

**4/01223/17/FUL - PROPOSED EXTENSION OF APPROVED ESTATE ROAD TO ACCOMMODATE 8 DETACHED DWELLINGS WITH GARAGES.  
89 SUNNYHILL ROAD, HEMEL HEMPSTEAD, HP1 1TA.  
APPLICANT: E.J WATERHOUSE AND SONS.**

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[Case Officer - Andrew Parrish]

### **Summary**

The application is recommended for approval. The application proposes the construction of 8 detached houses to the rear of 71 to 87A Sunnyhill Road with access and layout for determination. The development will utilise the existing access that was allowed on appeal in 2012 to serve a development of 13 dwellings behind 89 Sunnyhill Road. All of the on and off-site safety improvements, including the under-carriageway heating and back-up generators / management company, that were part of that scheme will be incorporated into the current proposal.

The application follows a dismissed appeal in May this year for the erection of 12 semi-detached houses and use of the approved access road. The Inspector considered that the proposal would result in a dominant urban form that would not relate to its context and would result in over-development. He considered that assessing the scheme purely in density terms ignores other site specific factors. In the round, he concluded the proposal would be contrary to the development plan and would not be outweighed by the affordable housing contribution which would be small because of viability issues as a result of abnormal construction costs. The Inspector therefore considered it would not be sustainable and that there existed no other material considerations to outweigh the development plan conflict. No issue was found with regards to highway safety.

Compared with the earlier scheme, the current proposal has been redesigned with the dwellings now detached or link-detached, a reduction in dwelling numbers from 12 to 8, a reduction in bedrooms from 30 to 21, a reduction in site coverage by a quarter, an increase in parking provision per dwelling with an overall provision of 7 spaces in excess of the maximum of 16 required, thereby limiting the prospect of overspill parking in Sunnyhill Road, a more spacious layout with greater provision for landscaping and bio-diversity measures, and a less regimented layout with larger gaps between houses, allowing boundary vegetation / trees to feature in street views. The overall density on the site (excluding the panhandle of the access road) is now 22.2 dph compared with 33.3 dph on the last appeal scheme. Indicative plans show a traditional approach to the design of the dwellings with pitched tiled roofs over two storey walls, in a mixture of brick and render which would harmonise with the character of the area. Details would be for a reserved matters application.

The Highway Authority raises no objections to the proposal. The proposal is considered acceptable in layout and access terms and will more than satisfy parking standards. The potential harm to boundary trees / vegetation has been further reduced from that of the appeal scheme as a result of fewer dwellings, greater spacing and larger gardens. It is considered that there would be no material harm to adjoining residential occupiers. The revised layout is considered to fully address the Inspector's concerns regarding the dominant urban form and the overdevelopment of the site. The proposal would meet the sustainability principles of the Core Strategy as evidenced by a comprehensive Sustainability Appraisal. The proposal provides satisfactory evidence that there will be no harm to European Protected Species and the applicants have provided a draft s106 unilateral undertaking securing contributions to highway maintenance, fire hydrants and upgrading of bus stops. The proposal would fully accord with the development plan and in doing so should be approved in accordance with the fundamental principle in the NPPF of the presumption in favour of sustainable development.

## **Site Description**

The site is rectangular in shape and extends to 0.43 hectares, with a pan-handle of land providing access from Sunnyhill Road via the approved access serving 13 dwellings allowed on appeal in 2012 (4/00552/12/MOA). The majority of the site lies behind Nos. 71 to 87A. It is sited approximately 0.5 km to the west of the town centre on the western side of Sunnyhill Road, close to a sharp bend with Melsted Road, in the Hammerfield North area of the town.

The site is located adjacent to open space known as Gravelhill Spring that consists of a densely wooded area to the north, allotments to the west and an element of recreational space. A public right of way runs along the northern boundary of the proposed access road between Sunnyhill Road and Warners End within the aforementioned wooded area, which is also a designated nature reserve.

The part of the site occupied by the proposed access road comprises a large 1930s detached, two-storey, property fronting Sunnyhill Road. It is served by a very large residential curtilage to the rear with significant trees to its northern and western boundaries. These trees are subject to a Tree Preservation Order. Land levels across this part of the site drop approximately 10 metres between the Sunnyhill Road frontage and the rear (western) boundary with the allotments. The majority of the site to be developed for housing comprises garden land to the rear of Nos. 71 to 87A Sunnyhill Road, the western boundaries of which are defined by mature hedges and trees. This is the flatter part of the site contained within the valley floor where levels vary by approximately 3 to 4 metres.

## **Proposal**

Outline permission is sought for the demolition of No. 89 Sunnyhill Road and the erection of 8 detached residential units (3 x 2 bed and 5 x 3 bed) together with associated gardens, landscaping, car parking, garages and access road from Sunnyhill Road. All matters are reserved apart from access and layout.

The details submitted in respect of access which relate to that part of the site comprising No. 89 Sunnyhill Road are identical to those submitted under the allowed appeal 4/00522/12/MOA and include proposals for under carriageway heating and back-up generators.

Following the recent dismissed appeal 4/02048/16/MOA in January 2017, the details of layout have been amended to take into account the Inspector's concerns. Dwelling numbers have been reduced from 12 to 8, semi-detached dwelling types have been removed in favour of detached / link-detached houses, the previous regimented layout along the western boundary has been replaced with a more varied layout, the proposals incorporate wider and larger gardens, more parking and more generous landscaping is proposed.

In addition to a location plan, site survey, layout plan and indicative street scenes and CGI, the application is supported by a Design & Access Statement, a Swept Path Analysis, an Ornamental Landscaping Plan, a Structural landscaping Plan, a Biodiversity Enhancement Scheme, Tree Survey and Arboricultural Impact Plan, an Extended Phase 1 Ecological Habitat Survey Report, a letter report on badgers, a Health and Safety Review, a Development Access Design Report, a Road Performance in Wet Conditions Assessment Report, an email from Abington Consulting Engineers concerning a specification for skid resistance, a report from Strada regarding the under carriageway heating, an under carriageway heating plan (SRH/03) and a Development Access plan (12002/101 Rev D).

## **Referral to Committee**

The application is referred to the Development Control Committee at the request of Councillor Janice Marshall.

## Planning History

- 4/02048/16/MO A PROPOSED DEVELOPMENT OF 12 SEMI-DETACHED HOUSES AND REUSE OF APPROVED ACCESS ROAD  
Refused  
08/11/2016  
Appeal dismissed May 2017
- 4/00529/16/RES SUBMISSION OF RESERVED MATTERS, CONDITION 6 (APPROVAL OF THE DETAILS OF THE HARD AND SOFT LANDSCAPING, MEANS OF ENCLOSURE, LEVELS, CYCLE STORAGE, BACK-UP GENERATOR, HANDRAIL, REFUSE LIGHTING AND SIGNS, SERVICES AND BIODIVERSITY) TO OUTLINE PLANNING PERMISSION  
4/00552/12/MOA - (CONSTRUCTION OF SEVEN DWELLINGS AND SIX APARTMENTS AND ACCESS ROAD (AMENDED SCHEME))  
Granted  
29/04/2016
- 4/01679/15/MO A PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 25 HOUSES (4 X 4 BED 10 X 3 BED AND 11 X 2 BED) WITH GARAGING, PARKING AND NEW ESTATE ROAD - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT LAYOUT AND ACCESS.  
Refused  
22/12/2015  
Appeal dismissed June 2016
- 4/00611/14/FUL DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO THREE- BED DWELLINGS  
Withdrawn  
16/05/2014
- 4/00552/12/MO A CONSTRUCTION OF SEVEN DWELLINGS AND SIX APARTMENTS AND ACCESS ROAD (AMENDED SCHEME)  
Refused  
27/11/2012  
Appeal allowed March 2013
- 4/00542/11/MO A CONSTRUCTION OF SEVEN DWELLINGS AND SIX APARTMENTS AND ACCESS ROAD (AMENDED SCHEME)  
Refused  
14/09/2011
- 4/00561/10/MO A CONSTRUCTION OF SEVEN DWELLINGS AND SIX APARTMENTS AND ACCESS ROAD  
Refused  
30/06/2010
- 4/00403/07/PRE RESIDENTIAL DEVELOPMENT  
Unknown  
25/04/2013

4/00984/92/4 TWO DETACHED DWELLINGS  
Refused  
11/03/1993

4/00827/91/4 TWO DETACHED DWELLINGS AND ACCESS DRIVE (OUTLINE)  
Refused  
09/08/1991

## **Policies**

### National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)  
Circular 1/2006, 05/2005  
Manual for Streets

### Hertfordshire Highway Authority

Roads in Hertfordshire, A Guide for New developments, June 2011

### Adopted Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS9 - Management of Roads  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS17 - New Housing  
CS19 - Affordable Housing  
CS23 - Social Infrastructure  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Water and Soil Quality  
CS33 - Hemel Hempstead Urban Design Principles  
CS35 - Infrastructure and Developer Contributions

### Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 18, 21, 51, 54, 58, 61, 62, 63, 99, 100, 102, 111, 129  
Appendices 1 (*to be updated through the Sustainability Development Advice Note*), 3, 5 and 6

### Supplementary Planning Guidance/Documents

Environmental Guidelines  
Residential Character Area HCA9: Hammerfield North

Accessibility Zones for the Application of Car Parking Standards July 2002  
Water Conservation & Sustainable Drainage  
Energy Efficiency & Conservation  
Planning Obligations SPD April 2011  
Affordable Housing SPD 2013

#### Advice Notes

Sustainable Development Advice Note (Jan 2016)  
Refuse Storage Guidance Note February 2015

#### **Summary of Representations**

##### Strategic Planning and Regeneration

No comment

##### Strategic Housing

Due to the number of units being developed, the site will be exempt from any affordable housing contribution.

##### Conservation and Design

Orally raises no comment.

##### Hertfordshire Highways (in summary)

Additional information

The applicant has submitted additional information comprising of a computer track run for an HGV (10m refuse vehicle) and a slightly revised layout of the road serving the additional 8 C3 residential units as shown on the submitted plan. The track run shows that a refuse vehicle can enter the site and leave in a forwards gear. Importantly, the internal road from Sunnyhill Road is not being offered for adoption nor would the highway authority adopt it.

Initial plans

Raises no objection subject to conditions covering:

1 i) Roads, footways, and on-site water drainage, ii) Access arrangements in accordance with those shown in principle on approved plan SHR/001 R4, iii) Parking provision in accordance with adopted standard and iv) Turning areas.

2) Construction Management Plan

3) Scheme for cycle parking

Informatives covering:

Storage of materials within the site, construction standards for works within the highway, road deposits and mud.

Based on the proposed scale of the development, the level of assessment is considered to be appropriate and is consistent with Roads in Hertfordshire and the National Planning Policy Framework (NPPF).

Highway Layout: Sunnyhill Road has a gradient of approximately 1 in 50 in the vicinity of the site frontage and Melsted Road is approximately 1 in 7.

Proposed Access: The proposed access road 4.8 m wide with 6 m kerb radii with dropped kerbs and tactile pavers at the entrance from Sunnyhill Road is designed to adoptable standards with a turning head at the end of the cul-de-sac. It is not intended that the access road will be adopted.

HCC raised issues associated with the severe longitudinal gradient of the proposed access road during previous applications for the site. The Planning Inspectorate Appeal Decision (APP/A1910/A/11/2160924) accepted that under-carriageway heating provides an adequate solution for both vehicle and pedestrian access. As stated in our response to the previous application (4/00552/12/MOA), HCC accepts that under-carriageway heating will mitigate any issues with the severe longitudinal gradient of the proposed access road.

Impact on Highway Network: The number of vehicle trips generated by the whole site (including the approved scheme) is unlikely to have a significant impact on the local highway network. As a result, a full analysis of the impact of trips generated by the proposed development is not required.

Road Safety Collision data held by HCC indicate there have been no recorded collisions on Sunnyhill Road or Melsted Road within the last 5 years.

Parking: There will be 20 car parking spaces within the site for the 8 detached houses. This is a ratio of just over two car parking spaces per unit. This is consistent with the maximum parking standards for residential developments required by DBC. The proposal does not outline any cycle parking that will be provided within the site. A scheme for cycle parking within the site should be secured via a condition.

Accessibility: The site is approximately 1600m from the centre of Hemel Hempstead (Marlowes), but the topography of the adjacent area may discourage some residents from walking and cycling. The DAS states that residents of this development will be reliant on private vehicle transport to get to and from shops and services. There are also several schools in the vicinity and the footpath link through to Warners End Road reduces the walking distance.

The nearest bus stops are located approximately 120m away on Warners End Road and are accessible via a footpath link where at the Sunnyhill Road/ Melsted Road junction. The eastbound bus stop is a half layby design while the westbound bus stop consists of a flagpole but no bus cage road markings. Neither of the stops have easy access kerbs or shelters.

The proposed development will generate additional trips via public transport. The applicant acknowledges that there is limited scope for improvement to the walking and cycling network. However measures to encourage the use of sustainable transport options are required to ensure the development is sustainable. As a result, the eastbound and westbound stops on Warners End Road should be upgraded with easy access kerbs. £3,840 was requested on the last appeal proposal for 12 dwellings. A pro-rata contribution would be appropriate for these works.

Travel Plan: Based on the proposed number of residential dwellings, a Travel Plan is not required.

Construction: The submitted documents do not provide any details about the construction of the proposed residential units. Due to noted issues with the gradient of the proposed access road, and the substandard geometry of the local highway, a Construction Management Plan (CMP) is required to identify the most appropriate route for construction vehicles, ensure

construction vehicles parked on-street do not obstruct the visibility of motorists, or damage the highway during construction.

Conclusion: Hertfordshire County Council (HCC), as Highways Authority, has no objection to the principle of the development, subject to the conditions detailed within the response.

#### Hertfordshire Ecology (in summary)

There are active badger setts and fox earth. However, from the description, none of these features are directly affected by the proposals. It is inevitable there will be a loss of foraging but there is still foraging resources available within and access through existing gardens and along / through the allotments. However, garden management has always been at the discretion of individual owners which may not favour badgers or other wildlife. The proposals to consider badgers within the context of the development are consistent with best practice (escape ramps, mammal runs, pre-commencement check on badger presence, provision of leaflets) and acceptable.

Supports the biodiversity enhancement measures – if these can incorporate fruit trees (where they would not be shaded out by adjacent hedgerow trees) then this would restore some of this character to the site which is present now, although would not object to the proposals if this could not be achieved. The reptile fencing with mammal openings is a positive contribution as are the log piles. The hedgehog house, bat and bird boxes are also positive contributions to the site.

It is acknowledged by the ecological consultant that the allotments provide good slow worm habitat but that the development will not affect the open areas most likely to be used. The provision of a reptile fence and buffer zone of mown grassland would prevent access from the allotments as a precaution which is acceptable. No fencing map has been provided but its location between the allotments and development site is reasonably clear.

The native tree, shrub and hedge species proposed for the structural landscaping are acceptable.

Considers the updated ecological information to be acceptable and support the proposed ecological enhancements and landscaping which is sympathetic to the location. I note some crab apples are proposed for the ornamental planting – these or another suitable fruit could be increased in number to improve pollination and fruiting potential locally.

Considers that the LPA has sufficient information to determine the application and that there are no ecological constraints associated with the proposals that have not been adequately addressed, within the limitations of the site and development aspirations.

#### Trees and Woodlands Officer (in summary)

In principle, no major objections.

Drawing SUNNY SLP 2017 R2 shows Structural landscaping using native tree species. No issue with any of the tree locations or species selected.

Drawing SUNNY OLP 2017 R1 shows Ornamental landscaping. The Cherry and Sorbus selected will be fine for this site. However, we'd always advise against planting fruit trees near highways so a Crab Apple could end up being removed at a later date due to the mess its fruit create when crushed by vehicles. Also, Robinia will not be well suited to roadside, front garden locations. Robinia can grow to a large size, with long sharp needles on their branches and twigs – not favourable near people and vehicles. Additionally, we experience issues with Robinia roots near hard surfaces.

I'd advise that Crab Apple and Robinia are changed to alternatives, or even that the existing Cherry and Sorbus are used more extensively.

#### HCC Design Out Crime Officer (in summary)

Would encourage the development to be built to Secured by Design which is the police approved minimum security standard, this will reduce the potential for burglary by 50% to 75%. Recommends an informative regarding achieving the Secured by Design (SBD) award which would also meet Approved Document Q (ADQ) under the Building Regulations.

#### Contaminated Land Officer (in summary)

The current application follows on from the recent appeal decision regarding the proposed development to extend 4/00552/12/MOA with 12 additional houses (4/02048/16/MOA). The amended scheme will use the approved access to serve a separate development of 8 detached houses (reduced from 12). To my knowledge, no contaminated land investigation reports have been submitted to date in respect of the original development or this additional phase of development; as such I recommend that the contamination conditions be applied to this development should permission be granted.

#### Public Rights of Way Officer

This site is crossed by Hemel Hempstead public footpath 24. If the development encroaches on the legal/mapped line a legal order will need to be sought to ensure the footpath is not illegally obstructed.

#### HCC Fire & Rescue (in summary)

Seeks the provision of hydrants required to serve the development in accordance with the Building Regulations 2010 Approved Document B with access routes achieving a minimum carrying capacity of 18 tonnes together with turning facility.

#### Environmental Health

No comment.

#### HCC Property Services (in summary)

Seeks the provision of fire hydrants through standard clauses set out in a s106 obligation.

#### HCC Minerals and Waste (in summary)

Any comments received will be reported at the meeting

#### Building Control

Any comments received will be reported at the meeting.

#### Refuse Services

Any comments received will be reported at the meeting.

#### HMWT

Any comments received will be reported at the meeting.



### Affinity Water

Any comments received will be reported at the meeting.

### Thames Water

Any comments received will be reported at the meeting.

### EDF Energy

Any comments received will be reported at the meeting.

### Response to Neighbour Notification / Site Notice / Newspaper Advertisement (in summary)

Ward Councillor, 12 Wrensfield - Objects:

I appreciate the effort made by the applicants in trying to create an acceptable development. However, although I regret adding to your workload and that of the Development Management Committee, I do reiterate my request that this application is referred to the Committee should you be minded to grant permission, despite the adjustments to the plan.

As I explained, there is significant public interest in this application and in the history of applications for this site. For that reason alone, the decision should be made by the Committee. In addition, I still support the residents' concerns and still take the view that the proposals do not overcome the concerns of previous Planning Inspectors.

My own objection is principally that of overdevelopment.

The refusals to grant permission in respect of applications 4/01679/15 and 4/02048/16 were upheld by the Planning Inspectors on the grounds of overdevelopment. The Inspector in the 2016 application said "the proposal would result in a dominant urban development that would not relate to its context". Whilst this new proposal comprises a reduction of 4 houses, the house sizes have increased and the reduction in bed spaces, compared with the 2016 application, is merely 2 (from 30 to 28). The criticisms made by both Inspectors, that the density was too high bearing in mind the character of the immediate area, has not been overcome.

Access to the site is by a continuation of the access road serving the development granted for 89 Sunnyhill Road (4/00552/12), which totals 30 bedrooms. The highway aspects of that application were very problematic as the access opens onto a difficult and steep corner at the junction of Sunnyhill Road and Melsted Road, adjoins access roads to allotments and blocks of garages and is subject to considerable pedestrian traffic to nearby secondary and primary schools. Both Sunnyhill Road and Melsted Road already have parking problems.

This new application significantly increases the number and size of the households using the access road, giving rise to doubts as to the adequacy of the access road's junction onto Sunnyhill Road. Allied to this is that the proposed internal road is of modest width and I question whether there is sufficient space for manoeuvring and passing. There appears to be no visiting parking and the parking spaces for each house appear modest in size. The proposed development will only result in an increase in parking in Sunnyhill Road and Melsted Road.

For these reasons, I consider the application should be refused, principally on the grounds of overdevelopment, as the concerns of the previous Planning Inspectors have not been overcome.

21, 42, 63, 67, 81, 83, 89 Sunnyhill Road , 36 Melsted Road, 19, 23 Glendale, 29 Cowper Road  
- Object:

#### Traffic / access

- Increased traffic causing danger for pedestrians and road users
- Impact on parking on Sunnyhill Road
- 9 separate incidents since 2009 causing vehicle damage
- Inadequate overflow parking
- Limited visibility from Melsted to Sunnyhill Road
- Speeding issue from Sunnyhill Road to Melsted Road
- Potential for house extensions would increase potential traffic / parking issues
- Would result in a dangerous junction
- Information provided by highways department has not been challenged

#### Layout and character

- Over-development when combined with the approved scheme
- Over-development when combined with the two extra houses at No. 85
- Not significantly different to the application for 25 houses
- Only two fewer bedrooms than on the previous scheme
- Harm to character and appearance of the area
- Would destroy the attractive spacious, open and verdant character and appearance of the area surrounding the site
- Still a closed-in urban feel to the development due to size of houses and garages
- Green site with a variety of plant and animal life will be ruined
- Discordant estate would harm quality of life
- Negative effect on the area
- Houses of same appearance not in keeping with variety in area
- Detached houses would be out of keeping with the area
- Density not in keeping with area
- Only a reduction of 4 dwellings
- The area should be protected, not packed with more houses

#### Residential amenities

- Loss of privacy
- Loss of view
- Loss of quality of life

#### Other matters

- Impact of construction work in addition to that at No. 85
- Previous application have been refused and rejected on appeal
- Part of site acquired via adverse possession which should militate against the grant of planning permission
- There should be transparency as to ownership and deals made with the developer
- Site in valley known to flood during rainy weather
- No engineer report has been requested for building in a moderate to high risk environment
- The buildings will have to lower the water table which may impact on the surrounding woodland but there is no environmental report on this

## **Considerations**

### Policy and Principle

The site is located within the urban area of Hemel Hempstead wherein, under Policies CS1 and CS4 of the Core Strategy residential development is acceptable in principle subject to complying with all other relevant policy criteria. In accordance with the Character Appraisal (HCA9) plot amalgamation may be appropriate on the western side of Sunnyhill Road where rear gardens to houses fronting the road are of sufficient length to allow housing that meets the requirements of the Development Principles to be achieved.

Outline permission was granted on appeal for residential development comprising 13 dwellings to the rear of 89 Sunnyhill Road in March 2013. This is still extant as reserved matters were secured in April 2016. The current application site relates to adjoining land to the rear of 71 to 87A Sunnyhill Road. If permitted it would result in a larger comprehensive development site of 21 dwellings.

Policy CS17 encourages the development of housing to meet the district housing allocation. Saved Policy 10 of the Dacorum Borough Local Plan 1991-2011 encourages the use of urban land to be optimised.

Policies CS10, 11, 12 and 13 of the Core Strategy are overarching policies applicable to all development which seek a high quality of design in all development proposals. These are relevant to any residential development of this site.

Members may recall that an application last year (4/02048/16/MOA) for 12 dwellings on the same site the subject of the current application was refused by the committee and subsequently dismissed on appeal in May 2017 on grounds of over-development.

Noting the Inspector's reasons for dismissing the appeal, the key issue in this case relates to the acceptability of the development in terms of the character of the area and whether the site can comfortably accommodate the development of 8 dwellings without material detriment.

### Highway and Access Considerations

The application is in outline with access and layout for determination at this stage.

A previous but one application for 25 dwellings (4/01679/15/MOA) was refused by the Development Control Committee in 2015 on grounds of overdevelopment and giving rise to an intensification of traffic over the extant approval 4/00552/12/MOA onto a dangerous junction and onto a sub-standard gradient of access road. However, at the subsequent appeal, the Inspector noted that the Inspector on the 2013 appeal found no harm in respect of the capacity of the new junction or vehicular and pedestrian safety. Nevertheless, she appreciated the concerns of residents that even a modest increase in traffic volume along Sunnyhill Road would increase congestion at times when there is only one running lane. She also gave some weight to the fact that there is a history of non-personal injury, vehicle to vehicle, significant enough to report to the police. The Inspector also noted that there would be a small deficit of parking provision (56 shown but 59 required) and that the tandem parking layout for most plots would mean it was impractical and inconvenient to park both vehicles within the curtilages. However, she considered the highway concerns insufficient in themselves to warrant dismissal, although they supported her overall concerns about overdevelopment.

In the last application for 12 dwellings (4/02048/16/MOA), the highway issues were considered to have been fully overcome with a 25% reduction in traffic generation, an oversupply of parking compared with maximum parking standards, provision of two visitor spaces and availability of on-street parking within the development, all helping to mitigate any potential for

overspill parking on Sunnyhill Road. Accordingly, although the application was refused on grounds of over-development and harm to the character of the area by reason of density, impact on highway safety or traffic was not a reason for refusal.

Turning to the current application, the Highway Authority raises no objection on traffic generation or highway safety grounds. Access would be via an extension of the approved access road relating to 4/00552/15/MOA which is subject to under-carriageway heating and other highway safety improvements at the junction with Sunnyhill Road.

Likely traffic generation based on maximum Appendix 5 local plan parking standards of 16 spaces instead of 23 spaces for the previous appeal scheme of 12 dwellings, would indicate a 30% reduction in traffic, a further improvement on the previous scheme.

In terms of parking provision, it has been confirmed that the current development would comprise 3 x 2 bed and 5 x 3 bed houses. This generates a requirement at 100% maximum standard for 15.75 spaces compared with the 22 spaces that are shown to be provided on the latest revised plan. This oversupply of 6.25 spaces is considered to address any outstanding concern that might remain regarding the potential for overspill parking on the surrounding existing roads in the area. Furthermore, the over-provision is well above the 4.5 space excess proposed last time in the 12 dwelling scheme both in absolute and proportionate terms.

The potential for overspill parking onto Sunnyhill and Melsted Roads is further reduced by the assignment of 2 of the spaces as visitor spaces within the layout. Furthermore, there remains the availability of on-street parking within the development and in this respect it is highly unlikely that residents or visitors would choose to park in Sunnyhill or Melsted Roads in preference to a more convenient location in close proximity to the address at which they are residing / visiting. There would be half a dozen or more additional spaces that could be used in this way if needed within the proposed development. This compares to 4 on the previous 12 dwelling scheme.

With regards to the extant approval for 13 dwellings, at 22 spaces, this accords with the maximum parking standards set out in Appendix 5 for this development. Given that there is the further availability of on-street parking in the access road, the potential for overspill parking in Sunnyhill or Melsted Roads is considered minimal from the combined development of 21 dwellings.

Overall, the proposed development of 8 dwellings, together with the extant approval for 13 dwellings, is not considered to result in any significant overspill parking issues, or to result in any material harm by reason of the increased volume of traffic and any associated congestion in Sunnyhill Road.

It should be noted with regards to the access road, the Inspector dealing with the 25 dwelling scheme did not raise any concerns regarding the capacity or safety of this junction to accommodate the traffic from 25 dwellings.

All of the design principles that were fundamental to the eventual acceptability of the previous appeal decision (4/00522//12/MOA) have been incorporated into the current scheme and include the following:

- Offsite highway improvements to Melsted and Sunnyhill Roads comprising high friction surfacing, additional gullies, improvements to the allotment access with increased turning radii and deflection from the main carriageway, additional pedestrian space and guardrails to the north of the allotment access, bollards to the north of the proposed access to deflect vehicles, tactile pavers and drop kerbs across the proposed access and allotment access, and improved road markings along Sunnyhill Road and Melsted Road including double yellow lines.
- Shared surface access road designed to adoptable standards

- Gradient of access road slightly improved due to proposed diversion of sewer
- Under carriageway heating with two tier back up provision and standby generator
- Anti-skid road surface
- Separate pavement with handrail

The Highway Authority, as previously, raises no objection on highway grounds, subject to conditions and informative. It accepts that under-carriageway heating will mitigate any issues with the severe longitudinal gradient of the proposed access road. It has advised that the number of vehicle trips generated by the proposed 8 dwellings together with the extant approval for 13 dwellings is unlikely to have a significant impact on the local highway network.

The Highway Authority has on the previous application noted that all the recommendations of the Road Safety Audit (RSA) have been accepted and included within the improved detailed design. It has noted that all the problems / issues identified in the RSA and Interim Safety Audit (ISA) have been resolved or included in the revised highway and access design. The ISA noted that the majority of the problems/ issues were Stage 1 RSA comments and an approved Stage 2 RSA is required. As a result, the HA has previously recommended that a Stage 2 RSA should be secured by condition and this recommendation is considered equally relevant to the current application. It has previously also noted that the offsite highway improvements will need to be secured by a s278 agreement with the Highway Authority. A Grampian condition is expedient and recommended with regards to these off-site works.

With regards to visibility, the submitted plan (12002/101 Rev D by Abington Consulting Engineers) indicates that visibility splays of 2.4m x 43m are achievable within highway land (to the south). The HA previously noted this as appropriate for a 30mph road and due to the right-hand bend and the steep gradient of Melsted Road, vehicle speeds are likely to be below 30mph in the vicinity of the site. However, as the extent of the highway boundary on the eastern side of Sunnyhill Road is not shown the HA recommended that the submission of a visibility splay drawing is secured by condition. It is therefore recommended that this condition be attached if the current application is granted.

The Highway Authority has requested that measures to encourage the use of sustainable transport options are required to ensure the development is sustainable and improvements to the eastbound and westbound bus stops on Warners End Road are identified for upgrading with easy access kerbs. This can be secured by a s106 planning obligation.

Subject to the above, the proposal is considered to accord with Policies CS8, 12 and saved Policies 51 and 58.

### Parking

Parking provision should accord with parking standards as assessed against saved Policy 58 and Appendix 5 of the Borough Plan. Amended plans increase parking by two spaces through the provision of two visitor bays. In addition, the proposed dwelling sizes have been reduced from 4 x 3 bed and 4 x 4 bed to 3 x 2 bed and 5 x 3 bed dwellings. As such the overall parking requirement has reduced by 5 from 21 to 15.75 spaces with 22 spaces proposed. As mentioned above, the provision more than satisfies the maximum standards set down in Appendix 5.

5 dwellings would rely upon garaging to satisfy part of their parking requirement. However, the applicant has confirmed that the single garages would meet an internal width of 2.7 metres and furthermore all car parking other, than visitor bays, would be on-plot. The internal width is considered reasonable and would ensure that garages can be used for parking, although it would not be possible to militate against their use for domestic storage. However, conditions would be expedient to ensure that the parking provision meets minimum dimensions and is at all times retained for this purpose and not converted to living accommodation.

A previous Inspector's reference to tandem parking on the 25 dwelling scheme contributing to the potential for on-street parking is noted. However, the tandem format of spaces is a commonly adopted layout in new development and is not easy to design out without seriously compromising other aspects of the layout such as landscaping and front gardens. That said, four of the 8 dwellings include side by side hardstandings in their layout which will help reduce the potential for on-street parking.

The layout, as before, provides access for parking to the rear of 87 Sunnyhill Road via the new estate road which will help alleviate on-street parking on Sunnyhill Road.

Garages are considered sufficient for cycle storage in accordance with Appendix 5. However, additional details of storage for those dwellings without garages is recommended by condition.

With regards to bin storage, in accordance with the Council's Refuse Storage Guidance Note, bins should be accommodated inconspicuously within the street scene. This is considered to be satisfied in the layout subject to details of the means of enclosure by condition.

Subject to the above, the proposal is considered to accord with Policy CS12 and saved Policy 58.

#### Layout and character of area

Layout is a matter for determination at this stage.

It should be noted that gardens on the western side of Sunnyhill Road are identified within the Policy Statement for the Hammersmith North Character Appraisal (HCA9) as appropriate for residential development comprising plot amalgamation where rear gardens are of sufficient length to allow housing that meets the requirements of the Development Principles. The existing gardens to properties comprised in the application site are roughly 65 to 75 metres deep and therefore considered to have good potential for backland development.

Appeal decision - The last application (4/02048/16/MOA) for 12 dwellings on the site was dismissed on appeal by the Planning Inspectorate, with the Inspector raising objections on grounds of over-development, regimented layout, property spacing, closed in urban feel, and as a result detriment to the character of the area.

The Inspector considered that the proposal would result in a dominant urban development that would not relate to its context. He noted that properties on Sunnyhill Road have noticeably long rear gardens whilst the allotments and recreational ground beyond the western boundary of the site are generally open with the absence of significant built development and the area has a generally open and verdant character. He also noted that the density guidelines within the character area relate to an area wider than the appeal site's context and assessing the scheme's impact on the character and appearance of the area purely on density would ignore other site specific factors.

Despite replacement soft landscaping, the Inspector considered that there would still be extensive hard surfacing in the proposed development due to the restrictive space between the highway and the dwellings. There would also be limited space along the western boundary between the dwellings at first floor level to allow the backdrop of the allotments and wooded hillside to feature in the new street scene and, furthermore, the layout of the dwellings would give rise to an overly regimented and repetitive pattern of development, out of keeping with the more varied siting and design of dwellings in the area. Even with a possible low pitched roof, the siting of a triple garage at the end of the access road would also result in a "closed-in" urban feel to the development because of its size and extent of car parking in front. The proposal would therefore be an overdevelopment.

Whilst the Inspector noted the reductions in site coverage and floorspace, the increased distance from the western boundary, the additional car parking provision and the greater scope for landscaping compared to the earlier dismissed scheme for 25 dwellings, he nevertheless considered the appeal proposal overly urban in design and detrimental to its context for the reasons indicated. In the round, the proposal would be contrary to the development plan and would not be outweighed by the affordable housing contribution which would be small because of viability issues as a result of abnormal construction costs. The Inspector therefore considered it would not be sustainable and that there were no other identified material considerations to outweigh the development plan conflict.

### Discussion

The applicant has sought to address the findings of the recent appeal Inspector and the further objections of the Ward Councillor and residents to the current application with the following design and layout changes incorporated into the proposal.

- The number of dwellings has been reduced from 12 to 8, a 33% reduction on the appeal proposal.
- The number of bedrooms within the proposal has been reduced from 30 to 21, a 30% reduction.
- Site coverage with building / hardstanding has been reduced from 46.4% to 35.2%, a 24% reduction.
- Likely traffic generation has been reduced by 30% based on maximum Appendix 5 parking standards of 16 spaces for the current scheme instead of 23 spaces for the last appeal scheme.
- Overall parking provision for the scheme is 22 spaces (one less than the dismissed 12 dwelling scheme) which is now 6 spaces above the maximum requirement compared with a 4.5 space excess last time.
- Carriageway widths and parking spaces / driveway dimensions are all to highway authority standards throughout with internal garage widths greater than minimum at 2.7 metres compared with usual parking bay widths of 2.4 metres.
- Density of development has been reduced from 32 dph to 22.6 dph. Compared with the equivalent area of the earlier dismissed 25 dwelling scheme, this represents almost a halving of density (22.6 dph compared to 39.1 dph) and is well below the density range advocated by both saved local plan policies and HCA9 which advocates density in the range 30-35 dph. However, the reduced density would reflect the more open and verdant character of the site.
- Hard surfacing within the site for parking, turning and road access has been reduced considerably, resulting in substantial increases to the landscaped areas for both structural and ornamental planting. The layout would maintain generous landscaping to the frontages with building line set backs of around 5 to 8 metres. The landscape proposals are considered to be of good quality that will both supplement the existing retained boundary planting and compensate for the general loss of planting from the site to the benefit of the character of the site and street scene. Details would be subject to reserved matters approval.
- Subsequent amendments to the layout have allowed the introduction of an additional

planting belt between the flats on the adjacent approved development and plot 1 of the current scheme to further soften the approach and setting of the development. In addition, 3 garages have been omitted from the scheme thereby opening up views to the backdrop of trees on the western boundary.

- Through a complete redesign of the layout, the wide semi-detached dwellings types have all been removed from the scheme and the regimented and repetitive pattern of development along the western boundary has been replaced with a more varied siting and house design (as shown by illustrative elevations). The triple garage at the end of the cul-de-sac has also been deleted and replaced by a planting belt which will help soften views along the valley and eliminate the closed in urban feel. Details of design will be for reserved matters approval. It would be recommended that permitted development rights for extensions be withdrawn.
- Garden sizes and widths have been substantially increased throughout whilst the proposed footprints of the dwellings have been relocated further from the south western boundary to improve the separation distance from existing retained landscaping. Garden depths to this boundary have been increased from around 12 to 17 metres on the 12 dwelling scheme to 15 to 19 metres on the current proposal. This represents a further increase on the garden depths of the equivalent area of the 25 dwelling scheme which were only 9 to 12 metres. The proposed layout retains the majority of mature boundary tree vegetation which will be reinforced with new planting along the full length of the site boundary with the allotments. Whilst Plot 4 is much closer to this boundary, given its orientation flanking this boundary, it is not considered that it would result in any significant pressure from occupants to cut back or remove trees in future.
- Compared with the approved 13 dwelling scheme on the adjoining site, ridge heights would be respected with the illustrative elevations showing conventional two storey dwellings under traditional pitched tiled roofs which would also accord with the general character of Sunnyhill Road. The small dormer windows initially proposed have been omitted along with the reduction in bedrooms. Details of design would be the subject of a reserved matters application.

The above changes are considered to address the concerns of over-development noted by the appeal Inspector. The reduction in the number of dwellings and the associated density for this part of the site, together with the larger rear gardens and generally wider gaps between buildings, would significantly improve the relationship with boundary planting and also provide a more spacious and open appearance to the street scene, with more opportunity for soft planting to the frontage and a less crowded / closed-in streetscape overall. It should be noted in this respect that the triple garage and parking at the head of the cul-de-sac would no longer feature in the current proposal with views along the valley now focused on a landscaped gap between plots 5 and 6 and flanked either side by tree planting. There would be an overall reduction in built development / hard surfacing, whilst the proposed layout would be more informal and less regimented than the appeal proposal, providing a better transition with the open allotment land to the west. The significant over-provision of car parking would also mitigate any remaining potential for overspill parking in Sunnyhill Road whilst the overall reduction in bedroom numbers would further reduce traffic generation from the site compared with the appeal proposal and any associated impact on highway safety, noting that this was no longer a reason for refusal on the last application anyway.

For the above reasons, it is considered that the proposal would respect the open and verdant character of the site and surroundings and that the amount of development proposed represents a reasonable balance between the need to make best use of urban land whilst respecting the site specific factors in this case, in accordance with Policy 10 of the Local Plan which seeks to ensure that development optimises the use of land. Accordingly, it is considered that the proposal satisfactorily addresses the Inspector's concerns on over-development.



The Residential Character Appraisal Hammerfield (HCA 9) notes that the area has a medium density consisting of a variety of architectural ages and designs, possessing little unifying character throughout. The Character Appraisal notes the following development principles:

- Design: No special requirements.
- Type: All types are acceptable, although the resultant scale and mass of new proposals should respect that of adjoining and nearby development.
- Height: Should not normally exceed two storeys in height, except for cases where the proposal will adjoin three storey development and the character and appearance of the area is not harmed.
- Size: Small to medium sized dwellings are acceptable and appropriate.
- Layout: Variety in layout is acceptable. Where a clear building line exists, then this should be followed. Spacing should be provided at least within the medium range (2m - 5m).
- Density: Development should be provided in the medium density range (30 - 35 dwellings/ha).

The proposal adopts a layout that generally has a direct relationship with the street, which promotes safety, security and a more vibrant public realm and street face. The layout is informal and varied and provides good spacing in accordance with the Development Principles.

Height is not for consideration at this stage but the illustrative elevations indicate two storey heights that would accord with the Development Principles. The scheme provides a mix of two and three bed dwelling sizes which accord with the development principles that small to medium sized dwellings are appropriate.

The proposed density at 22 dph is below the expected density of 30 - 35 dph in the Development Principles, but respects the character of the area, as do the larger sized gardens which would accord with minimum standards in Appendix 3 of the Local Plan.

As regards the relationship to trees, Trees and Woodlands Officer has raised no objections on layout grounds. Compared to previous schemes, the current scheme would further improve the relationship to existing and proposed trees along the western boundary with the wider and longer gardens. Therefore there are no significant concerns regarding trees. The above said, it would still be expedient to ensure control over future extensions for those plots backing onto the allotments in the interests of maintaining a good spacing with trees on that boundary and the best chance for their future survival and retention.

The layout is considered acceptable for approval and would comply with Policies CS10, 11, 12 and 13.

### Design and Appearance

Design and appearance form part of the reserved matters. However, information has been provided in the form of a layout plan, illustrative elevations and through discussion in the Design and Access Statement whereby design can be considered to a limited degree.

The site is located within Hammerfield North (HCA9) which is described in the Residential Character Appraisal (RCA) as a medium density residential area featuring a variety of architectural ages and designs but possessing little unifying character throughout. In terms of height the RCA points out that the area is predominately two-storey but with numerous three-storey examples, such as at Glendale, Glenview Road and Greenhills Court. Size is in the medium range, which is also the case for density, being 25 - 35 dwellings per hectare throughout.

As described above, the existing street is mixed in character of varying architectural forms and merit from traditional street terraces, early to mid C20 detached properties, later semi-detached properties and infill development from all periods. The street has a generally suburban quality being characterised by buildings with traditional proportions, two storey in height, set within landscaped gardens and having a close to medium setback from the road.

The proposed scheme is stated to be traditional in appearance with conventional housing frontages designed in accordance with CABE recommendations. In general terms, bearing in mind the new estate road will largely not be seen in the context of Sunnyhill or Melsted Roads, the architectural form adopted in the illustrative drawings is considered to be an acceptable approach with the use of traditional detailing and proportions associated with the older houses in the immediate context. Importantly, positive articulation is shown with the introduction of traditional gable roof-pitches, bay windows, chimneys, projecting front gables and vertical fenestration. Materials would be subject to approval but are illustrated to comprise a mix of brick, tile and render.

Overall, it is considered that a scheme for the design and appearance of the proposal would be likely to integrate with the wider context successfully and would accord with Policy CS12.

### Affordable Housing

Under Policy CS19 the threshold for providing affordable housing on site is 10 dwellings or 0.3 ha. However, the size threshold is superseded by the 11 unit threshold or 1000 sq m gross combined internal floorspace of the PPG (which includes garages). The proposal, at 8 dwellings and 994.8 sq m, would fall under the thresholds and therefore would not be subject to any requirement for affordable housing. Strategic Housing has stated that due to the number of units, the site will be exempt from affordable housing.

### Impact on Trees and Landscaping

The landscaping of the site is reserved. However, the impact on existing trees needs to be considered as part of this application given that layout is for determination.

Information has been provided in the form of the layout plan and illustrative elevations whereby the impact on trees and landscaping can be considered. An arboricultural survey and implications assessment has been submitted which allows consideration of existing trees.

There are a great number of trees throughout the site and boundaries of varying maturity and condition. Across the combined site, 91 individual trees and 22 groups of trees were surveyed of which some 43 trees / groups are proposed to be removed to facilitate the development or for sound arboricultural management. On the site itself (excluding the access road), there are some 48 individual trees and 14 groups of trees of which some 27 trees / groups would be removed. However, the proposed layout retains the majority of mature boundary tree vegetation which will be reinforced with new planting where necessary.

There are no category A trees on the site. Only 3 category B trees / groups are to be removed. The vast majority of trees to be removed are category C and U.

In terms of landscaping the proposal offers an excellent opportunity for a high level of planting, details of which would be sought under a reserved matters application. The submitted ornamental and structural landscaping schemes are considered generally acceptable. However, the Tree Officer has advised that alternative species should be specified. Details can be assessed at reserved matters stage. Details should include proposals for tree protection fencing.

Subject to the above, the landscaping proposals would comply with Policy CS12 and saved Policies 99 and 100.

### Impact on Neighbours

The impact on residential amenities needs to be considered as part of this application given that layout is for determination. The impact of height, scale, window locations needs to be anticipated to some extent as appearance is a reserved matter. As well as layout, information has been provided in the form of illustrative elevations and through comments in the Design and Access Statement whereby residential amenity can be considered to a degree.

A number of objectors raise concerns with regards to loss of privacy and loss of view, disturbance during construction.

It is not considered that there would be any significant issues of overlooking caused by the development. Plots 7 and 8 which are closest to adjoining residential properties in Sunnyhill Road are set at right angles to the backs of Nos. 71 to 87A and therefore any overlooking would be at a very oblique angle. Any windows in the development can be designed out of the flank walls of these plots at reserved matters stage. There are no other potential overlooking issues.

Whilst noting concerns raised about visual impact, given the minimum separation distance of some 19 metres from the backs of properties in Sunnyhill Road to the flank walls of Plots 7 and 8 and the topography whereby these plots would be set at a level substantially lower than dwelling in Sunnyhill Road, it is not considered that there is any grounds for refusal on overbearing appearance or visual intrusion. Soft landscaping and appropriate boundary treatment will help mitigate any overlooking and visual impact.

There would be unlikely to be any infringement of the 25-degree line taken from the nearest facing windows of neighbouring residential properties. Any issues to do with loss of light can be designed out at reserved matters stage.

Noise and disturbance from construction works will be controlled under other legislation.

There is the potential for light pollution and it is therefore recommended that details of lighting (including any street lighting as required by the Highway Authority) be required under the landscaping details.

The proposal would comply with Policy CS12.

### Crime Prevention and Safer Places

This is a material planning consideration, and some details have been provided within the Design and Access Statement. It is stated that layout permeability will be restricted given the location at the end of a short cul-de-sac with good levels of passive surveillance from dwellings thereby resulting in a safe environment and a low potential for crime. This would be further assisted by the absence of communal rear pedestrian accesses and footpaths. In addition, bay windows on gable ends will provide additional passive surveillance whilst covenants will be included to require frontage hedges to be kept under 1 m in height and all gates and divisional screens will be 1.8 m high with lockable gates. In addition, all parking other than the two visitor spaces are within curtilages which will further reduce opportunities for crime. It is stated that the development will meet Police Preferred Specification throughout as detailed in section 2a Paras 20, 21, 22, 25, and 26 of SBD 2016. An informative regarding the SBD award is recommended as advised by the Design Out Crime Officer.

Subject to this the scheme would comply with Policy CS12.

### Sustainability

Any new development should be consistent with the principles of sustainable design as set out in Policies CS29, CS30 and CS31 of the Core Strategy.

The application should be accompanied by a Sustainability Statement as required by Policy CS29.

The principal sustainability credential of this proposal is that it is re-developing an existing site and making more efficient use of land for housing in a sustainable location. Whilst accepting that the introduction of under-road heating is not sustainable per se, this should be considered in the context of its use on a limited number of days in any one year, and balanced against the safety improvements that enable the land to be developed for much needed housing in a sustainable urban location that would otherwise have to take place in the countryside thereby encouraging more car journeys.

A comprehensive sustainability appraisal has been submitted to show CS29 compliance and compliance with NPPF principles of Economic, Social and Environmental. The proposal would provide short term economic benefits through construction to the local area, a meaningful contribution in social terms to the supply of housing and in environmental terms, a commitment to employ the most advanced levels of sustainable construction methods and technology within a development that will respect the traditional appearance of the area. High efficiency condensing boilers have been specified together with solar panels, energy efficient materials in construction, energy efficient lighting, provision of washing lines, information on efficient white goods, all intended to meet in excess of what was CFSH level 4. In addition, water efficient fixtures, porous driveways and rainwater recycling is included, materials specified in accordance with the Green Guide, and all timber from FSC approved sources. A site waste management plan is to be enforced during the construction phase and in addition, the proposal will include ecological and biodiversity enhancements as part of the landscaping scheme. Finally, all garages will have electric charging points for electric vehicles.

The above measures are welcomed, although given the application is in outline, some of the proposals are inevitably on the sketchy side. Noting that there are no detailed house plans for each dwelling, it is recommended that details of SUDS, solar panels and a Site Waste Management Plan be secured by condition.

#### Impact on Ecology and Wildlife

Hertfordshire Ecology has previously noted that it has evidence of bats in this area of Hemel Hempstead. An internal and external bat inspection of the property was conducted in June 2011 by Skilled Ecology Consultancy Ltd and no signs or evidence of bats was observed. An updated survey in October 2015 found no change in the situation affecting 89 Sunnyhill Road and Hertfordshire Ecology has said it has no reason to disagree with the survey results. The latest extended phase 1 ecological habitat survey report by Hone Ecology 8th August 2017 did not find any signs of roosting bats.

The survey results indicate that the mature trees have the potential to support nesting birds and therefore works to remove trees should be undertaken outside the nesting season. A single fruit tree trunk was identified with potential to support roosting bats but none were in evidence at time of survey. Therefore, a watching brief during felling is recommended. The dwelling to be demolished had no features suitable for bats. The site has a low potential for amphibians, reptiles and hazel dormice and no evidence of badger activity or setts was found. Domestic dogs contribute to a lack of mammal activity. Tree protection is recommended along the northern and western boundaries to prevent damage to trees. Enhancements across the site should include replacement native trees and plants and placement of bat roost boxes on one of the many trees to be retained.

A supplementary letter report from Hone Ecology dated 8th August 2017 in relation to a survey

on 6th August 2017 found that badgers are active in the area but that no badger setts would be affected by the development but that commuting routes will need to be retained through the gardens by planting native hedgerows instead of fencing, backed up by a leaflet to new occupants and a pre-commencement check for new setts within the site.

The survey also found that the site has limited potential to support reptiles (protected under the Wildlife and Countryside Act 1981) and that a reptile survey is not required, although to alleviate concerns, reptile fencing along the south western and northern boundary is recommended to prevent reptiles entering the site during construction works.

Hertfordshire Ecology supports the biodiversity enhancement measures proposed in the application which includes log piles, hedgehog house, bat and bird boxes, and has confirmed that it considers the LPA has sufficient information to determine the application and that there are no ecological constraints associated with the proposals that have not been adequately addressed.

Appropriate conditions and informatives are recommended to cover the above.

### Social and Physical Infrastructure

The proposal for 8 dwellings would generate additional social and physical infrastructure requirements and therefore, in accordance with saved Policy 13 of the Local Plan and Policies CS23 and 35 of the Core Strategy, the Council can seek financial contributions towards the reasonable public facilities, services and infrastructure that the development would generate. These should be sought through a s106 planning obligation.

A number of discussions have taken place previously with the applicants on financial contributions towards social and physical infrastructure. However, since then CIL has been introduced, and therefore the majority of these financial contributions fall away. The only contributions that can legitimately be requested under s106 are the highway contributions to the skid resistant surfacing on the adopted highway in Melsted Road, sustainable transport contribution to the upgrading of bus stops in Warners End Road and the provision of fire hydrants. The applicant agreed these contributions in relation to the recently dismissed scheme. A signed s106 unilateral undertaking has been submitted in relation to the current application. However, this is being redrafted to address a number of legal deficiencies.

The recommendation is to delegate with a view to approval subject to the completion of a s106 planning obligation.

### Other Material Planning Considerations

The Footpaths Officer has advised that Hemel Hempstead Footpath 24 which runs along the northern boundary of the site appears to lie within the application site according to the definitive map. He therefore advises that a footpath diversion order will be required. In practical terms, the actual footpath used will not change. An informative is recommended should planning permission be granted.

The matter of access to the footpath and dumping of garden waste is recommended to be controlled by appropriate means of enclosure as part of the reserved matters/landscaping details.

The Scientific Officer recommends the standard contamination condition be applied to this development should permission be granted.

The Minerals and Waste Team has not commented on this application but previously recommended conditions covering construction waste recycling.

## RECOMMENDATIONS

1. That the application be DELEGATED to the Group Manager Development Management and Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.
2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:
  - Financial contribution of £2,560 towards the upgrading of the eastbound and westbound bus stops on Warners End Road.
  - Financial contribution towards the maintenance of the skid-resistant surfacing on the adopted highway of £12,000.
  - Provision of fire hydrants.
3. That the following draft conditions be agreed:

Suggested conditions:-

- 1 **Approval of the details of the appearance and scale of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2 **Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 3 **The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.**

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 4 **No development (other than ground investigations, underground services and footings) shall take place until samples of the materials proposed to be used on the external walls and roofs of the development 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 appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 5 **The details of appearance to be submitted for the approval of the local planning**

**authority in accordance with Condition (1) above shall include the physical infrastructure associated with any renewable energy measures. The development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance and functioning of the development in accordance with saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011 and Policies CS11, CS12, CS26 and CS29 of the Dacorum Core Strategy September 2013 and saved Policy 18 of the Dacorum Borough Local Plan 1991-2011.

**6 The details to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include:**

- **hard surfacing materials, which shall include the footpath and carriageway;**
- **means of enclosure, which shall include native hedgerows with gaps to maintain the badger commuting route as recommended in the report by Hone Ecology (Ref No. E1450 141215 V2) dated 8 August 2017;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (to include structurally diverse habitat and local species of provenance), noting species, plant sizes and proposed numbers/densities where appropriate;**
- **measures for biodiversity enhancement, including swift and bat boxes, and trees / shrubs bearing berries / fruits;**
- **programme of management for the soft planting;**
- **proposed finished levels or contours;**
- **external lighting;**
- **secure cycle storage facilities for those dwellings without garages;**
- **details of enclosure / screening of bin store locations;**
- **back-up generator;**
- **pedestrian handrail;**
- **minor artefacts and structures (e.g. furniture, refuse or other storage units, signs etc.);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines) including heating strips, indicating lines, manholes, supports etc.**

**The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS10, 11, 12, 13 and saved Policy 100 of the Dacorum Borough Local Plan 1991-2011.

**7 Prior to the commencement of the development (including demolition works), the trees shown for retention on the approved Arboricultural Impact Plan contained within the Tree Survey Report & Arboricultural Impact Plan DS04081501.01\_C, 21st August 2017, prepared by Patrick Stileman Ltd shall be protected during the whole period of site demolition, excavation and construction in accordance with details to be submitted to and approved in writing by the local planning authority. The details of protection shall include a no-dig cellular confinement road construction detail and the siting of any**

**service trenches on the side of the access road furthest from trees bordering the site's northern boundary.**

Reason: In order to ensure that damage does not occur to the trees during demolition works and building operations in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, demolition and buildings works would potentially result in harm to the health and survival of trees to the detriment of the visual amenities of the development and area.

- 8 **The details of scale to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include details of the proposed slab, finished floor and ridge levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land and buildings. The development shall be constructed in accordance with the approved levels.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 9 **Notwithstanding any details submitted with the application, no development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the local planning authority. This assessment shall be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it shall include:**

**(i) a survey of the extent, scale and nature of contamination;**

**(ii) an assessment of the potential risks to:**

- (a) human health;**
- (b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;**
- (c) adjoining land;**
- (d) groundwater and surface waters; and,**
- (e) ecological systems.**
- (f) archaeological sites and ancient monuments;**

**(iii) an appraisal of remedial options, and proposal of the preferred option(s).**

**This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.

- 10 **No development shall take place until a detailed remediation scheme to bring**



**the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the local planning authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, proposed preferred option(s), and a timetable of works and site management procedures. The scheme shall ensure that the site does not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation scheme shall be implemented in accordance with the approved timetable of works.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.

- 11 Within 6 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to the local planning authority for its written approval.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 7 days to the local planning authority and once the local planning authority has identified the part of the site affected by the unexpected contamination, development shall be halted on that part of the site. An assessment shall be undertaken in accordance with the requirements of Condition No 9, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted to and approved in writing by the local planning authority in accordance with the requirements of Condition No 10. The measures in the approved remediation scheme shall then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing by the local planning authority in accordance with Condition No 11.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

- 13 The development hereby permitted shall be carried out in accordance with the**

**approved Sustainability Appraisal Core Strategy CS29 Compliance 23 May 2017.**

Reason: To ensure the sustainable development of the site in accordance with the aims of accompanying Policy CS29 and paragraph 18.22 of the Dacorum Core Strategy September 2013 and the Sustainable Development Advice Note Dec 2016.

- 14 **No development shall take place until plans and details of the measures for sustainable drainage and water conservation shall have been submitted to and approved in writing by the local planning authority. The details shall include clear arrangements for the ongoing maintenance of the SUDS over the lifetime of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 and paragraph 18.22 of the Dacorum Core Strategy September 2013 and the Sustainable Development Advice Note and to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policies CS29 and 31 of the Dacorum Core Strategy September 2013 Plan. The details are required before commencement of development as if they are deferred until after the development has begun, the design will already have been agreed and finalised, and the materials and measures potentially ordered and used, thereby limiting the available options for designing in sustainability measures.

- 15 **No development / demolition shall take place until details of measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.**

Reason: To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013) and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, the plans and measures will already have been agreed and finalised, and the works commenced, thereby limiting the available options for designing in sustainable waste management.

- 16 **No works to form the access shall take place until a Stage 2 Road Safety Audit for the proposed highway improvements and access junction shall have been completed and submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and recommendations therein.**

Reason: In the interests of highway safety in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

- 17 **No part of the development shall be occupied until the off-site highway works identified in the approved Development Access Design Report August 2012 by Abington Consulting Engineers and shown on Drg. No. 12002/101D shall have been completed. This condition shall not be considered discharged until written confirmation of the completion of the works has been submitted to and approved by the local planning authority.**

Reason: To ensure the adequate and satisfactory provision of a safe access and approaches to the access prior to first occupation of the development in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

- 18 **The development hereby permitted shall not be occupied until the skid-resistant surface shown on Drg. No. 12002/101D shall have been provided in accordance with a PSV (Polished Stone Value) of 75 and a target SRV (Skid Resistant Value) of 80 as set out in the email from Ian Brazier (Abington Consulting Engineers) dated 15/10/12 (factors affecting road surface skid resistance).**

Reason: To ensure the adequate and satisfactory provision of a safe access and egress to the site in wet conditions in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

- 19 **No development (other than ground investigations, underground services and footings) shall take place until full details (in the form of engineering specification scaled drawings and / or written specifications) shall have been submitted to and approved in writing by the local planning authority to illustrate the following:**

- i) Roads, footways, and associated surface water drainage;
- ii) Access arrangements in accordance with those shown in principle on approved plan 12002/101 Rev D;
- iii) Turning areas;
- iv) Street lighting scheme;
- v) Visibility splays at the junction with the highway.

**The development shall be carried out in accordance with the approved details.**

Reason: In the interest of highway safety and to ensure that the junction of Sunnyhill Road / Melsted Road and the proposed access junction are correctly illuminated in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

- 20 **All car parking spaces shall be a minimum of 2.4 metres wide x 4.8 metres deep, and all garages shall have an internal width of at least 2.7 metres and an internal depth of at least 4.8 metres.**

Reason: For the avoidance of doubt and to ensure the satisfactory provision for car parking in accordance with Policy CS12 of the Dacorum Core Strategy September 2015 and saved Policy 58 and Appendix 5 of the Dacorum Borough Local Plan 1991-2011.

- 21 **The development hereby permitted shall not be occupied until the arrangements for vehicle parking (including garages) and circulation together with the access road shown on Drawing Nos. SRH/001 R4 and 12002/101D and the details of electric under carriageway heating shown on Drawing No. SRH/03 rev A shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Reason: To ensure the adequate and satisfactory provision of a safe access and off-street vehicle parking facilities in accordance with Policies 11, 51 and 54 of the

Dacorum Borough Local Plan 1991-2011.

- 22 **The development hereby permitted shall not be occupied until visibility splays measuring 2.4 x 43 metres shall have been provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction (on land within the applicant's control) between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: In the interests of highway safety in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

- 23 **No development (including demolition) shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include details of:**

- **Construction vehicle numbers, type, routing;**
- a. **Traffic management requirements;**
- b. **Construction and storage compounds (including areas designated for car parking);**
- c. **Siting and details of wheel washing facilities;**
- d. **Cleaning of site entrances, site tracks and the adjacent public highway;**
- e. **Timing of construction activities to avoid school pick up/drop off times;**
- f. **The management of crossings of the public highway and other public rights of way;**
- g. **Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

**Construction works shall proceed in accordance with the approved details.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in compliance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development because the measures are required to be put in place to control activities from the start of works on site.

- 24 **Before any new access or crossover hereby permitted is first brought into use any existing access / crossover not incorporated into the development hereby permitted shall be stopped up and closed by removing the vehicle access / crossover, raising the kerb and reinstating the footway surface to the same line, level and detail as the adjoining footway verge and highway boundary**

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 25 **No part of the development shall be occupied until details of a management company (to oversee the management and running of the communal parts of the development, including the under-carriageway and footway heating and the skid-resistant surfacing) together with a full list of objectives and the standards to be achieved, shall have been submitted to and approved in writing by the local planning authority. The details shall include a timetable for the inspection and replacement / maintenance of the skid-resistant surfacing and under-carriageway / footway heating. The development shall be maintained in accordance with the objectives and specifications approved and the company**

**shall be permanently retained to manage the estate.**

Reason: To ensure appropriate means are in place for the long term maintenance of the communal areas and facilities in accordance with Policies CS8 and 12 of the Dacorum Core Strategy September 2013 and saved Policies 51, 54 and 100 of the Dacorum Borough Local Plan 1991-2011.

- 26 **The development shall be carried out in accordance with the recommendations contained within the approved Extended Phase 1 Ecological Habitat Survey Report and additional letter report dated 8th August 2017 (Ref No. E1450 141215 V2) by Hone Ecology. Prior to development (including demolition) the protective reptile fencing shown on Figure 1: Phase 1 Habitat Plan - E1450 within the latter report shall be erected and maintained for the whole period of site works).**

Reason: To minimise impacts on biodiversity and incorporate positive measures to support wildlife in accordance with Policy CS29 of the Dacorum Core Strategy September 2013.

- 27 **If piling is considered the most appropriate method of foundation construction, no piling shall take place until a method statement detailing the type of piling and noise emissions, shall have been submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.**

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 28 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 dwelling and they shall not be converted or adapted to form living accommodation.**

Reason: In the interests of highway safety and the residential and visual amenities of the area in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.

- 29 **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) no external lighting shall be installed on the site or affixed to any buildings on the site and no development falling within the following classes shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1, Classes A and E  
Part 2, Class B**

Grages shall not be converted to living accommodation.

Reason: To enable the local planning authority to retain control over the development in the interests of limiting the impact of extensions and buildings on trees and traffic / parking generation and potential overspill parking, and light pollution on ecology interests in accordance with Policy CS10, 12 and 13 of the Dacorum Core Strategy September 2013 and saved Policies 99 and 102 of the Dacorum Borough Local Plan 1991-2011 and NPPF guidance.

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

**A43-15 - Site Survey**  
**SHR/ 001 R5**  
**15066/101A**  
**12002/101 rev D**

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

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which 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 2012.

INFORMATIVES:

Physical Security

In October 2015, Approved Document Q (ADQ) came into force that requires under Building Regulations 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". Performance requirements apply to easily accessible doors and windows that provide access in any of the following circumstances:

- h.** Into a dwelling from outside
1. Into parts of a building containing flats from outside
  2. Into a flat from the common parts of 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.

European Protected Species Licence

Bats and their roosts remain protected at all times under National and European law. If bats or any evidence for them is discovered during the course of any works, all works must stop immediately and advice sought as to how to proceed from one of the following:

3. A bat consultant;
  - The UK Bat Helpline: 0845 1300 228;
  - Natural England: 0845 6014523 or
  - Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

The applicant is advised that should the presence of bats within trees or buildings on the development site become apparent, Natural England will need to be consulted and a European Protected Species licence obtained prior to any re/commencement of work. The licence application will need to include a *Method Statement* with the

*results of the surveys, a Mitigation Strategy and Works Schedule* stating how it is proposed to accommodate each species of bat within the development.

All bats and their roosts are legally protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. If bats are present it is illegal to intentionally or recklessly kill, injure or take any individuals or to deliberately capture or disturb individuals. It is an offence to intentionally or recklessly damage or destroy a roost, to obstruct a roost, and to disturb an individual whilst occupying the roost.

#### Ways to achieve biodiversity gain

- Features identified in ecological surveys as of particular value for wildlife, such as mature tree lines, hedgerows or ponds, should be retained, protected and enhanced where possible;
- Opportunities for wildlife can be integrated into new buildings, through the installation of bird and bat boxes or bat lofts, or the creation of high quality green roofs;
- Landscaping can be designed to benefit wildlife, through creating structural and habitat diversity and use of native, wildlife-friendly plant species. Including fruit, seed and nut bearing species and nectar source plants will help attract insects and birds. Creation of ponds, dead wood habitats and loggeries provides further habitat diversity, enhancing the potential to support amphibians, invertebrates and small mammals.
- Retained, enhanced and newly created habitats and habitat features should be appropriately managed in the long term so as to maintain and improve their ecological value. Habitat management plans should be used where required.
- Sustainable Drainage Systems (SuDS) should be considered as part of the new development. The sustainable drainage scheme should be designed, wherever practicable, to encourage wildlife and contribute to biodiversity enhancement.

#### Drainage

Thames Water advise that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

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 Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

#### Contamination

The applicant is advised that a guidance document relating to land contamination is available in the Council's website:

<http://www.dacorum.gov.uk/default.aspx?page=2247>

#### Access and Facilities

- Access for fire fighting vehicles should be in accordance with Section 5 of The Building Regulations 2000 Approved Document B (ADB).
- 4. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes.
- 5. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

#### Water Supplies

- 6. Water supplies should be provided in accordance with BS 9999.
- 7. The Fire Service would consider the following hydrant provision adequate:
  - 8. Not more than 60m from an entry to any building on the site.
    - Not more than 120m apart for residential developments or 90m apart for commercial developments.
    - Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
    - Not less than 6m from the building or risk so that they remain usable during a fire.
    - Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
    - Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with Section 5 of Approved Document B.
- In addition, buildings fitted with fire mains must have a suitable hydrant sited within 8m of the hard standing facility provided for the fire service pumping appliance.

#### Hemel Hempstead Public Footpath 24

Hertfordshire County Council Officers have in the past assessed the legal line of this path and it was found to be obstructed by fencing from number 89 Sunnyhill Road. A diversion will be required unless adequate provision can be found to accommodate the legal extent of this path.

#### Noise on Construction/Demolition Sites

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites. Best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.

#### Construction of hours of working – plant & machinery



In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays.

### Dust

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, Produced in partnership by the Greater London Authority and London Councils.

### Bonfires

Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of by following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested wood should burning be permitted.

### Ground Water Source Protection

You should be aware that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".