

4/02583/18/FUL	TWO STOREY EXTENSION AND CONVERSION INTO 4 1-BED FLATS AND DEMOLITION OF OUTBUILDING
Site Address	245 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE
Applicant	Mr & Mrs Shepherd
Case Officer	Nigel Gibbs
Referral to Committee	The recommendation is contrary view of Nash Mills Parish Council Parish Council and has been called in by Councillor Jan Maddern

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The proposal would represent an acceptable reuse, revitalisation and extension / alteration of the existing building by providing 4 new flats which would make a positive contribution to the Borough's urban housing stock, sensitively rejuvenating this important local heritage site. The development would be served by a safe access and the benefits of the development outweighs the shortfall of one parking space. The layout is acceptable and there are no detailed technical objections.

3. Site Description

3.1 No. 245 Belswains Lane is a two and a half storey hipped roof a semi-detached 5 bedroom dwelling house incorporating a basement finished in brick and flint. Together with no. 243 it occupies a very prominent elevated location adjoining the Belswains-Bunkers Lane junction. The main pedestrian access is from Belswains Lane. Its plot features a narrow frontage to Belswains Lane with an elongated south eastern 'return frontage' to the relatively steeply rising Belwains Lane opposite Abbots Hill School, defined by a high wall abutting the back of the public footpath, complemented by garden planting. The dwelling's elevation to this frontage features a range of windows which face onto its elongated side garden contained by the boundary wall. There is a small extension attached to the north eastern end of the dwelling house.

3.2 No. 245 is served by an access at the north eastern end of its plot linked to a driveway and garage close to those serving no. 243 and no.1 Bunkers Lane, a two storey 1930's / 1950's style semi-detached dwelling house. Due to the size of the garage it is only used for storage, with one off street parking space. There is also a redundant access between the access and the Belswains Lane- Bunkers Lane junction.

4. Proposal

4.1 This is for the conversion and two storey extension of no. 243 to form 4 one bedroom flats each provided with a study. The flats will be served by a communal parking area featuring 4 independent spaces (one for each unit) linked to the widened existing access onto Bunkers Lane. A refuse storage area will adjoin the parking area. There will be pedestrian access from this parking area in addition to that from Belswains Lane. The units will benefit from the screened shared garden. In order to facilitate the development the existing side extension and garage will be demolished.

4.2. The smallest flat is 51.7 sq. m internal floor space with the largest at 68.3 sq.

metres.

4.3 The Original Scheme has been modified and superseded by the Revised Scheme. The RS has also been subject to the recent change to the parking layout/ access to ensure that the necessary reversing splays can be provided.

5. Relevant Planning History

5.1 None.

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1, CS1, CS4, CS8, CS9, CS10, CS11, CS12, CS13, CS17, CS19, CS27, CS29, CS31, CS33 and CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

10, 18, 19, 21, 58, 61, 62 and 113

Appendices 3, 5 and 8

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Areas HCA 19 Nash Mills
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013)

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)

7. Constraints

- Highbarns Outer Zone
- 45.7m air limit
- LHR Wind Turbine
- CIL3

Note: Not identified to be a Flood Zone problem area.

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1.

Neighbour notification

8.2 These are reproduced at Appendix 2.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle.
- Layout, Design and Historic Environment.
- Impact upon Neighbours.
- Access, Highway Safety and Parking.

Policy and Principle

9.2 Dacorum Core Strategy Policy CS1 states that Hemel Hempstead will be the focus for homes, jobs and strategic services. Policy CS2 encourages development within defined settlements on previously developed land and buildings and areas of high accessibility. Policy CS4 states that in residential areas appropriate residential development is encouraged.

9.3 In this context saved DBLP Policy 19 addresses conversions. This states that the conversion of houses to flats will be permitted in towns, except where:-

- In roads where a significant proportion of the houses originally built as single family houses are already converted (or have permission for conversion) to flats or other purposes.
- In roads where traffic movements would be hindered and the safety of road users and pedestrians would be prejudiced.
- In small houses with an internal area would be less than 110 sqm.

All conversions must be designed to a high standard, taking full account of the character of the area, ensuring they do not adversely affect the architectural or historic character of a listed building. Where flats are provided the following criteria must also be satisfied:

- Self-contained.
- Reasonably convenient layout, having due regard to neighbours.
- The layout should include adequate amenities, such a refuse, drying areas, proper access to outdoor amenity space.
- Reasonable amount of amenity space.
- Unless the building is within easy walking distance of wide range of facilities, services and passenger transport, convenient off street car parking should be

provided in accordance with the Appendix 5 parking guidelines. This must be done without detracting from the amenity and character of the property itself or neighbouring properties. In particular parking should be landscaped, retaining established trees and where possible shrubs, and should not dominate any gardens. Off site or prominent front garden parking which spoils the street scene will not be acceptable.

9.4. The Area Based Policies Residential Character Areas HCA 19 Nash Mills Policy Statement Approach is to maintain the defined character with the scope for residential development being minimal. The conversion of dwellings into smaller units may be acceptable. The Development Principles for housing supports a variety of design and full range of dwelling types. Proposals at variance to the character of adjoining nearby development will not normally be permitted.

9.5 It is concluded that the principle of a residential conversion is acceptable with due regard to the general expectations of saved DBLP Policy 19. This takes into account the dominance of family housing in the immediate area, the advice of HCC Highways and the size of the building.

Design, Impact on the Street Scene, Layout, Design, Scale, Landscaping and the Historic Environment etc.

9.6 Notwithstanding the size of the two storey extension the Revised Scheme is compatible with this high quality historic building and its setting within the street scene, benefiting from the removal of the extension and the dilapidated garage, with due regard to the Conservation & Design Team's advice. It accords with Policy CS27. The position of the parking area takes advantage of the location of the existing access, and notwithstanding the loss of a section of wall and some planting to facilitate this, this is not to the overall detriment of the street scene. The accessible refuse area is also discreet. A condition is recommended to require the planting of a tree in accordance with Policies CS12 and CS29, to also compensate for the loss of planting. The tree could be used to support a bat/ bird box.

9.7 The flats are self-contained and of adequate size each benefiting from a study enabling those who wish, to work from home. The shared amenity space is convenient and usable albeit not large, reinforcing the role of the garden currently available for the existing dwelling, notwithstanding being slightly smaller.

9.8 The layout has good in built natural surveillance and each flat would benefit from having an off street parking space and therefore not relying upon on street parking.

Impact on Highway Safety/ Access/ Parking

9.9 Policy CS12 expects that on each site development should provide a safe and satisfactory means of access for all users, complemented by Policy CS9 ensuring that the traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments. This is reinforced by saved DBLP Policy 51 specifying that development must be compatible in locational and general highway planning, design and capacity terms with the current and future operation of the defined road hierarchy and road improvement strategy. Moreover there should be compliance with the highway

implications expressed through the aforementioned saved DBLP Policy 19 regarding conversions.

9.10 HCC Highways has been consulted upon the Original Scheme, Revised Scheme and amendments to the RS. HCC Highways is satisfied that the sight lines and visibility 2m by 2m visibility splays can be satisfied, with the layout recently modified to ensure that the northern splay can be provided within the application site in contrast to the earlier submitted layout plans. A fire tender can park outside the site. The layout can be adapted to provide partial access for persons with disabilities/ limited mobility. It is concluded that there are no access/ highway objections.

9.11 Policy CS12 also states that on each site development should provide sufficient parking. Saved DBLP Policy 19 is supportive of DBLP Appendix 5 maximum parking standards which clarifies that one bedroom units should be provided with 1.25 spaces per dwelling. Therefore the RS is subject to a shortfall of 1 space below maximum. This is a relatively sustainable location with a very regular main bus route close by linking Hemel and Watford with the opportunity to cycle to local facilities and scope within the garden to provide a secure bike store. Also nearby on the Sappi Development there has been support for 1 space per unit. This deficit of 1 space has to be weighed against the housing benefits of 4 new units and that the development would facilitate the upgrading of this important heritage building which is now supported by the Conservation & Design Team. In the overall 'planning equation' with due regard to the other material considerations the benefits outweigh the shortfall of one space.

Impact upon Neighbours

9.12 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.

9.13 There would not be harm to no. 243 Belswains Lane and 1 Bunkers Lane. This is in terms of physical impact, privacy, noise and disturbance of the receipt of light, taking into account the position of the extension and windows in relation to no. 243.

Other Material Planning Considerations

9.14 There are no apparent drainage/ flooding, contamination, land stability, ecological, arboricultural or crime prevention/ security objections.

9.15 The proposal is not an EIA development.

Response to Neighbour comments

9.16 The modification to the parking layout ensures that there is provision of a useable parking area served by a safe access, with the preparedness to support the scheme with a shortfall of one space. Under Building Regulations sound insulation will be addressed and there would be no overlooking of no. 243.

CIL

9.17 The development is CIL liable.

S106 and Planning Obligations

9.18 The provision of 4 units is below the affordable housing threshold.

10. Conclusions

10.1 The proposal would re-use a building of significant heritage quality without harm to its appearance and benefiting from the removal of the extension and garage, ensuring the its future is assured, with no adverse impact upon the residential amenity of adjoining/ nearby dwellings . The development would provide the opportunity for the provision of 'starter flats' with each unit served by a study enabling home working opportunities, adequate accommodation, communal and useable amenity space and each unit provided with an independent parking space, which, according to HCC Highways advice can all be used safely.

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>Following the demolition of the existing garage details of the materials of the development hereby permitted be 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.</p> <p>Reason: In the interests of the character and appearance of the locality to accord with the requirements of Policy CS12 of the Dacorum Core Strategy.</p>
3	<p>Before the first occupation of the flats hereby permitted the parking spaces shown by Drawing No PL008 shall be provided fully in accordance with this layout plan subject to the requirements of Conditions 4 and 5. Thereafter the parking spaces shall be retained at all times and shall be only used for the approved vehicle parking purposes. The parking areas shall be of a permeable surface in accordance with details subject to Condition 2.</p> <p>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 and 58 of the saved Dacorum Borough Local Plan.</p>
4	<p>Before the occupation of any of the flats hereby permitted the existing access for the development hereby permitted shall be modified / installed fully in accordance with installed and thereafter maintained at all times fully in accordance with the details shown by Drawing PL008 . The approved access</p>

	<p>shall at all times be served on both sides with pedestrian visibility splays of 2m x 2m, as measured from the back edge of the public footpath (as shown by Drawing No PL008) within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.</p> <p>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 as the submitted drawings and existing access lack the required visibility splays.</p>
5	<p>The access subject to Condition 4 shall be provided at all times with vehicular visibility sight lines of 2.4m x 43m in both directions from the respective accesses, as measured from the edge of the carriageway towards the site frontage. Within both visibility sight lines there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p>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.</p>
6	<p>A tree shall be planted in the garden of the site within the planting season following the first occupation of the respective dwellinghouses hereby permitted. If the tree 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 species, size and maturity to be approved by the local planning authority. For the purposes of this condition the planting season is from 1 October to 31 March.</p> <p>Reason: In the interests of the character and appearance of the locality and biodiversity in accordance with Policies CS12 and CS29 of Dacorum Core Strategy.</p>
7	<p>No flat hereby permitted shall be occupied until a scheme for all boundary treatment is carried out fully in accordance a scheme submitted to and approved in writing by the local planning authority. Thereafter all the approved treatment shall be retained fully in accordance with the approved details. The submitted details shall show the retention of parts of the frontage hedge subject to the requirements of Condition 4.</p> <p>Reason: In the interests of the residential amenity of the dwelling houses hereby permitted and the adjoining dwellinghouses, the character and appearance of the locality and biodiversity in accordance with Policies CS12 and CS27 of Dacorum Core Strategy.</p>
8	<p>The shower and bathroom windows and rooflights of the development hereby permitted shall be fitted with obscure glass at all times and the rooflights shall be of a conservation rooflight type.</p> <p>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.</p>
9	<p>No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in</p>

	<p>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.</p> <p>For the purposes of this condition:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of Dacorum Core Strategy.</p>
10	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 9 above 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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of Dacorum Core Strategy.</p> <p>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</p>

	<p>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</p>
11	<p>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:</p> <p>PL001</p> <p>PL005B</p> <p>PL006B</p> <p>PL007 B</p> <p>Drawing No PL008 received by the local planning authority on 19 March 2019</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>NOTE 1: ARTICLE 35 STATEMENT</p> <p>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</p> <p>INFORMATIVES</p> <p>Bats</p> <p>UK and European Legislation makes it illegal to:</p> <p>Deliberately kill, injure or capture bats; Recklessly disturb bats; Damage, destroy or obstruct access to bat roosts (whether or not bats are present).</p> <p>Contacts:</p> <p>English Nature 01206 796666 UK Bat Helpline 0845 1300 228 (www.bats.org.uk)</p>

Herts & Middlesex Bat Group 01992 581442

In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

In order to protect breeding birds, their nests, eggs and young, the demolition activities should only be carried out during the period October to February. If this is not possible then a pre-development (no more than 48 hours prior to the commencement of development) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until any juvenile birds have left the nest and have become fully independent, or professional ecological advice has been taken on how best to proceed.

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 and 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 accesses 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,

	<p>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.</p> <p>Un-expected Contaminated</p> <p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p> <p>Construction Hours of Working – (Plant & Machinery)</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p>
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Approve, subject to conditions.

Appendix 1

ORIGINAL SCHEME

Nash Mills Parish Council

Strongly objected to by Parish Council due to overdevelopment, parking inaccessible, proximity to junction, visual amenity.

Is this property listed/should be listed due to its historical value?

Conservation & Design

The house appears to be a two storey and converted roofspace house to the front. It is

ornate with decorative elevations of brick and flint below a hipped clay tiled roof. This property appears on the 1st edition OS map and we would suspect that it dates from the early 1800's. To the rear/ bunkers lane elevation this is a two storey brick structure with a hipped slate roof. Although both structures can be seen on the earlier OS map this appears to have a particularly high quality detail to the roadside. It could be that due to the access to the main estate house nearby that these buildings were enhanced. Or constructed to a high standard. We would suspect that these buildings would merit being considered non designated heritage asset and make a positive contribution to the built environment of the area. Further understanding about development of the site could better aid this process.

We would also be concerned about the proposed extension. It does not in our view appear to be particularly subservient and instead mirrors the existing. It would therefore be recommended that this element be reviewed and that the design be altered to reflect this. We would also have concerns with the extension appearing to mirror the existing building. Due to the fine detailing of the existing brickwork it would appear most unlikely that the quality of the bonding and coursing would matching resulting in a somewhat lesser appearance. Therefore it may be better to consider changes to the design and detailing so that this appears more of its time and the storey of the buildings evolution can be read and understood.

In relation to the existing buildings we would recommend that timber sliding sashes be used in the windows that the current mixture of timber and UPVC. These would enhance the appearance of the structure and perhaps provide some conservation gain for the project. The proposed porch elements should be reconsidered. The existing pitched roof porch is out of keeping with the classical style of the dwelling to the Bunkers Lane elevation. It would be recommended that if any porches are required that they reflect the flat roofed ones seen in properties of the period. This would sit more comfortably with the architectural style.

Overall we believe that the proposals should be substantially reviewed. IT would be helpful if a heritage assessment were undertaken to better understand the building as it appears to be of interest. If no changes are made we would object to the proposals.

Building Control

No response.

Noise & Pollution

No objection to the proposed development in relation to Noise, Air Quality and Land Contamination.

However, with the proposed development been on a radon affected area where 1-3% of homes are above the action level as well as been within 48m of an historic contaminated landmark of an un-specified factory or works site of medium risk as well as 50m of former contaminated land use i.e. Mill, the following planning condition and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or

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

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

Informative:

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

via the Council's website www.dacorum.gov.uk

2). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

3). Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

4). Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

5). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Trees & Woodlands

No response.

Refuse & Controller

No response.

Hertfordshire County Council: Highways

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:

CONDITIONS:

1. Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking area, in the interests of highway safety.

2. The development shall not be brought into use until the existing access has been

extended 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.

3. Prior to the first occupation of the development hereby permitted, pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the extended vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interests of highway safety.

4. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets 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. The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

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

COMMENTS

This application is for Two Storey Extension and Conversion Into 4 1-Bed Flats

The site is on the corner of Belswains Lane with Bunkers Lane, with vehicle access from Bunkers Lane.

PARKING

The proposal is to create four parking spaces by extending the existing hard standing and demolishing the existing garage.

ACCESS

There is an existing single vxo on Bunkers Lane, giving access to the existing hard standing and garage. This will need to be extended to a double width, to allow vehicles to access the four proposed parking spaces without bumping over the kerb and footway.

Bunkers Lane is an unclassified local access road with a speed limit of 30 mph, so vehicles are not required to enter and exit the site in forward gear. Belswains Lane is an unnumbered "C" classified road, also with a speed limit of 30mph.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

Hertfordshire Ecology

HE is not aware of any ecological data for the site. However the buildings are near to known bat roosts and areas of good foraging and commuting habitat for bats.

A Preliminary Roost Assessment (PRA) was carried out by Chase Ecology Ltd on 7th November 2018. This survey used standard methodologies include the use of an inspection camera to assess crevices, and covered both buildings proposed for demolition. No evidence of bats was found and the buildings were assessed as unsuitable for day roosts. HE have no reason to disagree with these findings and consider the LPA has sufficient information to fully consider any impact on bats prior to determination.

The above assessment also identified no signs of nesting birds within the buildings.

Notwithstanding, HE advise a precautionary approach to the works is taken with regard to protected species and recommend the following Informatives are added to any consent.

"In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England."

"In order to protect breeding birds, their nests, eggs and young, the demolition activities should only be carried out during the period October to February. If this is not possible then a pre-development (no more than 48 hours prior to the commencement of development) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until any juvenile birds have left the nest and have become fully independent, or professional ecological advice has been taken on how best to proceed".

Hertfordshire County Council: Growth & Infrastructure Unit

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

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

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

Thames Water

No response.

Affinity Water

No response.

REVISED SCHEME (responding consultees)

Nash Mills Parish Council

Nash Mills Parish Council STRONGLY OBJECT to this proposed development and the modified application.

Our original objections related to the following material considerations;

Strongly objected to by Parish Council due to overdevelopment, parking inaccessible, proximity to junction, visual amenity.

Is this property listed/should be listed/ locally listed due to its historical value?

As the neighbours highlight, parking has reached dangerous levels in that area with cars actually parking on the pavements making it impossible for pedestrians with

buggies or wheelchair users to pass. The close proximity to the junction exacerbates this.

The proposed development would add additional bulk to the original structure and would impact on visual and residential amenity.

Councillor Jan Maddern

I would like to call in 245 Belswains Lane if you are minded to approve.

Conservation & Design

The concerns in relation to the design have been resolved.

Note: This was following the informal modification of the Original Scheme with the following advice:

Having had a quick look only minor change would be to alter the fenestration pattern to the new building by introducing matching top opening windows to the ground floor and having large opening casements to the first floor as single top opening lights always look poor. Otherwise condition materials and landscaping.

Hertfordshire County Council: First Response

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:

CONDITIONS:

1. Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking area, in the interests of highway safety.

2. The development shall not be brought into use until the existing access has been extended 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.

3. Prior to the first occupation of the development hereby permitted, pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the extended vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interests of highway safety.

4. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets 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. The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

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/>

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COMMENTS

This application is for Two Storey Extension and Conversion Into 4 1-Bed Flats

This amendment is for internal changes to flat 4.

The site is on the corner of Belswains Lane with Bunkers Lane, with vehicle access from Bunkers Lane.

PARKING

The proposal is to create four parking spaces by extending the existing hard standing and demolishing the existing garage.

ACCESS

There is an existing single vxo on Bunkers Lane, giving access to the existing hard standing and garage. This will need to be extended to a double width, to allow vehicles to access the four proposed parking spaces without bumping over the kerb and

footway.

Bunkers Lane is an unclassified local access road with a speed limit of 30 mph, so vehicles are not required to enter and exit the site in forward gear. Belswains Lane is an unnumbered "C" classified road, also with a speed limit of 30mph.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways

Hertfordshire County Council: Response to Modified Revised Scheme

Amendment

Discharge of conditions: 3. pedestrian visibility splays of 2m x 2m shall be provided 4. visibility splay measuring 2.4m x 43m shall be provided

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.

This amendment is for the discharge of conditions 3. pedestrian visibility splays of 2m x 2m shall be provided and 4. visibility splay measuring 2.4m x 43m shall be provided

I can confirm that document PL/008 is sufficient to discharge these conditions

Appendix 2

ORIGINAL SCHEME

Comments received from local residents:

243 Belswains Lane

The points we would like considered:

A) We would like sound proofing between the walls of the flats especially when living rooms are going to be adjacent to our bedrooms.

B) Frosted glass on the dormer attic window if it overlooks our back lawn.

C) We query the one bedroom status of these flats as they seem to be two bedroomed, but call the second bedroom a 'study'. Car parking is a big problem in our area. The four places that we have used for 30 years at the bottom of Bunkers Lane are usually filled by residents of the 'Dickinson's Estate' who were allotted insufficient parking for each building.

REVISED SCHEME

1 Bunkers Lane

I am not in total objection to this application, but neutral doesn't suffice. Like my other neighbours I am concerned about parking. The application has allowed for 4 spaces,

but even if these are truly 1 bedroom flats that is potentially 8 cars/vans. If the 'study' is used as a bedroom then this increases but unfortunately I feel that 4 spaces isn't enough.

The existing and ongoing development in the Dickenson's Estate is causing parking issues in Bunkers Lane with the footpath regularly blocked so pedestrians cannot pass, which is dangerous for wheelchairs/buggies as they have to take to the road. In addition to this we regularly cannot safely reverse onto our drive as cars park over the dropped kerbs or when visibility is hampered by large cars / vans I cannot drive off safely. We also can't use the full width of our own drive as people persist in parking on the kerb, so if our cars are at the edge of the drive the footpath is fully blocked.

Parking in this area is a major issue and the council persist with inaction and ambivalence to this and unfortunately this development will worsen the situation so whilst I don't object to the building work as such I cannot support it fully without additional consideration for parking. If the council were to implement a residential parking scheme that would go some way to alleviating the issue.

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