

<b>4/01519/18/FUL</b>	<b>DEMOLITION OF EXISTING AGRICULTURAL BARN AND CONSTRUCTION OF TWO ONE AND A HALF STOREY THREE BED SEMI-DETACHED DWELLINGS.</b>
<b>Site Address</b>	<b>WOODLANDS, NOAKE MILL LANE, WATER END, HEMEL HEMPSTEAD, HP1 3BB</b>
<b>Applicant</b>	<b>Mr N Martin, Woodlands</b>
<b>Case Officer</b>	<b>Andrew Parrish</b>
<b>Referral to Committee</b>	<b>Due to the Contrary views of the Parish Council</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**

## **2. Summary**

2.1 The proposed replacement of the residential annex to 'Woodlands' with two semi-detached dwellings in a converted barn style would have a reduced footprint, volume and floorspace, and is considered to cause no harm to the openness of the Green Belt thereby complying with Policy CS5. The proposed design and materials would appear modest and sympathetic to the open rural character of this part of the hamlet of Water End. There would be no harm to adjoining residential amenities and the proposal would provide satisfactory off-road parking, landscaping, private amenity provision and supporting facilities in accordance with Policies CS10, 11, 12, 13 and saved Policies 58, 99 and 100. There would be no harm to ecological interests subject to a further bat survey which is to be secured by condition. The site would encroach into the adjoining definitive footpath. However, the Countryside Access Officer has indicated no objection subject to a diversion order and provided the loss of public space is compensated for by the provision of a 2m surfaced path, to HCC RoW specification. This is to be secured by a Grampian style condition before any development commences on site. In view of the above the application is recommended for approval.

## **3. Site Description**

3.1 The application site comprises a large detached two storey dwelling located to the west of the Leighton Buzzard Road within the hamlet of Water End. It is accessed via the narrow Noake Mill Lane, part of which is a BOAT (Byway Open to All Traffic) and part of which is a public footpath (57). The site, which is located within the Metropolitan Green Belt, contains a large single storey outbuilding to the north-east of the house within its grounds and there is a large area of hardstanding immediately adjacent to this outbuilding and to the frontage. The outbuilding has been converted, for most of its area, into annexes for the applicant's children. The site backs onto open fields and there is a public right of way (footpath 57) adjacent to one side. The surrounding area is rural and comprises large detached houses of various styles and ages set within generous plots.

## **4. Proposal**

4.1 Permission is sought to demolish the large outbuilding and to construct two new semi-detached dwellings.

## **5. Relevant Planning History**

4/03264/16/FUL	RETENTION OF A SINGLE STOREY TIMBER BUILDING FOR USE AS AN ANIMAL SHELTER Refused 13/03/2017
4/03393/15/FUL	DEMOLITION OF EXISTING THREE DWELLINGS AND COMMERCIAL STORAGE UNIT. CONSTRUCTION OF THREE NEW COTTAGES WITH ASSOCIATED PARKING AND REAR GARDENS. Withdrawn 17/12/2015
4/00721/15/LDE	USE OF LAND AND BUILDINGS FOR B8 STORAGE PURPOSES. Refused 22/12/2015
4/00735/14/FUL	DEMOLITION OF EXISTING THREE DWELLINGS AND COMMERCIAL STORAGE UNIT COMPLEX AND CONSTRUCTION OF TWO THREE-BEDROOM DETACHED DWELLINGS WITH ASSOCIATED FORECOURT PARKING AND REAR GARDENS. Withdrawn 10/07/2014
4/02527/07/FUL	DEMOLITION OF EXISTING DWELLING AND OUTBUILDING AND REPLACEMENT DWELLING Granted 11/12/2007
4/01734/05/LDP	DETACHED GARAGE Granted 28/09/2005
4/01710/97/4	TWO STOREY SIDE EXTENSION Refused 23/07/1998
4/00268/16/ENA	APPEAL AGAINST ENFORCEMENT NOTICE - OUTBUILDINGS Dismissed 28/10/2016
4/00269/16/ENA	APPEAL AGAINST ENFORCEMENT NOTICE - SCAFFOLDING USE Dismissed 01/11/2016

## **6. Policies**

### **6.1 National Policy Guidance**

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

### **6.2 Adopted Core Strategy**

Policies NP1, CS5, 10, 11, 12, 13, 29, 31, 35.

Appendices 1, 3, 5 and 8

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 58, 99, 100, 111, 113, 129

### 6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)

### 6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (Dec 2016)
- Refuse Storage Guidance Note (Feb 2015)

## **7. Constraints**

- Right of Way
- Green Belt

## **8. Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix A

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## **9. Considerations**

The application follows pre-application advice and previous withdrawn schemes.

### Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Green Belt
- Impact on street scene and character of area
- Impact on highway safety and footpaths
- Impact on residential amenity

### Policy and principle

9.2 The site is in the Metropolitan Green Belt in an open countryside location to the north of Hemel Hempstead wherein, under Policy CS5 of the Council's adopted Core Strategy (September 2013), there is a presumption against the construction of new buildings. Exceptions are however allowable in accordance with Para. 145 of the updated NPPF (National Planning Policy Framework) for certain categories of development.

9.3 The only category within which the proposal might be considered to fall would be for limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

9.4 The applicant has intimated that it also falls within Para. 145 (d) "*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*". However, the existing building is considered to be an annex to the main residential use, and not a separate residential use in its own right, therefore change of use would be required and it follows that it cannot be in the same use.

#### Impact on Green Belt

9.5 The proposals comprise the replacement of the existing L shaped outbuilding with two semi-detached dwellings.

9.6 In accordance with NPPF, the acid test is whether the development would have a greater impact on the openness of the Green Belt than the existing development. Policy CS5 reflects this and also goes on to require that development should have no significant impact on the character and appearance of the countryside; and should support the rural economy and maintenance of the wider countryside.

9.7 The proposal would replace the existing large single storey outbuilding which extends to 234 sq metres of gross external footprint / floor area and comprises a volume of 822 cubic metres. The proposed new building would comprise two floors essentially contained within a single storey design to the frontage with lower single storey projections springing off the main range to the rear. It would comprise 165 sq metres of gross external floor area and a volume of 648 cubic metres. On the above basis, it is considered that the new build would prima facie have less impact on the openness of the Green Belt than the existing building to be demolished. Furthermore, whilst the proposed main ridge height would be slightly higher than existing by 0.8 metres (6.1 metres high overall), the new building would be significantly more compact than existing with the overall depth reduced from 24 metres to 13.5 metres. The depth of the main ridgeline would also be less than the existing main ridgeline by some 4.8 metres, albeit turned 90 degrees. Therefore, on balance, it is considered that there would be no greater impact, and indeed less impact, on the openness of the Green Belt than existing. The more compact form would also result in less encroachment on the Green Belt than existing, thereby complying with one of the five purposes served of the Green Belt. i.e. "*c) to assist in safeguarding the countryside from encroachment*".

9.8 With regards to the impact on the character and appearance of the countryside, it is considered that the proposal would be modest, well designed and, subject to samples / details by condition, would use materials sympathetic to a rural area.

9.9 With regards to supporting the rural economy and maintaining the wider countryside, this requirement of the Core Strategy is not strictly compliant with the NPPF. However, the proposal is likely to involve employment of local trades in its construction whilst the ongoing residential use would continue to support local services and facilities in the area.

9.10 The proposals would comply with Policy CS5.

9.11 A restriction on permitted development for extensions and outbuildings would be recommended in order to control the potential harm to the openness of the Green Belt.

#### Impact on street scene and character of area

9.12 Policies CS10, 11, 12 and 13 of the Core Strategy are overarching policies applicable to all development which seek a high quality of design in all development proposals.

9.13 The proposal is for a modest rectangular barn style building with low eaves and a well - proportioned 45° pitched roof. It would be subordinate in height to the existing dwelling 'Woodlands'. The building is positioned to the east side of the site and set back from the principal elevation of Woodlands but rotated slightly towards the north east to make best use of the irregular shape of the plot. A single storey projecting wing to the rear northern side of the building would contain open plan family accommodation with a Kitchen Diner opening directly out onto the garden space via bi-fold doors. Each dwelling would have a subordinate bay front window serving bedrooms which overlook the private driveways. Eight conservation style rooflights are proposed, the majority to the rear with only two on the frontage.

9.14 Materials would comprise a locally produced multi-stock facing brick to match that of other buildings within the vicinity. The main part of the building would have a brick plinth with natural vertical larch cladding above. The rear wing would be faced fully with brick. The roof would be finished with plain clay roof tiles. Fenestration would comprise painted or stained hardwood casements. Samples / details of materials would be recommended for approval by condition.

9.15 The building line would be set back in relation to that at Woodlands, allowing for off-street parking to the frontage comprising permeable bound gravel driveways together with a good opportunity for soft landscaping. Reasonable size rear gardens are proposed a minimum depth of 12.2 metres by some 11 metres wide, backing onto open fields. Hedge and tree planting is indicated.

9.16 The new building would be sited a minimum of 1 metre from the proposed timber boundary fence with the existing dwelling 'Woodlands', giving a total separation distance of approximately 3 metres to that property. A similar minimum 1 metre step-in from the public footpath on the other side would give a total separation from the existing dwelling 'Little Hill' of some 16.6 metres.

9.17 In street scene terms, the building would sit comfortably in relation to the surrounding rural context and the overall development is considered sympathetic to the countryside location in terms of its overall scale, height, design, materials, spacing and landscaping and would be considered to result in a visual improvement to the appearance of the existing outbuilding.

9.18 In view of the sensitive rural location adjacent to a public right of way, it would be expedient to remove permitted development for roof lights, dormers and solar panels that could undermine the settled barn-like appearance of the development.

9.19 Subject to details of materials, fenestration, eaves, joinery and landscaping, the proposal would comply with Policies CS10, 11, 12 and 13 of the Core Strategy.

### Impact on highway safety and footpaths

9.20 Parking provision should accord with the maximum parking standards as assessed against saved Policy 58 and Appendix 5 of the Borough Plan.

9.21 Parking provision, comprising informal hardstanding areas to the frontage, allowing tandem parking for each dwelling are considered sufficient for the use and acceptable for this rural location. The existing dwelling 'Woodlands' would lose off street car parking. However, there are 5 existing off-street parking bays opposite 'Woodlands' which that dwelling could use which are considered more than sufficient. There would be no material detriment to highway safety should there be any overspill parking and the Highway Authority have raised no objections to the proposal subject to conditions covering visibility, cycle parking and a construction logistics plan to ensure no impact on the public right of way. This part of Noake Mill Lane is not maintained by Hertfordshire County Council.

9.22 The Countryside Access Officer has advised that the public footpath will need to be diverted in order for this development to proceed as per the plans submitted given the site covers part of the definitive right of way. He has said that to offset the loss of public space, a 2m surfaced path, to HCC RoW specification, could be included in the conditions which would be subject to the diversion process being successful. The diversion would need to be secured via a Grampian style condition which the applicant has agreed.

9.23 Subject to the above, the proposal would comply with Policy CS12 and saved Policy 58.

### Impact on trees and landscaping

9.24 Whilst an existing Copper Beech tree within the frontage of Woodlands would be removed to enable the development to take place, two trees are proposed within the rear gardens of the development, and a further tree on the frontage which would help soften the development / car park and maintain the tree cover within the locality.

9.25 There are trees on the opposite side of the footpath, however, given their location and size, it is not considered that these would be adversely affected by the development.

9.26 Details of landscaping by condition are recommended.

9.27 The proposals would comply with Policy CS12 and 13 and saved Policies 99 and 100.

### Impact on residential amenities

9.28 There would be no harm to adjoining residential amenities. The nearest residential property is 'Little Hill' to the north east, separated by the public right of way. However, there would be no windows overlooking and the separation distance and height of the development is sufficient to ensure no loss of light / overbearing appearance.

9.29 The proposal would accord with Policy CS12.

### Sustainable Design and Construction

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

9.31 A CS29 sustainability checklist has been submitted in accordance with Policy CS29. However, many of the answers to the questions are simply deferred to the tendering process or are said to be too small to make any difference or said to be not relevant. It is therefore unclear if the full sustainable development principles will be met. It is therefore recommended that a pre-commencement condition requiring completion of the checklist details be provided which has been agreed by the applicant.

9.32 Some further information on sustainable construction is set out in the DAS, viz: that the house has been designed to Lifetime Homes standards, and that rainwater discharge will be into soakaway cells with additional water butt collection provided at the rear of each dwelling which is acceptable. However, permeable car parking and hardstanding is said to be proposed in the form of bound gravel to the front and rear of the new dwellings, but if this is bound it is unclear how this will work. To reduce waste, clean building material resultant from demolition is said to be recycled on site where possible, which is welcome. The applicant has also said they are willing to consider photovoltaics to the south facing part of the roof provided it would not affect the buildings overall appearance causing a detrimental effect. However, as no details have been provided the impact of the appearance of the development cannot be assessed. As the south is effectively the frontage, it is difficult to see that the introduction of solar panels will cause anything but a detrimental effect to the development in this relatively sensitive countryside location. We would therefore recommend removal of Part 14 PD rights to enable control over this aspect which has been accepted by the applicant.

#### Protected Species

9.33 The development could potentially impact on bats, a European Protected Species, which could have roosts within the buildings to be demolished and/or trees. A bat survey has been carried out which found no bats or evidence of bats. However, features suitable for roosting were found. The bat survey therefore recommends further surveys and outlines acceptable worst case scenario mitigation/compensation measures. The Herts & Middx Wildlife Trust recommends a condition to ensure that outstanding surveys are conducted and that, if positive, the proposed mitigation is triggered.

#### Other considerations

9.34 The Hertfordshire Fire & Rescue Service seeks the provision of fire hydrants through a s106 agreement. However, a Grampian style condition is considered suitable and satisfactory to secure this.

9.35 Whilst noting the parish council objections on grounds of overdevelopment, it is not considered that there are any grounds to refuse the application in this respect.

The proposal is not considered to set any kind of precedent as each site is different and any application would be assessed on its merits.

9.36 Any permission granted would need to consider removal of permitted development for extensions, outbuildings and alterations in order to maintain control over the impact on the Green Belt and appearance of the development.

## 10. Conclusions

10.1 The proposed development would not harm the openness of the Green Belt and there would be no material harm to the rural character of this part of Water End. The proposal is not considered to be an overdevelopment of the site. The proposal is therefore recommended for approval.

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

### Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>No development other than demolition, site preparation, groundworks and footings shall take place until a sample panel at least 1 metre by 1 metre of the materials proposed to be used on the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. The panel shall include details of pointing and the finished colour of the timber cladding. The approved materials shall be used in the implementation of the development.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area in accordance with saved Policy CS12 of the Dacorum Core Strategy September 2013.</p>
3	<p>All rainwater goods shall be finished black with a round profile and, notwithstanding any details submitted, no development other than demolition, site preparation, groundworks and footings shall take place until 1:20 details of the following (including materials and finished colour) shall have been submitted to and approved in writing by the local planning authority.</p> <p>Doors and windows Rooflights Eaves and other joinery Bin storage enclosure;</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area in accordance with saved Policy CS12 of the Dacorum Core Strategy September 2013.</p>
4	<p>Development shall take place in accordance with the approved site plan PRJ/18/003/002 rev B and notwithstanding any details shown, no hard or soft landscaping of the site shall take place until full details of landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p>



	<p>hard surfacing materials;  soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;  sustainable urban drainage measures;  proposed finished levels or contours;  minor artefacts and structures (e.g. signs, lighting etc);  proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five 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 a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.</p>
5	<p>The development shall be carried out in accordance with the approved levels shown on Drg. No. PRJ/18/003/002 rev B.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013.</p>
6	<p>No development shall take place until an updated CS29 sustainability checklist shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be provided before the development is first occupied.</p> <p>Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Core Strategy September 2013 and adopted Supplementary Planning Guidance. The details are required before commencement of development as if they are deferred until after the development has begun, the design will already have been agreed and finalised, and the materials potentially ordered and used, thereby undermining the control of the local planning authority in respect of achieving a sustainable form of development and potentially increasing costs and delays for the applicant if they have to be changed.</p>
7	<p>No development shall take place until evidence has been submitted to show that a diversion order for public footpath 57 has been approved and that a 2 metre wide surfaced path, to Hertfordshire County Council's Rights of Way specification, has been agreed and implemented in respect of the length of</p>

	<p>footpath as indicated on Drg. No. PRJ/18/003/002 rev B.</p> <p>Reason: To ensure that the footpath diversion is in place and that the full site area is available before any part of the development is commenced and, if approved, to offset the loss of public space as a result in accordance with Policies CS12 and CS26 of the Dacorum Core Strategy September 2013.</p>
8	<p>No development shall take place until a Construction Logistics Plan has been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority.</p> <p>Reason: To minimise the impact of construction works upon highway safety and to show how deliveries, weight and size of HGVs will negotiate what is a narrow access lane in the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy September 2013. The details are required before commencement of development to ensure that a plan is in place and approved before traffic movements in connection with demolition works takes place.</p>
9	<p>No demolition or roof stripping shall take place unless the local planning authority has been provided with:</p> <p>a) an updated survey based on the methodology contained in the recommendations in the approved ecological report (Cherryfield ecology 19/04/2018)</p> <p>b) if bats or their roosts are found, a copy of the licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead.</p> <p>All required compensatory measures must be fully installed before first occupation of the development and the measures thereafter retained.</p> <p>Reason: To ensure that appropriate provision is made for the protection of bats in accordance with Policies of the Development Plan and EU Directives.</p>
10	<p>The development shall not be occupied until a scheme has been submitted to and approved in writing by the local planning authority for the provision of a fire hydrant(s) to serve the development and the approved scheme of fire hydrant(s) has been installed.</p> <p>Reason: In the interests of the safety of the occupants of the development.</p>
11	<p>Visibility splays of not less than 2.4 m x 25 m shall be provided to each side of the accesses where they meet the highway before any part of the development hereby permitted is first brought into use, and they shall thereafter be maintained, in both directions from the crossover, within which there shall be no obstruction to visibility between a height of 0.6 m and 2.0 m above the carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 54 of the Dacorum Borough local Plan 1991-2011.</p>
12	<p>The development shall not be occupied until the car parking areas have been laid out, constructed and surfaced. The car parking and turning areas so</p>



	<p><b>INFORMATIVE:</b></p> <p>The Byway Open to All Traffic BOAT Great Gaddesden 058 as shown on the Definitive Map of Public Rights of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement &amp; concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges. If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works. <a href="https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Anchor_8">https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Anchor_8</a></p>
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## Appendix A

### Consultation responses

Great Gaddesden Parish Council 41 CHRISTCHURCH ROAD	09/07/2018	This application for the replacement of an agricultural building with two dwellings is in a charming rural setting and is overdevelopment on the edge of The Chilterns Area of Outstanding Natural Beauty & will be a blight on Noake Mill Lane.
HCC - Dacorum Network Area HERTS COUNTY COUNCIL	23/07/2018	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: 4/01519/18/FUL   DEMOLITION OF EXISTING AGRICULTURAL BARN AND CONSTRUCTION OF TWO ONE AND A

		<p>HALF STOREY THREE BED SEMI-DETACHED DWELLINGS.   WOODLANDS, NOAKE MILL LANE, WATER END, HEMEL HEMPSTEAD, HP1 3BB</p> <p>1. The development shall not commence until the details of the type, design of at least one cycle parking space per dwelling, lighting and access lock to the cycle stores have been submitted to and approved in writing by the Local Planning Authority and HCC Highways. Cycle parking should be weather resistant and secure. The approved details shall thereafter be installed and permanently retained for cycle parking. Reason: To ensure the provision of cycle parking spaces in line with the adopted standards.</p> <p>2. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m by 25m shall be provided to each side of the accesses where they meet the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. Reason: In the interests of highway safety.</p> <p>3. No development shall commence until a Construction Logistics Plan has been submitted to and approved in writing by the local planning authority and the Highway Authority. Reason: To minimise the impact of construction works upon highway safety and to show how deliveries, weight and size of HGVs will negotiate what is a narrow access lane.</p> <p>Informative: AN*) The Byway Open to All Traffic BOAT Great Gaddesden 058 as shown on the Definitive Map of Public Rights of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement &amp; concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the</p>
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		<p>Highway or Highway verges. If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works.</p> <p><a href="https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Ancor_8">https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Ancor_8</a></p> <p>HCC Highways provided comments on the similar application on this site in 2014 (4/00735/14/FUL).</p> <p><b>Sustainability</b></p> <p>Secure cycle parking will be required to meet Policy 7 (Active Travel-cycling) of the LTP4. The proposals show cycle parking located in the rear gardens of the properties. It will be accessible via side footpaths. The details of the design of the cycle stores are however missing and should be secured by a planning condition to ensure it is of high quality to meet the HCC's ambition for cycle uptake in the county.</p> <p>The submitted plan shows a new 'public footpath' running along the side of the dwelling. HCC Highways approached the Dacorum access officer (Clayton Rea) for comment and we understand that the acceptability of the design of this footpath is being looked at separately by the officer.</p> <p><b>Road ownership status</b></p> <p>The status of this section of Noake Mill Lane, where Woodlands has access off does not form part of the adopted public highway.</p> <p><b>Visibility from the access</b></p> <p>There is an existing hedge which obstructs visibility in the west direction from the drives. A condition should be imposed to ensure that the hedge is cut back and visibility splays of 2.4 by 25m in both directions from the private drives are maintained at all times to comply with</p>
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		<p>Roads in Hertfordshire, Section 4, 2.3.</p> <p><b>Parking</b>  The submitted plan shows two off street parking spaces for each dwelling, which meets the standards contained in the Dacorum Local Plan. The Applicant clarifies that there are four existing car parking spaces on the development site and four spaces as proposed (2 per new dwelling). There are also five existing car parking spaces opposite the development site that serve the woodlands house. Therefore, there is no loss of parking with this application.</p> <p><b>Construction Logistics Plan</b>  The section of road from the Leighton Buzzard Road is maintained by the local authority as a Byway Open to All Traffic BOAT Great Gaddesden 058 as shown on the Definitive Map of Public Rights of Way. Therefore the applicant will need to consider submitting a construction logistics plan showing how deliveries, weight and size of HGVs will negotiate what is a narrow access lane. The Applicant should be made aware that there is a very good example in the form of a guidance and template available on the tfl website (<a href="http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf">http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf</a>) which can be used to produce a robust CLP. Although developed by TfL this is now commonly used across the UK. This can be scaled down to the size of the proposed works and can be secured via a planning condition. Conclusions: HCC Highways raise no objection to the proposals subject imposing the planning conditions and an informative as set out above.</p>
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HERTS PROPERTY SERVICES HERTS COUNTY COUNCIL	02/07/2018	<p>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 CIL Zone 2 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.</p>
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DBC - RIGHTS OF	20/07/2018	This site is crossed by Great Gaddesden
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WAY		<p>public footpath 57.</p> <p>The public footpath will need to be diverted in order for this development to proceed as per the plans submitted.</p> <p>The current legal extent of the footpath varies from a width of 2.4 m at the southern end of the applicants land to 9m at the northern end. An area of 240m<sup>2</sup> . The widths given on the plans of 3.5m at the &amp; 6m at the front and rear respectively, give an area of 207m<sup>2</sup> .</p> <p>To offset any loss of public space perhaps a 2m surfaced path, to HCC RoW specification, could be included in the conditions. This would be subject to the diversion process being successful.</p>
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HFRS	25/06/2018	<p>I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.</p> <p>Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.</p> <p>Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.</p>
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		<p>The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.</p> <p>Section 106 planning obligation clauses can be provided on request.</p> <p>Justification</p> <p>Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: <a href="http://www.hertsdirect.org/planningobligationstoolkit">www.hertsdirect.org/planningobligationstoolkit</a></p> <p>The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance 'Approved Document B'.</p> <p>In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:</p> <p>(i) Necessary to make the development acceptable in planning terms.</p> <p>Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular</p>
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		<p>11/95: Use of conditions in planning permission, paragraph 83).</p> <p>All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).</p> <p>(ii) Directly related to the development;</p> <p>Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.</p> <p>(iii) Fairly and reasonable related in scale and kind to the development.</p> <p>Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.</p> <p>I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.</p>
Herts and Middx Wildlife Trust, Grebe House	28/06/2018	<p>The submitted bat survey recommends further surveys and outlines acceptable worst case scenario mitigation/compensation measures. The following condition adapted from BS 42020 should be attached to the decision to ensure that outstanding surveys are conducted and that, if positive, the proposed mitigation is triggered.</p>

		<p>The following works (demolition or roof stripping) shall not in any circumstances commence unless the local planning authority has been provided with:</p> <p>a) an updated survey based on the methodology contained in the recommendations in the approved ecological report (Cherryfield ecology 19/04/2018)</p> <p>b) if bats or their roosts are found, a licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead.</p> <p>All required compensatory measures must be fully installed before occupation and retained thereafter.</p>
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**Consultees: not responded**

DBC - BUILDING CONTROL		
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THREE VALLEYS WATER PLC (AFFINITY WATER) AFFINITY WATER		
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THAMES WATER UTILITIES DEVELOPMENT CONTROL		
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DBC - TREES & WOODLANDS - CLEAN SAFE AND GREEN		
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**Appendix B**

**Neighbour notification/site notice responses**

**Objections**

Gaddesden Hall	07/08/2018	In response to whether Para 145, exception (g) of the NPPF applies to this proposal, my
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		<p>interpretation is as follows:</p> <p>Limited infilling: this is not 'limited infilling'. This proposal covers practically the whole width of the allocated land and even spreads out onto the public footpath. There is even a little land grab at the back of the property (Site and Block Plans - top right-hand side corner of dwelling 2B plot: the boundary line should be straight but instead seems to avoid the trunk of a tree that does not even exist yet). This proposal is more like 'outfilling' than 'infilling'...</p> <p>Partial or complete redevelopment of previously developed land. This description of 'previously developed land' surely should relate to a main building, not a nearby outbuilding. In this particular case, no changes (partial or complete) are proposed to the main house and therefore, this exception should not apply. As for the 'impact on the openness of the Green Belt', the land at Woodlands has already been subject to significant changes in a calculated attempt to eventually develop the land without any consideration about Green Belt openness. This proposed development has actually already caused harm. Approval would corroborate that it is worthwhile for landowners to play the system. It does not seem right that their efforts should be rewarded.</p> <p>Weight should also be given to the applicant's previous planning and enforcement history. In this particular case, approval would give the applicant immunity against current enforcement actions.</p> <p>Approval would also create a precedent. The applicant's next step could be to demolish the main dwellinghouse and build at its place a row of similar-style attached houses, in keeping with the style of this proposal.</p> <p>Increased traffic with the use of the outbuilding as dwelling has already brought safety issues particularly with the lack of lane maintenance (untrimmed hedges and overgrown vegetation are providing very poor visibility). A neighbour (name withheld) was recently walking her dog, on a lead, when it was nearly hit by a passing vehicle. The driver did not see her in the mirror (located at the bend) and there was little space</p>
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		for her to move out of the way. I myself had a very close encounter this week with another vehicle on that same bend. Luckily, I was driving slowly and our cars only just missed each other.
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**Supporting**

None

**Commenting**

None