

**4/01630/17/MFA - RESIDENTIAL DEVELOPMENT ON FORMER MARTINDALE SCHOOL SITE TO PROVIDE 65 NEW DWELLINGS (AMENDED SCHEME).
MARTINDALE JMI SCHOOL, BOXTED ROAD, HEMEL HEMPSTEAD, HP1 2QS.
APPLICANT: Dacorum Borough Council.**

[Case Officer - Rachel Marber]

Summary

The application is recommended for approval subject to the completion of an S106 planning obligation under s.106 of the Town and Country Planning Act 1990. The proposal is an amended scheme to granted permission for 43 dwellings within application ref: 4/00925/14/MOA. It is considered that the amended proposal for 65 new dwellings would remain acceptable in principle in accordance with Policies CS1 and CS4 of the Core Strategy (2013) and is identified as a housing site (H/12) in the Site Allocations DPD with a net capacity of 66 homes. The proposals seek to optimise the use of the land whilst retaining the existing trees, respecting the character of the area, and ensuring a satisfactory relationship to adjoining properties, as well as creating an attractive development with 50% of the residential units secured for social housing. Furthermore, the proposed development would not have an undue impact upon the highway safety with contributions secured in this regard through a S106 planning obligation. The proposal therefore adheres with Saved Policies 10, 13, 18, 21, 51, 58, 99, 100, 111, 129 and Appendices 3, 5 and 6 of the Dacorum Local Plan (2004) and Policies CS1, CS2, CS4, CS8, CS9, CS10, CS11, CS12, CS17, CS18, CS19, CS26, CS29 and CS35 of the Core Strategy (2013), and the National Planning Policy Framework (2012).

Site Description

The application site is located in the Warners End neighbourhood of Hemel Hempstead. The site is triangular and extends to 1.4 ha and was formally occupied by a former 1 form entry primary school with a 26 place nursery. Existing access to the site is located to the north of the site off Boxted Road which is defined by a mixed deciduous hedge. The south eastern and western boundaries are defined by the rear boundaries of residential properties which back onto the site in Hollybush Lane and Martindale Road. These boundaries are variously defined by hedges, trees and fences. The buildings are of 1960's construction but are of no particular architectural merit. The site is generally level and flat.

The immediately surrounding area comprises mainly new town commission semi-detached and terraced residential property with some 3 storey flatted accommodation evident.

Proposal

The application seeks permission for the redevelopment of the site formally containing Martindale School to provide 65 new dwellings, associated parking, road and access. 50% of the units on site will be secured as social housing; this mix will comprise 8x 2 bed houses, 5x 3 bed houses and the entire apartment block.

The dwelling mix proposed comprises: 15x 1 bed flats, 4x 2 bed flats, 25x 2 bed dwellings and 21x 3 bed dwellings. 113 spaces off street parking spaces would be provided, averaging 2 spaces per dwelling and 1 space per flat.

The current proposal follows an amended scheme granted outline consent for demolition of

existing buildings on site and construction of 43 dwellings with associated site access in 2015 (4/00925/14/MOA).

The key differences between this approved development and the current proposal are the increase in quantum (to 65 units), alterations to the overall layout and the increase in the scale of some units (notably a four storey block of flats towards the north eastern corner of the site).

History of Site

In 2015 an outline application was granted at Development Management Committee on the 27th November 2014 for a new residential development for 43 dwellings of 2 and 2^{1/2} storey height. Two points of vehicular access were also proposed from Boxted Road and demolition of existing buildings and structures (ref: 4/00925/14/MOA); this permission remains extant. In 2015 an application for the demolition of the Junior School was submitted and granted, this demolition has taken place and the site now lies vacant.

Referral to Committee

This application is referred to the Development Management Committee due to being a Dacorum owned site.

Relevant Planning History

4/02424/15/DE M	DEMOLITION OF JUNIOR SCHOOL. Prior approval required and granted 05/10/2015
4/00925/14/MO A	RESIDENTIAL DEVELOPMENT (UP TO 43 DWELLINGS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES, ACCESS AND PARKING, ALTERATIONS TO LEVELS, LANDSCAPING AND RELATED WORKS (OUTLINE APPLICATION - ALL MATTERS RESERVED EXCEPT ACCESS) Granted 27/02/2015
4/01804/02/CPA	CLASSROOM AND LIBRARY EXTENSION AND ADDITIONAL PARKING SPACES Raise no objection 04/11/2002
4/00644/01/CM A	DOUBLE MOBILE CLASSROOM UNIT (REPLACEMENT OF EXISTING) Temporary permission 14/05/2001
4/01812/00/	RETENTION OF MOBILE CLASSROOM Granted 01/11/2000

4/00059/95/4 RETENTION OF DOUBLE MOBILE CLASSROOM
Granted
07/03/1995

4/00941/89/4 MOBILE CLASSROOM
Granted
21/07/1989

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 - The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Policy 111 - Height of Buildings
Policy 129 – Storage and Recycling of Waste on Development Sites
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision
Appendix 6 – Open Space and Play Provision

Supplementary Planning Guidance / Documents (2004)

Area Based Policies (May 2004)
Accessibility Zones for the Application of Car Parking Standards (July 2002)
Planning Obligations (April 2011)
Affordable Housing (Jan 2013)
Site Allocations (July 2017)

Constraints

Residential area of Hemel Hempstead

Summary of Representations:

Comments received from consultees:

Contaminated Land:

Regulatory Services is in receipt of the following report submitted in respect of the above:

- Geo-environmental Desk Study and Site Investigation Report Martindale School, Boxted Road, Hemel Hempstead; Reference No. 1063/Rpt 1v1; Brown 2 Green Associates Ltd; April 2013

This report was previously submitted in respect of planning application 4/00925/14/MOA and the following comments provided (see memo dated 23 June 2014):

'The report provides a satisfactory Phase I Desk Study and preliminary risk assessment of the site. The site investigation provides good site coverage. Statistical analysis indicates that no further action is necessary in respect of the benzo(a)pyrene and vanadium exceedances noted, to which I am in agreement. The report recommends a pre-demolition asbestos survey followed by further investigation within the footprint of the building following demolition and a watching brief during ground works for any potentially contaminated material. To ensure the recommended works are undertaken I recommend the standard contamination condition is applied should planning permission be granted.'

Due to the time elapsed since the publication of this report and industry developments (i.e. publication of C4ULs and S4ULs), I request that the contaminant concentrations be reassessed against these updated generic assessment criteria. The report recommended further intrusive investigation following demolition of the existing building; rather than revising the current report, I would recommend that a new report be produced which should include the findings of both phases of intrusive investigation (pre and post demolition) with contaminant concentrations assessed against the updated assessment criteria. The post-demolition intrusive investigation should ensure good site coverage and target all potential sources of contamination. For reference, the pre-demolition asbestos survey should also be included in the appendices.

Air Quality:

Current industry guidance states that even where developments are proposed outside of Air Quality Management Areas (AQMAs), and where pollutant concentrations are predicted to be below the objectives/limit values, it remains important that the proposed development

incorporates good design principles and best practice measures, as outlined in Chapter 5, and that emissions are fully minimised. Examples of good design principles and best practice measures include:

- The provision of at least 1 Electric Vehicle (EV) “rapid charge” point per 10 residential dwellings and/or 1000m² of commercial floorspace, and;
- Where development generates significant additional traffic, provision of a detailed travel plan (with provision to measure its implementation and effect) which sets out measures to encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing, improved links to bus stops, improved infrastructure and layouts to improve accessibility and safety.

The potential air quality impacts of cumulative developments should also be a consideration (i.e. many individual schemes, deemed insignificant in themselves, contribute to a creeping baseline”).

With regards to the current proposed development, where possible, I recommend the incorporation of good design principles and best practice measures as detailed in Chapter 5 of the following industry guidance document entitled '*EPUK & IAQM Land-Use Planning & Development Control: Planning For Air Quality - January 2017*' to minimise emissions.

A Travel Plan Statement has been provided with the application. The Travel Plan Statement (albeit brief) details the measures to be implemented by the developer to support and encourage the development of sustainable travel patterns amongst new residents. Measures include the provision of infrastructure (e.g. cycle parking) and the preparation of a Sustainable Travel Information Pack for new residents.

Affinity Water

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply, comprising of a number of Chalk abstraction 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 site 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".

Sports England

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range

of applications. <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/open-space-sports-and-recreation-facilities/>.

The site is considered to constitute land last used as a playing field. The proposed development involves a residential development that would be sited partly on land that was last used as a school playing field on the former Martindale JMI School site. As the school closed in 2008 and it is understood that the playing field has not been publically accessible since then, it would appear that the site has not been used as a playing field for more than 5 years and therefore Sport England would not be a statutory consultee on any future planning application for this proposal. However, as the development would affect a site that was last used as a playing field (and its lawful use would still be a playing field if there has been no formal change of use since it was last used as a school playing field), Sport England would wish to make comments on this pre-application advice consultation as a non-statutory consultee.

Sport England considers proposals affecting playing fields (including land last used as a playing field) in the light of the National Planning Policy Framework (NPPF) (in particular Para. 74), and its Playing Fields Policy: 'A Sporting Future for the Playing Fields of England', which can be accessed via the following link: www.sportengland.org/playingfieldspolicy

The Proposal and Assessment against Sport England's Objectives and the NPPF

Sport England was consulted in 2014 on an outline planning application (4/00925/14/MOA) for a residential development of 43 dwellings on the site which was subsequently approved in 2015. The applicant for the 2014 application, Hertfordshire County Council, proposed to mitigate the loss of the school playing field by restoring part of the former Halsey School playing fields to the north west of Hemel Hempstead which had been disused since 1993 when the Halsey School closed. This proposal was assessed against exception E4 of our playing fields policy and was considered to accord with the exception for the reasons set out in our response to the 2014 application which I attach for information. As the restoration of the former Halsey School playing fields was completed before the 2014 planning application was determined it was not considered necessary to secure the delivery of the mitigation through a section 106 agreement or planning condition.

In terms of the current application for a revised scheme for the residential development, as the proposed loss of the former school playing field has already been adequately mitigated through the delivery of a replacement playing field associated with the previous proposal it is not considered necessary to seek any further mitigation for the loss of the playing field through the current planning application. Consequently, I can advise that Sport England has **no objection** to make on the current planning application.

Herts Fire and Rescue

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

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community

Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

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

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

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

Section 106 planning obligation clauses can be provided on request.

Justification

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

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

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

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

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

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

(ii) Directly related to the development;

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

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

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

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

Lead Local Flood Authority

Thank you for consulting us on the above application for residential development on former Martindale School Site to provide 65 new dwellings (amended scheme).

Following a review of the Flood Risk Assessment carried out by Stomor reference ST2079/FRA-1705-Martindale Rev 0 dated May 2017 submitted as part of the above application, we can confirm that we are in a position to remove our objection on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

The drainage strategy is based upon attenuation and discharge into Thames surface water. We note infiltration tests have been carried out which show varying rates, with a majority showing infiltration to be not feasible. We note there are no watercourses within the vicinity of the site. A predevelopment enquiry has been submitted to Thames Water and confirm that they would have no objection in principle to the proposals. It is proposed to restrict run-off to 9 l/s (via two connection points at 4l/s and 5l/s) and attenuation has been designed for the 1 in 100 year storm event plus 40% for climate change. We acknowledge that surface calculation and micro-drainage calculations have been provided to support the proposed scheme.

We therefore recommend the following conditions to the LPA should planning permission be granted.

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by Flood Risk Assessment a carried out by Stomor reference ST2079/FRA-1705-Martindale Rev 0 dated May 2017, submitted and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off rates to maximum of 9l/s with discharge into Thames surface water sewer.
2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implement drainage strategy as indicated on the proposed drainage strategy drawing no. ST-2079-13-B utilising swales, detention basins, permeable paving and attenuation tanks.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
2. Any areas of informal flooding with flood extents and depths.
3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

Strategic Housing

The principle of housing on this site is accepted given the current allocation in the Site Allocations DPD (proposal H/12) and the fact that the County Council (who previously owned the site) had secured planning permission (925/14) for development of the land. The issue of the loss of the school was dealt with under the recent planning permission. The main issue with the current application is to ensure that the increase in numbers sought (from 43-65 homes) can be suitably accommodated on the site in terms of local character/density (Policy CS12), levels of affordable housing (Policy CS19), and adequate amenities in respect of parking (Policies CS8(h) and CS12b), and saved DBLP Appendix 5) and amenity space (saved DBLP Policy 76 and Appendix 3).

Given that this is an application that has been submitted by Strategic Housing (as the Council has purchased the land from the County Council), then they should already be aware of the appropriate mix of affordable housing. This would be guided by Policy CS19, the Affordable

Housing SPD and Affordable Housing Clarification Note. Policy CS19 seeks a 35% on-site contribution based on a 75:25 split of rented to intermediate housing. We note that the proposal is providing a 49% contribution based on a mix of flats and houses of a variety of bedroom sizes. All of the affordable housing would be for rented accommodation. This seems a reasonable approach overall.

We have no strong views over the distribution of the affordable housing, although the emphasis should be on these being “tenure blind” across the site.

Herts Archaeology

No Comment

An archaeological geophysical survey and trial trenching evaluation have previously been carried out at this site. Neither identified any below ground archaeology, and the latter showed that considerable landscaping had occurred, likely removing any archaeological remains.

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.

Hertfordshire Minerals and Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the county council’s adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage districts and boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its *National Planning Policy for Waste (October 2014)* which sets out the following:

‘When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;

- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste

management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;

- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.’

This includes encouraging re-use of unavoidable waste where possible and the use of recycled

materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.

The county council would expect detailed information to be provided for both the site preparation and construction phases as the waste arisings from construction will be of a different composition to arisings from the enabling work. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted and provide comments to the two councils.

HCC Highways

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

1) Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

2) All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by with the highway authority prior to commencement of the development.

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

3) Best practical means shall be taken at all times to ensure that all vehicles leaving the

development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular (but without prejudice to the foregoing) efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site.

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

4) Occupation of the development hereby permitted shall not be commenced until the site access has been constructed and completed to the satisfaction of the local planning authority and the highway authority.

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

HIGHWAY INFORMATIVES: HCC recommend inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN4) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

S106 Agreement A contribution will be sought by HCC for the Travel Plan and Construction Traffic Management Plan monitoring.

A Travel Plan for the residential and commercial developments, consisting of a written agreement with the County Council setting out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development in accordance

with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development', which is subject to a sum of £ tbc towards the County Council's costs of administrating and monitoring the objectives of the Travel Plan Statement and engaging in any Travel Plan Review.

Planning Proposal This application is for full planning permission to demolish existing buildings and structures in order to construct a residential development of up to 65 dwellings with access and parking, alterations to levels, landscaping and related works. Importantly this application follows on from the previous consented outline application, 4/00925/14/MOA for 43 dwellings, a net increase of 12 residential units overall.

The site is the land occupied by the former Martindale JMI School, Boxted Road, Hemel Hempstead, HP1 2QS. It comprises two main elements; the former school building and hard-surfaced areas on the front, northern, part of the site fronting Boxted Road, and the playing field/ soft play area on the rear, or southern, part of the site.

Site access points Currently the single direct vehicular access to Martindale School is currently taken from Boxted Road, to the north west of the site. The site access is approximately 4m wide on the site boundary, with a vehicle crossover tapering towards Boxted Road to a width of approximately 6.5m, before connecting to the carriageway with bellmouth radii of approximately 1m. The site access links into a small car park in the north western corner of the site. No footways run alongside either side of the access within the site.

Visibility of 4.5m x 43m is currently available to the east and west of the existing access. However, visibility may be restricted by vehicles parking on the southern footway of Boxted Road to the east and west of the access. In addition, a telegraph pole is currently situated to the west side of the access. This may obstruct drivers' visibility when emerging from the site.

The main pedestrian access to the site is currently taken from Boxted Road to the north east of the existing school building. The access is located on the northern boundary adjacent to a formal controlled pedestrian crossing, approximately 48m east of the vehicular access.

The proposed development would be accessed from Boxted Road via a new access. A secondary access is proposed using the existing school access in the north western corner of the site.

Accessibility The school site is very well located in terms of existing footway provision in the area. Footways are in place along both sides of Boxted Road, Galley Hill, Hollybush Lane and Martindale Road, plus other residential roads in the vicinity.

The site is located relatively close to two neighbourhood centres, which are both within easy walking and cycling distance. It is approximately 580m walking distance (a 7 to 8 minute walk) from Gadebridge Neighbourhood Centre and approximately 600m walking distance (a 7 to 8 minute walk) of Warners End Neighbourhood Centre.

An advisory on road cycle route runs along the entirety of Boxted Road. At the north western end of Boxted Road, the advisory on-road cycle route continues west to Potten End. Approximately 450m north east of the site, an off-road cycle route runs northwest to southeast between Fennycroft Road and Gadebridge Road. This route is accessible from the site via Galley Hill.

Hemel Hempstead has a good range of public transport services with the main line railway station located approximately 2km to the south of the site.

There is a bus stop adjacent to the site on the southern side of Boxted Road with others in Galley Hill to the east. A number of bus services run along Boxted Road past the site. They are

currently as follows: - Route 2: Woodhall Farm – Chaulden (Mon – Fri 3 buses per hour, Sat 2 buses per hour, Sun 1 bus per hour) - Route 3: Hemel Hempstead – Woodhall Farm (Mon – Fri 3 buses per hour, Sat 2 buses per hour, Sun 1 bus per hour) - Route 30/31/32: Berkhamsted – Hemel Hempstead (Mon – Fri 2 buses per day) - Route 532: Northchurch – Hemel Hempstead (Mon – Fri 3 buses per day) - Route 600: Bennetts End – Chaulden (Mon – Fri 1 bus per day, Sat 2 buses per day) - Route 769: Boxmoor – Bus Station (Mon – Fri 1 bus per day) - Route H13: Industrial Area – Railway Station (Mon – Fri 4 buses per day) - Route X31: Hemel Hempstead – Luton (Mon – Fri 1 bus per day)

Safety of the local road network Non-confidential Personal Injury Collision Data were supplied by Hertfordshire County Council in February 2013. These covered the five year period between 1st November 2007 and 31st October 2012. Analysis shows no significant trends or causal effects linked to the site under consideration.

The local road network Martindale Road is an approximately 5m wide local access road located in a 30mph speed limit zone. Martindale Road runs between Boxted Road to the north east and Hollybush Lane to the south west, connecting to both roads via simple T-junctions. On the north side of the road, a footway of approximately 2m width is in place which is separated from the carriageway by a grass verge. On the south side of the road, an approximately 4m wide footway abuts the carriageway. The only parking restriction along Martindale Road is in the form of double yellow lines which are situated across the bellmouth of the T-junction with Hollybush Lane.

Galley Hill is an approximately 7m wide local access road, which is located within a 30mph speed limit zone. The road connects to Boxted Road to the south west via a simple T-junction and to the A4146 Leighton Buzzard Road and the A4147 Link Road to the north east via a roundabout. Someries Road and Lyne Way are both local access roads of approximately 4.8m width. The roads are located within a 30mph speed limit zone and connect off Boxted Road to the north.

Parking The anticipated parking arrangements relating to the development will be based on the Dacorum Borough Local Plan, which uses a zonal methodology to determine the parking provision for residential developments in each zone. The application form and D&A statement state that there will be a total of 112 /113 parking spaces respectively.

Cycle storage The applicant is proposing 1:1 internal cycle storage. This is acceptable to the highway authority

Public Rights of Way (PRoW) there appears to be no Public Rights of Way affected by this proposal. If this is incorrect then feedback from Right of Way Officer should be requested. Note that the granting of planning permission does not entitle the developer to obstruct the Public Right of Way and permission would need to be granted to temporarily close the route if required. The applicant must ensure all necessary legal procedures for any diversions are implemented. Enforcement action may be taken against any person who obstructs or damages a Public Right of Way.

Servicing Arrangements Refuse and recycling receptacle storage will need to be provided. It is likely that this will be via a kerb side service.

Planning Obligations / Community Infrastructure Levy (CIL) Dacorum Borough Council, (if seeking CIL contributions from this development) may wish to put them towards local transport schemes if appropriate.

Conclusion

The assessment does not indicate any significant issues with the proposal which will increase

the number of units by 12 over the permitted outline scheme. This full application will create another access off Boxted Road, therefore creating an 'L' shaped road through the site. The applicant has not offered this road or any of the side roads for adoption and it is unlikely that the highway authority would adopt them. The controlled crossing outside the school is a valuable asset and may have been put in to aid school children gain safe access across Boxted Road on route to both Martindale School and also JFK. As an asset the highway authority would struggle to fund such a high cost crossing facility. If there is public demand to keep one then with appropriate consolation, the highway authority will consider all options .

The highway authority would therefore ask that the developers to assess the current use and suggest whether a different type of crossing such as a zebra/ped refuge/islands/raised table etc. could be more appropriate or a package of traffic calming measures to facilitate crossing. All of this would be dependent on a thorough examination of the current use of this crossing now that the school is closed and consultation with the local community as to what they would benefit from. On balance, the highway authority would not wish to restrict the grant of planning permission subject to the above conditions and informatives.

Herts Fire and Rescue

Provisions for fire hydrants does not appear to be adequate to comply with BS9999:2008.

1. Water supplies should be provided in accordance with BS 9999

2. This authority would consider the following hydrant provision adequate

- 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 ADB Vol 2, Section B5, sub section 15.8

3. In addition, buildings fitted with fire mains have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

Herts Ecology

Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:

Thank you for consulting Herts Ecology on the above, for which I have the following comments:

1. We have no historic ecological data from the application site, which has previously been

subject to ecological surveys and comments from Herts Ecology.

2 Previous comments dated 17 July 2014 on 4/00925/14/MOA which was for residential development, demolition of existing buildings stated the following:

*2.1 The ecological survey identified a range of habitats present on the site, although other than a number of standard trees, the nature and extent of these is limited and represent a negligible interest - largely amenity grassland, scattered trees and shrubs / local hedgerows. Whilst any feature can contribute some ecological value at least at the site level - and a mature oak tree cannot be said to represent a negligible interest - **I have no reason to consider the interest is any greater than at the site level, and that in general there are no significant ecological constraints.***

2.2 Further surveys were undertaken to assess the presence of badgers and bats and no evidence or significant likelihood was found. On this basis the LPA does not need to consider these species any further - although it may be prudent for the applicant to undertake a check before works begin for signs of badgers in case they may have moved into the site if it has been unused for a period - although given the location this is unlikely.

2.3 I note the intention to retain existing trees - including several mature oaks - where possible and this is to be welcomed. Landscaping should favour use of native trees and shrubs where appropriate.

*2.4 Although the buildings are unlikely to support bats, flat roofed structures have been known to be used as roosts, so **I advise an informative is placed on any approval to the effect that:***

- 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:

- A bat consultant;*
- The UK Bat Helpline: 0845 1300 228;*
- Natural England: 0845 6014523 or*
- Herts & Middlesex Bat Group: www.hmbg.org.uk*

3. I have no reason to consider that the above comments are not still relevant in respect of the current application and the principles of development at this site. The current proposals outline a revised development plan although in itself this will not alter any impacts on the ecology of the existing site.

4. However, clearly **the bat assessment is now 4 years old and would usually be considered unreliable.** Furthermore if the site has not been subject to any appropriate management since, it is likely to have accrued some ecological interest by virtue of changes to habitat structure and a lack of disturbance, enabling some species to exploit the site if present in the area, such as badgers.

5. Nevertheless, flat roofed structures do not generally provide an especially significant likelihood of bat potential and **the consultant ecologist considered the buildings to be generally unsuitable for bats. No further activity surveys were recommended. I have no reason to consider they will have changed sufficiently since to have created significant opportunities for bats.**

6. Consequently, I advise that following any approval, **a walkover survey should be undertaken prior to any works taking place** to update the position in respect of protected species such as badgers. If this reveals potential for other species such as reptiles or badgers which could have since moved onto the site, these would need to be addressed in the appropriate manner if shown to be present. If several more years elapse between now and the development, it would be advisable to repeat the bat surveys, although I am reluctant to advise this now given I have no knowledge of any such changes to what was recognised to be a poor site. The Photos submitted with this pre-application suggest the open grasslands are at least still being cut and this would reduce the potential for wildlife that could otherwise have developed on the site.

7. On the basis of the above, **I remain of the opinion that there is unlikely to be any ecological constraints associated with the latest proposed development.**

8. The provision of Green Space associated with the development is welcomed although the extent is rather limited and precludes any meaningful areas of habitat creation. I note major trees will be retained. Any opportunity to plant fruit trees as part of the landscaping to provide additional ecological benefits for pollinating insects and local fruit etc. would be supported.

9. I would advise that any approval should have the following **Informatives** regarding the potential for protected species:

- Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of development works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (tel: 0300 060 3900) or a licensed bat consultant.

- An updated ecological walkover survey should be undertaken prior to any works taking place to confirm the continued absence of, or the potential for, protected species on the site.

Environmental Health

I cannot see any environmental health reason to object to this application but I find myself agreeing with the members of the public who commented on the change in the look of the area that will result from the taller buildings. However having looked at the plans I am pretty sure that the natural lighting of the existing residents will not be affected to the extent that I could object officially on those grounds, but the neighbours views and perception of open space will be affected by the taller buildings around them if this application is approved in its current form.

DBC Conservation

The site (a former school) is located on Boxted Road in Hemel Hempstead.

The block of flats has been re-orientated and set back and a greater amount of landscaping has been incorporated into the Boxted Road frontage which is welcomed – this will help to soften the appearance of the new development and particularly the 4-storey block of flats within the site. Some of the existing trees are to be retained and the development has been worked around their retention.

The design of the new dwellings (either 2 or 3 storey) have a contemporary theme and construction materials (red brick / slate / timber effect cladding / grey framed windows) all seem appropriate.

The proposed redevelopment of this former school site is considered to integrate reasonably well into this area of Hemel Hempstead.

Crime Prevention Officer

Looking at a crime analysis undertaken within a one mile radius of Boxted Road , it indicates a relatively high level of crime including Burglary, Criminal Damage , Arson and Anti-Social Behaviour. In the Design and Access statement it states that ‘ overall almost 50% will be social housing ‘ I would encourage the applicants to build the entire development to the Secured by Design standard this would mitigate the majority of concerns I have in relation to security for this development and also meet the requirements of Approved Document Q (ADQ).

I am please see that Security and Crime prevention has been considered and there are many references to Secured by Design in the Design and access statement (the Secured by Design New Homes document 2014 has now been Superseded with the Secured by Design 2016.)

I am content with the overall plan and have no comments in relation to the extra 22 dwellings and pleased that a Secured by Design application is being considered.

Secured by Design part 2 physical securities: This would include

- Any ground level exterior windows to have been certificated by an approved certification body to BS PAS 24:2016. All glazing in the exterior doors, and ground floor (easily accessible) windows next to or within 400mm of external doors to include laminated glass as one of the panes of glass.
- All exterior doors to have been certificated by an approved certification body to BS PAS 24:2016, or LPS 1175 SR 2,
- All individual flat front entrance doors to have been certificated by an approved certification body to BS PAS 24:2016
- Access control standard for flats is: 4 to 10, audible – Such access control must NOT have a Tradesman’s Button fitted as this assists offenders to gain entry during the day to break into the flats.
- Defensive planting underneath the ground floor window
- Refuse and cycle stores to be secure (locked
- Column lighting – not Bollard Lighting
- Boundary fencing to be 1.8m high
- Good passive surveillance

Herts Property Services

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum’s CIL Zone 3 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Comments received from local residents:

98 Hollybush Lane

Objection

We consider that this development will severely affect our quality of life due to the loss of privacy and overshadowing, visual intrusion and noise and disturbance resulting from their use as a result of the 3 and 2 storey houses which are to be built immediately and very close to, our fence, at the rear of our property.

After examining the most recent plans, we feel that it would be preferable, and surely more cost effective, if all the 2 storey houses were built on the perimeter of this development and keep all the 3 storey houses to the inner area of the site.

164 Boxted Road

1. We object to the Flats being 4 storey as this creates a precedent in Warners End. All the houses and buildings are a maximum of 3 storeys and this block will create an eyesore. The Flats should be reduced to 3 storeys to fit in with the surrounding area of Warners End.
2. There are a row of houses immediately behind the Oak Tree labelled 1 on the chart. They are side on to Boxted Road. Plots 18 and 15 are three storey and in between are plots 17 and 16 which are two storey. We request that Plot 18 be reduced to 2 storey or be interchanged with plot 16. The end result will be the same - 2 three storey houses and 2 two storey houses. This means that the profile of the 3 storey houses is further away from Boxted Road, and shadowing is reduced to the houses on the other side of Boxted Road, plus the house closest to the Development on the same side of Boxted Road, especially in the winter months when the Oak Tree 1 will have no leaves and the sun is very low.
3. Plots 19 & 20, behind the said house nearest to the Development on the same side of Boxted Road, are 3 storey buildings. The remaining houses in the row are two storey. The 3 storey houses on these plots plus the 3 storey house on plot 18, will shadow the existing Boxted Road house, and cause privacy problems and loss of light especially in winter when both sides of the house would get NO sun as it would be below the level of the 3 storey houses. We request that these two plots are reduced to 2 storeys. There would be the same objection if any of the 2 storey buildings in this row were increased to 3 storey as they would suffer the same problems.

154 Boxted Road

Objection

1. There should be no buildings higher than 2 storeys in any blocks around the perimeter of the site, i.e. near existing homes. 3+ storey buildings will have rooms on their higher levels from which it is possible to see directly into the bedrooms of the existing houses.
2. The site should be designed to suit younger couples working in the area seeking their first homes. Therefore more smaller houses of a 2-storey style should replace many of the 3-storey homes. The fewer 3-storey buildings should then all be put in the central triangle, thus having less impact on residents of existing properties.
3. Most housing estates of Hemel and all of Warners End have buildings no taller than 3

storeys, so there is no precedent for a 4-storey block here. It is out-of-character, setting a worrying precedent, and the top level would look down on all adjacent properties. It is reasonable to expect its height to be reduced to no more than 3 storeys, more in keeping with existing blocks nearby.

141 Bosted Road

Objection

1. I object to the flats being 4 levels. This sets a precedent as there are no other 4 storey buildings in Warners End. There are privacy and light issues associated with this.
2. My house has been boxed in with three houses each of 3 stories. Meaning I will be overlooked from the side and from the back. There are privacy, and light issues from shadowing, especially in the winter months when the sun is very low. I would have no sunshine or light both to the back, front or side of my house in winter. This is totally unacceptable. The two buildings to the rear should be reduced to two storey, and the three storey buildings to the side, reduced to two.
3. All three storey buildings should be in the centre of the site, with two storey houses around the fringes, so as to lessen the impact of privacy and light on the existing neighbours to the site.
4. I require access to the back of my house as there is no ally. Need a back gate for fire escape, green bin access etc.

166 Bosted Road

Objection

The first objection being the four storey block at the front I feel this should be a maximum of only 3 stories to lessen the impact from Bosted Road.

Secondly plots 15 - 18 could the three storey houses be together and moved furthest away from Bosted Road the two stories being the closest.

152 Bosted Road

Objection

1. We feel that the flat being four storey would be an eye sore and they should be reduced to 3 story to fit in with the surrounding area.
2. We request that plot 18 be reduced to 2 story or we feel it should be changed with plot 16. We feel that this reduce they shadowing to houses on our side of the road.
3. We request that 19 and 20 are reduced to two stories as we feel that they would cause privacy problems and loss of light mainly in the winter months. We feel that these plots should be reduced to two stories.

142 Bosted Road (as summarised)

Objection

Concerned about effect development would have on house and well-being.
Loss of sunlight to house and privacy to back garden.

Four storey flats would set a precedence.

104 Hollybush Lane

Objection (as summarised)

In an ideal world land would remain open however, in recognising the need for local housing, development was inevitable and I can have no objection to the proposed use of the site. But have some strong objections to certain aspects of the proposal's design, because of the impact it would have to my and neighbouring properties.

Arrangements of plots 19 to 24 means that an access road will lead to 10 car parking spaces, two of which will be within a metre or so of the boundary fence of our gardens. This will cause noise and air pollution. Our houses already front onto a busy road, our back gardens are relatively quiet places to sit in and enjoy gardening. This alignment of access road would mean that there will be public access to our back gardens, resulting in a significant loss of security. A six foot wooden fence is no barrier to a would-be thief or burglar. Plots 25 to 30 have garden to garden contact with neighbouring houses in Hollybush Lane and this would seem a fair arrangement.

Plots 21-23 would also have small gardens not in-keeping with existing patterns of gardens.

Page 6 in Design and Access Statement is inaccurate they is a mixture of semi-detached and terraced houses within Hollybush Lane.

Sun shading does not show shadow midwinter (December 20th). No comment on the shading of gardens.

Two entrances allows through traffic much preferred by criminals. Would also lead to faster and more hazardous traffic flow.

Attention given to existing large trees on site and attenuation basins at part of SUDS design is much welcomed.

154 Bosted Road

Objection (as summarised)

Purchased property due to school opposite.

It would seem reasonable to have expected of planners that anything replacing it would have no greater visual impact and privacy issues for surrounding properties, also being no greater than two storeys high.

The proposed scheme is significantly greater in height and density than the 2015 scheme approved.

3. There should be no dwelling blocks higher than two storey around the perimeter of the site as this results in greater levels of loss of privacy.
4. More appropriate to seek smaller homes to be more affordable for younger population. With 3 storey homes retained in the central triangle of the proposed development.
5. No precedence for 4-storey block of flats, out of character.

6. Ensure that no retained trees accidentally removed during building work.
7. Little mention of extra traffic this development would generate is mentioned. Nor, the free movement of traffic and safety of road users and pedestrians.

150 Boxted Road

Objection

I am writing with regards to the planned development of the Former Martindale School Site on Boxted Road, Hemel Hempstead.

Having viewed the latest plans, we are pleased with the changes to the layout.

The moving of the flats is definitely a good idea and overall the layout of the site looks fine.

I would like to suggest however that the traffic lights on Boxted Road either be moved or that the road-side fence on either side of the traffic lights be shortened.

I believe the fence was initially made it's current length due to being outside Martindale School, however, the school is now gone.

Parking can be a major issue along this stretch of Boxted road and although the new site is providing parking spaces for the properties, there is little doubt that there will be an increase in cars parking on that section of Boxted Road. Best case scenario in my view would be to move the traffic lights away from the site, however, this may prove too costly, so I would like to ask that the fencing be shortened to allow for more parking on the Martindale-side of Boxted Road near the traffic lights. There are also several concrete bollards dotted along this section of path. These appear to serve no purpose and their removal would create more parking spaces for residents.

42 Matindale Road

Objection

I am in favour of more social housing in Dacorum. However this planned housing site has only one access to the road which is Boxted Road. I live right near to Hollybush Lane and JFKennedy School. It is already a nightmare with school traffic in the mornings and afternoons. In fact people park right across our drive when dropping off or collecting their children.

My concern is that Martindale Road is already a rat run for traffic and this will add to it. Maybe the council could make Maryindale Road a one way street and monitor the parking at school times. My fear is that someone will be seriously injured or killed.

Key Considerations

1. Principle of Development
2. The Quality of the Design and the Impact on the Character and Appearance of the Area
3. The Potential Impact on the Residential Amenity of Adjoining Neighbours
4. Highway Safety and Parking Provision
5. Impact on Trees and Landscaping
6. Sustainability

7. Presumption in favour
8. Other Material Planning Considerations
 - i. Protected Species
 - ii. Flooding and Drainage
 - iii. Contaminated Land
 - iv. Refuse and Recycling
 - v. Planning Obligations and Legal Agreement
 - vi. Archaeology
 - vii. Fire and Rescue
 - viii. Public Participation
9. Consultation Response

1. Principle of Development

The principle of the redevelopment of the site to accommodate 43 dwellings was approved at outline stage within application ref: 4/00925/14/MOA and this permission remains extant. This permission was for the 'Residential development (up to 43 dwellings), demolition of existing buildings and structures, access and parking, alterations to levels, landscaping and related works'.

The nature of the current proposal is similar to that approved above, the only difference being the increase in quantum from 43 approved units to 66 proposed units.

The site lies within a primarily residential area in the town of Hemel Hempstead wherein, under Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for homes and Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

Furthermore, within the Core Planning Principles outlined in the NPPF (2013) there is heavy emphasis on the planning system's responsibility to deliver more homes. Paragraph 47 of the NPPF (2013) stresses this further seeking to boost the supply of housing.

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

Martindale has been recognised as having housing potential as it was identified as a SHLAA site (WE29) and has now been identified as a housing site (H/12) for up to 66 homes in the adopted Site Allocations DPD (2017). The associated planning requirements for the site are:

'Application approved for 43 homes but revised scheme being pursued for higher capacity. Retain trees within and at site boundaries. The existing hedge along the frontage should be

retained or replanted to help soften and screen the development and provide for continuity of enclosure along the frontage. Main and secondary access points from Boxted Road acceptable. Careful design and landscaping required to safeguard the amenities of nearby residents.'

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

In sum, it is considered that the principle of the development would remain acceptable. For ease of reference, the policy consideration in regards to the loss of the junior school (which has now been demolished) and playing fields approved under application ref. 4/00925/14/MOA can be found via the following link:

<https://democracy.dacorum.gov.uk/Data/Development%20Management/20141127/Agenda/DC C-27-11-2014-Agenda.pdf>

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

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

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

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

The HCA3: Warners End Area Character Appraisal outlines that for new development in this area a variety in design is acceptable with no specific style needed be followed. Further, a full range of dwelling types are acceptable overall, but regard must be paid to the dwelling type adjoining and nearby the development site. The height of properties should not exceed two storeys, except in parts of the area where heights exceed three storeys or more and there being no adverse impact on the appearance or character of the area. Spacing of properties should be between 2m – 5m with orientation of building following the pattern of adjoining and nearby streets.

The current proposal has been amended subsequent to public consultation and again during the determination process of this application to mitigate concerns raised by neighbouring residents.

The development would comprise a relatively classic road layout, with a central I-shaped spine road which development would be located off, resulting in an inward facing scheme. Properties

have been positioned and designed with consideration to visual appearance of the development from the adjacent street scene of Boxted Road. Plots 17 and 18 have been designed to be two storey in height at the site boundaries with the three storey units within the centre of the site. Similarly, plots have been positioned so that rear gardens back onto rear gardens or landscaped areas.

The proposed scheme seeks to introduce terraced, semi-detached and flatted units, this would respect the spatial pattern of development within the immediate area. With regards to the spacing left between individual units (ranging between 3.5 – 10 metres) and spacing around the site as a whole, it is not considered that the proposal would result in an overly dense, cramped or overdeveloped form of development. Furthermore, although the building closest to the access road would be four storey in scale, it would be set-back by approximately 12 – 24 metres from the adjacent highway to the north (Boxted Road). As such, with regard to the positioning and scale of units throughout the site, it is not considered that the proposal would result in visually dominant or intrusive features within the streetscene.

Turning to the individual design of proposed units, in accordance with the submitted information the units would be constructed using red facing brickwork, painted weatherboarding and dark grey slate roof tiles. Overall units would be contemporary in build and form compared to the surrounding streetscenes, which comprise terraced and semi-detached units of a more traditional form. Nonetheless, given that internal-facing layout and design of the site itself it is considered as a 'standalone' site and therefore not considered necessary to replicate the build and form of surrounding residential layouts, with no objections raised to a more contemporary approach.

It is noted that concerns are raised regarding the four storey apartment block fronting Boxted road, with only three storey flatted units evidenced within the street scene. It is considered that due to the separation distance of this element from the street scene and the broken up nature of the block through architectural design and a well thought-out palette of materials this element would not appear overtly intrusive or incongruous within the street scene. Moreover, this element would be softened in appearance further through the introduction of front landscaping and open space separating this development from the street.

The DBC Conservation and Design officer was consulted on the proposal and quality of design, architectural style and materials of units and provided the following representation:

'The block of flats has been re-orientated and set back and a greater amount of landscaping has been incorporated into the Boxted Road frontage which is welcomed – this will help to soften the appearance of the new development and particularly the 4-storey block of flats within the site. Some of the existing trees are to be retained and the development has been worked around their retention.

The design of the new dwellings (either 2 or 3 storey) have a contemporary theme and construction materials (red brick / slate / timber effect cladding / grey framed windows) all seem appropriate.

The proposed redevelopment of this former school site is considered to integrate reasonably well into this area of Hemel Hempstead.'

Close regard has been paid to the hard and soft landscaping of the site. Fenestration details have been added to side plots to prevent bland side elevations abutting the street scene. In addition, close boarded wooden fencing and brick walls perpendicular to the street scene have been softened in appearance through boundary hedging. Vehicle parking has been broken up with built form and some sections being set back off the road with further screening of landscaping to prevent the appearance of parking dominated frontages. Units closest to the street scene would retain at least a 2 metre deep front garden and associated landscaping treatment, adding further to the verdant aspect character. Moreover, areas of open space would be evident within the scheme to provide visual relief to built form and improve further the verdant aspect character of the development. In short, sufficient detailing and consideration has been applied to the scheme to ensure a high quality public realm.

In conclusion, it is considered that the layout of development, quality of materials and architectural detailing of house types and built form of the proposed 65 units would be sufficiently varied in character to add interest and ensure a high quality development in addition to reflecting and assimilating with the character of the adjoining street scene. The proposal adheres with Policies 10, 18, 21, 111 and Appendix 3 of the Dacorum Local Plan (2004) and Policies CS10, CS11 and CS12 of the Core Strategy (2013), and the National Planning Policy Framework (2012).

3. The Potential Impact on the Residential Amenity of Adjoining Neighbours

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

The proposed layout of the site provides some properties with a side to rear relationship. DBC have no policy guidance standards to the required a specific separation distance between side and rear elevations. Nonetheless, all proposed units with a side to rear relationship would have at least an approximate 10 metre separation, which is considered more than acceptable.

Saved Appendix 3 requires a 23 metre rear-to-rear and front-to-front separation distance between the main walls of one dwelling to another. The proposed units with such a relationship would meet this requirement with the following separation distances:

26.5 metres approximately from Plots 19 – 24 to Nos. 141 – 149 Boxted Road
25 – 28 metres approximately from Plots 25 – 29 to Nos. 100 – 88 Hollybush Road;
23 – 30 metres between Plots 34 – 42 and Nos. 38 – 28 Martindale Road;
28 – 30 metres between Plots 43 – 46 and Nos. 4 - 12 Martindale Road; and
39 metres (approximate) from the proposed apartment block to front elevation of No. 144 Boxted Road.

Additionally, given the residential nature of the immediate area and the existing lawful use of the site, the proposal would not significantly harm the living conditions of the occupants of surrounding units, in terms of noise and disturbance. Impact of noise and disturbance on

neighbouring properties has also been reduced further through the placement of rear gardens to the adjoining boundaries of the site or landscaping treatment which would act as both a visual and acoustic screen. A condition requesting street lighting details has been recommended to control the light pollution resulting from the proposed development.

Sun shading diagrams during summer and winter months have been submitted alongside the planning application to demonstrate that no loss of daylight or sunlight to surrounding residents would result from the proposed development. Similarly, the light levels serving the new properties are considered to be acceptable.

As such, the proposal is not considered to result in a loss of outlook or privacy to adjoining neighbours.

Turning to the living conditions of future occupiers within the site a 27 metre approximate separation distance would exist between the rear elevations of plots 1 – 14, this would also adhere to the 23 metre separation standard.

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

- Plots 1 – 4: 13 – 15 metres
- Plots 5 – 8: 7.5 – 9 metres
- Plots 9 – 11: 8.5 – 9.5 metres
- Plots 12 – 14: 13 metres
- Plots 15 – 18: 10 – 13 metres
- Plots 19 - 24: 9 metres
- Plots 25 – 26: 8 metres
- Plots 27 – 29: 9.5 metres
- Plots 30 – 33: 10 – 12 metres
- Plots 34 – 37: 6 metres
- Plots 38 – 42: 10 metres
- Plots 40 – 42: 11 metres
- Plots 43 – 46: 9.3 metres

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

Saved Appendix 3 of the Local Plan (2004) states that for a multiple occupancy residential development an amenity area at least equal to the footprint of the building should be provided. The apartment block comprising 18 units of 1 and 2 beds would have a small amount of

external amenity provision to the front of the site measuring 500m² in area, this is considered acceptable in relation to the 380m² (approximate) footprint of the apartment block. Further to this many flats also feature private balconies.

A condition for obscure glazed windows to all second floor side facing windows on property type T1A have been recommended to ensure the privacy of future occupiers of the development is retained. In addition, to the first floor bathroom windows of house types P2 and P2A; and bathroom windows at ground, first and second floor of the apartment block.

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

4. Highway Safety and Parking Provision

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policy CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

The application site is located within Accessibility Zone 4. The application seeks to provide 65 units comprising 15x 1 beds, 29 x 2 beds and 21x 3 beds, which would require 62.25 off street parking spaces at maximum provision. The application proposes on average two off street parking spaces per dwelling and one space per flat. This would provide a total of 117 car parking spaces for the development; 96 spaces for the houses, 19 spaces for the flats and 2 of which are for visitor parking. On street parking within the development would also be possible, providing further provision. This provision would exceed maximum parking provision outlined within Saved Appendix 5 of the Local Plan (2004), nonetheless, as provision for parking is a key concern raised by local residents no objections are raised in this regard.

Additionally, the scheme would also introduce 23 internal cycle storage spaces in the apartment blocks; in line with the 1 cycle space per unit standard outlined within Saved Appendix 5 of the Local Plan (2004).

Hertfordshire Highways were consulted on the proposal and provided the following conclusive comments:

“On balance, the highway authority would not wish to restrict the grant of planning permission subject to the above conditions and informatives.”

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

5. Impact on Trees and Landscaping

Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

Landscaping and tree plans have been submitted alongside the proposed scheme which accommodates provision for soft and hard landscaping on site in addition to details of boundary treatment. Tree placement and associated vegetation across the site has been situated to soften the appearance of hard standing and hard corners. Areas of open space have also been provided within the site to serve the new developments and add to the verdant aspect character. In addition, all significant trees and front boundary hedge to Boxted Road have been retained as part of the proposal. A condition has been recommended requesting details of materials for hardstanding.

6. Sustainability

Policy CS29 of the Core Strategy (2013) states that new development should comply with the highest standards of sustainable design and construction possible. A sustainability checklist was submitted alongside the planning application where it has been outlined that measures such as use of sustainable materials and dual-flush toilets will be used to ensure sustainable design, construction and operation of the development. It is envisaged that further assessment of the proposal's sustainability credentials will be undertaken through the Building Control process.

7. Presumption in favour

Policy NP1 of the Core Strategy (2013) states that the Council will apply a presumption in favour of sustainable development when considering proposals. The National Policy Framework states that there are three aspects to sustainable development; social, economic and environmental. These roles should not be undertaken in isolation, because they are mutually dependent (paras. 7-8).

Environmental

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

Social

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

Economic

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

Conclusion

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

8. Other Material Planning Considerations

i. Protected Species

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

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

'I would advise that any approval should have the following Informatives regarding the potential for protected species:

- Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of development works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (tel: 0300 060 3900) or a licensed bat consultant.

- An updated ecological walkover survey should be undertaken prior to any works taking place to confirm the continued absence of, or the potential for, protected species on the site.'

ii. Flooding and Drainage

Policy CS31 of the Core Strategy (2013) seeks to minimise the risk of flooding. With regard to the nature of the development and as the application site is not within Flood Zones 1 or 2, it is not considered that the proposal would be susceptible to flooding or increase the overall risk of flooding in the area. A Flood Risk Assessment was submitted as part of the planning application with an associated site attenuation plan, in which the Lead Local Flood Authority were consulted on and provided no objection subject to the recommendation of two conditions.

iii. Contaminated Land

Policy CS32 of the Core Strategy (2013) seeks to maintain soil quality standards and ensure any contaminated land is appropriately remediated. A newly undertaken Phase 1 Desk Study and preliminary risk assessment of the site has been submitted alongside the planning application and standard contamination land conditions have been added.

iv. Refuse and Recycling

Saved Policy 129 of the Local Plan (2004) seeks to ensure that developments have adequate storage for refuse and recycling. No details of this have been provided at application stage therefore a condition requesting this information has been recommended.

v. Planning Obligations and Legal Agreement

In accordance with Policy CS35 of the Core Strategy (2013) and Saved Policy 13 of the Local Plan (2004) planning obligations under s.106 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) will be required to deliver the affordable housing, adoption and maintenance of on-site open spaces and financial contributions towards the physical and social infrastructure requirements generated by the development. The Council's planning policies also indicate that a housing scheme at Martindale should include 35% affordable housing, in accordance with Policy CS19 of the Core Strategy (2013) and the recently adopted Affordable Housing Supplementary Planning Document.

A S106 agreement to secure the following obligations has been agreed and is currently being processed by DBC and Hertfordshire County Council. This application is recommended for approval subject to the completion of this S106 agreement which will secure the following.

- Provision of Fire Hydrants
- Monitoring cost of travel plan and construction management plan- £6,000
- Provision of 32 affordable housing units- comprising 8 x 2 bedroom houses, 5 x 3 bedroom houses, 15 x 1 bedroom flats and 4 x 2 bedroom flats.

The application would also be subject to CIL contributions.

vi. Archaeology

The application site was subject to a programme of archaeological evaluation via geophysical survey and trial trenching, in January, and late March/early April 2015. This was carried out in connection with a previous application for the residential development of the site (4/00925/14/MOA).

No archaeological remains were identified during the course of the works, and ground levels in the western part of the site have been reduced (possibly to provide a more level surface for the playing field when the school was built), further reducing the potential of the site to contain archaeological remains. Herts Archaeology were consulted on the current application and confirmed that the development is unlikely to have a significant impact on heritage assets of archaeological interest, with no further comment made.

vii. Public Participation

The outline application (4/00925/14/MOA) was subject to discussion with the local community and this engagement was maintained throughout the process of this revised application where a further consultation event was carried out prior to the submission of this application. Further revisions to the scheme have also been made subsequent to feedback from local residents.

viii. Consultation Response

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

Two storey houses should be retained at perimeter of site and 3 storey within inner area: The scheme has subsequently been revised and this has been achieved.

4 storey height of flats: The assessment of this element has been addressed in the visual amenity section above. In sum, given the distance of the element from the street scene of Boxted Road in conjunction with the modulated built form and use of material it is not considered that the apartment blocks would read as overtly incongruous or intrusive in the street scape.

Loss of privacy and sunlight to properties on Boxted road as a result of 3 storey units: Sun shading diagrams have been submitted to demonstrate no loss of sunlight to surrounding neighbouring properties would result from any part of the proposal; these diagrams have also been revised to show mid-winter conditions. Due to adhering with separation distance standards no part of the proposal is not considered to result in a significant loss of privacy to neighbouring residents;

Noise and air pollution as a result of access road by neighbouring boundary- This access road has subsequently be reduced in size to feature green space and landscaping at neighbouring boundaries. All immediately adjoining neighbouring properties now either back onto the rear gardens of proposed units or green space; and

Not enough Parking: Off street parking provision within the development would exceed maximum standards. Extra spaces for visitor parking have also been provided. It is prudent to note that further parking provision would also be available on the street within the development.

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:

- Provision of Fire Hydrants
- Monitoring cost of travel plan and construction management plan- financial contribution of £6,000

Provision of 50% (32 units) affordable housing for social use, comprising 8 x 2 bedroom houses, 5 x 3 bedroom houses, 15 x 1 bedroom flats and 4 x 2 bedroom flats.

Suggested planning conditions:-

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

Reason: To comply with the requirements of Section 91 (1) of the Town and

Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

Proposed Site Plan: 1521_PL_003 Rev G
Site Sections: 1521_PL201 Rev B
T1 House type: Plans & Elevations: 1521_PL100
T1A House type: Plans & Elevations: 1521_PL101
P1 House type: Plans & Elevations: 1521_PL102 Rev A
P2 House type: Plans & Elevations: 1521_PL103 Rev A
P2A House type: Plans & Elevations: 1521_PL104 Rev A
Apartments Ground Floor Plan: 1521_PL105
Apartments First Floor Plan: 1521_PL106
Apartments Second Floor Plan: 1521_PL107
Apartments Third Floor Plan: 1521_PL108
Apartment Elevations: 1521_PL109 Rev A
Additional Geo-environmental Site Investigation Report September 2017
ST-2079-13-B- Indicative Drainage Strategy
Preliminary Ecological Appraisal and Bat Roosting Assessment May 2013
Flood Risk Assessment June 2017
Travel Plan Statement 11/06/17
Design + Access Statement September 2017
Tree Constraints Plan 8099/01

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

- 3 **The windows at second floor level in the side elevation of house type T1A, first floor bathroom windows of house types P2 and P2A and ground, first and second floor bathroom windows of the apartment block hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the local planning authority.**

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

- 4 **Within 9 months from the date of this permission full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **Hard surfacing materials (including roads/footpaths/driveways/courtyards etc);**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and**
- **external lighting.**

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 Policy CS12 of the Core Strategy (2013).

- 5 **The trees and hedges shown for retention on the approved Drawing No. 1521_PL_003 Rev G shall be protected during the whole period of site excavation and construction by the erection and retention of a 1.5 metre high chestnut paling fence on a scaffold framework positioned beneath the outermost part of the branch canopy of the trees.**

Reason: In order to ensure that damage does not occur to the trees during building operations; in accordance with Saved Policies 99 and 100 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

- 6 **Within 9 months from the date of this permission details of facilities for the storage and collection points of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained unless otherwise agreed in writing with the local planning authority.**

Reason: To ensure a satisfactory appearance to the development, in accordance with Saved Policy 129 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

- 7 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1 Classes A, B, C, D, E, F and H
Part 2 Classes A, B, C and L.**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality; in accordance with Policy CS12 of the Core Strategy (2013).

- 8 **The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by Flood Risk Assessment a carried out by Stomor reference ST2079/FRA-1705-Martindale Rev 0 dated May 2017, submitted and the following mitigation measures detailed within the FRA:**

1. **Limiting the surface water run-off rates to maximum of 9l/s with discharge into Thames surface water sewer.**
2. **Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
3. **Implement drainage strategy as indicated on the proposed drainage strategy drawing no. ST-2079-13-B utilising swales, detention basins, permeable paving and attenuation tanks.**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied

within the scheme.

Reason: To reduce the risk of flooding to the proposed development and future occupants; in accordance with Policy CS31 of the Core Strategy (2013).

9 **Within 9 months from the date of this permission the final design of the drainage scheme should be completed and sent to the LPA for approval. The scheme shall also include;**

1. **Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.**
2. **Any areas of informal flooding with flood extents and depths.**
3. **Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site; in accordance with Policy CS31 of the Core Strategy (2013).

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

For the purposes of this condition:

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

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

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

environment or ecological systems.

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

- 11 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 6 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

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

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

Informative:

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

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

- 12 **Within 9 months from the date of this permission details of a measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, together with a site waste management plan (SWMP), 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.**

Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

Reason: To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (2013) and Saved Policy 129 of the Dacorum Borough Local Plan (2004).

- 13 **Within 9 months the date of this permission a construction management plan detailing provision for on-site parking for construction workers, storage of**

materials and wheel washing facilities for the duration of the construction period shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

- 14 **Occupation of the development hereby permitted shall not be commenced until the site access has been constructed and completed to the satisfaction of the local planning authority.**

Reason: In the interests of highway safety and the free and safe flow of traffic; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

Affinity Water Informative:

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply, comprising of a number of Chalk abstraction 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 site 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.

Air Quality Informative

The development should incorporate of good design principles and best practice measures as detailed in Chapter 5 of the following industry guidance document entitled 'EPUK & IAQM Land-Use Planning & Development Control: Planning For Air Quality - January 2017' to minimise emissions.

Ecology Informative

- Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of development works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (tel: 0300 060 3900) or a licensed bat consultant.

- An updated ecological walkover survey should be undertaken prior to any works taking place to confirm the continued absence of, or the potential for, protected species on the site.

Highway Informative

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN4) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Article 35 Statement

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