

**4/02269/17/MFA - DEMOLITION OF 20 GARAGES AND CONSTRUCTION OF NINE TWO-BED AND TWO ONE-BED DWELLINGS IN TWO BUILDINGS WITH LANDSCAPING, BIN STORE AND CYCLE STORE AND 16 PARKING SPACES.
LAND NORTH EAST OF 25, GOLDCROFT, HEMEL HEMPSTEAD.
APPLICANT: Watford Community Housing Trust - Mr P O'Sullivan.**

[Case Officer - James Gardner]

Summary

This application is recommended for APPROVAL.

The application seeks planning permission for the demolition of 20 lock-up garages and the construction of nine two-bedroom flats and two one-bedroom flats, housed within two blocks. The application follows pre-application discussions with the applicant.

The proposal seeks to optimise the use of urban land whilst respecting the character of the area and ensuring a satisfactory relationship with adjoining properties. The proposal, which is being brought forward by Watford Community Housing Trust (WCHT), provides 100% affordable housing.

The development would not have a significant adverse impact on existing adjacent properties in terms of light, privacy or visual intrusion. The separation distances from the adjoining properties and the orientation of the proposed blocks are such that an acceptable level of daylight and sunlight would be maintained. Furthermore, the development would not appear cramped or be overbearing. As a result, the proposal accords with Policy CS12 of the Dacorum Core Strategy.

The proposed development provides 16 off-road parking spaces and therefore meets the Council's maximum parking standard outlined in Saved Appendix 5 of the Dacorum Local Plan. There would not, therefore, be a significant impact on highway safety. Comments from local residents in response to public consultation have consistently highlighted parking availability as a major concern. Parking, or a lack thereof, is not an uncommon issue within the new town areas of Hemel Hempstead, and whilst it is noted that the proposal does not include parking for existing local residents, additional parking has in recent times been created in the local area through the Council's verge hardening scheme. In addition, the applicant has commissioned Paul Mews and Associates to carry out a detailed transport and parking assessment, based upon the methodologies utilised by the London Borough of Merton, the conclusions of which indicate that parking within the area is not at capacity.

Whilst there may be a high level of on-road parking within the area, this is not a direct result of the current proposal so should be explored separate to the current planning application – such as through the Council's Verge Hardening Scheme. The development provides sufficient parking for the number of units proposed and as such it is considered that a refusal could not be sustained.

The proposal accords 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 comprises an area of approximately 0.12 hectares and comprises a garage court located on the northern side of Goldcroft, Hemel Hempstead.

Proposal

Planning permission is sought for the demolition of the garage court and the construction of nine two-bedroom flats and two one-bedroom flats in two blocks with 16 parking spaces and bin storage.

Referral to Committee

The application is referred to the Development Control Committee as the land is currently owned by Dacorum Borough Council.

Planning History

No planning history.

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 & 7

Supplementary Planning Guidance / Documents

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

Summary of Representations

Trees and Woodlands Officer

I agree with the recommendation of the Arboricultural report that includes tree impact

assessment and method statement. I also agree with the recommended tree work to trees T1, T2, T3, T4 and T5. T2 is a Lawson Cypress hedge that is on a private property but can be cut back to the boundary as recommended by the report. T1 is in poor condition and its removal is acceptable. The other recommended tree work is of minor nature and is acceptable. The tree protection measures are also satisfactory.

I have no further concerns or comments.

Lead Local Flood Authority - Herts CC

10/11/17

Thank you for consulting us on the above application for the demolition of existing garages and construction of nine two-bed and two-one bed dwellings with landscaping, bin store and cycle store and 16 parking spaces.

Following the review of the additional information we can confirm that we have no 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.

Infiltration tests have been carried out on site and results show that infiltration is not feasible. We acknowledge that there are no watercourses within the vicinity of the site, therefore surface water run-off will be attenuated and then discharge at 3l/s to the Thames surface water sewer which runs along Goldcroft by gravity.

A Thames Water Pre-development enquiry response has been submitted and no objections have been raised in relation to the proposal. We note that the drainage strategy now incorporates permeable paving which provides source control measures and ensures that surface water run-off can be treated in a sustainable manner, reduce the size of the tank and the requirement for maintenance of underground features.

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 The Drainage and SuDS Strategy carried out by Price & Myers reference 26156 Rev 2 dated August 2017 and supporting information submitted and the following mitigation measures detailed within the FRA;

- Implement appropriate drainage strategy based on attenuation and discharge into Thames Surface water sewer.
- Limiting the surface water run-off to a maximum of 3l/s generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Implement drainage strategy utilising permeable paving and attenuation tank.

Reason

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

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 calculation.
2. Final design should incorporate silt traps and appropriate pollution prevention methods to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.
3. Detailed surface water calculations for all rainfall events up to and including the 1 in 100 year + climate change event supported by a clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Reason

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

Condition 3

Upon completion of the drainage works an updated management and maintenance plan for all the SuDS features and structure must be submitted and shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

To prevent the increased risk of flooding.

03/10/17

Thank you for consulting us on the above application for the demolition of existing garages and construction of nine two-bed and two-one bed dwellings with landscaping, bin store and cycle store and 16 parking spaces.

In the absence of an acceptable surface water drainage assessment we object to the grant of planning permission and recommend refusal on this basis for the following reasons:

The drainage and SuDS Strategy carried out by Price & Myers reference 26156 Rev 2 dated August 2017 submitted with this application does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment;

4. Confirmation from Thames Water that they are satisfied with the connection to surface water sewer.
5. Drainage plan demonstrating a SuDS management and treatment train and above ground features.

Overcoming our objection

Infiltration tests have been carried out on site and results show that infiltration is not feasible. We acknowledge that there are no watercourses within the vicinity of the site, therefore surface water run-off will be attenuated to 3l/s through the implementation of a 60m³ storage capacity attenuation tank which will then discharge to the Thames surface water sewer which runs along

Goldcroft by gravity.

However, we require confirmation from Thames Water regarding the use of the connection to ensure that they are satisfied with proposed rates and volumes. We require that this should be provided upfront prior to the approval of planning permission to ensure that the proposed scheme is feasible. An agreement in principle rather than formal permission at this stage would be acceptable. As this is a full planning application points of connection to the public sewer system should be identified.

Attenuation tanks have been proposed to provide underground storage, however this lies at the bottom of the SuDS hierarchy and should be technically justified within the surface water drainage strategy. Above ground measures such as basins, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features. Where permeable paving is proposed on site the amount of attenuation volumes to be provided and how these areas will connect into the wider system should be included.

For further advice on what we expect to be contained within the FRA to support an outline planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage>

Informative to the LPA

The applicant can overcome our objection by undertaking a surface water drainage assessment which demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall and gives priority to the use of sustainable drainage methods, the SuDS hierarchy and management train. If this cannot be achieved we will consider whether there is a need to maintain our objection to the application. Production of a surface water drainage assessment will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until and adequate surface water drainage assessment has been submitted.

Environmental Health

In this instance I have no reason to object on purely environmental health grounds.

Cupid Green

09/10/17

This application does not mention anything about waste

18/10/17

It would be better if the collection vehicle was able to reverse into the site as the road often has parked cars potentially causing us to block it while emptying the bins. With this in mind, consideration should be given to its size and manoeuvrability.

Although in this case it makes no difference to the provision you have made for food waste we no longer provide 240's as they become too heavy so we now provide 1 x 140ltr wheeled bin for per 6 flats.

Hertfordshire Highways

05/10/17:

Whilst noting that I (the highway authority) still have a few days to respond to this application, I am troubled by the lack of a turning head facility within the site.

Whilst the collection of refuse is covered by a refuse collection bin area, it still means that the refuse vehicle will take some time to cycle through the collection process. This can be said for most house hold kerb side collections but in this case it is not one house but a small development which may cause delays on the highway network whilst the refuse collection/ servicing the site is carried out.

Without a turning head, all but a small car will struggle to enter and leave the site in a forwards gear if all the parking spaces are occupied. This in turn would lead to vehicles reversing back out onto the highway which is not acceptable to the highway authority.

With this in mind, could you please ask the applicant to consider putting in a turning head facility, within the site boundary, that must be kept clear and used for that sole purpose? Even if this means a loss of off street parking I could consider this more favourably. I will refresh my mind what the maximum reversing distance is in both the Dft guidance notes and RiH in the meantime.

02/11/17:

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:

01: The development shall not begin until details of the disposal of surface water from the Private access have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details. Reason: To minimise danger, obstruction and inconvenience to highway users.

The Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) Storage of materials, site parking and deliveries: 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. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the 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.

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.

Description of the Proposal

Demolition of 20 garages and construction of nine two-bed and two one-bed dwellings in two buildings with landscaping, bin store and cycle store and 16 parking spaces at land north east of 25 Goldcroft, Hemel Hempstead, Herts.

Goldcroft The 2U686 is an unclassified local access road and is maintained by HCC as the highway authority. The speed limit is 30 mph and there is on street parking during the day and in the evening to . The road is part time lit. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

The rolling 5year RTC data held by HCC indicates that there has been one slight injury incident at the junction of Flatfield Road. This was recorded in February 2016 but nothing outside the site access.

Analysis

As part of a Design and Access statement, the application should take account of the following policy documents; • National Planning Policy Framework (March 2012); • Hertfordshire County Council (HCC) Local Transport Plan 3-2011-2031 • Roads in Hertfordshire Design Guide 3rd Edition • The LPA's parking policy.

Impact on Highway Network

The proposed 11 residential units will only impact on the highway if the development fails to provide sufficient off street parking space. This includes visitor parking too. Two way trips for this type of residential use are unlikely to add to the sites overall two way trip generation. However, there may be a slight increase in peak hour movements when compared to the sites former use as garages and as the up take in garage rental at present would appear to be low this may initially be the case.

Highway Layout There are no plans showing that minimum 2.4m by 43m vision splays that need to be created and maintained at the vehicular access but these can be secured by condition if the LPA are minded to. However the access has verges either side of the road and it is unlikely that the developer will be changing this arrangement. The submitted layout drawing also shows the 16 car parking spaces. Any works that are off site ie on the public highway will need to meet the requirements of Roads in Hertfordshire (RiH) and/or the Design Manual for Roads and Bridges (<http://www.dft.gov.uk/ha/standards/dmrbl/>). On a recent site visit it was noted a van and an SUV vehicle parked either side of the access. Whilst vehicular visibility in both directions is acceptable, it is compromised by owners of vehicles parking on the footway in close proximity to the garage block access road. Bearing in mind that the access will see an intensification in use, if the proposal is allowed, the highway authority would welcome the developer agreeing to install measures (perhaps bollards) to prevent such undertakings. These works could be secured via a small legal section 278 with the highway authority

The National Planning Policy Framework (NPPF), states that "developments should be located and designed where practical to: • Accommodate the efficient delivery of goods and supplies • Give priority to pedestrian and cycle movements, and have access to high-quality public transport facilities; • Create safe and secure layouts which minimise conflicts between traffic & cyclists or pedestrians, avoiding street clutter and where appropriate • Establishing home zones • Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and • Consider the needs of people with disabilities by all modes of transport."

Parking

Although parking is a matter for the Local Planning Authority (LPA), the applicant should always provide details of parking provision and whether or not there will be any impact on the highway. In this case the applicant is providing 16 off street parking spaces Roads in Hertfordshire highway design guide 3rd edition states that the dimension and location requirements for parking bays, driveways and turning areas shall be in accordance with the guidance in DfT Manual for Streets.

Accessibility

Forward Planning Officers (Passenger Transport Unit) have not supplied any details of bus services and bus infrastructure to identify gaps in the service. Refer to HCC's Bus strategy (<http://www.hertsdirect.org/docs/pdf/b/busstrategy.pdf>).

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 be provided and this is shown on the submitted plan. Further discussions with the applicants Transport Consultant (TC) have resulted in additional information being submitted regarding kerb side refuse collection process. The time to cycle through the collection has been analysed and approximate time to collect empty and return the bins to the store has been estimated at 1.5 minutes. The road is wide enough to allow the stationary refuse vehicle to park but only a standard width car can pass. However, whilst this is far from ideal especially considering that some motorists will be forced to pass on the wrong side of the road over a short section of this type of situation does occur on most residential roads on the refuse collection days. The amended details also show track runs for private motor cars but not a van. The highway authority must insist that at least one of the off street parking spaces is forfeited and converted into a turning head. The applicant's TC notes this requirement at the bottom of his covering letter.

Travel Plans The applicant has not submitted a travel plan as part of this application. The scale of the development falls below the threshold that requires either a Travel Plan or a Statement Planning Obligations/ Community Infrastructure Levy (CIL)

It is not considered that any planning obligations are considered applicable to the proposed development.

Conclusion

The assessment does not indicate any significant issues with the proposal to construct 11 dwellings with access to off street parking. The highway authority would not wish to restrict the grant of planning permission subject to the above condition and informatives.

Scientific Officer

I refer to the above planning application received on 20 September 2017.

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 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.

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.

Contaminated Land:

The use of the site as 20no. garages represents a potentially contaminative land use (possible storage and leaks and/or spills of fuels and chemicals).

The site is also located with the vicinity of the following potentially contaminative former land uses:

- Brickworks / brickfields and associated pits and quarries, which have subsequently been infilled with unknown material.
- Garage
- Infilled pond

Consequently there may be land contamination issues associated with this site. I recommend that the contamination conditions (CONT1 and CONT2) 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).

NATS Safeguarding

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Herts Property Services

Thank you for your email regarding the above mentioned planning application.

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.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (development.services@hertfordshire.gov.uk).

Strategic Housing

Strategic Housing comments are as follows in response to the proposal below:

To meet the affordable housing policy requirements, 35% of the dwellings should be agreed for affordable housing.

Neighbour Comments

9 Flatfield Road

Regarding the proposed site in Goldcroft Garages.

I live at number 9 Flatfield road, thank you for your letter.

Firstly I am appalled at the proposal, I bought my house because I have no one overlooking into my house out the back. Clearly with this apartments they will be able to overlook into my garden and will be able to look through into my living room, I will have no privacy.

Secondly we have no blocks of apartments in this surrounding area, only houses, there is going to be a big issue with noise, rubbish, disturbances..

This is a quiet area, will be a great loss of privacy for us residents, my family and I, alongside a number of residents are not happy having so many apartments being built on this site.

Can you and comittee please take into account my issues. I'm sure when you buy a property with no one overlooking you and spending so much on a house, to be told apartments are going to be built out the back of your garden to intrude on your privacy no one would be happy...

If there is anything else I could do for someone to listen to my worries I would be grateful to hear from you.

7 Flatfield Road

I object to this proposal on many grounds

1. This three story development will significantly block the light and over shadow my garden whereas the current single storey garage block does not
2. Having windows 3 stories high directly facing into my lounge and bedroom will be a massive loss of privacy for me
3. Goldcroft road is already significantly overcrowded with vehicles and I do not believe 16 parking spaces is adequate for 20 double bedrooms which could have as many as 40 vehicles
4. The 'Beer garden' green space is a beautiful quiet area that residents currently enjoy - by building so many apartments so close you will be ruining this tranquil space for existing residents
5. The surrounding area is all two storey houses and I believe a 3 storey apartment is not in keeping with the local landscape and will be detrimental to the look and feel of the area

64 Goldcroft

*Re: Garages which boarder the back garden of 21 Goldcroft.

The rear of garages numbers 1 to 7 provide a wall to the garden. The ground level of the garages and the garden is different varying from the garages being about 3 foot lower at the Beer Garden end to 1 foot 6 inches at the house end.

The plans appear to indicate that the garages will be removed and the boundary replaced by a 2 meter wooden fence. Because of the difference in ground levels a fence would not support a bank of soil which would doubtless eventually collapse onto the development, thus to the detriment of both the development and the garden.

- Would the garages back wall remain and a fence be placed on top of it?

- Would a new reinforced retaining wall be built and a fence be installed on top of it? Would this be the 2 metre fence referred to in the plan?

- Whatever boundary is built for the garden, would the garden have at least a substantial fence of a minimum height of 6 feet from the garden side?

1 Flatfield Road

Thank you for your letter advising us of the planning application you received for the planning reference number detailed above. In this letter you invited us to comment if we wished to. We are registering our objection to the above planning application and request the application is refused permission on the following 'Material planning considerations', as outlined in the headings in your letter dated 20th September 2017.

As mentioned in the planning application the original use of the plot was garages for 20 vehicles, these are one storey buildings with no windows; the proposed development is excessive for the size of the plot and will have a detrimental impact on the following ;

1. Loss of light or overshadowing

The garages are 1 storey and have no windows, they do not cause any loss of light or overshadowing. The scale and proportions of the proposed development will in our opinion have an adverse effect on the quality of light and will cause overshadowing. The proposed development creates a completely different look to the current use of the land.

2. Overlooking /loss of privacy

The proposed development will overlook our property, in particular our back garden, lounge and back bedrooms, thus taking away our privacy which we have enjoyed for the past 30 years.

3. Visual intrusion

The garages currently on the site have no windows and when they were in use had at any one time 5 cars that moved in and out of the site, this did not cause any visual disturbance and at no time did car drivers or the passengers drive up to our fences. The plans proposed will cause visual intrusion.

4. Noise and Disturbance

As mentioned earlier this area and its surrounding green space have provided excellent amenities for residents; the green area is a quiet and peaceful space for young and old to enjoy. The proposed development will take away the character of the area, furthermore the noise from the sheer number of residents will disturb the peace and tranquillity of this space.

5. Adequacy of parking /turning

We do not accept that enough provision has been made for parking, the space ratio in reality is insufficient as is witnessed on a daily basis in Goldcroft Road, despite the recent, very timely new parking bays. The number of cars will increase pollution, currently we are protected by the garages as we do not have car exhaust fumes coming directly into our gardens. We are also very concerned about the volume of cars expected to turn when additional traffic, such as bin lorries, delivery vans etc are coming in and out of the proposed development.

6. Design, appearance and type of materials

The design of the properties are not similar in design, the plot size of the development does not fit in with the neighbouring properties. The style of the neighbouring properties are two storey 2-

5 bedroomed semi - detached and terraced houses, not three storey flats which are the main proposal for this development. As mentioned previously by neighbours we are also concerned about the impact on the tress and wildlife in the beer garden. We do not see any reference in the plans on how these will be protected.

In this era of transparency, we would like you to advise what protocol is in place for councils selling land to other councils and then the original council, in this case Dacorum Borough Council voting on future developments on the land.

We understand that other parties share our concerns, and we fully agree with these concerns.

If the application is to be decided by councillors, please take this as notice that we would like to speak at the meeting of the committee at which the application is expected to be decided. Please let me know the date of the meeting as soon as possible.

3 & 5 Flatfield Road

We have read the comments by both 7 and 9 Flatfield Road and fully endorse everything they have raised.

In addition we would like the following comments taken into account during the discussion of this planning application.

- Dacorum Council should not to be responsible for deciding if this Application for Planning Permission is approved or not as they have been directly involved by their decisions to give notice to quit to all garage users and by selling the land to the proposed developers. If this recommendation is not possible for legal reasons the least Dacorum Council should do is ensure the decision is not made by a council officer and is considered by committee. Please advise your response to this comment.
- The area is difficult for parking with a large number of cars parked off the road and in resident's front gardens. The proposal to remove 20 garage parking places and replace them with four less spaces and then add a requirement for additional parking for another 16 vehicles will make the situation far worse. In accordance with the Council's residential parking standards, the proposal for two one-bedroom and nine two-bedroom dwellings would require a maximum of 16 car parking spaces at a ratio of 1.25 and 1.5 spaces respectively per dwelling. History has shown that the number of cars only increases with time so that the problem will only get worse in the future if this development goes ahead. You do not have to look far for an example of how planners can underestimate the need for parking as the recent and ongoing development of the old Nash Mills factory has seen cars parked all along and creating a traffic hazard in Red Lion Lane, we are sure the correct guidelines were thought to be adequate in that development.
- We are concerned about the future of the oak tree just outside the rear of our gardens, this tree is within the new development, numbered T3 on the attached plans. This tree was a mature tree when we (the residents of 3 Flatfield) purchased our house over forty years ago as were some of the other trees in the Beer Garden. This oak tree (T3) would obviously be affected by the proposed development as the plan clearly shows the proposed new three story building occupying space within the canopy of this tree. We cannot find any plans within the proposal for the future of this tree. Please advise where we can view the proposed plan for this tree.
- We do not want any housing development on this land but find it strange that another council is seeking to build homes for social renting in this area. This area is of mixed social and owner occupier housing so we are shocked that this proposal is not for local people with

an element of affordable housing for local residents.

- The whole dynamics and feel of the area will be adversely affected by this proposed development. When we decided to move to the area one of the main factors was the green spaces, quietness and the fact that we were not overlooked. Our thoughts about this are well explained by the comments of 9 Flatfield.
- Better use of this land would be to restore the parking spaces lost by the loss of the use of the garages and/or the provision of play equipment for use by the many local children.

This has been a very pleasant area for us all to live in please do not spoil it by approving this development.

27 Goldcroft

I have some concerns and objections regarding the proposals in the planning application above.

Our property is directly next to one of the proposed blocks. There will be loss of light and the property will be overshadowed by the block, limiting light going into our back garden, extension lounge and front lounge. If it is proposed that windows are installed on this wall then we will also suffer from a lack of privacy because our property will be overlooked. Further, as the entrance to one of the proposed blocks is extremely close to our property, there will be further overlooking and visual intrusion to the front of our property.

There have been many issues regarding parking on Goldcroft. Even though we have a driveway, other vehicle users sometimes block our drive and we feel this will worsen if the proposals go ahead. Coincidentally, before the proposals came to light, a small parking area was installed close to the proposal site. However, the parking issues still remain on the road, with commercial vehicles in particular taking up considerable space and some vehicles generally parking inconsiderately on the pavements.

Although the proposals include designated parking spaces, these will not be sufficient for the occupants of the proposed dwellings. Consequently, there will continue to be parking issues on an already congested road.

As already mentioned, the entrance to one of the proposed blocks is extremely close to the front of our property. This will result in noise and disturbance from use of the proposed dwellings, particularly at night time. We are extremely concerned by the close proximity of the proposed block to the boundary of our property. We feel that it will cause issues should we decide to develop or alter our garage in the future. Can Dacorum Borough Council guarantee that we will not face issues should we propose such plans if this planning application goes ahead?

I believe that the current proposals should not be allowed in light of these reasons. Unfortunately, I believe they inevitably will be allowed with disregard for local residents. If this is the case, then the proposals will need to be drastically changed in order to address the aforementioned concerns.

Considerations

Policy and Principle

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. Furthermore, there is 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. 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

Within the Core Planning Principles outlined in the National Planning Policy Framework (NPPF) there is a strong emphasis on the planning system's responsibility to deliver more homes. Paragraph 47 of the NPPF stresses this further seeking to boost the supply of housing. In addition, the NPPF encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas.

The 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.

Area Based Policy HCA21: Bennetts End describes the area as an early new town residential neighbourhood built in the 1950s, characterised by consistency in design in buildings and a traditional approach to dwelling layout fronting onto curving roads and following clear building lines.

The general housing principles for the area and relevant to this application are as follows:

Housing

Design:	No special requirements.
Type:	Terraces are encouraged.
Height:	Should not exceed two storeys. Three storey development may be permitted where adjacent buildings of a similar height, dependent 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 and normally be permitted.
Layout:	Dwellings should front onto the road, and follow or set out clear building lines. Layout of new dwellings should be linked strongly to existing or new areas of amenity land.
Density:	Should be provided within the medium density range (30 - 35 dwellings/ ha (net)). This may be increased to a high density (35-50 dwellings/ha (net)), or a very high density exceeding 50 dwellings/ha (net) on sites adjacent to the Bennettsgate local centre in cases where the character and appearance of the area are not significantly affected.

The design principles outlined above have, for the most part, been complied with:

Design:	No special requirements.
Type:	Flats are not specifically discouraged.
Height:	Although predominantly of three storeys, attempt has been made to limit the height of the blocks to provide space for habitable accommodation. Furthermore, the application site is approximately 150 m from the Bennettsgate local centre.

- End Road and the Bennettsgate local centre where building heights rise to three storeys.
- Size:** The proposal comprises a mixture of one and two-bedroom units. While block A is far from m that it steps down from three to two storeys helps to reduce its overall bulk. Block B is of limit
- Layout:** The immediate area does not have strong building lines. Block B would, however, follow the established by nos. 31 – 41 Goldcroft. Block A would provide greater enclosure (and natura green space to the north of the application site - known locally as the Beer Garden - resulti “positive space”, thus enhancing this important local community asset.

The simple design of the blocks is considered acceptable and would satisfactorily integrate with the existing street scape character. Gable roofs are a common feature of the area and the proposed blocks replicate this form, albeit with modest dormers set below the eaves. The other proposed materials include red bricks – a feature common to the local area – and brown concrete roof tiles. Large expanses of brick work would be broken up by small areas of projecting bricks in order to provide some visual interest. The mass and bulk of the largest block (Block A) is unlikely to be especially noticeable when travelling along Goldcroft, as it would be set back from the highway by a considerable distance. The smaller block (Block B) would front the road in a traditional manner and continue an existing build line. While the blocks are generally of three storey construction, the site is located approximately 150 metres from other three storey buildings. Block A would be set back from the highway by 35.5 metres so would not be especially prominent in the street scene. Block B would be built alongside number 27 Goldcroft, it has been sympathetically designed and would only be approximately 1.55 metres higher.

The proposal thus accords 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.

Numerous objections have been received from local residents in response to the public consultation carried out by this department. It is, however, also worth noting that Watford Community Housing Trust also carried out their own public consultation prior to submission of the planning application, enabling them to understand the issues which most concern local residents.

The objections received are provided in their entirety above, but have been summarised for ease of reference. They are as follows:

- Loss of privacy.
- Loss of light / overshadowing.
- The ‘Beer Garden’ amenity area will be ruined by building so many apartments in close proximity.

- Noise and disturbance.
- Adequacy of parking / turning.

Each point shall now be addressed in turn.

Loss of privacy

The application is surrounded by development and therefore, without careful consideration, the potential exists for significant levels of overlooking. Through pre-application discussions with the applicant the local planning authority has sought to ensure that the design of the development is designed in such a way that such overlooking and loss of privacy is kept to a minimum.

Numbers 1 – 9 Flatfield Road are located to the north of Block A (the larger of the two blocks). The flank wall (north-eastern elevation) of Block A faces toward the gardens and rear walls of the properties on Flatfield Road and contains two windows at ground floor level - serving a kitchen and living room. Views from these windows are likely to be obscured by the existing boundary fence, and there is a substantial separation distance between the windows and the original rear walls of the properties on Flatfield Road (in excess of 23 metres).

The rear gardens of 23 – 25 are located to the south of Block A. In order to address concerns previously raised by the local planning authority in connection with potential overlooking of these gardens, a combination of mitigation methods is proposed:

- 1) The use of frosted / translucent glass up to 1.7 metres.
- 2) The planting of pleached photinia laurocerasus (grown to 2.5 metres).

The four closest windows on the north-western elevation, located at first and second floor level, are shown on the submitted plans as being fitted with frosted glass. The windows serving the ground floor units and the stairwells are not shown as being fitted with frosted glass. However, given the limited amount of time residents are likely to spend in the stairwells, it is not considered reasonable to request that these windows are fitted with frosted glass. It should also be noted that a level of natural surveillance of these communal areas is likely to have a positive impact in terms of reducing crime and residents' fear of crime.

These methods effectively limit overlooking of the gardens in question. If planning permission is forthcoming it would be reasonable to include a planning condition requiring the retention of the frosted / translucent glass in perpetuity. Additionally, number 23 Goldcroft does not have any windows in the flank wall above ground floor level, so there would be no loss of privacy to the internal area of the property.

Block B fronts Goldcroft and is roughly in line with number 27 Goldcroft. The north-eastern elevation of Block B does not contain any windows other than two roof lights which provide natural light to the stairwell.

The south-western elevation contains a number of windows that face number 25 Goldcroft, which is located approximately 27 metres away. The separation distance thus accords with saved Appendix 3 of the Dacorum Local Plan (2004) which states that minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another

should be met to ensure privacy.

The windows on the north-western elevation would partially overlook the rear gardens of numbers 1 – 3 Flatfield Road, but importantly would not overlook the more sensitive areas closest to the properties themselves.

Loss of light / overshadowing

Syntegra Consulting Ltd have prepared a daylight / sunlight report to support the proposed development. The report assessed the daylight and overshadowing effect of the proposed development on the surrounding buildings, and the assessment has been undertaken in accordance with “**BRE 209 Digest: Site Layout Planning for Daylight and Sunlight – A guide to Good Practice**”.

The impact on daylight is assessed with reference to Vertical Sky Component (VSC) and No Sky Line (NSL).

The impact on sunlight is assessed with reference to the Annual Probable Sunlight Hours (APSH) tests.

The impact of overshadowing is assessed with reference to the BRE guide “Site layout planning for daylight and sunlight”.

The report assessed the potential impact of the proposed development in relation to daylight, sunlight and overshadowing on numbers 19/21/23/25/27/42/44/46/48/50 Goldcroft and numbers 1/3/5/7/9 Flatfield Road.

The report states that in terms of daylight:

- Levels of daylight for the surrounding buildings located at 19/21/23/25/42/44/46/48/50 Goldcroft and 1/3/5/7/9 Flatfield Road will not adversely be affected by the proposed development.
- Levels of daylight for two surfaces at 27 Goldcroft would be affected by the proposed development; however, the impact would be minor as the impacted room passes the No-Sky line criteria.

The report states that in terms of sunlight:

- Levels of sunlight for the surrounding buildings 19/21/23/25/42/44/46/48/50 Goldcroft and 1/3/5/7/9 Flatfield Road will not adversely be affected by the proposed development.
- Levels of sunlight for one window at 27 Goldcroft would be impacted by the proposed development; however, the impacted window (S20) would remain greater than 20% in the proposed APSH value (24%) and close enough to the BRE criteria.

The report states that in terms of overshadowing:

- The existing amenity area / garden / open spaces located at 21/23 Goldcroft and 1/3/5/7/9/11/13 Flatfield Road would not be adversely affected by the proposed development.
- At least half of the amenity area belonging to 27 Goldcroft would never receive direct

sunlight on 21st March.

From the results of the assessment it can be concluded that, with the exception of 27 Goldcroft, the development would not result in any adverse impacts on adjoining properties in terms of loss of daylight, sunlight and overshadowing.

Consideration must now be given to the impact on 27 Goldcroft. As has been outlined above the impacts on daylight and sunlight are negligible, while the impacts of overshadowing on the amenity area severe. The report also mentions that a further simulation of the impacts of overshadowing was carried out on 21st June when the garden is more likely to be used by residents. The conclusion was that at least half of the amenity area would receive direct sunlight from 09:00 to 17:00 (9 hours).

Additionally, the ratio between existing and proposed values on 21st June would be such that the changes would not be greatly noticeable to the occupants (see table below).

Time (June)	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00
Existing (%)	27.90	49.10	66.60	76.80	82.10	84.70	87.20	84.20	77.20	68.80
Proposed (%)	27.90	49.10	66.60	74.30	75.40	74.50	76.20	75.00	70.20	66.90

(Source: Syntegra Consulting – Daylight, Sunlight & Overshadowing Report)

It is acknowledged that the impact of overshadowing during the winter months is far from ideal. However, as demonstrated above, the impact during the summer months would be less severe. The community benefits arising from this scheme - i.e. the provision of 11 new units of affordable accommodation, are considerable. On this basis, therefore, it is considered that, on balance, the impact is not so severe as to warrant a refusal of planning permission.

Noise and Disturbance

Whilst the development would undoubtedly result in an increase in population, it does not automatically follow that there will be a corresponding rise in noise and disturbance. The buildings will be constructed to modern building regulations standards, limiting noise transmission between and from within the individual units. The car parking area provides off-road parking for up to 16 cars, whereas the garage block could theoretically accommodate up to 20 cars. Therefore, were the garage block used to its full capacity it would clearly have a greater impact in terms of vehicle movements.

Adverse impact on amenity space

Concern has been raised in connection with the impact of the development on the nearby amenity area known as the 'beer garden'. Firstly, it should be noted that it is the garage block which is being developed and that the amenity space will remain intact and will continue to be available to existing local residents. The windows on the south-eastern elevation of Block A would provide much needed natural surveillance of this area and provide a greater sense of

enclosure. By blocking all views of the road and removing the car movements from its perimeter, the tranquillity of the area is likely to be enhanced.

Adequacy of parking / turning

This will be dealt with under the section entitled "Highway Safety and Parking Provision".

To conclude, the proposed development would not significantly or 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 seeks to provide nine two-bedroom units and two one bedroom units which would give rise to a maximum parking requirement of 16 spaces (1.25 spaces per one bedroom unit and 1.5 spaces per two bedroom unit). The proposal would provide 16 spaces and thus accords with Saved Appendix 5 of the Dacorum Local Plan (2004).

Given that 20 garages are to be demolished, the development principles for the area state that alternative provision should be provided. The provision of 16 parking spaces for the new development does not constitute alternative provision. Verge hardening has occurred within the area which has helped to alleviate parking issues. Furthermore, the parking / transport assessment carried out by Paul Mew Associates has concluded that on-street parking demand within the survey area is within maximum capacity during peak residents' demand for parking (overnight). For the avoidance of doubt, the survey area includes all kerb space largely within a 200 metre distance of the application site.

The site is reasonably sustainable, with easy access to local services such as shops, schools and services. Any adverse impact would not be significant enough to warrant a refusal. The development provides sufficient parking for the number of units proposed and as such it is considered that a refusal could not be sustained on these grounds alone.

Hertfordshire Highways have been consulted and do not wish to raise any formal objections to the proposed scheme subject to the inclusion of a number of conditions and informatives. Concern was, however, raised by the Highways Officer over a lack of a turning head within the site which would preclude a refuse vehicle from entering the site and, furthermore, could potentially result in vehicles reversing out the site. In response, Paul Mew Associates have produced a technical note to explore this issue in more detail. Swept path analysis illustrates that a typical family car could manoeuvre past a static refuse vehicle while it is cycling through the collection process. The same assessment has taken place with reference to manoeuvrability within the car parking area itself; indeed, it has been confirmed by swept path analysis that there is sufficient space for vehicles to manoeuvre into and out of the parking spaces without the use of any other space.

In light of the above the provision of a turning head is not considered to be necessary.

Due to Highways raising no objection and satisfactory off street parking provision being 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.

The Trees and Woodlands Officer has been consulted and has not raised any objections to the tree report and the manner of protection proposed. Conditions pertaining to tree protection will be imposed.

Other Material Planning Considerations

- *SUDS*

The Lead Local Flood Authority (Hertfordshire County Council) have been consulted and are satisfied with the SUDS strategy. Further conditions, as suggested by the Lead Local Flood Authority, will be imposed to ensure that the development does not cause issues with localised flooding.

- *Bats*

A survey was carried out on 1st November in order to carry out a preliminary roost assessment on the garage block and oak tree. The results are summarised below:

Garage Block 1 (garages 1- 7) - no evidence of bats or bat usage was found.

Garage Block 2 (garages 8-12) - no evidence of bats or bat usage was found.

Garage Block 3 (garages 13-20) - no evidence of bats or bat usage was found.

Oak tree - the tree was found to hold no roosting potential.

- *Refuse and Recycling*

Saved Policy 129 of the Local Plan (2004) seeks to ensure that developments have adequate storage for refuse and recycling. Adequate bin storage facilities are provided close to the entrance to the site. Cupid Green have not raised any objections.

- *Planning Obligations / CIL and Legal Agreement*

Policy CS35 states that all development will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development.

The site is situated within Charging Area 3 as defined by the Community Infrastructure Levy Charging Schedule. As such, residential development within this area is chargeable at a rate of

£100 per square metre. Exemptions in respect of payment may be available to the applicant as proposal is for 100% affordable housing.

The proposal seeks consent for eleven flats, all of which would be social rent. The affordable housing requirement will be secured by way of a legal agreement.

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

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

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

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

ALP004

APL006

APL007

APL008

ALP009

ALP010

ALP011

ALP012

ALP013

APL014

APL015

ALP017

ALP018

Development Site Impact Assessment & Method Statement (Bartlett Consulting) Date: Thursday 12th October 2017

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

- 3 The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development.

- 4 The development permitted by this planning permission shall be carried out in accordance with the approved The Drainage and SuDS Strategy carried out by Price & Myers reference 26156 Rev 2 dated August 2017 and supporting information submitted and the following mitigation measures detailed within the FRA:**

- **Implement appropriate drainage strategy based on attenuation and discharge into Thames Surface water sewer.**
- **Limiting the surface water run-off to a maximum of 3l/s generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.**
- **Implement drainage strategy utilising permeable paving and attenuation tank.**

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

5 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:

- **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 calculation.**
- **Final design should incorporate silt traps and appropriate pollution prevention methods to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.**
- **Detailed surface water calculations for all rainfall events up to and including the 1 in 100 year + climate change event supported by a clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.**

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

6 Upon completion of the drainage works an updated management and maintenance plan for all the SuDS features and structure must be submitted and shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding.

7 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.

- 8 All remediation or protection measures identified in the Remediation Statement referred to in Condition 7 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.

- 9 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [1 year] from the date of the occupation of the building for its permitted use.**

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing and other ground protection measures for the protection of any retained tree shall be undertaken in accordance with the

approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 10 **No materials, plant, soil or spoil shall be stored underneath the canopy of any tree on the site which is shown for retention on the approved Drawing No. APL004**

Reason: In order to ensure that damage does not occur to the trees during building operations.

Article 35 Statement

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

INFORMATIVES

AN1) Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) Storage of materials, site parking and deliveries: 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. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the 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.

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.

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