

**4/00918/17/FUL - CONSTRUCTION OF NEW DWELLING (AMENDED SCHEME)..
28 MERLING CROFT, NORTHCHURCH, BERKHAMSTED, HP4 3XB.
APPLICANT: ANGELA BYRNE .**

[Case Officer - Tineke Rennie]

Summary

An application for the same proposal was refused in February this year (ref. 4/02931/16/FUL) on the grounds that insufficient parking arrangements were proposed which would place undue parking stress on the area. The applicant has since undertaken a parking survey which demonstrates that there is sufficient on-street parking provision within the locality for an additional small household; as such the proposals would not result in undue parking stress.

The application is recommended for approval. The proposal would provide an additional dwelling for a small household without adversely impacting on the character and appearance of the area. The proposal is for a small one-bed end of terrace dwelling that would provide a good standard of accommodation. The proposed development would be in keeping with the character and appearance of the surrounding area by way of scale, design and by maintaining sufficient space around it. Sufficient on-street parking provision is available together with off-street parking arrangements for two vehicles. The proposals are consistent with adopted Core Strategy Policies CS4, CS8, CS17, CS12 and saved Local Plan Policy 18.

Site Description

The site is a modest two bedroom two storey end of terrace dwelling located on the eastern side of Merling Croft. The terrace of which it forms a part runs perpendicular to Merling Croft and fronts a small amenity green. The dwelling benefits from a garage and off-street parking space located to the rear; the double garage is shared with No. 26 and is attached to the dwelling at No. 30.

No. 28 is set back slightly from No. 26 and features a steeply pitched roof with single dormers set low within the eaves of the front elevation and rear elevation respectively; a mono-pitch front porch and a conservatory to the rear. A 2.0m high facing brickwork wall aligns the side boundary of the garden adjacent to Merling Croft.

Merling Croft is cul de sac forming part of a modern estate constructed in the 1980's. It is a local access road with no on-street parking issues or restriction. Most properties in the neighbourhood are with off-street parking facilities. The dwellings are generally modest and semi-detached or small terraces linked by garages.

Proposal

The proposal is to construct a one bed two storey dwelling adjacent to No. 28. The dwelling would be set back from no. 28 in a staggered layout following the site boundary. Single dormers are proposed to the front and rear together with a front porch to match No. 28.

The existing conservatory to the rear of No. 28 is to be replaced with a single storey rear extension and the garage demolished to provide additional amenity space. Two parking spaces are proposed in a tandem layout to the rear of the proposed dwelling. The application has been amended to allocate both parking spaces to the dwelling at No. 28 to overcome potential difficulties with having tandem parking spaces for separate owners. The owner of the new dwelling would be expected to utilise the on-street parking provision in the area.

Referral to Committee

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

Planning History

4/02931/16/FUL CONSTRUCTION OF NEW DWELLING.
Refused
08/02/2017

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance

Adopted Core Strategy

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS4 - The Towns and Large Villages
Policy CS8 - Sustainable Transport
Policy CS12 - Quality of Site Design
Policy CS29 - Sustainable Design and Construction
Policy CS31 - Water Management
Policy CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policy 58 - Private Parking Provision

Appendix 3 – The Design and Layout of Residential Areas

Appendix 5 - Parking Provision

Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of Car Parking Standards (July 2002)
Area Based Policies: Residential Character Areas BCA 20: Springwood

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Northchurch Parish Council

OBJECTION Firstly the amended scheme does not address our original objections. Northchurch Parish Council objects to the planning application on: the existing conservatory on No 27 appears to have changed into a brick extension with a roof light. In the absence of any dimension shown, one can only assume it is on the footprint of the present conservatory. The garage appears to have been removed and the front edge brought back, presumably to allow for two cars to park. This garage is one of a pair which shares a party wall. This estate was designed as a whole in 1983 and as such received a commendation from the Berkhamsted Citizens Association for its design. No new builds have been carried out here since, although some small extensions and change of use of the garages have occurred. The new house will be very near the inside edge of the pavement which no other buildings do in this area. Northchurch Parish Council is also concerned about the design and visual impact. Are the

materials used for the development like for like?

There are a further 3 off road parking bays each with two parking spaces shared between the 28 properties. There is not sufficient off- road parking for all the residents and their visitors bearing in mind that the residents in Merling Croft are predominately elderly.

Merling Croft is a cul-de sac, the further you drive up the cul-de sac the worse the parking becomes; this will have an impact on emergency services. NPC also objects to the amended scheme based solely on comment made by the applicant without him supplying any photographic evidence.

Conservation and Design

No comment to make on this from a design point of view.

Hertfordshire Highways

Decision

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

Advisory Note.

AN1. 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 condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason: This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

AN2. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

Reason: In the interest of highway Safety

A3. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Reason: In the interest of highway user's safety

Details:

Planning Application'

The planning application is for demolition of existing garage and construction of a one be dwelling attached to the two bedded dwelling at 28 Merling Croft. .

Site and surrounding

The site located at 28 Merling Croft which is an end of stepped terraced house and the addition would be a continuation of the existing terrace.

Accessibility. The site is within a residential neighbourhood and Merling Croft is a local access road with no on-street parking issues or restriction. Most properties in the neighbourhood are with off-street parking facilities..

Access and Parking

The application proposing to demolish the garage but no alteration are proposed for vehicular/pedestrian access and two off-street parking bay in front of the site is to be retained.

Conclusion

On highway matters the Highway Authority does not wish to restrict the grant of consent subject to the advisory notes.

Historic Environment Advisor:

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

As previously notified with regard to planning application ref. 4/02931/16/FUT, the proposed development site is in Area of Archaeological Significance no. 21. This denotes the historic core of the medieval town of Berkhamsted, the Saxon and medieval settlement of Northchurch, and also a number of important prehistoric, Roman and mediaeval sites. The proposed development site is less than 40 metres from evidence of Roman occupation, recorded during observation of footings for a new house fronting onto Roman Akeman Street (142 High Street). The largest of the three features recorded contained Roman pottery, and brick and tile, and the builders' spoilheap yielded a further 49 Roman potsherds, two early medieval sherds, a glass rim, and iron slag [Historic Environment Record No 11776].

The site is therefore likely to have the potential to contain currently unknown archaeological heritage assets of Roman date, in particular.

I believe that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest. I recommend therefore, as per our advice concerning 4/02931/16/FUL, that the following provisions be made, should you be minded to grant consent:

1. The archaeological investigation, via 'strip, map and record' to the archaeological horizon, of the footprint of the new dwelling and of any other areas of ground reduction required.
1. A contingency for the preservation or further investigation of any remains then encountered.
1. The archaeological monitoring of groundworks of the development, such as the excavation of foundations and service trenches, etc., and landscaping, as appropriate (and also including a contingency for the further investigation and recording of any remains then encountered).
1. The analysis of the results of the archaeological work, with provisions for the subsequent production of a report and an archive, and the publication of the results, as appropriate.
1. Such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 141, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent relating to these reserved matters would be sufficient to provide for the level of investigation that this proposal

warrants. I suggest the following wording:

Condition A

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

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

Condition B

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

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

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

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

18 Merling Croft - object:

I wish to object to this application which has been re-applied for with only a traffic survey to add to the original submission.

To reiterate my original objection I quote from 4/02931/16/FUL as follows:

"The building of an identical house on the end of the linked terrace will spoil the visual impact of this well-designed estate which was commended by the Berkhamsted Citizens Association when it was built. No other buildings are as near to the inside edge of the pavement and there have been no new builds.

"The following comment was offered following the submission of additional information:

"In view of the submission of a further plan I wish to make the following additional comment.

To demolish the garage will completely destroy the symmetry of the design of this part of Merling Croft where the linked garages make a significant contribution to the layout. The garage to be demolished is one of a pair with a common internal wall of breeze blocks. This would have to be dealt with and no reference has been made as to how this would be achieved."

When this application was placed before the Development Control Committee on 2nd February 2017 permission was refused by a vote of 8 against, 0 for and 4 abstentions. The reason quoted was that insufficient parking arrangements would place undue stress on the area and be contrary to adopted Core Strategy Policy CS8 and CS12.

This new application 4/00918/17/FUL makes no changes to the original application except to add details of a traffic survey taken at 1 a.m. on three dates at the end of March, presumably intending to infer that any cars belonging to No 28 and the new build could park in Merling Croft. To take a survey in the middle of the night does not give any indication of the position during daylight hours when there are visitors' cars, tradesmen's vans, social services cars, delivery vehicles and also a number of taxis. The roads, both Merling Croft and Kite Field are public highways and as such surely cannot be annexed by any owner of property nearby. The garage of No 28 is to be demolished so that it can be added as garden to that house, thus removing one parking space. The space left would mean tandem parking of only small cars by different owners which could lead to disagreements.

Finally the Borough Council's own policy states that car parking provision should be within the site concerned. To approve of this application would create a dangerous precedent.

38 Merling Croft - object:

I object to the proposed changes to 28 Merling Croft. To demolish the garage will detract from the original careful layout of this estate which won an award for its excellent planning when built.

22 Merling Croft - object:

We should give credit to the Architects who had the vision in the early 1980s for designing Merling Croft as part of the Springwood Development.

Their vision is still enjoyed today and has been the reason for most of the residents choosing to live in this beautifully laid out estate.

There are downsides; the comparatively small property dimensions, original build quality and regular ongoing difficulties with parking.

Merling Croft is made up of 30 properties, all of these were designed with a garage and parking space in front. There are a further 2/3 off road parking bays with a total of 6 spaces to share between the residents and visitors. Many of these properties have more than one car.

The revised planning application which was originally refused has changed little since the previous one. It still does not mention the single storey extension to the existing No. 28.

No details have been provided as to how the removal of half the shared garage would look. These revisions would reduce parking by 3 metres. Will this allow two cars to be parked - one behind the other on less than 10 metres including access to the garden?

The parking survey carried out at 1:00 am in the morning suggests that there are up to 5 spaces available on Kitefield at the 'T' Junction to Merling Croft. This would cause restricted access to Merling Croft and Kitefield for emergency vehicles, deliveries and weekly waste collections. The parking survey also suggested parking in front of residents houses/drives and shared

drives which would further restrict access. Currently some residents of Merling Croft park on Mandelyns (the access road from the High St) due to insufficient spaces being available.

The visual integrity of the original design concept will be ruined by this proposal to remove half a shared garage and squeeze in a single one bedroom house onto the side of No. 28.

This proposal is not only an over development of this well planned estate but also lacks sufficient amenity space and additional parking.

20 Merling Croft - object:

Insufficient parking provision. There is already a parking problem on the estate and I consider that an extra dwelling will exacerbate the situation to the detriment of all residents

16 Merling Croft - object:

I wish to object to the proposed building on the reapplication for permission on 28 Merling Croft, 4/00918/17/FUL.

The original design statement was commended by Berkhamsted Citizens Association and this would appear to contravene that principle.

Parking would become more of an issue. There will be a reduction in parking space available by demolishing the garage at number 28, and additionally an increased need to accommodate the new property's vehicles.

In addition emergency access could be compromised.

1 Merling Croft - object:

As we stated in our last objection to this proposed development, Merling Croft is a picturesque cul-de-sac which previously won an award for its architectural design. The close was well designed in respect to its layout which includes open space. Had the developer at the time of building these homes felt the close could accommodate another house, then I am sure one would have been erected next door to number 28 at that time.

This proposed development would cause significant adverse impact on the neighbourhood, particularly those houses at the end of the cul-de-sac which overlook the site subject to this application for the following reasons:

The application brings the proposed property right up to the boundary line with the front door almost opening onto the pavement, resulting in a visual intrusion, reducing the open aspect of the close, changing the streets character and is a significant overdevelopment of a small garden.

The close already suffers with over parking, especially in the area of the proposed development. The applicants current property has two car parking spaces, yet if this application is approved, a second house will be built with no increase in the overall number of car parking spaces between the existing and proposed new home.

I note that this application contains a car parking survey which is based on a claim there are four car parking spaces as per the plan marked in green on Kite Field. I live opposite this junction with Kite Field and Merling Croft and believe that if vehicles were to park in this location opposite the junction, it would cause significant obstruction. This is because many vehicles including refuse lorries, use this junction to turn so they can reverse backwards into Merling Croft as there is not sufficient room for them to turn round at the end of the close once they have entered. If people parked as per the plan, this would significantly restrict access to Merling Croft and also cause vehicles travelling along Kite Field, to use the opposite side of the road. For this reason, we disagree with para 2.4 of the survey and the claim that it gives safe passage of traffic.

The off street parking in this application is at the rear of the property and requires one car to block the other in to make up the two places. It would be likely that any resident of the proposed new development, would try and park on the road to avoid blocking their second vehicle in

and/or for the purposes of convenience, adding to the existing congestion.

The survey makes no reference to the fact that fortunately, one property in Merling Croft is currently unoccupied in the area of the survey which reduces demand for car parking at present, but this should not be relied upon to calculate that there is adequate space for the number and size of properties in the street.

Finally, if parking is as easy as the survey suggests, then why does the applicant consider it necessary and/or acceptable to park up to 100m away from the proposed development in two neighbouring streets? I have no doubt that if this consultation was shared with the residents of those streets, they would not wish for their car parking to become the Merling Croft overflow facility.

For these reasons, we respectfully ask the committee to decline this application.

36 Merling Croft - object:

We object to the revised planning application on the following grounds:

It is still an overdevelopment on an award winning estate.

Demolishing the linked garage will not only spoil the appearance of the site, but also probably lead to disputes between No28 & the new house as their vehicles would be parked in line.

The current owners of No28 have 3 vehicles and there could be a further 1-2 vehicles for the new house. This would put too much pressure on available parking spaces.

- Merling Croft is a narrow S shaped road serving approx. 30 properties, many with 2 vehicles. The road is made even narrower with vehicles parked on one side, making it hard for refuse & emergency vehicles to get up and down.

Considerations

Policy and Principle

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 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 a mix of housing providing a choice of homes is supported in principle under Policy CS18 of the Core Strategy. Saved DBLP Policy 18 Size of New Dwellings also encourages the provision of smaller housing units as proposed by this application. It states that "regard will be paid to the need to provide accommodation for new, small households." It is recognised that appropriate accommodation is needed for newly formed households and elderly households. The immediate area is inhabited by a number of elderly residents and as such is characterised by smaller sized dwellings and flats.

The proposed development would result in a density of 100 dwellings per hectare (based on two on a plot of 200m²). This would be well above the expected range of 30 to 50 dwellings per hectare outlined under saved Policy 21 of the Local Plan. However it is noted that density measured by dwellings per hectare is not particularly helpful when considering an infill dwelling. Site coverage, type of dwelling, the surrounding context and the relationship with adjoining properties are more fundamental considerations. In this instance the proposed dwelling is very small (50m²) on a plot of 100m² and therefore site coverage (50 percent) is not inconsistent with the immediate area comprising small scale sized dwellings and blocks of flats. The Area Based Policies Supplementary Planning Guidance (Development in Residential Areas) states that numerical density is one factor to be considered and balanced against other in area policies. Consideration should also be given to making the most efficient use of land whilst also ensuring that the proposed development does not adversely affect the amenities and existing character of the area.

The principle of residential development providing a new one bed dwelling in this location is considered to be acceptable on the basis that it would not have an adverse impact on the character and amenities of the area. An acceptable standard of accommodation is also provided for future residents. These factors are discussed further below.

Impact on site layout, appearance of building and street scene

The proposed dwelling has been designed to be similar in appearance to the adjoining dwelling at No. 28 and others within the immediate street scene. It replicates the width, eaves height, low single dormer and front porch of No. 28 albeit the roof height is lower. It would be set back from No. 28 in response to the curved boundary of the site and would appear subservient to the adjoining two-bed dwelling.

The Character Area Appraisal BCA 20 - Springwood notes that buildings are informally grouped with no regularity of spacing or building lines. The open frontage would be maintained together with a sense of space between the dwelling and the boundary with Merling Croft; this would be 1.1m at the closest point but opening out and extending to 6.0m to the rear so that the development would not appear cramped within the street scene.

The proposed development would maintain the predominant form of development in the area in terms of size, scale and design features. The area is characterised by a range of small to medium sized dwellings with some of the larger buildings housing flats. The proposed dwelling would be at the smaller end of the scale but consistent with No. 28. Overall the proposed dwelling is considered to be sympathetic to the terrace of which it would form a part and in keeping with the wider street scene.

The proposed dwelling would not have a conventional rear garden however it would benefit from private amenity space surrounding the property predominantly to the side but also to the rear. The existing 2.0m high facing brickwork would be maintained along the length of the garden ensuring that the amenity space is private and well screened from public view. Merling Croft is a quiet cul de sac with very low volumes of traffic. As such well screened private amenity space would be provided that would be more than adequate for a one-bed dwelling of this size.

The proposals seek to replace the existing conservatory to No. 28 with a single storey rear extension on the same approximate footprint. The garage to the rear is to be demolished providing an extended rear garden to this dwelling. The total depth of the garden would be approximately 7.0m with the newly created area slightly reduced in width. It is noted that this falls short of the 11.5m depth guideline in Appendix 7 however a dwelling of this size is likely to be inhabited by a very small household with less need for a large garden. The Inspector noted in an appeal decision dated November 2013 for a three-bedroom dwelling at Ivycote, St Albans Hill, Hemel Hempstead, that a garden that falls short of the 11.5m standard can still provide an adequate and useful garden for occupiers. It is considered that sufficient private outdoor amenity space would be available for future occupants, commensurate to a dwelling of this size.

Impact on Highway Safety/Parking

Highways have considered the proposals and raised no objection on the basis that there would not be an increased impact on the safety and operation of the adjoining highways.

Two off-street parking spaces have been proposed which would be allocated to No. 28 and is more than sufficient for a dwelling of this size. The parking spaces are in a tandem layout and it is not considered practical to allocate one space to each dwelling given the dwellings could potentially be in separate ownership. As such the proposed dwelling would not benefit from off-street parking. However, there is sufficient on-street capacity available for an additional dwelling as most dwellings in the vicinity have off-street parking in the form of a garage,

allocated parking or parking within the site frontage. There are also four public parking spaces provided in separate bays.

The applicant has submitted a parking survey which assesses the number of available on-street parking spaces within 75m of the application site. The survey was undertaken at 1am when all occupants would normally be at home on 3 separate days:

28/03/2017 - 10 spaces

31/03/2017 - 11 spaces

01/04/2017 - 11 spaces

It was also noted that between 75 - 100m from the site there were another 8 - 12 parking spaces available during the survey times in Kite Field and Mandelyns.

Further observations were undertaken and recorded by photograph at 7pm on 1st August 2017 showing an abundance of available on-street parking spaces within the immediate area. It has also been observed on at least two more occasions during the daytime that there is a number of on-street spaces available; at no time was there any indication that the area suffered from any parking stress. It is therefore considered that an additional modest one bedroom dwelling would not give rise to an unacceptable increase in parking that would result in parking stress within the area.

Impact on Neighbours

The proposed dwelling would be an end of terrace property and as such would have minimal impact on the amenities of nearby properties. The retained garage to No. 26 would remain to the rear and there are no windows on the flank elevation of No. 30. A ground floor window exists in the flank elevation of the flats Nos. 11 - 15 Merling Croft located opposite to the northeast however the distance separation between the front window of the proposed dwelling and this window is over 26m. There are no other windows in proximity to the site that would experience any impacts on privacy.

Sustainability

The application has been supported by a sustainability checklist as appropriate and is considered to satisfy the criteria of CS29.

Archaeology

The proposed development site is in Area of Archaeological Significance number 21. The proposed development site is less than 40 metres from evidence of Roman occupation, recorded during observation of footings for a new house fronting onto Roman Akeman Street (142 High Street). The site is likely to have the potential to contain currently unknown archaeological heritage assets of Roman date, in particular. As such it has been recommended that the standard conditions are imposed requiring a written scheme of investigation to be submitted and approved prior to commencement of development.

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 £250per

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.

Other Material Planning Considerations

Overall a good standard of accommodation would be provided for residents of both the existing and proposed dwelling. The floor area of the proposed dwelling is 50m² with room sizes broken down as follows:

- Living room - 17.8m²
- Kitchen - 5.4m²
- Bedroom - 9.8m²
- Study - 3.5m²
- Bathroom - 3.0m²

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 **No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

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

- 3 **No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- hard surfacing materials;
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- trees to be retained and measures for their protection during construction works;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation

areas;

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

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

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

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

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

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

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

Reason: For the avoidance of doubt

- 6 **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 Class B
Schedule 2 Part 2 Class A**

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 and in the interests of highway safety.

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

**Site Location Plan;
DBC/17/7/2A.**

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

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

HIGHWAYS INFORMATIVES:

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

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

THAMES WATER:

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

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