

**4/01019/17/FUL - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO SEMI DETACHED DWELLINGS (AMENDED SCHEME).
15 CHESTNUT DRIVE, BERKHAMSTED, HP4 2JL.
APPLICANT: Mr G Allen.**

[Case Officer - Rachel Marber]

Summary

The proposed new units would be marginally different in appearance to the two new dwellings granted permission within app ref: 4/01884/16/FUL. The amended proposal would therefore remain congruous within the visual amenity of the street scene. In addition, the new dwellings are not considered to have an undue impact upon the residential amenity of the neighbouring properties. The proposed development therefore complies with the National Planning Policy Framework (2012), Policies CS1, CS4, CS10, CS11, CS12 and CS17 of the Core Strategy (2013), Saved Policies 10, 18, 21, 58, 99 and 100 and Appendices 3 and 5 of the Local Plan (2004), and the Swing Gate (BCA2) Character Area Appraisal (2004).

Application Site and Surrounding Area

The application site is located on the south side of Chestnut Drive, Berkhamsted which resides within the Swing Gate Character Area Appraisal (BCA2). The application site currently comprises a detached interwar bungalow. The application plot is bounded by high hedging which screens the majority of the bungalow from the immediate street scene.

The surrounding area is characterised by a mixture of semi-detached and detached dwellinghouses and bungalows. Each property is relatively uniformed in regards to build line but varied in terms of architectural style, roof form, size, separation distances and height.

Proposal

The application seeks permission to demolish the existing detached bungalow and construct two, five bed semi-detached dwellings. The application is an amended scheme from the 2016 approved application 4/01884/16/FUL. The amendments are as follows:

- Replacement of front gables with dormers;
- Increase in properties ridge height by approximately 0.5 metres;
- Change in properties roof form;
- Change rear extension roof to a flat roof form with two roof lights; and
- Conversion of storage room in loft to fifth bedroom.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Berkhamsted Town Council.

Relevant History

4/01884/16/FUL DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO SEMI DETACHED DWELLINGS
Granted
20/10/2016

4/00131/05/FHA SINGLE STOREY EXTENSION AND ROOF MODIFICATION
Granted
08/03/2005

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

CS1- Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
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

Supplementary Planning Guidance (2004)

Swing Gate Character Area Appraisal (BCA2).

Constraints

Established residential area of Berkhamsted

- Green Belt land to rear of site

Summary of Representations

Contaminated Land

Records held by this department indicate that an old chalk pit is located approximately 165 metres to the east of the application site. Historical maps note this feature to be present until approximately 1953; the next map edition (1962/79) shows a residential property to be located on the site of the former pit, which would potentially indicate that at some point between approximately 1953 and 1962, the pit was infilled. The Council have no record of infilling or the nature of the fill material. There is a possibility that the pit was infilled with putrescible material, capable of generating ground gas. Ground gas can migrate significant distances from its source, affecting other properties.

In order to assess this potential risk, I recommend that the contamination conditions be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Building Control

No Comment

Berkhamsted Town Council

Objection

The proposals represent an overdevelopment of the site and are out of keeping with the street scene because of bulk and mass. The side facing doors and windows will result in loss of amenity due to overlooking of adjacent property. The increased number of occupants at each of the proposed properties will result in inadequate parking provision

CS12

HCC Highways

No Objection

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

following conditions:

Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS:

1. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

3. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

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

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

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

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

6. The gradient of the vehicular access shall not exceed 1:10 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway .

Reason: In the interests of the safety of persons using the access and users of the highway.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification

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

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

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

COMMENTS

This application is for Demolition of existing dwelling and construction of two semi detached dwellings (amended scheme)

PARKING

Each property will have two parking spaces on a new hard standing to the front. I notice from drawing no "wren naj 49d 2016" that the measurements for minimum parking space size have been met.

ACCESS

The current property has two existing vxos onto Chestnut Drive, which will be altered to provide access to the parking spaces for a the proposed new dwellings. The maximum size for a double width VXO is 7.2m (6 standard kerbs plus two dropped kerbs). Chestnut Drive is an unclassified local access road with a speed limit of 30 mph, so vehicles are not required to enter and exit the site in forward gear.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways.

Comments received from local residents:

8 Chestnut Drive

Objection

I write to object to the above planning application. My objection is for the following reasons:

1. The proposed construction of two five-bedroom dwellings is an over-development of the site and not in keeping with the character and housing on the rest of the road. Inadequate off-road parking is proposed in the plan (particularly considering this is for a ten bedroom development). Limited street parking is available on Chestnut Drive in order to allow residents access to their driveways and to keep the road clear for the bus service.
2. The three floor plan for the new dwellings will impact my right to light and privacy. As the proposed dwellings are set close to street, the height of the planned dwellings, along with the higher elevation on South side of Chestnut Drive, means my bedrooms would be overlooked and my property would be overshadowed.

13 Chestnut Drive

Objection

Having received your letter re the amended planning application for 15 Chestnut Drive, I would like to raise the following objections to the proposed development.

1. The height of the proposed new development on the uphill sloping site will reduce the light and overshadow not only one of my bedrooms but my lounge and hallway. Our front door, lounge and bedroom will now look out onto the side wall elevation of the new development.
2. The rear elevation of the development with first floor windows and second floor double doors and Juliet balcony will create a total loss of privacy in our garden.
3. The position of the front door on the new development plans mean that people wishing to enter the property can look directly into our lounge which is no more than 7.5 meters away.

The fence along the boundary is mine and currently at 3 feet in height, so am I to assume it will be my responsibility to erect new fencing at a height to prevent this visual intrusion.

What measures are in place to prevent the collapse of my fence when excavation work commences.

4. I do feel that this is a total over development of an existing single dwelling plot. I would have no objection should a single standard 2 storey property and not a 3 storey property be erected. This would at least be less intrusive and be more in keeping with the adjacent properties.

As it stands the amended plans with roof level windows to the front of the properties will not be in keeping visually with the other properties in the road.

5. Changing the plans from 4 beds to 5 bed properties will potentially increase the number of parking spaces required, where would these be accommodated. Chestnut Drive is on a bus route, there is currently limited on street parking, with all existing properties having off street parking and these new properties only allocating 2 spaces per building.

Can you please confirm that this application will have or had an on-site inspection prior to any approval being granted.

8a Chestnut Drive

Objection

We wish to object to the amended scheme on the following grounds.

1. Over development.
 2. Loss of Amenity
 3. Not in keeping with the road
-
1. Over development as the amended scheme consists of 10 bedrooms, whereas the existing dwelling has only 3 bedrooms. Leading to the potential of several additional cars on a narrow road which is serviced by a bus route. In addition the road is extremely busy during the school drop off and pick up times as there are schools situated at either end of the road.
 2. Loss of amenity, as the amended scheme now includes a new front elevation on an already elevated position with new 5th bedroom window overlooking my property. This is intrusive.
 3. Not in keeping with the road, as the amended scheme is for 5 bedrooms, over three floors. One would expect the granted scheme would be more than ample for this site.

We did not object to the initial scheme, but the amended scheme just isn't acceptable.

Key Considerations

The main planning considerations in the determination of this application are:

1. The principle of the development
2. The quality of the design and the impact on the character and appearance of the area
3. The potential impact on the living conditions of future occupants and surrounding residential units
4. Highways safety and parking provision
5. Trees and landscaping
6. Sustainability
7. Consultation Responses

1. The principle of development

Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for homes and Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

Furthermore, the National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas.

The application site is situated within an urban area in Berkhamsted. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing land uses. There are also services and facilities available within close proximity of the site.

Taking all of the above into account, the proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). As such, the development would be located in a sustainable location and seeks to optimise the use of previously developed urban land, the proposal is in accordance with Policies CS1, CS4, CS17 and CS33 of the Core Strategy (2013), Saved Policy 10 of the Local Plan (2004) and the NPPF (2012).

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 development of poor design that fails to take opportunity available for improving the character and quality of an area and the way it functions.'*

Core Strategy (2013), Policies CS1, CS4, CS10, CS11 and CS12 highlight the importance of good design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the saved Local Plan (2004) Policies 10, 18 and 21 and Appendices 3 and 7 and Supplementary Planning Guidance Document, the Swing Gate Character Area Appraisal (2004).

The spatial layout of Chestnut Drive comprises predominantly of residential dwellings which all have a relatively linear relationship with the street. The surrounding properties comprise a variation of detached bungalows, dwellinghouses and semi-detached properties. Each property is relatively varied in regards to height, size, separation distance and architectural detailing. The roof forms within the immediate area are varied with hip, gable and half hip roof forms prevalent.

The proposal seeks to erect two semi-detached dwellinghouses in place of the existing detached bungalow (number 15 Chestnut Drive). The proposed dwellings would reflect the immediately neighbouring properties (and existing bungalow) in terms of front and rear build line and plot situ. The proposed form of the dwellings in terms of plot positioning, depth and width would remain as previously approved within app ref: 4/01884/16/FUL.

In terms of architectural detailing, the amended scheme would replace the front gables with two front dormers, which would reduce the overall bulk of the proposal when viewed from side elevation prospective. In this regard the amendments are considered an improvement from the originally proposed. The height of the proposed units would be increased by 0.5 metres to measure 9 metres (approximately) in ridge height. This height would be 2.5 metres (approximately) higher than the neighbouring two storey dwelling, 17 Chestnut Drive. Nonetheless, due to the staggered topography level, set down of the proposed units and differing heights of neighbouring properties, this variation would not be read from the street scene perspective.

The proposed detailing of bay windows to the front elevation of the property is considered acceptable in regards to bay windows being a prevalent characteristic of the street scape. The side facing front entrances would also reflect the immediate street in so far as the remaining interwar bungalows feature entrances via the side elevation.

The proposed half hip roof form of the new units would reflect the varied style and character within the street scene. The simple architectural style of the dwellinghouse, with low pitch front design feature is also characteristic of the style of the surrounding properties.

Other detached bungalows within the street scape have been demolished and replaced with semi-detached dwellings, such an example is Nos. 8 and 8a Chestnut Drive (4/00413/12/FUL).

In conclusion, it is considered that the amendments to the previously approved scheme would not result in further detrimental impact upon the visual amenity of the area. Therefore, the proposed adheres with Saved Policies 10, 18 and 21 and Appendices 3 and 7 of the Dacorum Local Plan (2004) and Policies CS1, CS4, CS10, CS11 and CS12 of the Core Strategy (2013), the National Planning Policy Framework (2012) and the Swing Gate (BCA2) Character Area Appraisal (2004).

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

The NPPF 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 on neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion and loss of light and privacy. Moreover, Saved Appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The amended build form of the units would not breach the 45 degree line as drawn from the rear or front habitable windows of neighbouring properties Nos. 13 and 17 Chestnut Drive. Similarly, a 25 degree line would be maintained from the side elevation windows of No. 13 Chestnut Drive. Moreover, an 8.3 metre (approximate) separation distance to No.13 and 7.35 metre (approximate) distance to No.17, in conjunction with the south facing orientation of the proposed, it is not considered that the proposed new dwellings would cause a significant further loss of outlook or daylight to neighbouring habitable windows than the existing site situation.

Turning to the living conditions the proposal would afford future residents. Saved Appendix 3 of the Local Plan (2004) states that a dwelling house should be provided with a minimum 11.5 metre deep garden space. The proposed rear garden depth, for both the new units would be 28 metres (approximately) and therefore both sufficient to meet the needs of the future occupiers.

A condition on the proposed side facing windows has been recommended for obscure glazing in order to preserve the residential amenity of both the application site and adjacent residents. No other flank elevation windows have been proposed therefore no loss of privacy or overlooking to No.13 Chestnut Drive would result.

Thus, the proposed 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 and 7 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

4. Highway Safety and 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 seeks to provide off street parking provision for two domestic cars per dwelling. Although this would create a total shortfall of two off street parking space (at 100% provision) this is not considered reason enough to refuse permission due on street parking available and DBC parking standards outlining maximum provision only.

Hertfordshire County Highways were consulted on the proposal and provided the following conclusive representation: "Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways."

Due to sufficient off street parking proposed for maximum guidelines and Highways raising no objection, the development would not result in significant impact to the safety and operation of adjacent highway. Thus, the proposal would be considered compliant with Policy CS12 of the Core Strategy (2013) and Saved Policy 58 and 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.

The proposed scheme has the potential to provide soft and hard landscaping on site. Some details regarding landscaping, boundary treatment, bin storage and tree planting have been submitted. these details are considered acceptable.

6. Sustainability

Policy NP1 of the Core Strategy (2013) states that the Council will apply a presumption in favour of sustainable development when considering proposals. The National Policy

Framework states that there are three aspects to sustainable development; social, economic and environmental. These roles should not be undertaken in isolation, because they are mutually dependent (paras. 7-8).

Environmental

The application site is situated within a residential area in the existing town of Berkhamsted. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Taking this into account, the proposal would be environmentally sustainable.

Social

The proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, it is considered to be socially sustainable.

Economic

The proposal would also result in short-term economic benefits during the construction of the units.

Conclusion

Overall, the proposal represents sustainable development, for which a presumption in favour applies in accordance with para.14 of the NPPF (2012).

7. Consultation Response:

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

Damage to neighbouring property during construction work – This is a Building Control matter.

Loss of light – The impact of the proposed two units in regards to loss of light and outlook has been assessed within the Residential Amenity section above. The proposed units would be located 22 meters approximately away from the front elevations of Nos. 8a and 8 Chestnut Drive as such it is not considered that the proposed 9 metres height of the dwellings would result in a significant loss of daylight and sunlight serving these properties.

Loss of privacy – An element of overlooking between the rear gardens of properties as a result of rear facing windows is a common feature in relatively built up environment.

The rear Juliette balconies previously proposed, remain omitted from the scheme in order to alleviate some concerns. All side facing windows have been conditioned as obscure glazed to prevent overlooking or loss of privacy to the side facing windows of immediately neighbouring properties.

Overdevelopment of plot- The additional two units would retain the low range density of 33 dwellings/ha which would adhere to the 25 -35 dwellings/ha density outlined of the Supplementary Planning Guidance for BCA2 Swing Gate. Further to density overdevelopment is also assessed in terms of the impact of the proposed works on external amenity provision, relationship to site boundaries and number of car parking spaces. As a result of the proposed works the separation distance to neighbouring boundaries would be retained at 7 - 8 metres (approximately), parking provision would meet maximum parking provision standards outlined within Saved Appendix 5 of the Local Plan (2004) and external amenity provision serving each unit of approximately 38 metres deep would be achieved.

Inadequate off street parking- This has been addressed within the Impact on Parking and Access section above.

Not in character with street scene- The proposed units would retain the front build line of the existing bungalow; a lower site situ is evident from the street scene perspective plan in order to reduce overall height when read from street level. The street level height of the two new units would be similar to the No.17 Chestnut Drive. The immediate area contains no uniformed architectural style of dwelling form; please see the quality of the design and the impact on the character and appearance of the area section above.

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

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

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

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

49e Rev C
49b Rev C
49d
49f

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

- 3 **The windows at ground and first floor level serving the halls and bathrooms (side elevations) of the new dwellings hereby permitted shall be permanently fitted with obscured glass.**

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

- 4 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

For the purposes of this condition:

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development; in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

- 5 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record

all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development; in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

- 6 **Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

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

- 7 **Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.**

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

- 8 **The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.**

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

- 9 **The gradient of the vehicular access shall not exceed 1:10 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway .**

Reason: In the interests of the safety of persons using the access and users of the highway; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to

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

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

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

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

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.