

4/01779/17/FUL - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 2 NEW SEMI-DETACHED DWELLINGS. CONSTRUCTION OF 7 NEW TERRACED DWELLINGS ON LAND TO THE REAR OF 50-53 CHESHAM ROAD. NEW ACCESS ROAD TO TERRACES.

50 - 53 CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0EA.

APPLICANT: Margro Properties Limited.

[Case Officer - Nigel Gibbs]

Summary

The site is located within a designated residential area of Bovingdon under Policy CS4 of Dacorum Core Strategy wherein the principle of appropriate residential development is encouraged.

This two fold proposal involves frontage and backland development. There are no objections to the replacement of the bungalow at no. 50 with a pair of semi-detached dwellinghouses at the site frontage. The principle of a backland form residential development within the other part of the site contained within the very long established built core up part of Bovingdon village is also acceptable.

Backland development is whereby the parts of gardens associated with existing dwellings are combined to form a cohesive area of land behind existing housing road frontages. The proposed backland scheme would be served by a new access and associated roadway off Chesham Road, establishing a new/second tier of housing behind existing longstanding Chesham Road. This tier would 'round off/ consolidate and reinforce the character and appearance of the adjoining more modern, albeit visually different higher density housing to the immediate west of the site at the adjoining Apple Cottages/Orchard Court estate, so representing a seamless logical visual/physical transition, albeit not linked to this estate by footpaths or road.

The Revised Scheme incorporates a wide range of detailed layout/ design changes in association with requested arboricultural and bat reports. On the basis that backland development is acceptable in this location there are also no overriding layout, design, landscaping/arboricultural, other environmental/ amenity and highway safety/ access/parking objections. A range of conditions are necessary.

Site Description

The application site is located on the south eastern side of Chesham Road. It comprises the combination of parts of the rear gardens of nos. 50 to 53 inclusively. No. 50 is a 1930's hipped roof bungalow, no. 51 being a circa 1950's two storey detached dwelling house with 52/ 53 comprising a pair of two semi-detached 1930's units. These dwellings are all set back from the Chesham Road by varying distances.

The site's maturity is reinforced by the presence of strong planting with elongated rear gardens, the ends of which form a common boundary with the north western edge of the more modern aforementioned Apple Cottages/ Orchard Court estate. This estate comprises of terraced and semi-detached dwellinghouses served by an angled U shaped 45 degree cul de sac.

Proposal

This involves the demolition of no. 50, its replacement with a pair of semi-detached half hipped dwellinghouses fronting Chesham Road and the construction of a gabled terrace of 7 units through the amalgamation of the rear garden of no. 50 with substantial parts of the rear gardens of nos 51 to 53.

The 2 new dwellings on the site of no. 50 will be served by frontage parking linked to Chesham Road by separate accesses. These units will feature rear gardens of similar size to the truncated but still substantial retained rear gardens to serve nos 52 and 53. All the dwellings would appear two storey from the front and three storey from the rear.

The retained no. 51's rear garden would be of reduced length due to the dwelling's set back position and the proposed location of the inverted 'T' shaped roadway linked to Chesham Road. This access road would serve a gabled roof terrace of 7 dwellings in the form of a second tier of housing parallel with but substantially behind the existing Chesham Road frontage. All the dwellings would be served by individual frontage curtilage parking and rear gardens with the central terrace of 5 terminated at the respective north east and south western ends by stepped' book end' units.

The scheme requires the removal of 18 trees and six groups of trees.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Bovingdon Parish Council and the request by Councillor Stewart Riddick for the Committee's consideration.

Revised Scheme. Councillor Riddick attended the Bovingdon Parish Council Planning Meeting when this application was discussed and clarifies they would object to this application and he would just like to re-confirm his earlier request for this to be called-in for deliberation by the Committee.

However, if Officers are minded to refuse the application, it would then not be necessary for the Committee to decide upon the application.

Site Planning History

None directly relevant.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
NPPG

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS3 - Managing Selected Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS19 - Affordable Housing
CS23 - Social Infrastructure
CS25 - Landscape Character

CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Various

Appendices 3, 5, and 8

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Accessibility Zones for the Application of car Parking Standards (July 2002)
Landscape Character Assessment (May 2004)
Planning Obligations (April 2011)
Affordable Housing (Jan 2013)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Bovingdon Parish Council

Original

The Parish Council's Planning Committee met on 4 September 2017 and considered this application. The comments are :

Object for the following reasons:

- Over development of site – development appears cramped within the site and would be incompatible with the established and underlying building pattern. The proposals would represent backland development.
- The development, due to the overhaul bulk, massing and scale would introduce significant structures behind the established Chesham Road Properties, which would be uncharacteristic.
- The front to rear relationship between the proposed block of terraced houses and established properties in Apple Cottages and Orchard Court to the rear and side, appears to be less than Dacorum Borough Council guidelines.
- There appears to be no provision for visitor parking and the access for emergency vehicles could be compromised
- Access to Chesham Road – concern that another vehicular access onto the Chesham Road would create further problems. This is the busiest B road in the County.
- Design - by reason of the density, height, form and layout, the proposed development would result in harm to the amenities of the neighbouring properties particularly to No. 54 Chesham Road.
- The proposals would be to the detriment of the character and appearance of the area.

Revised

The Parish Council's Planning Committee met on 22 January 2018 and considered this application and object. The comments the PC made at its Planning Committee on 4 September 2017 still stand. On this basis the PC bring them again for the Borough Council's information.

In addition, BPC is concerned that a number of mature trees at the rear of the site would be lost, and these currently provide screening from Apple Cottages. The other point is that vehicles accessing the two houses on Chesham Road would not be able to turn round and therefore, would either have to reverse out onto the Chesham Road, or be reversed in from Chesham Road, either option would be hazardous.

Councillor Stewart Riddick

Original

Having examined the above recent Application for a proposed extensive backland development scheme, I have a number of major concerns regarding its viability and would request that it is brought before the Development Management Committee for consideration.

The following are just a few of my concerns:

- 1) The proposed backland development would cause significant harm to the character of the area by introducing an alien and uncharacteristic form of development and it would result in a cramped and dense development at odds with the prevailing grain/typography and layout of surrounding development. The scheme would therefore be contrary to Policies CS10, CS11 and CS12 of the adopted Core Strategy.
- 2) By reason of the density, height, form and layout, the proposed development would result in significant harm to the amenities of the neighbouring properties (to front and rear of the site) by appearing visually overbearing and intrusive which reduces privacy from an otherwise quiet and private setting. Also, as a consequence, the introduction of new dwellings and the associated level of cars-parking, plus associated vehicular activity, this would significantly detract from the quiet environment presently enjoyed by the neighbouring houses to such an extent that it would be significantly harmful. As such, it is considered that the scheme fails adopted Core Strategy Policy CS12 and Appendix 3 of the Local Plan.
- 3) The development, due to the overall bulk, massing and scale would introduce significant structures behind the established Chesham Road Properties, which would be alien and uncharacteristic.
- 4) The front to rear relationship between the proposed block of terraced houses and established properties in Apple Cottages and Orchard Court to the rear and side, is less than Dacorum Borough Council guidelines.
- 5) Additional vehicular access onto the busy Chesham Road would not be acceptable.
- 6) Although Chesham Road is in a '30MPH' zone, speeds along this road are permanently monitored with 'SIDS' (Speed indicator Devices) which consistently record vehicles travelling at well in excess of the '30MPH' restrictions. Indeed, speeds in excess of 55 - 60MPH are regularly recorded.
- 7) The 'collection position', indicated facing onto Chesham Road, for our Refuse Vehicles,

would not be acceptable. There is also no indication of the individual locations for the 27+ 'wheelie bins' which would be needed for the number of properties proposed. N.B. Our Refuse Officers would not be prepared to drag the 'wheelie bins', from the individual properties!

8) There is no provision for Visitor Parking.

9) Access for Emergency Services would be severally restricted.

Finally, for direct comparison, I would refer you to an earlier (almost IDENTICAL) backland development scheme that was submitted for 33 - 35 Green Lane, Bovington, HP3. 0JZ (Application No: 4/00415/16/FUL) which came before the Development Management Committee and was subsequently REFUSED on 13th October 2016.

This REFUSAL decision was Appealed by the Applicant - and the APPEAL was DISMISSED on 17th July 2017 under Appeal Reference: APP/A1910/W/17/3170787.

N.B. The Appeal Inspectors Report should be read in full, since it contains many relevant reasons for REFUSAL, which will equally apply to the 50 - 53 Chesham Road proposal.

The Appellants Claim for Costs was also DISMISSED..

Revised

Please see Referral to Committee.

Strategic Planning

The SP would request that the Development Management Team assess the application.

Design & Conservation

Original

Recommended changes to the design.

Revised

It is noted there are some revised proposals for this development. It is believed that they are now more in keeping with the character of the area and that the design, materials and detailing reflect the local character.

As discussed previously Design would not object to the redevelopment of this site for housing. Therefore Design believe that the proposals are of an appropriate design, reflect the character of the area and therefore are acceptable. It is recommended that the bricks, brick bond, tiles (both roof and hanging), render, rainwater goods, joinery details and finish and landscaping materials and finish are conditioned to ensure a high standard of development.

Building Control

Revised

No further comment.

Trees & Woodlands

Original

There are no significant trees or landscape features worthy of protection and retention on this site. There is a collection of small ornamental trees including conifers and some fruit trees scattered throughout the front and rear gardens but none merit retention. There are 3 mature Larch trees in the front garden of number 50 but these trees would be lost because of the proposed parking areas in front of the new property. To compensate for the loss of all existing trees, it is recommended that the applicant submits a tree planting plan to include number of proposed new trees, species, size and planting methods and maintenance. Trees should be container grown standards and at least 10-12 cm girth at the height of 1.5 m above ground level at planting time.

Revised

Response awaited.

Noise and Pollution

Original

This has been considered primarily from the standpoint of potential nuisance. There is no reason to object on environmental grounds. However a standard condition relating to building times is recommended. All building work and all associated deliveries and collections to take place between 7-30 am and 6-30 pm on Monday to Saturdays and no construction or related work to take place on Sundays or on Bank Holidays.

Refuse Controller

Responses awaited.

Hertfordshire County Council: Highways: Original

Please note: The response to the Revised Scheme is an updated version of the response to Original Scheme.

Hertfordshire County Council: Highways: Revised

Decision

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

Hertfordshire County Council as Highway Authority considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways and does not object to the development, subject to the conditions and informative notes below.

CONDITIONS

1. The applicant is required to submit a revised Design and Access Statement giving details of the new and revised vehicle accesses required both for the remaining and the proposed new properties. The level of parking proposed for the existing properties should also be provided.

Reason: In the interests of maintaining highway efficiency and safety.

2. No part of the development shall begin until the means of access has been constructed in accordance with the approved drawing and constructed in accordance with "Roads in Hertfordshire A Guide for New developments".

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

3. Before first occupation or use of the development the access roads and parking areas as shown on the approved plan(s) shall be provided and maintained thereafter.

Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with its use.

4. Prior to commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for approval in writing. The Construction Management Plan shall include details of: • Construction vehicle numbers, type, routing; • Traffic management requirements; • Construction and storage compounds (including areas designated for car parking); • Siting and details of wheel washing facilities; • Cleaning of site entrances, site tracks and the adjacent public highway; • Timing of construction activities to avoid school pick up/drop off times .

Reason: In the interests of maintaining highway efficiency and safety.

5. The development shall not be brought into use until the new vehicle crossovers have been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use.

6. Upon completion of the development, any 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 limit the number of access points along the site boundary for the safety and convenience of the highway user.

7. Visibility splays of not less than 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the new access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway. Construction work shall not commence the applicant has demonstrated that the required visibility splays can be achieved by means of detailed scaled drawings showing the new access arrangements and visibility splays, to be submitted to and subsequently agreed in writing by the Local Planning Authority.

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

8. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on each side of both accesses, within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.

Reason: In the interest of highway safety.

9. The development shall not be occupied until the access and car parking areas have been constructed and surfaced. The car parking areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.

Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents and businesses.

10. The proposed car parking spaces shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.

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

11. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles

outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

12. All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

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

13. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.

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

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

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

HIGHWAY COMMENT

This proposal is for:

Demolition of existing bungalow at 50 Chesham Road. Construction of 2No new semi-detached properties at 50 Chesham Road. Construction of 7No new terraced properties in the land to the rear of 50-53 Chesham Road. New access road to terraces.

This amendment includes moving the bin storage area from in front of the properties to the side of the access road itself.

ACCESS

The existing vehicular accesses for 51 and 52 will require alteration, since the proposed new

access road for the development will be constructed between these houses. The proposed new access road will require the applicant to enter into a S278 agreement and will require to be constructed with radial corners in line with standard set out in Roads in Hertfordshire: Highway Design Guide 3rd Edition Section 4 – Design Standards and Advice Chapter 1 – Road Design Criteria.

Drawing 276 03 does not show any detail of the new/revised vehicle accesses required and the application will be subject to further design checks as and when more detailed plans are submitted as part of a revised Design and Access Statement. This would include checking the requirements for new Vehicle Crossovers and the proposed vehicle access road.

This amendment reduces the width of the access road furthest from the highway from 5 metres to 3 metres.

PARKING

20 off street parking spaces are proposed in total: three for each of the properties to be built on the site of no 50, and two each for the 7 properties to be constructed in the new development. No details have been provided on the amended parking arrangements for house nos 51 and 52. This must be shown in a revised Design and Access Statement.

Although in section 6 of the application form the applicant has stated that a new public road will form part of the development, as Highways Authority, HCC will not be adopting the proposed new access road.

Chesham Road is a busy “B” classified road, the B4505, with a 30 mph speed limit. There have been no recorded accidents in the vicinity of the site in the last 5 years.

A site visit was conducted on 11 /09/17

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.

Hertfordshire Fire & Rescue Service

The provision of Fire Hydrants does not appear to be adequate with the need to comply with BS 9999:2008.

Hertfordshire Constabulary: Crime Prevention

Original

The comments are made from a crime prevention perspective only, there have been a relatively high number of crimes, including burglary reported in the proposed development area.

There are no concerns regarding the layout of the development, however due to the reported crime in the area HC would encourage the Applicant to build the development to the physical security standards of Secured by Design which is the Police approved minimum security standard.

In October 2015, Approved Document Q (ADQ) came into force that requires under Building Regulations dwellings are built to “Prevent Unauthorised Access”. This applies to any “dwelling and any part of a building from which access can be gained to a flat within the building”. Achieving the Secured by Design (SBD) award meets the requirements of Approved Document Q (ADQ).

Revised

No further comments.

Hertfordshire Property

HP 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 2 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, HP reserves the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Hertfordshire Ecology

Initial Advice

Hertfordshire Environmental Records Centre does not have any habitat or species data for the application site or the immediate vicinity. Viewed on aerial photos, the location for the development includes gardens with trees.

No ecology report or Preliminary Roost Assessment for bats has been submitted in support of this application although it includes demolition of the bungalow at 50 Chesham Road and trees present are likely to be lost to the development. The biodiversity question on the application form has been answered 'No' to the reasonable likelihood of protected species being present and affected by the proposal. The form also indicates that trees are present on the site but there is no tree survey to support the application.

The submitted sustainability report indicates that, post development, there will be two half standard native oaks trees planted at the end of each of the private rear gardens. The use of native species will all be included in the planting at the end of the turning head of the estate road. The use of native tree and shrub species will create long-term opportunities for wildlife on site. HE welcome the biodiversity enhancements to add four swift bricks to the north facing gable ends of the terrace block (one on each gable end rear of the apex) to provide secure nest sites for Swifts or possibly Tree Sparrows both species in decline identified by the RSPB.

Bats

Bats are protected under European and domestic legislation and in general terms, it is an offence to disturb or harm a bat, or damage or obstruct access to a roost. They will roost in buildings and trees and both are present on the site and nearby vegetation could also be used by bats for foraging and commuting.

As this application includes demolition of a building and loss of trees, there is potential for bats to be present and affected by the proposal. HE advise that a **professional Preliminary Bat Roost Assessment** is carried out by a suitably qualified ecologist to evaluate whether bats, or evidence of them, are present and will be affected by these proposals. This will consider the need for further bat surveys and mitigation.

Such surveys can be undertaken at any time of year but should follow established best practice as described in the Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016.

A. If no bats or evidence of bats is found, the application can be determined accordingly.

B. In the event that evidence, or potential for bats, is found, further surveys (dusk emergence / dawn re-entry activity surveys) are likely to be required. These can typically only be carried out when bats are active in the summer months between May and August, or September if the weather remains warm. As this is now within the unfavourable time of year to undertake these bat activity surveys, an **Outline Mitigation Strategy with appropriate recommendations should**

be included within the bat report if the Local Planning Authority (LPA) is to fully consider the impact of the proposals on bats. This strategy should be based on the presence of a bat roost proportionate to the location and can be modified if necessary once the results of any recommended follow-up activity surveys are known. In this situation only, i.e. once an outline mitigation strategy has been submitted and approved, HE would advise any outstanding surveys are secured as a Condition of Approval.

It is recommended the following *Condition* wording (where [x] is the number of recommended surveys):

“Prior to the commencement of the development, hereby approved, [x] dusk emergence / dawn re-entry survey(s) should be undertaken during May – August inclusive (possibly September if the weather remains warm) to determine with confidence whether bats are roosting and, should this be the case, the outline bat mitigation strategy should be modified as appropriate based on the results and then be submitted in writing to the Local Planning Authority and implemented in full. Thereafter the development shall be carried out in accordance with these approved details. Reason: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with European and national legislation.”

It should be noted that if bats are found to be roosting within the development site, appropriate mitigation measures may need to be carried out under the legal constraints of a European Protected Species (EPS) development licence. Natural England will require a number of activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.

To conclude, HE cannot recommend this application is determined until further information on bats is provided – a preliminary bat roost assessment report with an Outline Mitigation Strategy (and only then can the recommended survey be Conditioned).

As trees and shrubs in the gardens are likely to be lost to the development, I also advise that the following **Directive** is added to any consent granted: Funded by the following LPAs: *March to September (inclusive), to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found in trees or on the building, the location should be cordoned off (minimum 5m buffer) until the end of the nesting season and/or works should*

Response to the Bat Report

HE previously provided comments on this proposal and now offer the following additional comments:

Bats

Bats are protected under European and domestic legislation and in general terms, it is an offence to disturb or harm a bat, or damage or obstruct access to a roost. They will roost in buildings and trees and both are present on the site and nearby vegetation could also be used by bats for foraging and commuting.

The submitted Preliminary Ecological Appraisal (PEA), (Arbtech, November 2017) now provides sufficient ecological information to assess the likely impact of development on bats. A preliminary roost assessment has been carried out for the bungalow at 50 Chesham Road (proposed for demolition) and no potential roost features or bat access points were identified. The report also confirms that no trees on site has any bat roosting value, so no further bat surveys are required. As the site has negligible potential to support roosting bats, in this instance HE do not consider that any ecological surveys are necessary.

On this basis, bats should not be considered a constraint to the development proposals and the application can be determined accordingly. As nearby vegetation could also be

used by bats for foraging and commuting, any external lighting should avoid spillage on features likely to be used by bats.

HE welcome the additional biodiversity enhancements contained in the PEA report to add bat tubes and bird nest boxes for Tree Sparrow and Robin as well as the previously offered swift bricks. HE support the welcome the additional biodiversity enhancements contained in the PEA report to add bat tubes and bird nest boxes for Tree Sparrow and Robin as well as the previously offered swift bricks.

If, however, the proposals change to directly affect 52-53 Chesham Road, bat emergence surveys will be required prior to determination as potential bat access points are present and a bat roost may be affected. If, as a result, bats are found to be roosting within the development site, appropriate mitigation measures may need to be carried out under the legal constraints of a European Protected Species (EPS) development licence. Natural England will require a number of activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.

Consequently HE advise that the following

Informatives are also added to any consent granted.

"If bats, or evidence for them, are discovered during the course of demolition works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900."

"Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential bat roost/foraging habitat."

Thames Water

No response.

Affinity Water

No response.

NATS

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, 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 the Council's 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.

Civil Aviation Authority

No response.

Ministry of Defence

No response.

Responses to Neighbour Notification/ Site Notice

Original: Objections

12, 13, 49, 51, 54 and 58 Chesham Road

Green Lodge, Vicarage Lane

21 Church Street

Silver Birches, Highcroft Farm and Hill Cottage , Hempstead Road

Long Meadow, Flaunden Lane

94 Green Lane

Hollycroft Green Lane

3 Unspecified Addressees (Bovingdon Resident of 30 years, two with no identification clarification)

Hazels, Bushfield Road

Whiteacre Development

Reference to E mail from Bovingdon Action Group Say No to Back Garden Development in Chesham Road (2)

Reasons:

- Gross/ Excessive overdevelopment.
- Backland development.
- Cramped and dense, excessively high , bulky , completely out of character with Chesham Road, Apple Cottages and Orchard Court /adverse visual implications due to being 3 storey .
- Contrary to CS10, cs11 CS12 and DBLP Appendix 3.
- No infrastructure provision.
- Fundamental access/ highway safety / parking etc issues.
- Adverse effect upon residential amenity. The proposed development would dramatically intrude on neighbouring homes with new associated vehicle movements, driveways, headlights, exhaust fumes, service vehicle access and increased noise into what are now quiet gardens.

- No affordable housing.
- Existence of more suitable sites.
- No refuse collection facilities.
- Loss of view
- Close to Green Belt with resultant implications.
- Legal implications.

Original : Support

51, 52 and 53 Chesham Road

Relative of no. 51 Chesham Road

4, The Hawthorns

1 Hempstead Road

2, The Bourne

20a Cambridge Park, Twickenham

Revised Scheme : Objections

13 Chesham Road

Note: Any responses to the site notice will be reported to the meeting.

Considerations

The key issues are:

1. The principle.
2. The compatibility of the development with the character and appearance of the area.
3. Whether the development can be accommodated at the site, with particular regard to the design, layout, the impact upon the residential amenity of the surrounding housing and parking/highway issues.

Policy and Principle

The principle of new housing is acceptable as the site is located within the designated residential area under Policy CS4 of Dacorum Core Strategy wherein the principle of appropriate residential development is encouraged.

The key policy Dacorum Core Strategy CS11 specifies :

Within settlements and neighbourhoods, development should:

- (a) respect the typical density intended in an area and enhance spaces between buildings and general character;

- (b) preserve attractive streetscapes and enhance any positive linkages between character areas;
- (c) co-ordinate streetscape design between character areas;
- (d) protect or enhance significant views within character areas;
- (e) incorporate natural surveillance to deter crime and the fear of crime; and
- (f) avoid large areas dominated by car parking.

These should also be considered in association with Dacorum Core Strategy Policy CS12 (Quality of Development) and saved Dacorum Borough Plan Appendix 3 (Layout). The latter explains that in addressing the layout and design of residential areas, proposals should be guided by the existing topographical features of the site and its immediate surroundings, respecting the character of the area and ensuring proper space for the proposed development without creating a cramped appearance, whilst introducing variety and imagination in layout and design. This is set against the National Planning Policy Framework's expectation that planning should take account of the different roles and characters of different areas, and always seek to secure high quality design.

Design, Effect upon the Character and Appearance of the Area, Layout

The replacement of the bungalow, its garage and mature wooded setting at no. 50 with a pair of semi-detached dwellinghouses would result in a far more assertive feature within the street scene reinforced by the opening of the frontage and the introduction of parking. This would be reinforced by the loss of frontage trees which are locally important within the street scene. However, the Trees & Woodlands Officer raises no objections to their removal. These dwellings should echo the long established character of this part of Chesham Road, with reference to the more strident nos 51, 52, 53 and others nearby.

The principle of the backland form of residential development at the site is acceptable. Significantly the approach reflects PINS recent support for this form of change elsewhere in the Borough.

As confirmed backland development is where the parts of gardens associated with existing dwellings are combined to form a cohesive area of land behind an existing housing road frontage development with a new access and associated roadway formed to establish a new tier of development behind existing frontage development.

The introduction of a second tier of housing at the site would represent a logical physical/layout transition between the much higher density housing at Apple Cottages/ Orchard Court and the Chesham Road frontage within an established built up/ residential part of the settlement's core area. It therefore is not isolated sporadic uncoordinated development. To the contrary, albeit visually different (due to the form of the rear elevation) it would effectively reinforce / consolidate the character/ appearance of the higher density and now well established modern development at the Apple Cottages/ Orchard Court estate, albeit it is acknowledged that it is not linked by its access. This estate has set a strong indicator of how new housing can be successfully accommodated within this part of the core area, now very much an integral part of the character of this part of Bovingdon.

In layout and visual terms alone most importantly the introduction of a terrace clearly makes reference to the undoubted change established by the adjoining estate. Whilst not physically connected the proposed terrace's consolidating visual effect is significant by echoing / representing a logical addition to this modern estate creating a terminal feature to this cul de sac and a visual break and transition with the older Chesham Road. The Revised Scheme's changes to materials are very important in softening the proposed terrace's physical impact of the Original Scheme. This has taken into account the approach to the terrace from Chesham Road and in relation to the adjoining Apple Cottages and Orchard Close, with due regard to the '

three storey' appearance to the rear which gives it its own identity.

In the latter respect it is fully acknowledged that the unbroken rear elevation is very significant and for this reason the Design Team recommended changes to the materials to subdue the effect. Importantly it also has to be taken into account that under 'permitted development' if permission was granted for an alternative terrace design with clear rear roof slopes change could then occur in an ad hoc way creating an uncoordinated visual impact, contrary to the 'visual cohesion' shown by the scheme. The harmful cumulative effect of such sporadic change on older two storey terraces is very common place through the incremental effect of such permitted development rights. Therefore the scheme has an in-built design robustness in this respect from the outset. Moreover, from the front the minimisation of the number of rooflights in Revised Scheme and the withdrawal of permitted development rights for changes to the front roofs again creates a much improved appearance from the outset with necessary controls in the future to ensure the 'visual cohesion' of the front from the outset.

Therefore, although the effect of the new tier of development would without doubt markedly change its character of the land from the prevailing historically more spacious and sylvan development associated with the Chesham Road gardens there is a very structured basis to this change, rather than a random approach. New structural planting is an essential ingredient of the layout with the additional planting shown by the Revised Scheme and subject to recommended conditions, including planting along both sides of the new access, with soft landscaping important visually and ecologically, compensating for the loss of mature tree cover, softening and complementing the urbanising effect.

Importantly for clarification the proposal's backland form is fundamentally materially different to the LPA's refusal of 'second tier housing' to the rear of dwellings at 33 to 35 Green Lane, Bovington which was subject to a dismissed appeal. This is because Green Lane proposals directly adjoined the open countryside / Green Belt. In contrast the current proposals at Chesham Road physically reinforces the pattern of housing change within the village's built up envelope/ core, representing the next stage in the settlement's physical evolution.

The layout provides adequate useable gardens for the new and existing dwellings. This fully takes into account the retained garden for no. 51. The layout has inbuilt natural surveillance with the Crime Prevention Officer raising no objections. Moreover, the Revised Scheme introduces essentially structural planting which is so important both visually and ecologically, also compensating for the loss of mature tree cover.

Effect upon Residential Amenity

This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity.

Based upon the level of spacing/ physical relationship between the existing and proposed dwellings there are no overriding identified objections, albeit that between the replacement dwellings and no. 51 is not ideal at the front, being a 20m separation. This overview is with regard to privacy, physical impact, noise, disturbance, headlamp glare and air quality and that the Applicant has agreed since the receipt of the revised Scheme to introduce boundary brick walls along each side of the access roadway.

With reference to backland development it is fully acknowledged that the introduction of an access road between dwellings invariably changes the environment of the dwellings adjoining a new roadway and is often cited as a major criticism of backland development. This was the case in the appeal at Green Lane at the edge of the settlement rather than the more core area. Due weight should be given to how such backland's schemes have been considered elsewhere recently in the Borough's main settlements, in particular the Planning Inspectorate's recent assessment of the principle of backland development at Grove Road Tring.

Access/ Highway Safety/ Traffic Generation

Significantly HCC Highways raise no objections. Based upon this response there are no identified overriding sight line, traffic generation, general/ fire / inclusive/ disabled/ refuse access issues. It has not objected to the lack of turning areas for the two new dwellings fronting Chesham Road.

Notwithstanding this there is the fundamental importance of ensuring the provision of fire hydrants in accordance with Hertfordshire Fire and Rescue's response. This is subject to a recommended condition.

For clarification under the latest established consultation procedures HCC Highways automatically notify Hertfordshire Fire & Rescue Service who will only make comments if deemed necessary.

The parking level is in accordance with Dacorum Borough Local Plan saved Appendix 5 which provides the Council's maximum parking standards. All the spaces are of sufficient size and accessible/ useable.

All the units would be served by curtilage refuse storage, with each dwelling accommodating the standard three bins.

Several highway related conditions and informatives are necessary.

Additional Detailed Material Considerations

Contamination, Drainage, Water Supply and Land Stability. The Scientific Officer's advice is awaited. There have been no responses from Thames or Affinity Water. Contamination and drainage are subject to recommended conditions. Land stability is referred to by the recommended informatives.

Ecological Implications. Hertfordshire Ecology has now raised no objections. There are a range of biodiversity associated benefits based upon the submitted ecological report to compensate from the loss of shore vegetation.

Exterior Lighting. This is subject to a recommended condition.

Conditions. A range are necessary and have been discussed with the Applicant.

Other Issues

This development is CIL liable to address infrastructure requirements, the development is too small to require affordable housing, an Environmental Impact Assessment is not necessary and there are no air safeguarding issues.

Conclusions

It is fully acknowledged that there are fundamental objections raised by the Parish Council to the principle of the development in addition to its details, with associated strong local opposition to the Original Scheme. The proposal represents significant change in this part of the settlement and is not straightforward.

Despite that there are sometimes the recognised inbuilt reservations regarding the implications of backland development, the principle of this type of change is regarded as acceptable within the Borough's main settlements. The proposed backland development in this location within the

core area of the village is materially and fundamentally different to cases where such 'two tier development' backland development adjoins the open countryside/ Green Belt on the edges of a settlement, such as at Green Lane, Bovingdon which for robust reasons was refused and dismissed on appeal.

In accepting the principle of backland development the Revised Scheme has secured an essential range of detailed design changes which have individually and collectively improved the Original Scheme, reinforced by the recommended conditions. These include significantly subduing their appearance of the rear elevation of the terrace at this transitional point.

Due to the associated site notice the recommendation is to delegate the decision with a view to approval following the expiry period for the site notice.

RECOMMENDATION - That determination of the application be **DELEGATED** to the Group Manager, Development Management and Planning , 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 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted based the details of the materials specified by the approved drawings) have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: In the interests of the character and appearance of the area and in the interests of sustainable drainage to accord with the requirements of Policies CS11 CS12 and CS29 of the Dacorum Core Strategy.

- 3 No dwelling house within the terrace of 7 dwellinghouses hereby permitted shall be occupied until the approved roadway, turning head and refuse collection areas shown by Drawing No. 276 03 are provided fully in accordance with the approved layout and the fire access arrangements subject to this condition. The roadway and turning head shall be constructed with a loading capacity necessary to accommodate fire tenders at all times fully in accordance with details submitted to and approved in writing by the local planning authority. The details shall include the provision of fire hydrants to serve all parts of the development. The roadway, turning head, hydrants and associated fire access infrastructure shall be provided and thereafter maintained in perpetuity in a condition that at all times ensures access for fire tenders and service vehicles.**

Reason: To ensure the provision of an acceptable means of access to the site for all vehicles including emergency and refuse vehicles and so as not to compromise highway safety in accordance with Dacorum Core Strategy Policies CS8, CS12, and CS29 and saved Dacorum Borough Local Plan Policies 54.

- 4 **Before the commencement of the construction of any of the dwellinghouses served by the approved access, visibility splays of not less than 2.4m x 43m in both directions and the access road hereby permitted and subject to the detailed requirements of this condition shall be provided, and thereafter maintained at all times. Within both visibility splays there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway. Construction work shall not commence details until have been submitted to and approved in writing by the local planning authority which demonstrate that the required visibility splays can be achieved by means of detailed scaled drawings showing the new access arrangements and visibility splays.**

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and Policy 54 of the saved Dacorum Borough Local Plan.

- 5 **Before the first occupation of any of the dwellinghouses hereby permitted all of the parking spaces and refuse bin storage areas for each dwellighouse hereby permitted as shown by the approved Site Layout Drawing No. 276. 03 shall be provided fully in accordance with this layout plan. Thereafter the respective approved parking spaces and refuse storage areas shall be retained at all times and shall be only used for the approved vehicle parking and refuse storage area purposes. The parking spaces shall be of a permeable paved surface in accordance with details subject to Condition 2.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking in accordance with Policies CS8, CS12 and CS29 of the Dacorum Core Strategy and Policies 54, 58 and 63 of the saved Dacorum Borough Local Plan.

- 6 **The ridge level of the two dwellinghouses hereby permitted (as referred to as 50a and 50 b on the approved Site Layout Plan) shall be the same as no. 51 Chesham Road and neither dwelling house shall be occupied until each is provided with a new vehicular access fully in accordance with details submitted to and approved in writing by the local planning authority. Each access shall be served 2m by 2m pedestrian visibility splays at all times on each side of both accesses, within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.**

Reason: In the interests of the character and appearance of the area and highway safety a to accord with the requirements of Policies CS8, CS11 CS12, and CS29 of the Dacorum Core Strategy.

- 7 **Before the commencement of the development hereby permitted and notwithstanding the submitted details a detailed full soft landscaping scheme shall be submitted to the local planning authority based upon the landscaping / planting principles shown by the Site Layout Plan 276. 03B including continuous hedging along either side of the whole length of access road with associated brickwalls and parallel to this subject to Condition 9 and a hedge planting along parts of the common boundaries between each rear garden of the dwellinghouses hereby permitted.**

The submitted details soft landscape works shall include plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of trees and plants, noting species, plant sizes and proposed numbers/densities where appropriate, including a tree and bird and bat boxes in each rear garden which shall be retained at all times

incorporating all the the recommendations of the submitted Preliminary Ecological Appraisal (PEA).

The development shall be carried out fully in accordance with the submitted tree and hedge protection measures referred to by the submitted Arboricultural Method Statement. These protective measures shall be maintained for the entire period of construction, removed only after the completion of the whole development.

Reason: In the interests of the character and appearance of the area and biodiversity in accordance with Policies CS12 and CS29 of Dacorum Core Strategy.

- 8 **Any tree, hedge or shrub which forms part of the approved landscaping scheme which within a period of ten years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation. For the purposes of this condition the planting season is between 1 October and 31 March.**

Reason: To safeguard the local environment, in the interests of residential amenity, visual amenity and biodiversity in accordance with the requirements of Policies CBS 5, CS12, CS26 and CS29 of the Dacorum Core Strategy.

- 9 **No dwelling houses hereby permitted shall be occupied until a scheme for all hard boundary treatment (including boundary walls for both sides of the access road) is installed fully in accordance with details submitted to and approve in writing by the local planning authority. Thereafter all the approved boundary walls and fencing fence shall be retained at all times.**

Reason: In the interests of the residential amenity of the dwelling houses hereby permitted, and the character and appearance of the area in accordance with Policies CS12 and CS27 of Dacorum Core Strategy.

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

For the purposes of this condition:

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

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

where required.

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

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

- 11 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

- 12 **No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years shall have been submitted to and approved in writing by the local planning authority.**

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority for its approval in writing.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS 32 of the Dacorum Core Strategy.

- 13 **Prior to the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter retained fully in accordance with the approved details.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with the aims of Policies CS8 ,CS12 and CS31 of the Dacorum Core Strategy , including highway safety, and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

- 14 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following Classes of the Order shall be carried out without the prior written approval of the local planning authority within the residential curtilages of the dwellinghouses hereby permitted and the existing dwelling houses :**

Schedule 2 Part 1 Classes A, B, C, D and E (with the exception of the sheds shown by the approved Site Layout Plan)

Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the dwellinghouses hereby permitted , the character and appearance of the area and ensuring that there is the correct balance between the amount of development and land retained for gardens in accordance with Dacorum Core Strategy Policy CBS 12 , saved Appendix 3 of the Dacorum Borough Local Plan and paragraph 89 of the National Planning Policy Framework.

- 15 **All bathrooms and en suite windows of the dwelling house hereby permitted shall be fitted with obscure glass at all times.**

Reason: In the interests of residential amenity in accordance with Policy CS12 of Dacorum Core Strategy and paragraph 89 of the National Planning Policy Framework.

- 16 **Before the occupation of the dwellinghouses hereby permitted an exterior lighting scheme shall be submitted to the local planning authority. The approved exterior lighting scheme shall be installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority.**

Reason:To safeguard the local environment in accordance with accord with the requirements of Policies CS8, CS12, ,CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 17 **No development hereby permitted shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.**

- **Construction vehicle numbers, type, routing;**
- **Traffic management requirements;**
- **Construction and storage compounds (including areas designated for car parking);**
- **Siting and details of wheel washing facilities;**

- **Cleaning of site entrances, site tracks and the adjacent public highway; and**
- **Timing of construction activities to avoid school pick up/drop off times.**

Reason: In the interests of highway safety, maintaining highway efficiency and safety and residential amenity in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 18 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

18146 200 01TT

276 01

276 02

276 03 B

276 04 (Site Layout Proposed Relationships)

276 11A

276 12 B

276 21

276 22A

276 23 B

276 24 B

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

NOTE 1: ARTICLE 35 STATEMENT

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

INFORMATIVES

Bats

UK and European Legislation makes it illegal to:

- Deliberately kill, injure or capture bats;
- Recklessly disturb bats;
- Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

Contacts:

English Nature 01206 796666
UK Bat Helpline 0845 1300 228 (www.bats.org.uk)
Herts & Middlesex Bat Group 01992 581442

It is recommended that a bat box is installed at the application site.

Land Stability

The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

If the developer is concerned about possible ground instability consideration should be given by the developer in commissioning the developer's own report.

Highway Issues

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/>

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

1. 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

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