previous applications are being followed. This includes the need for an EPS Licence prior to the demolition of Building 1 (as identified in the submitted bat report), adequate measures taken to ensure badgers do not get trapped on site, and that birds are safeguarded during their breeding season.

The boundary of this reserved matters application site does not include the boundary planting and Bourne Gutter restoration as set out in the overall landscape plan; however it does include a native hedge with structural trees to be planted on the eastern boundary of this reserved matters application site. The planting schedule for this area is predominately native species and those that are of more ornamental varieties are fruiting which will also contribute to enhanced biodiversity. Although I am in agreement with the strategy presented there is no information submitted regarding maintenance of these areas over the first five years after planting. This may have been overlooked at previous stages of the application process. If so I would recommend a Landscape and Ecological Management Plan (or similar) be submitted to the LPA, This can be just for the reserved matters application or apply to the entire site. I can recommend the following condition:

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

a) Description and evaluation of features to be managed.

- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the LEMP 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 approved plan will be implemented in accordance with the approved details.

#### Building Control

Confirmation of Level thresholds for disabled access to the properties to show compliance with approved document M1.

#### Bourne End Residents Association

As the Bourne End Village Association we write following our meeting to confirm the points made on the above.

We are supportive of these plans with the following reservations :

- the bund between the two developments was meant to be much higher and we were led to believe this would be so. This was to be a landscape feature in its own right and together with appropriate planting ( shrub trees or hedging) would form a screen for the housing occupants. It would break up the wall appearance of the rear of the industrial units which otherwise is large and imposing, and contribute to the visual amenity of the site. This applies to the units at the side also.

- whilst the drawings of the development are appealing there needs to be a proper, scheduled, and appropriate planting plan which can be approved. This should incorporate species and sensible maturity of plants / trees.

- whilst the development exceeds the parking standards it will need to as the positioning and access to the development will likely drive in excess of two cars per household as a practical need. One or two extra car slots are to be applauded although cars could be parked on the external road as this is still to industrial standard.

-we spoke about the cut off for all vehicular traffic between the lanes and, whilst this is outside the development area, perhaps this can be achieved via a section 106 agreement. It is of direct

consequence to this development not to have motorbikes passing around it whilst providing pedestrian throughput.

- finally we discussed the existing dog leg in Bourne End Lane and we established from those a necessary course of action. We will petition this developer for the gift of a small amount of land for a turning head and pursue Herts County Council. This would be a useful spoil deposit for the developer if all could be achieved. We will keep you informed.

### HCC Highways

Submission of reserved matters (appearance, landscaping, scale and layout) to outline planning permission 4/03072/15/mfa (hybrid planning application for the demolition of existing buildings and redevelopment of bourne end mills industrial estate to provide b1 and/or b2 and/or b8 floorspace and external alterations to the rear of unit 28 upper bourne end lane with associated parking and service areas, access from upper bourne end lane, landscaping and public open space and the realignment and opening up of the bourne gutter (details submitted in full); and residential development of up to 45 dwellings, associated point of access from upper bourne end lane and works to the public highway between bourne end lane and upper bourne end lane (details submitted in outline).

### **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:

1 The construction of the development shall not commence until details of construction vehicle movements and traffic management measures are submitted to and approved by the local planning authority.

Reason: To ensure the impact of construction vehicles on the local road network is minimised.

2 Before commencement of site works, the method of washing of vehicle wheels exiting the site shall be agreed in writing with the Planning Authority and the agreed method shall be operated at all times during the period of site works.

Reason: In the interest of highway safety and amenity.

3 .Prior to the first occupation of the development, the applicant shall provide a residential Travel Plan ( there will be a Framework TP for the whole site) associated with the development to encourage the use of alternative modes of transport to the development. This Plan will be prepared and updated in accordance with HCC document 'Hertfordshire's Travel Plan Guidance for Business and Residential Development' available at <http://www.hertsdirect.org/services/transtreets/highways/highwaysinfo/hiservicesforbus/devmanagment/greentravelplans1/>. Reason: To promote sustainable transport measures for residents, visitors and staff at the new development.

4 All areas for parking, storage and delivery of materials associated with construction of the development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

Reason: In the interest of highway safety.

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

AN1) 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) 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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

### Proposal

The site is the former Bourne End Mills industrial site in Bourne End, Hemel Hempstead and has planning permission for a hybrid development covering the whole site under planning permission 4/03072/15/MFA. This application is a reserved matters application looking solely at the appearance, landscaping, internal layout and scale of the development which is for 45 dwellings. The application consists of site plans, swept path drawings, an application form and a Design and Access statement. The current proposal is the third revision after consultation with stakeholders about the site and what the development should like in appearance and layout.

### Site and surrounding road network

The application site is located to the southwest of the village of Bourne End and 3.7km west of Hemel Hempstead town centre. It has an area of approximately four hectares and is bounded to the north by open fields, to east by the residential properties of Bourne End village, to the south by Upper Bourne End Lane and to the south west by Stoney Lane. The whole site lies to the northwest of Upper Bourne End Lane which connects to the A41 south of the site. The A41 is a former trunk which provides a link between Aylesbury and the M25 at junction 20. To the east of the site, Upper Bourne End Lane joins Bourne End Lane, which serves the village of Bourne End. The link between the two roads is severed in terms of vehicular access, but permits access for pedestrians, cyclists and horse riders. There are turning heads located on either side of this severed link. Bourne End Lane is a local distributor road in the HCC hierarchy. Traffic can move in both directions on it and it is subject to the national (60mph) speed limit.

A check on the last five years' collision data held by the County Council shows none on Upper Bourne End Lane and a single incident (resulting in a slight injury) at the roundabout on Stoney Lane with the hotel entrance. Parking is prevented in the turning head north of the blockage of Bourne End Lane by double yellow lines.

### Access to the site

The access to the residential site will be from one of the existing accesses as shown on the submitted plans. This access was agreed as part of the MFA planning application and will be the only vehicular access into the site. Other pedestrian and cycle links forming sustainable ties to Bourne End Lane will be created and these too are depicted on the submitted plans.

### Parking



Dacorum Borough Council as a local planning authority will determine the level of parking they require for the development proposal. The applicant is proposing a total of 2 parking spaces for each ¾ bedroom dwelling and 1.5 spaces per each 2 bedroom dwelling. The applicant states this will total 95 of which 8 will be for visitor.

#### Servicing

Computer-generated swept path plot has been provided which indicates that the internal layout has sufficient space to allow an HGV to make a three-point turn allowing it to enter and leave the site in forward gear e.g refuse vehicle.

#### Conclusion

The highway authority has reviewed the information submitted and is satisfied that the proposed development would not create a significant negative impact on the free and safe flow of traffic on the adjacent public highway provided that all the conditions recommended are applied. It follows that all conditions and obligations to the main full application 4/03072/15/MFA are still pertinent and will be implemented under that planning permission.

#### **Comments received from local residents:**

##### 40 Bourne End Lane

#### **Objection**

My observations on this plan is that although it seems more parking has been offered its still not enough as on the larger properties most have a garage which makes up the second parking spot, garages this day and age are rarely used for the purpose of parking a car. Therefore these are not true parking spaces and in fact leave these large properties with just 1 parking space. I would propose a change to this plan and where its planned to build a garage instead build some sort of car port or wooden awning that looks attractive but serves the actual purpose required which is to park a further car and can't be used for storage or other such usage. Therefore i do object to it being passed on the above mentioned comment as its not going to achieve a solution to the parking problem. I also noted the visitors spaces were not evenly distributed throughout and thought the bin cupboards bizarrely placed directly out side a property which could easily be swapped with another parking space which is less intrusive and more communal and makes more sense.

##### D.P.C Engineering

Having looked at the housing proposal one matter does concern me. I own D.P.C. Engineering which lies adjacent to some of the new houses, in fact their gardens back onto my property. We do in fact work 24/7 on occasions with weekends as standard. I do hope that the developer informs the purchasers of these properties of this fact. We use diesel forklift trucks and our machinery can make considerable noise, not what anyone would want at night or sitting in their garden. This is NOT an objection but an observation and I would hope there we could live together happily but I envisage problems.

##### The Paddock, Bourne End Lane

There must be no more development on this site until the dangerous cut through routes

between Upper Bourne End Lane and Bourne End Lane itself are correctly blocked with staggered fences as before development started and/or gating of all footpaths. This is on the grounds of safety as well as amenity for both residential areas. I note the now walled entrance for vehicles to the proposed residential area, maybe a gated community is planned there but this does not secure the existing residents or the pedestrians who will have to navigate Bourne End Lane with no pavement to access bus routes.

### Mississauga, Bourne End Lane

#### **Objection**

I have located the application but still cannot find any diagrams/maps of the proposed layout.

My objections are related to parking and non-residents of Bourne End Lane parking in our lane to use as a shortcut to their properties. Parking is already very difficult and causes quite a few issues as it is, without further vehicles congesting our road, and motorbikes racing up our using it as a cut through. Can you please make sure the barrier is the same as it was before building started.

#### **Key Considerations**

1. Principle of Development
2. The Quality of the Design and the Impact on the Character and Appearance of the Area
3. Impact on the Living Conditions of Future Occupants and Surrounding Residential Units
4. Impact on Parking and Access
5. Impact on Trees and Landscaping
6. Drainage
7. Sustainability
8. Ecology
9. Public Participation
10. CIL + Unilateral Undertaking
11. Consultation Response

#### 1. Principle of Development

The principle of the redevelopment of the site to accommodate a density of 45 dwellings, comprising 2.5 storeys and ranging from 2 to 5 beds, was approved within application ref: 4/03072/15/MFA. This Reserved Matters application considers further details, namely layout, appearance, scale and landscaping only, requested within condition 2 of permission ref: 4/03072/15/MFA.

#### 2. The Quality of the Design and the Impact on the Character and Appearance of the Area

Paragraph 60 of the NPPF states that, *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'*

In addition, paragraph 64 of the NPPF states that *'permission should be refused for developments of poor design that fail to take opportunity available for improving the character and quality of an area and the way it functions.'*

Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in Saved Local Plan (2004) Policies of 10, 18 and Appendix 3. Policy CS25 of the Core Strategy (2013) seeks to ensure that development helps conserve and enhance Dacorum's natural and historic landscape.

The site master plan for the 45 residential units submitted closely reflects the draft layout submitted at outline stage. Careful consideration however, was given to the current site layout which proposes the following alterations to the scheme indicated at outline stage:

- Reduction in number of terraced properties, and more variation in house type. To open up the plots and provide a more open characterised environment to reflect the Green Belt location;
- Off street car-parking and garages introduced to reduce the impact of car dominated frontages;
- More tree planting has been provided to soften the appearance of the development and increase the verdant aspect character;
- Many houses re-orientated to be outward facing, providing an active street frontage to Upper Bourne End Lane and transition to Bourne End Village; and
- Removal of alleyways providing rear garden access which could give rise to opportunities for criminals and anti-social behaviour.

The development would retain a relatively classic road layout, with a central spine road and secondary roads forming cul-de-sac like formats. Properties have been repositioned and designed with consideration to visual appearance of the development from adjacent street scenes (main spine road of development, Upper Bourne End Lane and Bourne End Village). Plots 1 - 2 and 41 – 45 have been orientated to provide an active frontage and gateway feature to the development. Similarly, plots 14 – 19 and 38 – 40 would be of varied house type and design to provide a sense of place along the central spine road; chimneys have been added to house type Barton to add further interest and draw from the character of local properties within Bourne End Village. Plots 34 – 37 have been positioned outwards to provide natural surveillance to the open space provided within the development and to create a transition to Bourne Village. Plots 20 -26 would enjoy views over the Bourne Gutter and surrounding AONB.

Fenestration details have been added to side plots to prevent bland side elevations abutting the street scene. In addition, close boarded wooden fencing perpendicular to the street scene have been softened through boundary hedging. The landscaping bund has been retained with planting on top to provide a visual and acoustic buffer from the adjacent commercial site.

Vehicle parking and bin collection points have been set back off the road and screened further with landscaping to prevent the appearance of parking dominated frontages. Each unit would also be situated 3 – 8 metres back from the street scene in order to accommodate small front gardens serving every plot, adding further to the verdant aspect character. In short, sufficient detailing and consideration has been applied to the scheme to ensure a high quality public realm.

It is also considered that sufficient variation and interest has been provided to the development through the mixture of four different house types (Mansfield, Barton, Langbourne and Thornberry) in which further variation in material and fenestration detailing within each type would be introduced. Detached, semi-detached and terraced house types are proposed to add further deviation in property form with an average of 1 metre spacing between each unit. Relatively linear build lines have been proposed with property heights changing between house types reading, Mansfield 9 metres; Langbourne 8.6 metres; Barton 7.7 metres and Thornberry 8 metres.

Following discussions with the conservation Officer's the units would be constructed from the following materials:

- Marley Eternit Rivendale Fibre Cement slate roof tiles;
- Marley Eternit Old English dark red roof tiles;
- All About Bricks Spa Blend;
- All About Bricks Selstead Blend;
- White render; and
- Asset Fireline UPVC Woodgrain Windows.

Property architectural design would also include string course detailing around fenestrations to add further interest, and on occasion, to create a clean transition between change of materials (i.e. render to brick). These are considered complementary of the local palette and would assimilate into the surrounding AONB.

The DBC conservation Officer was consulted further on the proposed development and provided the following summary comments:

*"In general the proposals are acceptable and the new development would sit comfortably within its environs. However the above issues should be addressed in particular to enhance the approach and large blank flank walls within the site"*; all advised changes have subsequently been made.

In conclusion, it is considered that the layout of development, quality of materials and architectural detailing of house types and built form of the proposed 45 units would be sufficiently varied in character to add interest and ensure a high quality development in addition to reflecting and assimilating with the character of the adjoining Bourne End Village, Green Belt environment and surround AONB. The proposal adheres with Policies 10, 18 and Appendix 3 of the Dacorum Local Plan (2004) and Policies CS10, CS11 and CS12 of the Core Strategy (2013), and the National Planning Policy Framework (2012).

### 3. Impact on the Living Conditions of Future Occupants and Surrounding Residential Units

The NPPF (2012) outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

The proposed layout of the site provides some properties with a side to rear relationship. DBC have not got Policy guidance standards which require a specific separation distance between side and rear elevations. Nonetheless, all proposed units with a side to rear relationship would have an approximate 10 metre separation, which is considered more than acceptable.

Saved Appendix 3 requires a 23 metre rear-to-rear separation distance between the main rear wall of the dwelling and rear wall of another. The proposed units with a rear-to-rear relationship would meet this requirement with plots 10 - 13 and 20 -23 measuring a 33 metre (approximate) separation distance and plots 34 – 37 and plots 38 – 40 at 23 metres (approximately).

Saved Appendix 3 of the Local Plan (2004) also states that garden depths equal to adjoining properties would be acceptable with a functional proposed width, shape and size that is compatible with surrounding area. Saved Appendix 3 expands this further outlining that a dwelling house should be provided with a minimum 11.5 metre deep garden space; with a larger garden depth provided for family homes. The proposed units would accommodate the following approximate garden sizes:

- Plot 1: 30 metres
- Plots 3 – 7: 11 metres
- Plots 8 – 9: 11.5 metres
- Plots 10 – 13: 16 metres
- Plots 14 – 19: 11 metres
- Plots 20 – 23: 17 metres
- Plots 24 and 25: 11 metres
- Plot 26: 13 metres
- Plots 27 – 30: 10 metres
- Plot 30: 12 metres
- Plots 32 – 34: 11 metres
- Plot 35: 16 metres
- Plots 36 – 37: 12.5 metres
- Plots 38 – 40: 10.5 metres
- Plot 39: 9 metres
- Plots 41-45: 10 metres.

Therefore, several properties fall just shy of the 11.5 metre standard. Nonetheless, open space is provided within the development which would compensate for this marginal shortfall. This provision of open space is in accordance with Saved Appendix 6 which seeks open spaces to housing development to provide visual relief but also a recreation function where private

gardens are relatively small.

A condition for obscure glazed windows to all ground and first floor bathroom windows has been recommended to ensure the privacy of future occupiers of the development.

Due to the granted landscaping treatment bordering the site and resultant 14 metre approximate set in of the dwellings from site boundaries, the privacy and outlook of the adjacent dwellings within Bourne End Village would be preserved.

Thus, the proposed development would not detrimentally impact the residential amenity of neighbouring properties, or future occupiers, thus is considered acceptable in terms of the NPPF (2012), Saved Appendices 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

#### 4. Impact upon Parking Provision

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) 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. Policies CS8 of the Core Strategy (2013) and saved policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

The application site is located within Accessibility Zone 4, where 75 - 100% of the maximum parking standards will be expected. The application seeks to provide 45, 2-4 bed properties which would require 112.5 off street parking spaces at maximum provision and 84 spaces at 75% provision. The application proposes on average two off street parking spaces per dwelling. This would provide a total of 89 car parking spaces for the development, of which six are for visitor parking. On street parking within the development would also be possible, providing further accommodation. This provision would meet the maximum parking provision outlined within Saved Appendix 5 of the Local Plan (2004).

Hertfordshire Highways were consulted and provided the following conclusive comments:

*“The highway authority has reviewed the information submitted and is satisfied that the proposed development would not create a significant negative impact on the free and safe flow of traffic on the adjacent public highway provided that all the conditions recommended are applied. It follows that all conditions and obligations to the main full application 4/03072/15/MFA are still pertinent and will be implemented under that planning permission.”*

Due to Highways raising no objection and adequate off street parking provision provided, the proposed development would not result in significant impact to the safety and operation of adjacent highway. Thus, the proposal meets the requirements of Policies CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

#### 5. Impact on Trees and Landscaping

Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core

Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

A landscaping plan has been submitted alongside the proposed scheme which accommodates provision for soft and hard landscaping on site. Tree placement and associated vegetation across the site has been situated to soften the appearance of hard standing and hard corners across the site. Bin collection points have also been proposed so that bins can be placed in neat clusters around the site on collection days as oppose to littering the street scene. Bin would be stored at all other times within the rear gardens of the dwelling.

Details of the 1.5 metre high bund separating the commercial and residential zones and associated tree planning, has also been submitted. Environmental health provided the following comments on this feature, as it has been reduced in width and height from that shown at outline stage; *“from a purely acoustic standpoint the changes proposed to the bund would be totally insignificant from my standpoint. I would not expect any measureable differences as a result of the bund changes, so I have no objections to the revisions proposed.”*

An area of open space has also been provided to the north east of the site to serve the new development but also Bourne End Village, through the creation of footpaths leading out of the site.

A change in materials of hardstanding highlight the transition between the main road and secondary distributors, which helps to break up the scheme and provide a softer residential character to the more private roads. The landscaping of the site and proposed additional tree planting is considered sufficient to retain a high quality public realm and level of residential amenity.

## 6. Drainage

The proposed development would utilise SUDS drainage techniques as per the information submitted within approved discharge of condition application ref: 4/00596/17/DRC.

The following documents were submitted and approved by the Lead Local Flood Authority:

- Surface Water Drainage Strategy and Floor Risk assessment Rev B dated 25.04.17
- Proposed Drainage Layout (Drawing No. 10701sk0003 Rev A)
- Drainage Details (Drawing No. 10701-0061 Rev A)
- Operation and Maintenance of the Drainage System

## 7. Sustainability

Policy CS29 of the Core Strategy (2013) states that new development should comply with the highest standards of sustainable design and construction possible. A sustainability checklist was submitted alongside the planning application where it has been outlined that measures such as use of sustainable materials and low-flush toilets will be used to ensure sustainable design, construction and operation of the development.

## 8. Ecology

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, policy CS26 of the Core Strategy (2013) states that proposals should contribute to the conservation of habitats and species.

Hertfordshire Ecology were consulted on the planning application and provided the following summary comments:

“Hertfordshire Ecology has commented at the Hybrid Planning stage of this application and at the time we had no objections to the application submitted. Therefore providing that the Ecology Statement (RT-MME-117375-04) is still being followed I have no reason to believe that ecological conditions have changed in the interim. I therefore assume that ecological constraints on site have been accounted for and that all avoidance, mitigation and compensation activities as set out in previous applications are being followed.”

A condition has also been recommended requesting a Landscape and Ecological Management Plan to ensure the maintenance of proposed landscaping within the public realm, open space and Bourne Gutter for a period of 5 years.

#### 9. Public Participation

The hybrid application (4/03072/15/MFA) was the subject of much discussion with the local community and this engagement was maintained throughout the process of this Reserved Matters stage where a meeting with the Bourne End Residents Association was carried out prior to the submission of this application.

#### 10. CIL and Unilateral Undertaking

All contributions towards the scheme were resolved within the Hybrid application ((4/03072/15/MFA) were the following contributions were made:

- Traffic calming measures along Upper Bourne End Land.
- New access from Upper Bourne End Lane.
- Upgrades to the two nearest bus stops (sum of £24,000).
- Calculated CIL liability of £165,000 for residential scheme.
- Blocking of motor vehicle access to Bourne End Lane

No contributions remain outstanding or are sought under this application.

#### 11. Consultation Response

Several concerns were received as a result of the application. The main concerns are addressed below:

*Height of bund:* Although the height of the bund has been reduced Environmental Health have no concerns regarding this alteration from an acoustic purpose. An acoustic Statement has also



been submitted alongside the planning application which confirms that the recently built commercial unit was orientated and clad to provide a sufficient acoustic screen itself with the bund adding negligible further effect. Moreover, the feature would still form a screen between the commercial half of the site due to planting on top of the bund, please see section plan ref: 02-250 Rev A.

*Cut off for all vehicular traffic to Bourne End Lane/ Find Resolution:* The arrangement for blocking off traffic to Bourne End Lane was formalised and given deemed discharged within application ref: 4/02570/16/DRC . The resolution sought was to prevent motor vehicles from utilising the access but retain access for push bikes and pedestrians in order to maintain an element of connectivity and permeability to and from Bourne End Village. Complaints with this solution have arisen as motorcycles are still using the access, via the space left open for push bikes. The LPA maintain that the access cannot be completely cut off to all forms of traffic and pedestrians as it would block connections to Bourne End Village which is against the social and environmental aims of the NPPF (2012). Further to this, the LPA have no further control over the alteration of this access due to deemed discharge of Condition 14. In this regard the LPA have no mechanism to re-open discussion to alter this access or provide alternative provision under this application. It is advised that for an alternative solution to be sought utilising land within this application site, discussion will need to take place between the land owners and residents. As all unilateral undertakings and CIL payments regarding this site have already been received the LPA are not within a position to secure this arrangement on behalf of local residents under this application.

*Not enough Parking:* Off street parking provision within the development would meet maximum standards. Extra spaces for visitor parking has also been provided. It is prudent to note that further parking provision would also be available on the street within the development. Nonetheless, the use of the garage for car parking provision only has been recommended as a condition to the grant consent.

*Noise from adjacent business:* Environmental Health have raised no concern in this regard. Furthermore, a landscape barrier and close boarded wooden fence would separate the rear gardens of the plots 1-9 from the business opposite.

**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 carried out in accordance with the following approved plans/documents:**

**16086 - 02 - 001 Rev B**  
**16086 - 02 - 003 Rev G**  
**16086 - 02 - 004 Rev G**  
**16086 - 02 - 005 Rev G**  
**16086 - 02 - 006 Rev G**  
**16086 - 02 - 200 Rev E**  
**16086 - 02 - 201 Rev D**  
**16086 - 02 - 202 Rev E**  
**16086 - 02 - 250 Rev A**  
**16086 - 02 - 300 Rev G**

16086 - 02 - 302 Rev B  
16086 - 02 - 303 Rev A  
16086 - 02 - 304 Rev A  
16086 - 02 - 305 Rev C  
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**ADD LANDSCAPE PLAN ONCE FINALISED**

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

- 2 **Within 6 months of the date of this permission details of the materials proposed to be used on the surfaces of the roads, footpaths, patios and driveways shall have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure a satisfactory development; in accordance with Policy CS12 of the Core Strategy (2013).

- 3 **The bathroom windows at ground and first floor level in the Langbourne, Barton, Mansfield and Thronberry house types hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings; in accordance with Policy CS12 of the Core Strategy (2013).

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

**a) Description and evaluation of features to be managed.**

**b) Ecological trends and constraints on site that might influence management.**

- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP 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 approved plan will be implemented in accordance with the approved details.

Reason: To ensure that protected species are adequately protected as part of the approved development.

- 5 **Within 6 months of the date of this permission a plan indicating the positions, design, materials and type of boundary treatment to be erected between properties shall have been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to safeguard residential amenity of the area; in accordance with Policy CS12 of the Core Strategy (2013).

- 6 **The construction of the development shall not commence until details of construction vehicle movements and traffic management and wheel washing measures are submitted to and approved by the local planning authority.**

Reason: To ensure the impact of construction vehicles on the local road network is minimised; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

- 7 **Prior to the first occupation of the development a residential Travel Plan associated with the development to encourage the use of alternative modes of transport to the development shall be submitted to and approved in writing by the local planning authority. This Plan will be prepared and updated in accordance with HCC document 'Hertfordshire's Travel Plan Guidance for Business and Residential Development' available at**

<http://www.hertsdirect.org/services/transtreets/highways/highwaysinfo/hiservicesforbus/devmanagement/greentravelplans1/>.

Reason: To promote sustainable transport measures for residents, visitors and staff

at the new development; in accordance with Policies CS8 and CS29 of The Core Strategy (2013).

- 8 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwellings and they shall not be converted or adapted to form living accommodation.**

Reason: In the interests of highway safety and maintaining off street parking provision, in accordance with Saved appendix 5 of the Local Plan (2004)

- 9 **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 and F  
Part 2 Class A**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity and visual amenity of the Green Belt locality; in accordance with Policies CS5 and CS12 of the Core Strategy.

### **Informatives**

#### Article 35 Statement

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

#### Secured by Design Awards

Building Regulation, Approved Document Q (ADQ) requires that dwellings are built to "Prevent Unauthorised Access". This applies to any "dwelling and any part of a building from which access can be gained to a flat within the building". Achieving the Secured by Design (SBD) award meets the requirements of Approved Document Q (ADQ), and there is no charge for applying for the Secured by Design award. Further details are available from Hertfordshire Police Crime Prevention Design Advisors at 01707-355226.

#### Environmental Health

Building work and all related activities on the site, including deliveries and collections shall only take place between 7-30 am and 6-30 pm on weekdays (Monday to Saturday inclusive) and no work shall take place on site on Sundays or Bank Holidays.

No waste material, wood or other material shall be burnt on site at any time

### Highways

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.