

4/00658/19/MFA	DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 15 DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1 SHOP) UNIT AND PARISH STORE ROOM, ALTERATIONS TO VEHICLE AND PEDESTRIAN ACCESSES
Site Address	GARDEN SCENE CHIPPERFIELD, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EG
Applicant	Marchfield Homes
Case Officer	James Gardner
Referral to Committee	Similar application refused by committee

1. Recommendation

1.1 That the application shall be delegated with a view to approval subject to the completion of a Section 106 agreement and subject to the conditions set out below.

2. Summary

2.1 The proposal for the redevelopment of the site (former garden centre and other related uses) with 15 residential units, a replacement shop and parish storage facility would be acceptable noting the site's allocation for housing under the Site Allocations Statement adopted in July 2017. Whilst the site would represent development above the stated net capacity of 12 dwellings, it should be noted this figure should not be applied as maxima, and the planning benefits of the scheme would tilt the balance in favour of the additional provision of housing in this location.

2.2 The proposed layout and detailed design would ensure that the development would provide sufficient on-site parking provision, would conserve and enhance the character and appearance of the Chipperfield Conservation Area, and would achieve acceptable living conditions within the development and would not result in harm to neighbouring properties when compared with existing conditions.

2.3 This application is subsequent to one previously refused by the Development Management Committee (DMC) on 18th December 2018. The DMC's reason for refusal was:

The proposed development by reason of its height, design and density would result in overdevelopment, harming the character and appearance of the street scene and wider area contrary to Policies CS2, CS11 and CS12 of the Dacorum Core Strategy (2013), Proposal H/21 of the Site Allocations Statement (July 2017) and paragraph 127 of the National Planning Policy Framework.

In summary, the revised application has addressed the reasons for refusal by:

- Reducing the number of dwellings to 15 and reducing the density;
- Reducing the height of the proposed building to Chapel Croft to two storeys;
- Increasing the level of on-site parking provision across the whole site in excess of
- the Council's maximum standards;
- Removing the proposed lay-by to the Chapel Croft frontage, which was of concern to

- local residents;
- Revising the parish store by proposing a new, single storey building with additional
- separation to nearest residents;
- Altering and re-routing the proposed foul and surface water drainage layout.

2.4 The proposal would therefore accord with the aims of Policies CS1, CS2, CS3, CS8, CS11, CS12, CS17, CS18, CS19, CS25 and CS27 of the Dacorum Core Strategy 2013, and saved Policies 45, 58, 99, 111 and 120 of the Dacorum Borough Local Plan 1991-2011, and relevant provisions of the National Planning Policy Framework (NPPF) 2019.

3. Site Description

3.1 The application site is a roughly rectangular parcel of land with a wide frontage to the northern side of Chapel Croft providing the site's main access point, with a secondary access from Croft Lane to the east. The site comprises a number of large, low-level buildings which have historically served a number of uses, the main being a garden centre and garden machinery repairs and workshops, which ceased around September 2018. A small store incorporating a post office currently operates from the site.

3.2 The side boundaries are staggered and mostly to the north, east and west are flanked by semi-detached or detached dwellings including along Croft Lane and Chapel Croft. Alongside part of the site's western boundary is a tile yard and dense woodland to the site's northern interface. The main access to the site is via Chapel Croft, shared with the tile yard and other residential units outside the site.

3.3 The existing buildings on the site are most prominent from Chapel Croft, and the southern portion of the site fronting Chapel Croft lies within the Chipperfield Conservation Area. Within this street scene the village store building is set behind a deep footpath and landscaped frontage beyond, the building itself slightly set down from road level. Built form within Chapel Croft is predominantly two-storey with some chalet elements and as such the existing building is low level and gains its prominence as a result of the site's relatively wide frontage.

4. Proposal

4.1 Planning permission is sought for the demolition of existing buildings and the construction of 15 dwellings (Class C3), in addition to the replacement of the retail (Class A1 shop) unit. Highway works form part of the proposals, including alterations to vehicle and pedestrian accesses. Parking provision totalling 60 spaces would be accommodated within the site.

4.2 The following dwelling mix is proposed:

- Two 1-bedroom apartments;
- One 2-bedroom terraced dwelling;
- Three 3-bedroom terraced dwellings;
- One detached 3-bedroom dwelling;
- Four 4-bedroom detached dwellings;

- Four 5-bedroom detached dwellings.

4.3 Private amenity areas would be located to the rear of dwellings (with the exception of the flats) and would be comprise a range of sizes. Parking would be provided within courtyards or within the curtilages of individual dwellings, including garages to the detached dwellings.

5. Relevant Planning History and Background

5.1 Planning application 4/02249/18/MFA sought permission for:

Demolition of existing buildings, construction of 17 dwellings (Class C3) and one retail (Class A1 shop) unit and parish store room, formation of layby to Chapel Croft and alterations to vehicle and pedestrian accesses.

This was refused by the DMC for the reasons outlined at 2.3 (above).

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework 2018
National Planning Practice Guidance

6.2 Site Allocations Statement July 2017

Proposal H/21 Garden Scene Nursery

The application site does not currently form part of a designated neighbourhood plan area.

6.3 Dacorum Core Strategy (2013)

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS3 - Management of Selected Sites
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of the Public Realm
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS25 - Landscape Character
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS35 - Infrastructure and Developer Contributions

6.4 Saved Policies of the Dacorum Borough Local Plan 1991-2011

- 10 - Optimising the Use of Urban Land
- 12 - Infrastructure Provision and Phasing
- 13 - Planning Conditions and Planning Obligations
- 18 - The Size of New Dwellings
- 21 - Density of Residential Development
- 45 - Scattered Local Shops
- 51 - Development and Transport Impacts
- 57 - Provision and Management of Parking
- 58 - Private Parking Provision
- 99 - Preservation of Trees, Hedgerows and Woodlands
- 100 - Tree and Woodland Planting
- 111 - Height of Buildings
- 119 - Development Affecting Listed Buildings
- 120 - Development in Conservation Areas

6.5 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)
- Chipperfield Village Design Statement

6.6 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)
- Conservation Area Character Appraisal for Chipperfield

7. Constraints

Proposal H/21 under Site Allocations
Selected Small Village in the Green Belt
Chipperfield Conservation Area
Proximate to listed buildings
CIL Zone 2

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

Main issues

9.1 The main issues of relevance to the consideration of this application are:

- Policy and principle
- Density
- Traffic, Access and Parking
- Impact on Heritage Assets and Street Scene
- Impact on Neighbouring Properties
- Contaminated Land
- Flood Risk and Drainage
- Ecology
- Affordable Housing and Community Infrastructure Levy

Policy and principle

Housing supply

9.2 Redevelopment of the site for residential purposes is acceptable noting the site's strategic allocation for housing under Proposal H/21, covering the full 0.7 hectares of the site, as part of the Site Allocations (adopted in July 2017).

9.3 The provisions of Policy CS17 of the Core Strategy are relevant in the determination of the application; where the former seeks to maintain a five year supply of housing. Paragraph 14.9 of the Core Strategy states that the housing target in Policy CS17 sets a level of housing which the Council expects to achieve and exceed.

9.4 Paragraphs 59 and 68 are key to the consideration of the proposals, specifically the latter which states small and medium sites can make an important contribution to meeting the housing requirement of an area, and to promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes. The proposal for housing within the village of Chipperfield would contribute to achieving this aim.

Green Belt Policy Considerations

9.5 Previously, within the Dacorum Borough Local Plan 1991-2011 (adopted 2004) the site was allocated as Green Belt, the southern part of which lies within the designated village boundary. Subsequently the above-mentioned Site Allocations added the entire site to the village envelope under VB/1 (Garden Scene Nursery, Hermes and The New Bungalow) and reallocated the site for housing under Proposal H/21. As a result of the site's reallocation, the provisions of Section 13 (Protecting Green Belt land) of the NPPF and Policy CS6 (Selected Small Villages in the Green Belt) of the Core Strategy shall not apply. Notwithstanding the stated net capacity of 12 dwellings of the 0.7 hectare allocated site, the suitability of the site for 15 residential units and one retail unit (Class A1) shall be considered in the following sections.

Non-Residential Uses

9.6 The site is not a designated employment area and as such the loss of the existing

garden centre use and machinery repairs and workshops would not raise any policy objections.

9.7 Additionally, the temporary loss of one of the two stores serving Chipperfield village during redevelopment (including clearance) of the site would also not raise concern under saved Policy 45 of the Local Plan, which discourages the loss of individual local shops unless there is another shop similar in use available for customers within convenient walking distance. The village would also be supported by the existing shop located within 100m east of the site on Chapel Croft, and therefore temporary loss of the existing shop on the site would not conflict with the aims of the above policy or objectives of Proposal H/21 which seeks to retain the existing local retail use. If granted, planning permission shall be subject to a condition requiring details of phasing of construction to ensure delivery of the retail (Class A1) unit.

Sustainable development

9.8 The NPPF, under paragraph 8, identifies that there are three dimensions to sustainable development: social, economic and environmental. These are considered below.

- *Social benefits*

9.9 The social benefits of this scheme would include a contribution towards making up the supply of housing in the Borough, thereby facilitating the Government's aim of significantly boosting the supply of housing (paragraph 59 of the Framework). Substantial weight shall be attributed to this factor in support of the application. Additionally, affordable housing at 35% shall be provided on-site as part of the development and in accordance with Policy CS19 of the Core Strategy. The scheme would retain one of two stores in the village, retaining the community focus on Chapel Croft. Highway works are also proposed to improve highway and pedestrian safety surrounding the two accesses serving the site.

9.10 The scheme would retain one of two stores in the village, not only retaining the community focus on Chapel Croft, also would be within convenient walking distance to residential properties within the development and moderate weight shall be attached to this factor.

9.11 It is acknowledged that the development would be removed from practical modes of public transport, notwithstanding bus services that operate in the immediate area (bus stop on Chapel Croft to the east). It is therefore anticipated that there would be a reliance on the private car due to the services available in the village and the distance and physical constraints to Kings Langley and larger settlements. Given the number of units within its context, limited weight is attached to this factor.

- *Economic benefits*

9.12 The economic benefits of the scheme would include the creation of construction jobs in the short-term. Residents of the development would support the local facilities including the shops, including the retail unit proposed on the site. It is therefore considered the proposal will have some positive benefits and would be considered sustainable from an economic perspective.

- *Environmental benefits*

9.13 From an environmental perspective, it is noted that the application site is considered as brownfield land, the majority of which is covered by hardstanding or buildings, as such the development would not compromise protected species. In fact, the proposal would represent a benefit in terms of a reduced site coverage. It is also noted that the development would result in a decrease in traffic movements to and from the site. In visual terms, the development is considered to respond appropriately to the Chipperfield Conservation Area and this also weighs in favour of the proposal.

9.14 Substantial weight is given to the development of a brownfield site, and a site that lies within an existing settlement. The redevelopment of the site would also present an opportunity to remediate contaminated land. Substantial weight is given to these factors (under paragraph 118(c) of the NPPF).

Conclusion

9.15 As a result of the proposed development, benefits would be realised across the three objectives outlined above, and therefore the redevelopment of the site currently sought would tilt the balance in favour of housing provision of 15 units on this site together with the replacement shop.

9.16 Taking the above into consideration with regards to the site's particulars and allocation status, it is considered that the principle of the development is acceptable, subject to the satisfactory addressing of other planning considerations which shall be detailed below.

Density / Quantum of Development

9.17 There is various guidance with respect to density that is applicable to the current proposal, including:

- Site Allocations stipulating a net housing capacity of 12 units on 0.7 hectares (application form states site area measures 0.76 hectares);
- Paragraph 127(e) of the NPPF (Section 12 Achieving well-designed places) which seeks to ensure developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- Paragraph 123 of the Framework (Section 11 Making effective use of land) echoes the above, in cases where there is an existing or anticipated shortage of land for meeting identified housing needs;
- Policy CS11 of the Core Strategy seeks to ensure development respects the typical density intended in an area;
- Policy CS12 of the Core Strategy requiring development to respect adjoining properties in terms of layout (amongst other things);
- Policy CS18 of the Core Strategy encourages housing development to comprise a range of housing types, sizes and tenures;
- Saved Policy 10 of the Local Plan (b) states general building development should be designed to achieve the maximum density compatible with the character of the area;
- Saved Policy 21 of the Local Plan which specifies residential densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net;

9.18 The proposal would result in a numerical density of approximately 20 dwellings per hectare across the whole site. Importantly, numerical density is one factor to be considered and balanced against others when assessing the quantum of development on the site. The development would appropriately respond in density terms to immediately adjoining development including the front part of the site (accessed from Chapel Croft), which would not exceed that of the existing development along Croft Lane directly east of the site, from The Nurseries to Mayleaves (in the order of 34 dwellings per hectare). The rear portion of the site would contain a lower density pattern of development (to be occupied by plots 10 to 12) to allow a softer transition to the agricultural fields to the north-west and the edge of the village boundary.

9.19 Notwithstanding the net housing capacity of 12 homes proposed at H/21 under the Site Allocations Statement, the numerical density of the development would not exceed that which exists in the area. Furthermore, the Site Allocations also states that the net capacity figures specified provide an estimate of expected capacity and should not be treated as maxima. It goes on to state that final dwelling capacities will be tested through the planning application process, where detailed schemes will be expected to demonstrate compliance with specified planning requirements and other relevant policies and guidance.

9.20 Section 11 of the NPPF (Making effective use of land) is relevant in the consideration of the proposal. Reference is made to paragraph 118 (c) which states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and should promote and support the development of under-utilised land and buildings.

9.21 Also of relevance are Policies CS2 and CS3 of the Core Strategy. Amongst other things, Policy CS2 seeks to ensure the most effective use of land and is consistent with the above.

9.22 Consequently the proposal would accord with aims under local and national policy with respect to making effective use of the site area, taking into consideration the surrounding built environment.

Layout

9.25 The layout of the site is dictated by access requirements, particularly the provision of a through route from the existing main access to the dwellings to the rear of Chapel Croft (including The New Bungalow and Elm Cottage, and others which benefit from a right of access). The site is also required to maintain the existing right of way from Croft Lane through the rear portion of the site to the agricultural land directly north-west. This has resulted in the grouping of buildings across the site.

9.26 The placement of a single mixed use building to Chapel Croft, comprising a replacement shop, two flats and an attached dwelling, would respond appropriately to the spacious pattern of development that occupies a large part of the northern side of Chapel Croft and would reflect existing conditions on the site (which currently contains a post office / shop and garden machinery shop).

9.27 Courtyards are encouraged under the Chipperfield Village Design Guide and have been incorporated through the grouping of buildings. This is evident with the

front building presented to Chapel Croft comprising the retail unit, two apartments and the attached two-bedroom dwelling (Plots 13 to 15). The middle portion of the site would incorporate a courtyard created by the link-detached dwellings (Plots 1 and 2) and the short terrace row (units 3 to 5) and also by detached dwellings (Plots 7 to 9) at the head of Croft Lane.

9.28 The building bulk has been concentrated around courtyards instead of a large expanse of building across the site when perceived from the east of the site. Building sprawl across the site has been reduced where Plots 10 to 12 would replace the large greenhouse structure to the rear adjacent to open rear gardens and the agricultural field.

9.29 Whilst parking provision is detailed in a later section, it is considered that the proposal would achieve an appropriate balance between on-site parking and soft landscaping areas resulting in a decrease in hardstanding across the site.

9.30 No layout concerns have been raised by the Hertfordshire Crime Prevention Design Officer.

Residential amenity

9.31 Rear gardens within the proposed development would achieve or exceed the local 11.5m depth standard set out under saved Appendix 3 of the Local Plan in at least one direction, with the exception of Plots 4, 6 and 14, the last of which is a two-bedroom dwelling. Plots 4 and 6 have garden depths of 11m and 10.2m respectively, which would not raise concerns given in area terms would be commensurate with sizes of rear gardens of some properties on Chapel Croft (Shalon and Wansfell for example). As such this would not give rise to concerns surrounding the amenity of these plots given the pattern of development adjacent and noting the recreational opportunities that exist within Chipperfield and its network of public footpaths.

9.32 A minimum distance of 23m would be met between the main elevations (first floor windows) of dwellings within the development with the exception of front elevations facing one another for which there is no specified separation distance.

9.33 The development would accord with the aims of Policies CS11 and CS12 of the Core Strategy and would not conflict with the objectives of the Chipperfield Village Design Guide.

Traffic, Access and Car Parking

9.34 Parking provision would be met on-site for the residential units in excess of the maximum standard set out under saved Appendix 5 of the Core Strategy, and would be exceeded for the retail unit. A breakdown of the parking provision has been provided below for ease of reference:

Property	Garage	Spaces
Plot 1		3

Plot 2	1	3
Plot 3		2 + 1 visitor
Plot 4		2 + 1 visitor
Plot 5		2 + 1 visitor
Plot 6	1	3
Plot 7	2	2
Plot 8	1	3
Plot 9	1	3 + 2 visitor
Plot 10	1	3
Plot 11	1	3
Plot 12	1	3
Plot 13		2 + 1 visitor
Plot 14		2
Plot 15		2 + 1 visitor
Retail Shop		6 + 7 shared visitor spaces 1 delivery vehicle space
Parish Store		1
Total	9	60

9.35 Saved Policy 58 of the Local Plan requires justification for provision of parking above the maximum standard. In this particular respect greater weight is attached to paragraph 106 of the Framework which sets out the maximum standards should only be set where there is clear and compelling justification that they are necessary for managing the local highway network, or for optimising the density in city and town centres and other locations that are well served by public transport. Given the location of the site within the village which is served only by buses it is not considered that justification for exceeding local maximum standards is required. The parking provision is considered to strike an appropriate balance between the anticipated demands of the development and maintaining the character of the surrounding area.

9.36 No objection has been raised from the highway authority with respect to utilising the two existing accesses which were expected to continue under Proposal H/21. Improvements have been sought with respect to the accesses to improve highway and pedestrian safety where details shall be reserved by condition. It is noted that the access off Croft Lane should maintain the existing through-route to the adjacent fields. The ownership of this right of access is not a material planning consideration and therefore shall not restrict the grant of planning permission.

9.37 Similarly, the highway authority did not raise objection with regards to traffic movements generated by the proposal. A decrease in traffic movements would result which would be a benefit in terms of highway safety on the surrounding road network.

9.38 An acceptable level of maneuverability has been demonstrated by way of swept path analysis (submitted as part of the Transport Assessment). It has been illustrated that delivery/service vehicles would be able to turn around and egress to the delivery bay and subsequent highway in forward gear at the Chapel Croft access.

9.39 As such the proposal would accord with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 in this regard.

Impact on Heritage Assets and Street Scene

9.40 There are various aspects of the proposal to consider noting the site's planning constraints and these are detailed below.

Building height

9.41 Objectives for Proposal H/21 also seek a mix of two-storey housing. The development is now solely two-storey in height, addressing the DMC's previous concerns over the visual appearance of the units directly fronting Chapel Croft.

Impact on Chipperfield Conservation Area

9.42 Proposal H/21 under the Site Allocations requires a high quality scheme noting the site's partial location within the Chipperfield Conservation Area. It is considered that the development has achieved this. No objection has been raised with respect to the loss of the existing buildings on the site.

9.43 As alluded to above, building height and overall bulk and massing is considered to be acceptable noting the mix of development along Chapel Croft consisting of detached, semi-detached and terraced dwellings.

9.44 From Chapel Croft the shop unit, courtyards immediately behind and the detached dwelling (Plot 6) at the head of the drive would add to the existing strong variety of building types and sizes. In particular the elevations facing Chapel Croft would feature a mix of building heights with gable projections, elevations and chimneys to add interest when viewed from the street and within the development itself. Roof pitches would be traditional with slight pitch variations adding further interest whilst unifying all buildings within the development with recurring gable features. As such the detailed design of the development is considered to accord with the general principles set out within the Chipperfield Village Design Guide.

9.45 Colour elevations have been and these demonstrate that the scheme provides a mixed palette of materials which are reflective of the village's character and of buildings found within the Chipperfield Conservation Area. A condition shall be placed on any planning permission requiring details of materials, brickwork and joinery to ensure the design detail would achieve a suitable level of integration within the surrounding area.

Impact on Nearby Listed Buildings

9.46 There are a row of listed buildings located south-east of the site including Rose Cottage and the terrace row on Chapel Croft at the head of the junction with Croft Lane. However, due to its location on the opposite side of the road and its setback from the frontage, the proposed development would not harm the setting of these listed buildings.

Impact on trees

9.47 A tree protection plan and tree constraints plan has been submitted as part of the application. Overall, six trees would be removed to make way for the proposal; a Golden Yew, Purple Plum, Monterey Cypress, Wild Cherry, Crab Apple tree and a Hazel tree. All of these trees have been identified as in poor condition or readily replaceable and so it is considered their removal would not be detrimental to the character of the surrounding area. All other existing trees on site are to be retained and protected during construction by the methods stated within the submitted tree protection plan which include protection fencing and specific 'no dig' construction strategies.

9.48 14 new trees are proposed on site and so it is considered that the development would benefit the site in terms of landscape character. The Council's Trees and Woodlands were consulted on the application and no objections were raised in regards to the proposed tree removals when balanced against the number of new trees that were being proposed. However, a planting scheme with details of new species planting, planting methods, and an aftercare regime was requested which shall be reserved by condition if planning permission is granted.

9.49 Based on the above, the development would achieve a comfortable degree of compatibility with the surrounding area and would therefore accord with the aims of Policies CS11, CS12, CS25 and CS27 of the Core Strategy and saved Policies 99, 111 and 120 of the Local Plan.

Impact on Neighbouring Properties

9.50 In general terms the proposed redevelopment would group buildings and provide a greater level of open space and soft landscaping that would assist in breaking up building bulk from the perspective of neighbouring properties and soften the development. Specific sensitive interfaces and considerations are detailed below.

Croft Lane

9.51 The neighbouring dwelling at Rosetas would have a direct view of the flank wall of the end-of-terrace dwelling at Plot 3, where there would be a distance of approximately 15m between the two compared with the single-storey structures currently visible from the rear garden and ground floor rear windows of this neighbouring property. The development would not breach the 25° from the midpoint of ground floor windows at Rosetas which can be assessed on the submitted cross-section (drawing no. PL32 Rev. B), demonstrating the development would not result in an adverse loss of light to this neighbour. The roof form of Plot 3 would also be set down from that of the main terrace to further break up the building bulk from this perspective; the use of a Dutch hip roof form would also serve to minimise the impact

on Rosetas.

9.52 The dwelling at Oakland would have a direct line of sight of Plot 8; however, visual relief would be provided by this building's relatively narrow flank elevation and the width of its rear garden would ensure there would be sufficient relief from buildings that the proposal would not give rise to visual intrusion or loss of light.

9.53 There would be a perpendicular relationship between Shalom and Plot 13 which would not raise overlooking concerns given the location of the first floor window within the gable on the far side of the northern elevation of this unit.

Other neighbouring properties

9.54 Dwellings at The Nurseries, Middle Oak, The New Bungalow and (approved) Strawplait Barn feature main elevations that do not directly face the application site and therefore the proposal would not harm the residential amenities of these dwellings.

Overlooking

9.55 As alluded to above, the 23m standard is applied between first floor windows of private elevations (and is generally a back-to-back distance) to prevent unreasonable levels of overlooking. The proposal would present blank flank elevations to existing residential properties on Croft Lane and behind Chapel Croft. Consequently, whilst buildings may be sited within 23m of neighbouring windows, due to the absence of windows within the nearest elevations this would not give rise to overlooking concerns.

Chapel Croft

9.56 When assessing the impact on dwellings to the south on the opposite side of Chapel Croft, it is noted that there is no front-to-front distance under local guidance as views of dwellings can be obtained from the road frontage. In any case the road reserve and the setback of the front building would ensure that the 23m standard would be exceeded relative to dwellings to the south.

9.57 It follows the proposal would not compromise the residential amenity of existing dwellings with respect to visual intrusion, loss of light, overlooking or general disturbance and would therefore accord with Policy CS12 of the Core Strategy.

Contaminated Land

9.58 The Council's Environmental Health Department were consulted on the proposal and raised no objections. However, due to identified former potentially contaminative land uses on the site, standard contaminated land conditions and informatives shall be placed on any planning permission given the sensitivity of the proposed land use in accordance with Policy CS32 of the Core Strategy.

Flood risk and Drainage

9.59 The Lead Local Flood Authority (Hertfordshire County Council) have not raised any objections on flood risk grounds, subject to the inclusion of conditions.

9.60 Concerns were raised by Chipperfield Parish Council and local residents during

the course of the previous application with regard to foul and surface water drainage and the potential impacts on local infrastructure. Despite Thames Water, previously and now, confirming that they have no objections to the development being connected to the sewer system to the north of the site, it is now proposed to connect to the sewer system to the west.

9.61 Page 8 of the Drainage Strategy (Issue 3) undertaken by Fairhurst provides the relevant clarification:

Thames Water have stated that the sewer system to the north and to the west of the site have the capacity to take foul and surface water flows from the site, with surface water restricted to 2l/s. However, they have also stated that the sewer line to the north has maintenance issues, and as such it is proposed to connect into the western manhole, which Thames Water have confirmed is acceptable.

9.62 Conditions would be placed on any grant of planning permission which would ensure that the development would be carried out in accordance with the submitted drainage strategy, that no development would take place until the final design of the drainage scheme is submitted to and approved by the local planning authority, and that upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved by the local planning authority.

9.63 Due to the above, no objection is raised in relation to flood risk and drainage in accordance with Policies CS31 and CS32 of the Core Strategy.

Ecology

9.64 The preliminary ecological appraisal, conducted by The Ecology Partnership, which was submitted with the application found there to be a low likelihood of the presence of protected species on site. In summary, the site does not contain any ponds and is separated from the nearest located ponds by infrastructure meaning it is unsuitable for Great Crested Newts.

9.65 The Preliminary Ecological Appraisal has determined that while the habitats on site have the potential to support doormice, due to the lack of connectivity to any significant compartment of suitable off-site habitat, small area of on-site habitat and lack of recent records in the vicinity of that site, it is considered unlikely that doormice are present and no further surveys were recommended.

9.66 With respect to bats, the buildings were considered unsuitable, although the western hedgerow / treeline could provide commuting opportunities and as such this could be protected from direct lighting during construction. Hertfordshire Ecology confirmed in respect of the previous application that there are no reports or protected species from the site and that the site is predominantly comprised of hardstanding.

9.67 Furthermore, the proposal would result in a reduction in hardstanding and the incorporation of more soft landscaping on site. Construction activities would actively protect biodiversity by following the recommendations set out within the Preliminary Ecological Appraisal and mature trees on site will be retained along with the provision of additional planting. The proposal would therefore accord with Policy CS29 of the Core Strategy.

Affordable Housing and Community Infrastructure Levy (CIL)

9.68 Policy CS19 of the Core Strategy requires 35% of residential units to contribute towards affordable housing provision within the Borough. The development would be required to provide five affordable housing units on site. This level of provision would be secured under a Section 106 agreement where planning permission would not be granted prior to its completion.

9.69 The development would be CIL liable subject to applicable reductions (buildings 'in use) at a rate of £150 per square metre. The proposal would be compliant under Policy CS35 of the Core Strategy. Under the Council's Regulation 123 list, any CIL payment would go towards primary schools and open space, which have been raised as experiencing shortfalls within consultation responses.

10. Conclusions

10.1 The principle for redevelopment of the site for residential purposes and the replacement of the existing shop is acceptable noting the policy designation of the site associated with Proposal H/21 under the adopted Site Allocations Statement. It is noted that the net housing capacity of the site as stipulated within the Site Allocations is not a maxima, and the proposal would result in the following planning benefits:

- Meeting an identified need for housing in the Borough and an appropriate mix of units;
- Redevelopment of a largely vacant site within the village;
- Replacement of the existing shop serving the village;
- Provision of on-site affordable housing in line with the requirements of Policy CS19 of the Core Strategy including smaller units;
- Adequate on-site parking provision which accords with the demand-based standards;
- Appropriate spacing between units within the development and relative to existing neighbouring properties;
- Achieving an appropriate balance between hardstanding for car parking and soft landscaping and private amenity areas for dwellings;
- Reduction in traffic movements compared with the existing use;
- Building design and layout would ensure the conservation of designated heritage assets.

10.2 The reasons for the previous refusal of planning permission have, in the view of the case officer, been adequately addressed. The proposal would therefore accord with the aims of Policies CS1, CS2, CS11, CS12, CS17, CS18, CS19, CS25, CS27 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 45, 58, 99, 111 and 120 of the Dacorum Borough Local Plan 1991-2011.

11. RECOMMENDATION

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

- Affordable Housing – 35%

3. That the following conditions, or such other conditions as the Committee may determine, be agreed:

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

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

2 Prior to commencement of the development hereby permitted, a Development Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Development Phasing Plan shall include details of and timeframes for:

the removal of the existing buildings to be demolished;

the reinstatement of the existing Class A1 (shop and post office) use on the site and timeframes for its closure during construction works;

any phasing plans for construction across the site.

The development shall be carried out in accordance with the approved details.

Reason: To ensure a sufficient amount of retail space within the village in accordance with saved Policy 45 of the Dacorum Borough Local Plan 1991-2011 and to provide certainty with respect to Community Infrastructure Levy charging timeframes.

3 The retail Class A1 unit hereby approved shall only be used for Class A1 uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose permitted under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason: To ensure a sufficient amount of shopping facilities within the village in accordance with saved Policy 45 of the Dacorum Borough Local Plan 1991-2011.

4 The trees shown for retention on the approved Tree Protection Plan

(prepared by David Brown Landscape Design, dated March 2019) shall be protected during the whole period of site clearance, excavation and construction by the erection and retention of protective fencing positioned beneath the outermost part of the branch canopy of the trees. In areas where tree protection fencing does not sufficiently cover Root Protection Areas, the use of 'No-Dig' construction methods shall be incorporated to minimise the impact to trees proposed for retention, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure that damage does not occur to the trees during building operations in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policies 99 and 120 of the Dacorum Borough Local Plan 1991-2011.

5 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five (5) years from the date of the occupation of the building for its permitted use.

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

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

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

Reason: To ensure a satisfactory appearance to the development and to

safeguard the visual character of the immediate area in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policies 99 and 120 of the Dacorum Borough Local Plan 1991-2011.

- 6 **Construction of the buildings hereby permitted shall not take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials, including to the access roads;**
- **means of enclosure both within and around the site;**
- **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;**
- **proposed finished levels or contours;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12, CS25 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 7 **Construction of the buildings hereby permitted shall not take place until details of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **schedule of external materials, including samples of brick and roof tiles;**
- **details of brick bond and mortar;**
- **metrically scaled at 1:20 details of joinery and finish;**
- **rainwater goods;**
- **eaves details.**

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area in accordance

with Policies CS12 and CS27 of the Dacorum Core Strategy 2013, saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 8 **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.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 9 **Prior to first occupation of the buildings hereby permitted, full details (in the form of scaled plans and/or written specifications) shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to illustrate the following:**

- **A feature to prevent vehicles (e.g. bollards) from parking on the highway footway fronting the shop on Chapel Croft and full height kerb on the carriageway edge and reinstatement of the footway.**
- **Tactile paving details at both accesses. Tactile paving would need to in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces**

The works shall then be carried out in accordance with the approved particulars prior to first occupation of the buildings hereby permitted.

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.

- 10 **Prior to the first occupation of the development hereby permitted the accesses and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.

- 11 **Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plans and retained thereafter available for that specific use.**

Reason: In order to ensure a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum

Core Strategy 2013.

- 12 **The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with Policy 57 of the Dacorum Borough Local Plan 1991-2011.

- 13 **The development permitted by this planning permission shall be carried out in accordance with the approved the Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019, the following mitigation measures detailed within the FRA:**

- **Limiting the surface water and foul water discharge to a maximum of 2l/s with discharge into the Thames foul water sewer; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.**
- 1. **Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
- 2. **Undertake drainage strategy to include to the use tanked permeable paving and attenuation tanks as indicated on drainage strategy drawing 103795/2001 Rev A**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 14 **Construction of the buildings hereby permitted shall not take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019. The scheme shall also include;**

3. **Exploration of opportunities for above ground features reducing the requirement for any underground storage.**
- **Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall**

events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Reason: To ensure the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 15 **Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.**

Reason: To ensure the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 16 a) **No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
- **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
 - **The results from the application of an appropriate risk assessment methodology.**
- b) **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.**
- c) **This site shall not be occupied, or brought into use, until:**
- (i) **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - (ii) **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with Policy CS32 of the Dacorum Core Strategy 2013.

- 17 **Any contamination, other than that reported by virtue of Condition 16, encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason:To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with Policy CS32 of the Dacorum Core Strategy 2013.

- 18 **Construction of the building containing the retail (Class A1) unit and residential units labelled Plots 14 to 15 (inclusive) on approved Drawing No. PL10 Rev. B shall not take place until a Noise Mitigation Scheme proposing measures against externally generated traffic and mixed use noise has been submitted to and approved in writing by the local planning authority.**

The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure an appropriate level of residential amenity within the development with respect to noise from local traffic and the mixed use nature of the building in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 19 **There shall be no installation of building services plant before a plan showing location of all plant and a Noise Impact Assessment in relation to that plant and the impact on residential amenity has been submitted and approved by the local planning authority.**

Noise emitted by external building services plant and equipment shall not increase the existing typical background at any time when the plant is in operation. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential window.

Development shall be carried out in accordance with the approved

details.

Reason: To safeguard the residential amenities within and adjacent to the site and to conserve and enhance the character and appearance of the Chipperfield Conservation Area in accordance with Policies CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 20 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A, B, C and D.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality including the Chipperfield Conservation Area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 21 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the respective dwellings and it shall not be converted or adapted to form living accommodation.**

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013.

- 22 **Notwithstanding the approved details, external electricity and gas metres shall not be installed on the southern elevations fronting Chapel Croft of the ground floor shop and Units 13, 14 and 15 as shown on Drawing No. 2585 PL03 Rev B (proposed site layout).**

Reason: To positively conserve and enhance the character and appearance of the Chipperfield Conservation Area in accordance with Policy CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 23 **The retail (Class A1) use hereby permitted shall not operate other than within the following hours:**

07:00 to 20:00 Monday to Saturday

08:00 to 16:00 Sunday

For the avoidance of doubt the retail use shall not operate during bank holidays or public holidays.

Reason: In the interests of the amenities of the occupants of neighbouring dwellings within the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

2585 PL03	Rev. D	(Proposed Site Layout)
2585 PL12	Rev. A	(Plots 1 & 2 Floor Plans)
2585 PL14	Rev. A	(Plots 3 - 5 Floor Plans)
2585 PL16	Rev. B	(Plot 6 Floor Plans)
2585 PL18	Rev. B	(Plot 7 Floor Plans)
2585 PL20	Rev. A	(Plot 8 Floor Plans)
2585 PL34	Rev.	(Plot 9 Floor Plans)
2585 PL22	Rev. A	(Plot 10 Floor Plans)
2585 PL24	Rev. A	(Plot 11 Floor Plans)
2585 PL26	Rev. A	(Plot 12 Floor Plans)
2585 PL10	Rev. B	(Front Building Plans)
2585 PL13	Rev. A	(Plots 1 & 2 Elevations)
2585 PL15	Rev. B	(Plots 3-5 Elevations)
2585 PL17	Rev. B	(Plot 6 Elevations)
2585 PL19	Rev. B	(Plot 7 Elevations)
2585 PL21	Rev. A	(Plot 8 Elevations)
2585 PL35	Rev.	(Plot 9 Elevations)
2585 PL23	Rev. A	(Plot 10 Elevations)
2585 PL25	Rev. A	(Plot 11 Elevations)
2585 PL27	Rev. A	(Plot 12 Elevations)
2585 PL11	Rev. C	(Front Building Elevations)
2585 PL28	Rev. B	(Single Garage Plans and Elevations for Plots 6-9)
2585 PL04	Rev. B	(Proposed Street Scene 1 & 2)
2585 PL05	Rev. B	(Street Scene 3 & 4)
2585 PL30	Rev. A	(Outbuildings Plans and Elevations)
2585 PL32	Rev. B	(Site Section Through Plot 3 & Rosetas Rear Garden)

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

- 25 **Prior to first occupation of the development hereby approved, details of fire hydrants or other measures to protect the development from fire must have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details. The fire hydrants must thereafter be retained in association with the approved development**

Reason: In order to ensure that the development is adequately served by fire hydrants in the event of fire in accordance with Policy CS12 of the Dacorum Core Strategy.

INFORMATIVES

Hertfordshire Highways

Extent of Highway

Information on obtaining the extent of public highway around the site can be obtained from the HCC website:
www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

Agreement with Highway Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the

public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and->

[pavements/business-and-developer-information/development-management/highways-development-management.aspx](https://www.thameswater.co.uk/pavements/business-and-developer-information/development-management/highways-development-management.aspx) or by telephoning 0300 1234047.

Environmental Health

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.

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.

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.

Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should

be completed on line via www.thameswater.co.uk/wastewaterquality."

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Appendix 1

Consultation responses

DBC - TREES & WOODLANDS - CLEAN SAFE AND GREEN	No Objection
With regards to Planning Application 4/00658/19/MFA.	
<p>The applicant proposes the removal of a number of trees for the development. These are considered 'C' or 'U' category trees, in accordance with BS 5837:2012 Trees in relation to design, demolition and construction, and should not pose a constraint to the development. To support the application the applicant proposes to introduce a further 49 new trees in various locations across the development. In order to ensure they are suitable and have every opportunity to reach maturity I require a Planting Scheme to be submitted to cover:-</p> <p>Species, size, planting method. Proposals for appropriate aftercare, including watering. Replacement in the event of failure.</p> <p>This can for part of a Landscaping Condition if minded to approve the application.</p>	
DBC - NOISE POLLUTION & HOUSING	No Objection
ECP have no objections on noise or air quality grounds, but we would recommend an informative for construction dust / noise noting the site will be surrounded by existing residential property.	
Construction Hours of Working – (Plant & Machinery) Informative	
<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>	

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.

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.

HCC - Dacorum Network Area

No Objection

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. No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority, to illustrate the following:

a. A feature to prevent vehicles (e.g. bollards) from parking on the highway footway fronting the shop on Chapel Croft and full height kerb on the carriageway edge and reinstatement of the footway.

b. Tactile paving details at both accesses. Tactile paving would need to be in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces

c. Clarification of the highway boundary to clearly illustrate works which would be required on highway land (this is not specifically necessary as part of the planning process but would be needed prior to applying to enter into a Section 278 Agreement with the Highway Authority).

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

2. Access and Highway Works

Prior to the first occupation of the development hereby permitted the accesses and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Provision of Parking & Servicing Areas

Prior to the first occupation of the development hereby permitted the proposed

access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Construction Management

The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVE:

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:
www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

COMMENTS / ANALYSIS:

The proposal comprises of the erection of 15 dwellings, a retail shop and associated works at Chapel Croft and Croft Lane, Chipperfield. Chapel Croft is designated as a classified "C" local distributor road, subject to a speed limit of subject 30mph and is highway maintainable at public expense. Croft Lane is designated as an unclassified local access road, subject to a speed limit of subject 30mph and is highway maintainable at public expense

ACCESS:

The site has two existing bellmouth accesses, one from Chapel Croft and one from

Croft Lane, both of which are to be utilised for the proposed development. Each access will lead to an upgraded / redesigned access road / cul-de-sac. Six of the proposed dwellings will be accessed via Croft Lane whilst the remainder of the development will be via Chapel Croft. The proposed access roads are of an acceptable width to enable two vehicles to pass on another and are in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide.

Available visibility splays are shown on submitted plan number 03 (included as part of the submitted Transport Statement). Vehicular visibility splays of 2.4m x 43m are shown at the access onto Chapel Croft, which is acceptable when taking into consideration the speed and nature of traffic on the highway and the size of the proposed development and is in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets. The level of visibility at the Croft Lane access is also acceptable with visibility levels in excess of 2.4m by 43m in either direction.

A formalised bellmouth with kerb radii of 6m has been proposed at each access, the provision of which is acceptable and would need to be constructed with tactile paving on the footway either side of each entrance, designed and built in accordance with HCC's guidelines and specifications. A bellmouth rather than a standard VXO would be appropriate for the size of the development. The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to any works that would be needed on highway land including:

Upgrading of the existing accesses on Chapel Croft and Croft Lane.
Tactile paving on the footway either side of each access, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces
reinstating the kerb to a full height at the existing extended dropped kerb on Chapel Croft.

Works to the highway footway /larger area to the front of the shop unit on Chapel Croft including the provision of permanent features e.g. bollards to prevent vehicles from pulling up and parking on the highway footway fronting the shop.

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to obtain an extent of highway plan to clarify the works which would be within the existing highway. Please see the above conditions and informatives.

It is unlikely that HCC as Highway Authority would agree to adopt the proposed cul-de-sacs. However they should be built to adoptable standards to be in accordance with guidelines as documented in Roads in Hertfordshire. Following consideration of the size and nature of the proposals with the cul-de-sac providing vehicular, cycling and pedestrian access, it is recommended that the access road be constructed as a shared surface road.

PARKING & MANOEVRABILITY:

The proposal includes the provision of 57 on site car parking spaces including residential parking, 13 visitor spaces and six spaces for the shop/post office. A turning area is also provided in each access road in addition to a delivery bay for the shop. The layout is shown on submitted plan no. PL03 rev. D and is considered to be acceptable and in accordance MfS and Roads in Hertfordshire. A swept path analysis has been submitted as part of the Transport Assessment to illustrate that delivery/service vehicles would be able to turn around and egress to

the delivery bay and subsequent highway in forward gear at the Chapel Croft access.

Provision would need to be made for a permanent feature to prevent vehicles to from parking or pulling up onto the highway footway fronting the shop on Chapel Croft e.g. bollards. The previous application (no. 4/02249/18/MPA) included two formalised parking bays at this location (which the highway authority had no objection to) and would provide a safer alternative to any vehicles choosing to informally park on the highway fronting the shop.

The level of parking is considered to be acceptable by HCC as Highway Authority although it should be noted that the levels proposed are higher than the standards as documented in Dacorum Borough Council's (DBC) parking standards. DBC should therefore ultimately be satisfied with the level of parking.

REFUSE / WASTE COLLECTION:

Provision has been made for on-site refuse stores within 30m of each dwelling and within 25m of the kerbside/bin collection points. A swept path analysis has been submitted as part of Transport Assessment to illustrate that waste collection vehicles would be able to turn around in both access roads and egress to the highway in forward gear, the arrangements of which are considered to be acceptable by HCC as Highway Authority. The collection method must be confirmed as acceptable by DBC waste management.

EMERGENCY VEHICLE ACCESS:

The access arrangements would enable emergency vehicle access to within 45 metres from all dwellings. This adheres to guidelines as recommended in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.

TRIP GENERATION & DISTRIBUTION:

Following consideration of the expected traffic/trip rates (which have been submitted as part of the Transport Assessment), which are less than the current use rates and the proposed improvement works to the existing accesses, the development would not have a significant or detrimental impact on the local highway network.

SECTION 106 CONTRIBUTIONS TO SUSTAINABLE TRAVEL IMPROVEMENTS:

The site lies in the village of Chipperfield in close proximity to its main amenities and facilities. Kings Langley railway station is approximately 5.2km (3.2 miles) from the site whilst Hemel Hempstead is 6km (3.8 miles) from the site. Due to the village location, there is limited scope to significantly improve sustainable transport options although pedestrian accessibility within the vicinity of the site (and therefore the village centre) would improve through the proposed changes. Cycle parking has been proposed at the front of the shop, which is important to encourage cycling as an alternative to driving for visitors to the shop/post office.

Furthermore in order to make the proposals acceptable to maximize sustainable travel options, it is recommended that developer contributions are sought towards improvements at both bus stops on Dunny Lane south west of the site which are within the recommended accessibility criteria of 400m. These are served by the 352 route (Hemel-Watford) which has 5 services a day Mon-Sat and gives access

to Hemel Hempstead railway station and town centre. The south-west bound stop is in a lay-by with a brick shelter, with no easy access kerbing. The north-east bound stop has a narrow footway, and neither easy access kerbing or shelter. Developer contributions towards improvements at both stops including of provision of easy access kerbing at both stops (£8000 per stop, £16,000 total) and/or improvements to the design of the lay-by at the southwest bound stop or footway improvements at the northeast bound stop.

CONCLUSION:

HCC as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant will need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at the accesses to the site. Furthermore sufficient contributions would be required to upgrade the existing bus stops to ensure that accessibility at these bus stops is improved. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative.

LEAD LOCAL FLOOD AUTHORITY

No Objection

Thank you for consulting us on the above application for the demolition of existing buildings, construction of 15 dwellings (Class C3) and one retail (Class A1 Shop) unit and parish store room, formation of layby to Chapel Croft and alterations to vehicle and pedestrian accesses.

Following the review of the Drainage Statement carried out by Fairhurst reference 103795-100 dated August 2018, we can confirm that we have no objection on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

The drainage strategy is based on attenuation and discharge into existing foul sewer at a restricted rate. We note that the infiltration testing has been carried out onsite and it has been shown that infiltration is not feasible at this location. There are no watercourses and surface water sewers within the vicinity of the site. Thames Water has been contacted in relation to the above proposals and has agreed a maximum combined rate of 2l/s for surface and foul water. It is proposed to split the discharge from the site into two separate outfalls; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.

It has been estimated that approximately 250m³-337m³ of storage will be required across the site to discharge at 2l/s. the drainage strategy incorporates permeable car parking area with below-ground attenuation tank for additional. We note it proposed increase the levels onsite to avoid the use of the pumping station.

We therefore recommend the following conditions to the LPA should planning permission be granted.

LLFA position

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved the Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019, the following mitigation measures detailed within the FRA:

Limiting the surface water and foul water discharge to a maximum of 2l/s with discharge into the Thames foul water sewer; with the southern plots draining into manhole 4001 to the east of the site at 0.7l/s, and the northern plots into manhole 3003 at 1.3l/s.

Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

Undertake drainage strategy to include to the use tanked permeable paving and attenuation tanks as indicated on drainage strategy drawing 103795/2001 Rev A

Reason

1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Drainage Statement carried out by Fairhurst reference 103795-100 Issue 3 dated March 2019. The scheme shall also include;

Exploration of opportunities for above ground features reducing the requirement for any underground storage.

Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Condition 3

Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason

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

THAMES WATER UTILITIES	No Objection
<p>Waste Comments</p> <p>With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</p> <p>'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p> <p>Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided</p> <p>Water Comments No water comments</p>	

CRIME PREVENTION/ARCHITECTURAL OFFICER	No Objection
Thank you for sight of planning application 4/00658/19/MFA, demolition of existing	

buildings, construction of 15 dwellings (class C3) and one retail (Class A1 shop) unit and parish Store room, formation of layby to Chapel Croft and alterations to Vehicle and pedestrian accesses, Garden Scene Cipperfield, Chapel Croft, Cipperfield, Kings Langley, WD4 9EG

I am content that crime prevention and security have been considered and it is the intention to build the development to the physical security standards of Secured by Design as detailed in the DAS , (page 13).

Please contact me if you require any further information.

Appendix 2

Neighbour notification/site notice responses

Objections

Address	Comments
1 CROFT END ROAD,CHIPPERFIELD,K INGS LANGLEY,,WD4 9EE	15 dwellings is too many for this site due to the pressure this would put on the local roads. A large development of this size is too large for this site and the houses need to be a reasonable size to avoid the problems at Chantry View where residents have applied to extend one of the houses less than a year after they have been built.
OAKLAND,CROFT LANE,CHIPPERFIELD,KI NGS LANGLEY,WD4 9DX	On the planes given to dacorum planning one of the dwellings is on my boundary line at the rear of my property which is gross overshadowing. I object having over 40 vehicles a day going down the service road on to Croft Lane this will give disturbance and noise to me and my neighbour plus damage to our properties. Planning permission for access on to Croft Lane run out in 1971 so there should be a proper planning application made for access on to Croft Lane. I have sent to you via recorded delivery other documents with more of my objections in which i have had no reply, I also sent copies to highways, land registry,parish council & marchfield homes ltd
LYNDHURST,CROFT LANE,CHIPPERFIELD,KI NGS LANGLEY,WD4 9DX	Although I appreciate the revised plan and do think it has it's merits it goes not go far enough to placate all concerns in my opinion. Personally I still think the access on Croft Lane will immediately become dangerous and although a right of way stands on this title it does not mean that this right of way to be accessed via Croft Lane only over title. Therefore I would have like to have seen the removal of plot 6 and the re position of plots 7, 8 and 9 in order to curve the access road from Chapel Croft into a circular turning point to access plots 10, 11 and 12 including Stawplait Barn right of way. I can't see people in plot 6 or 8 parking two cars in front of the other to

	<p>access a third, like the plans detail. This would also remove the revised poor view from Oaklands onto the side of plot 8.</p> <p>I also still cannot understand why the Parish Council need a store within the plans.</p>
<p>Allendale Cottage,Bucks Hill,KINGS LANGLEY,,WD4 9AP</p>	<p>The size of this development is too big and will bring too much pressure on local policing, hospitals, doctors surgeries, schools, transport, traffic, privacy, parking and security.</p> <p>I think the negative impact of such a large development will effect not only Chipperfield but the surrounding areas.</p>
<p>HIGHFIELD,LOVE LANE,KINGS LANGLEY,,WD4 9HN</p>	<p>I continue to have concerns regarding the additional amount of traffic both along Chapel Croft and especially extra traffic affecting Croft Lane. Croft Lane is narrow with parking along both sides of the road most of the time. Croft Lane is already impacted by parking by employees of the LandRover dealership. Extra traffic into & from the development and parking associated with the rear part of development is likely be dangerous for residents and families living in Croft Lane who walk to and from the local school, shops, Church and local amenities. I have experienced difficulties walking with a child and a pushchair due to cars parked on the narrow pavements due to parking pressures and the road layout. Additionally drivers turning right out of the rear of the development onto Croft Lane will have a restricted view of traffic coming from the left. Croft Lane can be a busy road as it serves the estate, and it is not lit. The new road will be a very dangerous junction. I feel that the mix of houses being built goes some way to serving the needs community. However, this could be improved if plot No 8 was built as bungalow to provide suitable living accommodation for someone with a disability. It is only right to care about and include all members of society when planning and developing communities. This would also serve to reduce the overshadowing and privacy issues of Oaklands and Mayleaves. I would also like reassurances from the Environmental officer that the bats that are currently roosting in the properties backing onto the garden centre site will not be adversely affected in any way by the construction of the development.</p>