

**4/00545/17/MFA - DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF 14 FLATS WITH CAR-PARKING.
GARAGE COURT ADJ 83 TURNERS HILL, HEMEL HEMPSTEAD, HP2.
APPLICANT: SURFBUILD LTD.**

[Case Officer - Briony Curtain]

Summary

The application is recommended for approval subject to the completion of a legal agreement (unilateral undertaking) under s.106 of the Town and Country Planning Act 1990.

The application seeks planning permission to demolish 18 domestic garages and construct a three storey block of 14 residential flats served by 21 parking spaces. This application follows a previous outline planning permission (4/01783/13/OUT) for 9 flats served by a minimum of 15 parking spaces.

The increased quantum, scale and design of the residential development now proposed is considered appropriate to the site and its context. The amended proposal for 14 new dwellings would remain acceptable in principle in accordance with Policies CS1 and CS4 of the Core Strategy (2013). The proposal seeks to optimise the use of the land whilst respecting the character of the area, and ensuring a satisfactory relationship to adjoining properties. In addition a commuted sum has been secured for affordable housing. Despite the orientation, position and relative height to neighbouring properties a 'Daylight and Sunlight Assessment' has been submitted and demonstrates that the development fully achieves all of the relevant guidelines in the BRE report and that all of the windows analysed would continue to receive the recommended amount of sunlight both year round and in winter months. Given the separation distance and otherwise open aspect, the building would not appear unduly oppressive or dominant when viewed from adjacent properties. The proposed development provides an over-provision of off-street parking for future residents, exceeding the Councils maximum demand based standards and would not therefore have an undue impact upon highway safety. Parking is at a premium in the area, and parking provision is a key concern for residents and local councillors, as such no objection is raised to the over provision in this instance. No parking for existing residents to mitigate the loss of the garage court has been provided. However, the garages which were demolished had a rented occupancy rate (from DBC) of 38%; 7 of the 18 garages, in 2013, and it is important to note that the majority of these 7 were rented for domestic and commercial storage purposes as they were too small to accommodate most modern cars. There remain vacant garages for rent in the immediate area and these were offered to tenants. In addition the garages were demolished almost a year ago. Any displaced parking is therefore considered to be minimal and would not give rise to significant adverse highway issues. 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 site is located in a residential area close to the centre of Hemel Hempstead, east of the town centre. It is bound to the south by an area of open space which acts as a buffer zone to the A414 St Albans Road. the western edge of the site is also bound by open space. A mixture of dwelling types surround the site. To the north there are 3 blocks of flats, each three storeys high. To the east are two storey terraces.

Turners Hill lies within an area of pre-dominantly 1960s development. The surrounding area consists of short terraces and semi-detached dwellings. Houses within this area are arranged on a series of residential streets and large cul de sacs.

Parking is generally in the curtilage of a dwelling, either in a front drive way or an adjacent garage. Parking is also provided on street in front of the dwellings. The area is interspersed with green areas that break up the streets and allow space for trees and landscaping. The existing flats do not provide off-street parking.

The site previously consisted of 18 garages, many of which were void. The lack of overlooking, meant the garages were often a focus for anti-social behaviour and rubbish dumping. The applicants acquired the site in January 2017 and the garage were demolished shortly afterwards. The application site has been hoarded up since.

Proposal

Full planning permission is sought for the demolition of 18 garages and the construction of 14 flats with car parking.

Referral to Committee

The application is referred to the Development Control Committee as it has been called in by Cllr Tindall as ward councillor.

History of the site

In 2015 an outline application was granted at Development Control Committee for a new residential development of 9 units of three storey height, with a minimum of 15 parking spaces. This outline consent included a parameter plan, which set out the development area. All details of the design of the block of flats were reserved.

4/01738/13/OUT DEMOLITION OF 18 GARAGES. CONSTRUCTION OF UP TO 9
RESIDENTIAL FLATS IN ONE THREE STOREY BLOCK WITH PRIVATE
PARKING
Granted
09/02/2015

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Circular 11/95

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS19 - Affordable Housing
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS31 - Water Management

CS32 - Air, Water and Soil Quality

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 15, 18, 19, 21, 22, 23,...
Appendices 3, & 5

Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area HCA 22
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Affordable Housing (Jan 2013)

Summary of Representations

Contaminated Land Officer - Recommends Conditional Approval.

The use of the site as garages, presents a potentially contaminative use (possible leaks and spills of fuel, oils and chemicals). The site is also located within the vicinity of potentially contaminative former land uses, including a gravel pit (adjacent), chalk pit, hospital and industrial estate. Consequently there may be land contamination issues associated with this site. I recommend that the contamination conditions be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Air Quality:

The application site is not located within an Air Quality Management Area (AQMA), however, current industry guidance states that even where developments are proposed outside of 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 floor space, 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.

As the application proposes the erection of >10 new dwellings, where possible, I recommend the incorporation of good design principles and best practice measures as detailed in Chapter 5 of the above-mentioned industry guidance document (*'EPUK & IAQM Land-Use Planning & Development Control: Planning For Air Quality - January 2017'*) to minimise emissions.

Crime Prevention Officer

I would encourage the applicants to build the development to the preferred police minimum security standard, Secured by Design. I have undertaken a crime analysis of the area and the crime is relatively high, including instances of Burglary, Criminal Damage, Arson and, Anti-Social Behaviour. Building to the physical security of Secured by Design will reduce the potential for burglary by 50% to 75%, meet the requirements of Approved Document Q (ADQ) and would mitigate the majority of concerns I have regarding this development.

Secured by Design physical security - This would involve

- All exterior doors to have been certificated by an approved certification body to BS PAS 24:2016, or LPS 1175 SR 2, If the balcony doors are accessible by climbing, they would

need to be PAS 24:2016 or LPS 1175 SR2.

- All individual flat front entrance doors to have been certificated by an approved certification body to BS PAS 24:2016
- Any ground level exterior windows (not commercial) 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.
- Access control standard for flats is: 4 to 10, audible audio visible– 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.
- Secure mail delivery - Mail Boxes, we would prefer these to be through the wall or in the entrance lobby, this reduces the risk of unauthorised people wandering around the building.
- Bin Stores - Secured with LPS 1175 SR2 doors and Digi lock with a self-closer.
- Cycle storage – Requires a secure lock on the door
- Lighting – Dusk to Dawn lighting, we do not advise movement sensor or bollard lighting.
- Boundary fencing to be 1.8m high
- Defensive planting, where possible.

I do have concerns regarding the alleyway surrounding the flats at the rear of the development, although the drawings indicate a gate at either end. I would strongly advise that there is access control fitted to the gates to stop intruders as burglaries normally occur from the rear of the building.

Herts County Council Highways - Recommend Conditional Approval (with Informatives).

This latest proposal follows on from an outline planning permission in 2013, 4/01738/13/OUT demolition of 18 garages and construction of up to 9 residential flats and a reserve matters application in 2017, 4/00039/17/RES. This application is proposing to demolish the 18 domestic Dacorum Borough owned garages and redevelop with a mix of residential dwellings. This will be made up of 14 flats, (2x 1 bedrooms and 12 x 2 bedrooms with 21 off street parking spaces. The access will be repositioned, slightly but remain as the only vehicular access to the site.

ACCESS

The existing garage access off Turners Hill, Hemel Hempstead will be made redundant, as a new 4.2 metres wide access is proposed, 12 metres to the south of the current access, with a new pedestrian access running alongside. The highway authority does not maintain the service road. The applicant has not offered this short section of road for adoption. It follows that it is unlikely that the highway authority would wish to adopt such a section of road.

The existing dropped kerb will be required to be closed off and the kerb raised and footpath reinstated to the same line as the kerb. I notice that there is a streetlamp in the vicinity of the proposed new vxo. The applicant should be advised that if this is required to be moved for the construction and visibility of the new access, this may be at their own expense.

PARKING 21 off street parking spaces are proposed. The layout drawings do not show a lot of detail, therefore a swept path drawing is required to show that vehicles are able to access the parking spaces.

Strategic Planning & regeneration - Acceptable in principle subject to detailed assessment.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No.s 73,79,80,81,181 Turners Hill, No.s 1 & 2 Coxfield Close - Object [s]:

- loss of garages means alternative parking should be provided
- People already park in the area to go into town to avoid charges
- inappropriate density
- loss of light and over shadowing
- development would lead to vehicles overhanging footpaths to the detriment of pedestrian users and would compromise highway safety
- adverse impact on drain and water flow
- the narrowness of the road and the excessive car parking means the bus service was cancelled some years ago as it could not safely access the area. the same could apply to emergency services and refuse vehicles. the development would make this worse.
- increased pollution from additional cars
- the size, depth and massing of the building would adversely affect privacy and be visually overbearing
- the position of the block means there would be direct views into existing flat windows
- the proposed building would appear out of place in the area and does not respect the street pattern, scale or proportions of surrounding properties.
- redevelopment is inevitable but 14 flats is an over-development.
- the development would overlook the adjacent communal washing and bin areas.

Considerations

Principle of Development

The application site is located within an established residential area of Hemel Hempstead wherein residential development is acceptable in accordance with Policy CS4 of the Core Strategy. Further, there would be a strong presumption in Policy CS17 in favour of promoting residential use of the land to address a need for additional housing within the Borough. 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.

In addition it is important to note that the redevelopment of the site to accommodate 9 dwellings was approved at outline stage under application ref: 4/00925/14/MOA. The principle of the residential redevelopment has thus been established. The nature of the current proposal is similar to that approved above, the main difference being the increase in quantum from 9 approved units to 14 proposed units.

The provision of 14 flats would optimise the use of the land. When the 2013 outline application was considered it was noted that the occupancy rate of the 18 garages at that time was 7, equating to 38%. The site was sold in January 2017, and the garages were demolished. The use of the land for residential purposes would therefore represent a significantly more efficient use of urban land.

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). The development would be

located in a sustainable location and seeks to optimise the use of previously developed urban land; the proposal is therefore 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).

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

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 HCA22: Adeyfield South Area Character Appraisal sets out general housing principles for the area. The principles pertinent to this application are;

- *Design:* No special requirements.
- *Type:* Terraces are encouraged; detached houses will not normally be permitted.
- *Height:* Should not exceed two storeys. Three storey development may be permitted where adjacent or nearby to buildings of a similar height, depending upon its impact on the character and appearance of the area.
- *Size :* Small to medium sized dwellings are encouraged. Large, bulky buildings are strongly discouraged.
- *Layout:* Dwellings should front onto the road and follow or set clear building lines. Where possible, new dwellings should be linked strongly to existing or newly provided areas of amenity land. New development should contribute to or create serial views in the area.
- Spacing in the medium range (2 m to 5 m) should be provided.
- *“Redevelopment: Strongly discouraged. The redevelopment of **garage blocks** will only be acceptable if **alternative provision** is made for displaced vehicle parking and where proposals accord with the development principles.”*

The simple, modern, flat roof design of the proposed three storey block is considered acceptable and would integrate into the existing street scape. The application site is situated at the end of an existing series of three storey blocks of flats such that the proposal would not appear incongruous or unduly prominent in height. The mass and bulk of the proposed building would exceed that of the adjacent blocks but given the sites position at the bend of the road and the mature landscaping which forms its backdrop, the building would not appear unduly excessive in size or scale. In addition this part of the street scene abuts open land such that the development would not appear cramped or oppressive. Furthermore the outline consent permitted a three storey building, which while 'L' shaped had an overall width and depth comparable to the current proposal. The development fronts the road, and fenestration has been added to the sides and a range of materials used to break up and avoid bland, uninterrupted elevations. Each elevation addresses the street and has an active frontage. The adjacent blocks of flats are stepped to the east to follow the bend in the road. The proposed unit is set forward of the adjacent buildings to echo the existing stagger and in terms of spacing has only a slightly lesser degree of separation in comparison to the positioning and relationship between the other blocks. The site abuts open land to the south and west. The building would not appear out of scale or cramped within the open surroundings.

The policy suggests that given the 18 garages are demolished then the development is required to provide alternative provision. The provision of 21 parking spaces for the new development is not alternative provision. However it is important to note that many of the garages were not

being used as parking and as such the requirement to provide alternative provision needs to be reconsidered in this context. This is addressed under the highway considerations below.

The design, form and layout of the proposal is considered acceptable. The set back position of the building, the separation distances and the broken up nature of the block through architectural design and a well thought-out palette of materials, mean that the proposed building would not appear overtly intrusive or incongruous within the street scene. The visual appearance would be softened by its position at the end of the road, the open space separating this development from the street and the surrounding mature landscaping. The proposal thus adheres with Policies 10, 18, 21, 111 and Appendix 3 of the Decorum Local Plan (2004) and Policies CS10, CS11 and CS12 of the Core Strategy (2013), and the National Planning Policy Framework (2012).

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 application site is situated at the end of an existing series of three storey blocks of flats. The proposed unit is set forward of the adjacent buildings and has a lesser degree of separation in comparison to the positioning and relationship between the other blocks. The mass and bulk of the proposed building would impact on the neighbouring block of flats and concern has been raised from residents.

With regard to loss of light, a 'Daylight / Sunlight Assessment' was requested and adequately demonstrates that an acceptable level of light will continue to reach all of the nearest adjacent habitable windows of No.s 73-83 and No. 80 Turners Hill and No 1 Coxfield Close. The development fully achieves all of the relevant guidelines set out in the Building Research Establishment (BRE) guidelines. As such, whilst the position and form of the proposed building would undoubtedly reduce light levels, this loss would be small and not to such a degree as to warrant a refusal.

With regard to visual intrusion, the proposed development would result in the presence of a large building, three storeys in height, projecting to the front of the adjacent block of flats, in close proximity to their front and side facing habitable windows. Despite its height and proximity however, the building is not considered to appear unduly prominent to the extent that it would loom above the existing properties to an overbearing degree. In addition given the separation distance and otherwise entirely open aspect to the front and rear of the existing flats (No.s 73-83) existing residents would continue to enjoy an acceptable level of residential amenity and aspect. The main living areas (lounge / dining areas) of the adjacent flats are served by rear facing windows which would not be significantly affected by the development

There would be no significant adverse privacy or overlooking issues as a result of the development, particularly when compared to existing levels. There is already a degree of mutual overlooking in the vicinity, and this is a common scenario in urban locations, such as

this. It is proposed to have habitable windows to the northern side elevation however these would permit slightly oblique views over the front of the adjacent block of flats,(which at ground floor level already possible from the public communal footpaths than run around the building) and would not permit direct views into the front facing windows. . The slightly angled orientation of the blocks to each other and separation distance would not result in an unacceptable level of overlooking or significant loss of privacy.

The proposed development would not significantly 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).

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 14 units comprising 3x 1 beds, and 11x 2 beds which would require 20.25 off street parking spaces at maximum provision. The proposed 21 spaces therefore would exceed the 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 and parking is at a premium in the area no objection is raised in this regard.

As set out above the housing development principles for HCA22 state that; *“Redevelopment: Strongly discouraged. The redevelopment of **garage blocks** will only be acceptable if **alternative provision** is made for displaced vehicle parking and where proposals accord with the development principles.”* No alternative provision is made. However there are a number of factors to consider when assessing the need for alternative provision.

As part of a wider Council initiative looking at council owned garage courts and their scope for re-development, the occupancy rate of garages was analysed. The occupancy rate of the Turners Hill garages (at the time of the outline application in 2013) was 7 of the 18, equating to 38%. It was also noted that the majority of these 7 were rented for domestic and commercial storage purposes as they were too small to accommodate most modern cars. The garage court was thus predominantly vacant and not used for vehicle parking. The requirement for alternative provision must therefore be re-assessed. In addition it is important to note that there are a number of other garage sites within the vicinity of the Turners Hill site. In 2013 it was identified that there were some 26 vacant garage spaces within 250m of the site, 10 of which were within very close proximity to the site. These were offered to all previous garage tenants.

Given the garages were under used in the first place, the fact they have already been demolished, and the site has been hoarded off for some time therefore preventing parking, it is considered that the level of cars being displaced by this development would be very small and

thus would not lead to significant detrimental impacts to highway safety in the surrounding area. It is acknowledged that parking is at premium. The site is however considered reasonably sustainable, with easy access to local services. Any adverse impact would not be significant enough to warrant a refusal.

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).

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.

Mature trees were removed from the application site. However these were removed prior to the submission of the application, were not protected and as such can not be considered as part of the current application or replacements requested as mitigation. A landscaping condition will be included to ensure a satisfactory appearance to the development. It is not proposed to remove any of the landscaping that lines the public footpaths and there would thus be no adverse impact on the visual amenity of the open land adjacent.

Other Material Planning Considerations

- *Contaminated Land*

Policy CS32 of the Core Strategy (2013) seeks to maintain soil quality standards and ensure any contaminated land is appropriately remediated. Given the comments of the Scientific Officer the standard contamination land conditions have been added.

- *Refuse and Recycling*

Saved Policy 129 of the Local Plan (2004) seeks to ensure that developments have adequate storage for refuse and recycling. Notwithstanding the submitted details these will be requested as part of the landscaping condition.

- *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 should include 35% affordable housing, in accordance with Policy CS19 of the Core Strategy (2013) and the recently adopted Affordable Housing Supplementary Planning Document.

The Council aims to ensure that the policies help the delivery of both market and affording

homes across the Borough.

The proposal seeks consent for 14 flats and provides an affordable housing commuted sum of £167,000. The Councils Strategic Housing Team has been consulted, and given problems securing registered social housing providers, and following a review of recent and local sales and marketing data in the area, they are satisfied with a commuted sum and the figure put forward.

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

- Affordable Housing commuted sum of £167,000

The application would also be subject to CIL contributions. The Charging Schedule clarifies that the site is in Zone 3 within which a charge of £100 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area.

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 £167,000 commuted sum for affordable housing.

RECOMMENDATION - That determination of the application be **DELEGATED** to the Senior Manager, Development Management, following the expiry of the consultation period and no additional material considerations being raised, with a view to grant for the following reasons.

- 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 constructed fully in accordance with the materials specified on the approved drawings and documents.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.

- 3 **Prior to construction of the development hereby approved 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:

- i. hard surfacing materials (including roads/footpaths/driveways/courtyards etc);
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- external lighting.
- trees to be retained and measures for their protection during construction works;
- arrangements for bin storage

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).

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

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 5 **All remediation or protection measures identified in the Remediation Statement**

referred to in Condition (XXX) 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.

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

- 6 **The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, and access shown on Drawing No. 3199 1. Rev B shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Upon completion of the development, unused access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

- 7 **Pedestrian visibility splays of 2 m x 2 m shall be provided before any part of the development is first brought into use, and they shall thereafter be maintained, on both sides of the entrance to the site, within which there shall be no obstruction to visibility between 600 mm and 2 m above the carriageway.**

Reason: In the interests of highway safety.

- 8 **Visibility splays of not less than 2.4 m x 43 m shall be provided before any part of the development hereby permitted is first brought into use, and they shall thereafter be maintained, in both directions from the crossover, within which there shall be no obstruction to visibility between a height of 0.6 m and 2.0 m above the carriageway.**

Reason: In the interests of highway safety.

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

following approved plans/documents:

3199.1.Rev B

3199.2.Rev B

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

Article 35:

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.

INFORMATIVES:

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

<https://www.hertfordshire.gov.uk/droppedkerbs/>

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

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