

4/01172/19/MFA	CHANGE OF USE FROM OFFICE (CLASS B1(A)) TO RESIDENTIAL (CLASS C3) AND UPWARD EXTENSION TO CREATE TWO ADDITIONAL LEVELS, TO PROVIDE 33 APARTMENTS COMPRISING 18 ONE-BEDROOM AND 15 TWO-BEDROOM DWELLINGS WITH ASSOCIATED CAR PARKING, BICYCLE AND REFUSE STORAGE
Site Address	CHARTER COURT, MIDLAND ROAD, HEMEL HEMPSTEAD, HP2 5RL
Applicant	Hightown Housing Association, Hightown House
Case Officer	Sally Robbins
Referral to Committee	Called in by Cllr Beauchamp due to concerns with residential amenity, parking and overdevelopment.

1. Recommendation

1.1 That planning permission be **DELEGATED with a VIEW to APPROVAL subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990.**

2. Summary

2.1 The proposal for 33 affordable dwellings would provide a comprehensive development of new dwellings in a sustainable town centre location. The scheme has been the subject of Pre-Application Advice and has addressed issues relating to the setting of the adjacent Listed Building. The proposed development would be an effective use of urban land, which would re-use an office building to provide much needed affordable housing in Hemel Hempstead. It is considered that the bulk and scale of the upward extension to provide two additional levels above the existing building is acceptable, taking into account surrounding built development. The overall design, layout, height and density are considered to respect the surrounding area. The provision of parking (at a ratio of 0.73 spaces per dwelling) is acceptable in this accessible town centre location, noting that Policy 58 of the Local Plan (2004) supports reduced parking for affordable housing. The scheme is therefore in accordance with Core Strategy (2013) Policies CS1, CS4, CS8, CS11, CS12, CS13, CS17, CS18, CS19 and CS23 and Dacorum Borough Local Plan (2004) Policies 58 and 119 and Appendices 3 and 5.

3. Site Description

3.1 The application site is located on the north side of Midland Road in the town centre of Hemel Hempstead. The site comprises an office building spread over three levels comprising basement/undercroft car parking as well as ground floor and first floor offices. The site has been the subject of a recent application for prior approval for the conversion of the offices to residential apartments. Externally the building is finished in facing brickwork with extensive glazing and blue coloured window frames and balustrades. The surrounding area comprises a mix of uses, including residential, business, retail and restaurants.

4. Proposal

4.1 The application seeks full planning permission for the change of use from office

(B1) to residential (C3) and upward extension to create two additional levels, to provide 33 apartments comprising 18 x 1-bedroom and 15 x 2-bedroom dwellings with associated car parking, bicycle and refuse storage. The applicant is a Registered Provider (Hightown Housing Association) and the dwellings would all be provided as affordable rented units.

5. Relevant Planning History

5.1 The site has recently been granted prior approval for the conversion of the offices to residential using Permitted Development Rights under Schedule 2, Part 3, Class O of the GPDO (ref. 4/00386/19/OPA). This prior approval application would permit the existing offices to be converted into 29 studio and 1-bed flats under Permitted Development (i.e. without planning permission and with no mechanism to secure any affordable housing).

4/00386/19/OPA	CONVERSION OF BOTH FLOORS OF EXISTING BUILDING FROM OFFICES TO APARTMENTS (15 STUDIO APARTMENTS AND 14 1- BED APARTMENTS). Prior approval required and granted 23/04/2019
4/02230/18/OPA	CONVERSION OF EXISTING BUILDING INTO 28 APARTMENTS CONSISTING OF 20 ONE BEDROOM AND 8 TWO BEDROOM Withdrawn 15/10/2018
4/01887/14/FUL	RE-INSTATEMENT OF SIGNAGE TO EXISTING FACADE (ENTRANCE CANOPY FASCIA AND WALL SIGN) Granted 09/10/2014
4/01888/14/ADV	RE-INSTATEMENT OF SIGNAGE TO EXISTING FACADE (ENTRANCE CANOPY FASCIA AND WALL SIGN) Granted 09/10/2014
4/02161/07/FUL	INSTALLATION OF DIESEL GENERATOR IN BASEMENT Granted 24/10/2007
4/00441/95/GOV	ERECTION OF AIR CONDITIONING PLANT PLATFORM Raise no objection 24/05/1995
4/01113/17/TEL	NOTIFICATION OF INSTALLATION OF CABINET BOX, PILLAR, PEDESTAL OR SIMILAR WHICH DOES NOT EXCEED 1.8M HEIGHT. Unknown

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

CS1, CS4, CS8, CS11, CS12, CS13, CS17, CS18, CS19, CS23 and CS35.

6.3 Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policies 58 and 119 and Appendices 3 and 5

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Landscape Character Assessment (May 2004)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)

7. Constraints

- TOWN CENTRE/LOCAL CENTRE
- Former Land Use

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 to consider are:

- Policy and principle
- The 'Tilted Balance'
- Impact on Character and Appearance of the Area
- Impact on Setting of Listed Building
- Impact on Parking
- Impact on Highway Safety, Access & Servicing
- Impact on Neighbours
- Other Matters

Policy and Principle

9.2 Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for

homes and Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

9.3 Within the core planning principles outlined in the NPPF (2019) there is heavy emphasis on the planning system's responsibility to deliver more homes to boost the supply of housing. Paragraph 68 of the NPPF states that decision makers should give great weight to the benefits of using suitable sites within existing settlements for homes. Additionally, chapter 11 of the NPPF (2019) seeks to ensure that decisions make effective use of land. Paragraph 118 d) promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. This is supported by Saved Policy 10 of the Local Plan (2004), which also seeks to optimise the use of available land within urban areas.

9.4 In terms of upward extensions, paragraph 118 e) states that planning decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

9.5 Regard must also be paid to Core Strategy Policy CS15, which seeks to retain the stock of floor space within the Borough for B Class uses. As outlined above, the site has recently been granted prior approval (ref. 4/00386/19/OPA) for the conversion of the offices to apartments, comprising 29 studio and 1-bed apartments. As such, it is considered that there is a real prospect of converting the offices to residential units. This possibility of development is a fall-back position in the consideration of the current application. As such, there is no objection to the loss of B1 floor space and the principle of development with respect to the change of use from office to residential is considered to be acceptable.

9.6 In addition to the above, due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, decisions should apply a presumption in favour of sustainable development. This is discussed in further detail below.

The 'Tilted Balance'

9.7 The LPA cannot currently demonstrate a 5 year housing land supply, and therefore paragraph 11 of the NPPF (2019) is engaged. Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date" when the LPA cannot demonstrate a five year supply of deliverable housing sites. The most important policies for determining a housing application are considered to be Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages) and CS17 (New Housing). Paragraph 11 continues, "Plans and decisions should apply a presumption in favour of sustainable development...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

a) the application of policies in this Framework that protect areas or assets of particular

importance provides a clear reason for refusing the development proposed; or

b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

9.8 The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental.

- The social benefits of the scheme would include a contribution towards making up the shortfall in housing in the Borough thereby facilitating the Government's aim of boosting the supply of housing. Additionally, the provision of affordable housing would meet the needs of those on the Borough's housing waiting list.

- The economic benefits of the scheme would include the creation of construction jobs in the short-term during the construction of the development. In addition, it is likely that future residents would support the local economy such as using the amenities in the town centre. It is therefore considered that the proposal will have some positive benefits to the local community, and can be considered sustainable from an economic perspective.

- In terms of the environmental benefits, the principle of residential development is acceptable in this location and the site does not reside within an area of particular importance (for example a habitat site, Green Belt, AONB, heritage site - see footnote 6 of the NPPF). One of the key strands of the NPPF is the expectancy of high quality development that will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Any new development is expected to protect the surrounding built environment and make effective use of land.

9.9 Taking the above into account, it is considered that there are social, economic and environmental benefits to the scheme. Therefore the proposal constitutes sustainable development and for that reason the tilted balance in favour of this number of housing units on the site is sufficient to justify development, subject to the considerations below.

Impact on Character and Appearance of the Area

9.10 Core Strategy (2013) Policies CS11 and CS12 state that development within settlements should respect the typical density in the area, integrate with the streetscape character and respect surrounding properties. Paragraph 127 of the NPPF (2019) seeks to ensure that developments are visually attractive as a result of good architecture and layout and are sympathetic to local character, including the surrounding built environment.

9.11 The proposed development comprises internal and external alterations to the existing building, as well as an upward extension to provide two additional levels.

9.12 At basement level there would be 24 car parking spaces (including 2 disabled spaces), a bin store and cycle store with 34 cycle spaces. At ground floor level the internal alterations would create 9 apartments (5 x 1-bedroom and 4 x 2-bedroom), two of which would include a private terrace (flats 1 and 9). At first floor level there would be 4 x 1-bedroom and 5 x 2-bedroom apartments

9.13 At second floor level there would be 5 x 1-bedroom apartments and 3 x 2-bedroom apartments. Flats 19, 20 and 21 would also comprise private roof terraces measuring between 29-41 sqm, which would be separated by frosted glass privacy screens. At third floor level there would be 4 x 1-bedroom apartments and 3 x 2-bedroom apartments. Flats 27 and 28 would comprise smaller private roof terraces measuring 16 sqm and 12 sqm respectively.

9.14 The external appearance of the building would be altered, including re-cladding the building in a combination of red brick slips and metal cladding, reducing the amount of glazing, removing the gable projections on the south elevation and replacing the blue balustrades with metal railings. It is considered that the alterations and external finish would provide more of a residential appearance to the building. The additional levels would be finished in facing brickwork to the second floor and metal cladding to the third floor. The roof would be hipped and finished in a standing-seam metal roofing system.

9.15 The proposed design and finish of the building is considered to harmonise with the surrounding area. The proposed scale and height of the building will respect surrounding properties, noting in particular the stepping upwards away from the adjacent listed building (51 Marlowes) towards Mosaic House (the impact of the proposal on the setting of the adjacent listed building is discussed in more detail below). In relation to Mosaic House, the proposed development would be approximately 2m lower.

9.16 In terms of density, Policy CS11 of the Core Strategy states that within settlements and neighbourhoods, development should respect the typical density intended in an area. Additionally Saved Policy 21 of the Local Plan (2004) states that higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centres. This is supported by Policy CS4 of the Core Strategy (2013), whereby high density development is encouraged where it is linked to the achievement of sustainability objectives.

9.17 The site area measures 0.11 hectares, which equates to a density of 300 dwellings per hectare. As outlined above, the application site resides within a sustainable location with good access to local facilities, public transport and other services. As such there is no objection to the high level of dwelling density proposed. Cllr Beauchamp raised concerns regarding overdevelopment, however as outlined above, there is policy support for high density development in this location.

9.18 Overall it is considered that the layout, design and scale of the proposed development is compatible with the surrounding area and will not have a detrimental impact upon the character and appearance of the street scene. Additionally, the proposal has been discussed at pre-application stage, thereby meeting the recommendations of paragraph 39 of the NPPF, which encourages early engagement. It is considered that the advice provided by the Council at pre-application stage has been followed.

Impact on Setting of Listed Building

9.19 Chapter 16 of the NPPF and Core Strategy Policy CS27 seek to ensure that all

development conserves or enhances the historic environment. Policy CS27 states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.

9.20 The application site is situated within an older character area within the town centre and in close proximity to several designated heritage assets along Marlowes. In particular, the close relationship to the Listed Buildings of 51 and 53 Marlowes was raised as a concern at pre-application stage. It was suggested that an abrupt increase in height adjacent to these Listed Buildings would have a negative impact on the setting of the Listed Buildings. The resulting design incorporates a stepped increase in levels away from the Listed Buildings, which the Conservation Officer considers has resolved the main concerns with respect to these designated heritage assets. Additionally, the Conservation Officer notes that externally the proposed design would enhance the built environment of the street scene. Overall there would be a neutral impact on the setting of the Listed Building and as such the proposal complies with the NPPF and Policy CS27 of the Core Strategy in that regard.

Impact on Parking

9.21 The application site resides within Accessibility Zone 2, according to the Accessibility Zones for the Application of Car Parking Standards SPG (2002). The maximum car parking standards are contained within Saved Appendix 5 of the Local Plan (2004), which states that for residential development within Accessibility Zone 2, the maximum requirements are 1 space for both 1-bedroom and 2-bedroom dwellings. The proposed development comprises 18 x 1-bedroom and 15 x 2-bedroom dwellings, with a total maximum requirement of 33 car parking spaces. The proposal comprises 24 car parking spaces located at basement level, which equates to 73% of the maximum requirement and a provision of 0.73 spaces per unit.

9.22 It should however be noted that the application site is immediately adjacent to Accessibility Zone 1. Midland Road delineates the boundary between Accessibility Zones 1 and 2, with Zone 1 lying to the south and Zone 2 to the north. Whilst the maximum parking standards for residential development are the same for Zones 1 and 2, the site's close proximity to Zone 1 gives a clear indication that the site is in a highly accessible location.

9.23 With regards to private parking provision, Saved Policy 58 of the Local Plan (2004) states that car free residential development may be considered in high accessibility locations. Parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g. special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport).

9.24 Paragraph 106 of the NPPF (2019) states that maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of the NPPF).

9.25 Additionally paragraph 105 of the NPPF states that if setting local parking standards, policies should take into account: the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport and local car ownership levels.

9.26 With regards to car ownership levels, the applicant (Hightown Housing) has provided a document entitled *Parking Provision Survey at existing Hightown developments*. The document outlines that Hightown have approximately 6,000 tenanted properties and the survey established that 30% of households have 0 cars, 53% of households have 1 car, 13% of households have 2 cars and 4% of households have 3 cars. Additionally, the document emphasises that the units at Charter Court would be let to people from Dacorum's housing waiting list, which works on a choice based letting system, where tenants will have the opportunity to view the property and would be made aware of parking provision prior to confirming their interest.

9.27 Councillor Wyatt-Lowe and Ward Councillor Beauchamp, as well as a number of local residents, have raised concerns with regards to the amount of parking provision. In particular, Cllr Wyatt-Lowe has requested that a condition be imposed that any resident of Charter Court is not allowed to apply for a parking permit in the 'Hospital Zone' (Controlled Parking Zone).

9.28 Paragraph 55 of the NPPF gives guidance with regards to planning conditions, stating that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Additionally, the NPPF outlines that planning conditions should be used where otherwise unacceptable development could be made acceptable through their use.

9.29 Taking all of the above into account, it is considered that the proposed level of car parking is acceptable, noting the accessible location, proximity to local services and policies that specifically support reduced levels of parking for affordable housing, including Saved Policy 58 and Appendix 5 of the Local Plan and paragraph 105 of the NPPF. It is furthermore not considered to be reasonable to impose a condition that restricts residents from applying for a parking permit, the control of which falls outside of the planning remit. Additionally, it would be difficult to enforce should some of the residents obtain parking permits. The imposition of this condition would not meet the tests set out in paragraph 55 of the NPPF.

9.30 The Highway Authority has been consulted and raised concerns that the proposed parking would not be able to accommodate all parking demand on site. However, it was acknowledged that it is ultimately the decision of the Local Planning Authority (LPA) to determine the suitability of the proposed parking. The Highway Authority raised no formal objection on the grounds of parking, however provided further guidance to the LPA with regards to car parking management, in the form of a suggested planning condition. The condition would require the developer to provide a Car and Cycle Parking Management Plan prior to first occupation of the development, to include details of car parking allocation and distribution, methods to minimise on-street car parking and monitoring of the Car Parking Management Plan. This condition is considered to be reasonable and necessary and will be secured, should planning permission be granted.

9.31 Taking all of the above matters into account, it is considered that due to the highly accessible location of the site and the fact that the proposed development would be 100% affordable housing, the application could not be refused on the grounds of parking.

Impact on Highway Safety, Access & Servicing

9.32 Policies CS8 and CS12 of the Core Strategy seek to ensure that any new development provides a safe and satisfactory means of access for all users. Paragraph 91 of the NPPF (2019) states that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible.

9.33 The existing access arrangements would be retained. The site is currently accessed by a single vehicular entry/exit point from Midland Road, situated at the western end of the site. Pedestrian access would be from two points of entry, one at ground floor level and one at basement level from the undercroft car park.

9.34 The Highway Authority raised a concern and suggested that the vehicular access could be improved by the removal or lowering of the wall adjacent to the access point. However, this wall does not lie within the application site. Additionally, as noted by the Highway Authority, this is an existing issue at the access point and is not likely to be exacerbated by the change of use.

9.35 In terms of refuse and servicing, the submitted plans show that the bin store would be located within 25m of Midland Road. It is proposed for refuse collection to be undertaken on-street in accordance with the current arrangement.

9.36 The submitted Transport Assessment proposes that most servicing and delivery vehicles 'can stop on-site within the car parking area clear of Midland Road in accordance with the current arrangement'. The Highway Authority has stated that it is not clear if this is referring to the parking within the undercroft level of the existing building or the parking area to the west of the building. Additionally, no vehicle tracking has been undertaken for servicing or delivery vehicles. The Highway Authority has recommended that a Servicing and Delivery Plan is secured by condition, should planning permission be granted, to include details of servicing, delivery and refuse collection.

9.37 Taking all of the above into account the proposal complies with Policies CS8 and CS12 of the Core Strategy and the NPPF in terms of highway safety and access, subject to the recommended conditions.

Impact on Neighbours

9.38 Policy CS12 of the Core Strategy states that developments should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Paragraph 127 of the NPPF (2019) seeks to ensure a high standard of amenity for all existing and future users. Saved Appendix 3 of the Local Plan (2004) states that minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. Additionally, Saved Appendix 3 states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided.

9.39 Planning permission has recently been granted for the construction of a four storey block of flats to the rear of 43 Marlowes (ref. 4/03686/15/FUL), which is situated to the north of the application site. Once constructed, the south elevation of 43a

Marlowes would be situated 3m from the north elevation of Charter Court. There are no concerns regarding overlooking or loss of privacy for the windows of 43a Marlowes as none are proposed on the south elevation of 43a. However, there is a terrace proposed at third floor level, which would be overlooked by two of the second floor windows on the north elevation of Charter Court. The plans have subsequently been amended to incorporate oriel windows so that views from the development would be oriented away from the proposed neighbouring terrace to mitigate any loss of privacy.

9.40 There are some concerns regarding the living conditions of future occupants of the Charter Court flats that would be immediately opposite 43a Marlowes. 8 of the flats would be single aspect, north facing apartments with a blank wall situated approximately 3.5m away. However, the site has prior approval to convert the existing offices on the ground floor and first floor to residential. In terms of the second and third floors, as shown on the submitted proposed section, the two top floors of Charter Court would be situated at a higher level than 43a Marlowes, which would be positioned 5.3m lower than the proposed Charter Court. As such, whilst there are a number of units that would be single aspect and north facing (10 out of the 33 proposed units), it is considered that the proposed design has mitigated this as much as possible by providing dual aspect apartments on all four corners.

9.41 Turning to the east, the existing east elevation of Charter Court is situated 10.5m from the west elevation of Mosaic House. There are no concerns with the ground floor level as this would face the undercroft parking for Mosaic House. In terms of the higher levels, it is considered that there are several windows that could potentially result in additional overlooking. These concerns have been raised with the applicant and the plans subsequently amended showing that these windows would be partially obscure glazed. This measure is considered to mitigate the potential for additional overlooking or loss of privacy.

9.42 There is a doctor's surgery and car park to the south of the application site on the opposite side of Midland Road. As such there are no concerns regarding the impact of the proposed development on the residential amenity of properties to the south.

9.43 Finally, turning to the west, there are a number of flats situated above the ground floor commercial units of 43-51 Marlowes. The two proposed additional levels for Charter Court would be set back from the rear elevation of the buildings along Marlowes. External terraces are proposed for the second and third floor units on the western elevation, however these would be situated at a significantly higher level than the adjoining buildings. Furthermore, the balustrades for the terraces would be set back from the edge of the building, restricting any potential overlooking.

9.44 In terms of light provision, the submitted Daylight & Sunlight assessment shows that the proposed development would have a greater impact on a number of windows within Mosaic House and 43 Marlowes. However, when assessed using the mirror image methodology, all of the windows pass BRE guidelines, apart from one window (first floor, window 7 of Mosaic House). In response to these concerns, the Daylight Consultant provided the following response, "What is important to understand when reviewing these results is that the sunlight results of the mirror image methodology show that although the window (W7) on the first floor of Mosaic House does not meet the requirements recommended by the BRE Guidelines on its own, the room served by this window is also served by a further two windows. The BRE Guidelines state that if a room is served by more than one window, then the non-coincident sunlight hours

received by each window can be added together. The above results show that this bedroom is served by three windows in total, and the room as a whole surpasses the minimum values recommended by the BRE Guidelines. The mirror image methodology therefore shows that the impact to and daylight and sunlight received by Mosaic House would be negligible.” As such, the room as a whole surpasses the minimum values recommended by the BRE Guidelines.

9.45 Taking all of the above into account, it is considered that the proposed development will not have a significant impact on the residential amenity of neighbouring properties or future occupiers. Thus the proposal is considered to be acceptable in terms of the NPPF (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Other Material Planning Considerations

Landscaping

9.46 The proposed scheme has limited potential to provide soft landscaping or screening on site. However there is a small area to the frontage that would be planted, as well as appropriate screening. Should planning permission be granted a condition would be recommended requesting details of hard surfacing materials, proposed boundary treatment and screening and other soft landscaping details.

9.47 The proposal is considered to accord with Saved Policies 99 and 100 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Drainage

9.48 The proposed extension would be constructed over the existing building (and parking area) and there is no increase of impermeable area. The Lead Local Flood Authority (in previous comments supplied under 4/00386/19/OPA) confirmed that there were no records of flooding in the location. It is proposed to utilise existing arrangements for surface water disposal set out in the supporting Planning Statement which would be satisfactory in accordance with Policy CS32 of the Core Strategy (2013).

Response to Neighbour comments

9.49 Several letters of objection and petitions have been received primarily from the residents of Mosaic House with regards to loss of light, overlooking, visual intrusion, highway safety, increased pressure on doctors/schools, noise disturbance and parking. The material planning considerations have been addressed above.

CIL

9.50 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable, however may be eligible to affordable housing exemptions.

Affordable Housing and Planning Obligations

9.51 Policy CS19 of the Core Strategy seeks to secure 35% affordable housing on sites of a minimum size of 0.3ha or 10 dwellings (and larger) in Hemel Hempstead. This policy level shall be secured through a legal agreement, as a minimum provision (12 affordable units). However, the entire development shall be provided as affordable rented units by Hightown to those on Dacorum's housing waiting list. As such, the application has been assessed on the basis of a 100% affordable scheme, in line with the submitted Planning Statement.

10. Conclusions

10.1 The impacts of the proposal have been considered in relation to the character and appearance of the surrounding area, the impact on the adjacent Listed Building, parking, highway safety and residential amenity of surrounding units. The proposal for 33 affordable dwellings would provide a comprehensive development of new dwellings in a sustainable town centre location. Additionally, it has been identified that there are social, economic and environmental benefits to the scheme. Therefore the proposal constitutes sustainable development and for that reason the 'tilted balance' (paragraph 11, NPPF) in favour of this number of housing units on the site is sufficient to justify development. The scheme is therefore in accordance with Core Strategy (2013) Policies CS1, CS4, CS8, CS11, CS12, CS13, CS17, CS18, CS19 and CS23 and Dacorum Borough Local Plan (2004) Policies 58 and 119 and Appendices 3 and 5.

11. RECOMMENDATION – That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ul style="list-style-type: none">a. Construction vehicle numbers and typeb. Access arrangements to the sitec. Traffic management requirementsd. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas)e. Cleaning of site entrances, site tracks and the adjacent public highwayf. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times

	<p>g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway</p> <p>h. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.</p> <p>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 (2018) and Core Strategy (2013) Policy CS8.</p>
3	<p>Prior to occupation of the development hereby approved a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.</p> <p>Reason: In the interests of maintaining highway efficiency and safety, in accordance with Core Strategy (2013) Policies CS8 and CS12.</p>
4	<p>No development (other than demolition works) shall take place until details of vehicle tracking of a standard vehicle to/from the parking spaces to demonstrate that the proposed disabled parking bays meet the required number and dimensions.</p> <p>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 (2018) and Core Strategy (2013) Policy CS12.</p>
5	<p>No development (other than demolition works) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to 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: To ensure a satisfactory appearance to the development, in accordance with Core Strategy (2013) Policy CS12.</p>
6	<p>No development (other than demolition works) shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <p>hard surfacing materials</p> <p>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.</p>

	<p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Core Strategy (2013) Policy CS12.</p>
7	<p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Core Strategy (2013) Policy CS12.</p>
8	<p>Prior to the occupation of the development hereby permitted details of the Mechanical Ventilation with Heat Recovery (MVHR) system and a scheme for its maintenance shall be submitted to and approved in writing by the Local Planning Authority. The MVHR system details and scheme for its maintenance shall be provided for the following residential units:</p> <ul style="list-style-type: none"> - Ground Floor flats 1, 2, 8 and 9 - First Floor flats 10, 11, 17 and 18 - Second Floor flats 19, 25 and 26 - Third Floor flats 27, 32 and 33 <p>Development shall be carried out in accordance with the approved MVHR system details prior to first occupation of the above listed residential units.</p> <p>Reason: In order to safeguard the residential amenity of the occupants of the development from external noise sources and to ensure that the residential units are adequately ventilated, in accordance with Core Strategy (2013) Policies CS12 and CS32.</p>
9	<p>Prior to first occupation of the development, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:</p> <ul style="list-style-type: none"> - Details of car parking allocation and distribution - Methods to minimise on-street car parking - Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority. <p>The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.</p> <p>Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of</p>

	encouraging the use of sustainable modes of transport, in accordance with Core Strategy (2013) Policy CS8.
10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A001 REV P3 (Location Plan) A010 REV P2 (Proposed Site Plan)</p> <p>A011 REV P4 (Proposed Plans Basement and Ground Floor) A012 REV P4 (Proposed Plans First and Second Floor) A013 REV P4 (Proposed Plans Third Floor and Roof Plan)</p> <p>A020 REV P3 (Proposed Elevations) A021 REV P4 (Proposed Elevations) A022 REV P2 (Proposed Street View) A023 REV P2 (Proposed Sections)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage and 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES</p> <p>1. Construction Hours of Working - (Plant & Machinery) - 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 1730hrs on Monday to Friday, 08:00hrs to 1300hrs Saturday, and no noisy works permitted at any time on Sundays or bank holidays.</p> <p>2. Construction Dust - 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>3. Noise on Construction/Demolition Sites - 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>

Appendix A

Consultation responses

1. Hertfordshire County Council (Growth and Infrastructure Unit):

Herts Growth and Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Hertsmere's CIL Zone 3 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

2. Councillor Collette Wyatt-Lowe:

With regard to the above could a condition be imposed that any resident of Charter House is not allowed to apply for a parking permit in the Hospital Zone. As a local resident in East Street we are now suffering from other Hospital Zone permit holders using the street for their parking. This is a problem in this zone. I understand that a similar condition was imposed on residents of Mosaic House.

3. Strategic Housing:

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

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

Therefore, 12 units should be provided for affordable housing. We would specify that the tenure mix of the affordable housing provision is 75% affordable rented and 25% shared ownership in line with our Affordable housing SPD.

4. Environmental and Community Protection (Land Contamination):

Having reviewed the submissions, in particular the Ashdown Environmental Phase I report dated April 2019 (Ref 13628) I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

5. Environmental and Community Protection (Noise):

I refer to the above application.

I cannot accept the noise report in its current format. The purpose of the report should be consider noise impact on future occupiers, and if this will have an adverse impact and where mitigation is required to reduce noise to an acceptable limit.

The report submitted only partially covers this by indicating what internal noise levels will be like if the development is implemented. However it fails to fully address noise and provision for ventilation, particularly where windows are relied upon for ventilation (i.e. open). The values detailed, I assume only cover circumstances under a window

closed arrangement. Therefore the internal noise environment would be higher. In addition the report does not fully take into account other sources of noise, which are noted. It identifies other sources being retail and food outlets in the vicinity and noise from cars entering the basement. Both are considerably different in noise character to road traffic that values stated in BS 8233 might not be appropriate.

Further comments:

I have read the comments below. It still falls short of an appropriate assessment with respect to future occupiers.

The use of trickle vents only provide background ventilation. They do not provide adequate ventilation such as purge ventilation or for summer time cooling. If residents have to open windows then desirable internal noise levels will not be met. High moisture content can also promote mould growth which is potentially detrimental to health due to spores. As the development is flats, residents will likely be drying clothes indoors with ventilation based on openable windows to ensure adequate air changes.

The revised data still also fails to adequately consider commercial sources of noise / odour identified by the original assessment. Residents cannot be expected to live in closed environment and are entitled to complain about noise from non-transport sources. The NPPF recognises that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established (NPPF 182). The site assessment has not quantified the impact from neighbouring commercial neighbours in respect of guidance published under the NPPF, noise planning policy and Noise policy statement for England.

Further comments:

The proposal for MVHR for the flats should be acceptable.

Can you ask the applicant to outline a spec for this as well as maintenance requirements to be provided by the housing association.

6. Councillor Rob Beauchamp:

Thank you for our conversation yesterday, regarding the planning application for Charter Court, Midland Road, Hemel Hempstead HP2 5RL (4/01172/19/MFA). I have been approached by a resident at 100 Mosaic House, Midland Road who has raised a number of concerns with regard to the proposed conversion of Charter Court office building to residential flats. I have also reviewed a letter signed by other residents living in Mosaic House who have also voiced objections to the proposed development.

I too have concerns this new application, regarding the development (4/01172/19/MFA) at Charter Court, which I understand is a new submission that requires the height of Charter Court to be increased from its current 3 floors to 5 floors and the number of flats incorporating in the building to be from 18 to 33. I understand that while the residents of Mosaic House did not object to the previous planning application they do feel that this current redevelopment is both an over development and overbearing development of the Charter Court site, which will have a detrimental impact on their lives.

While I also agree that the points regarding; overbearing and overdevelopment are valid, I would also like to add the following points for consideration:

- Reduction in light to some of the Mosaic House flats in block 1
- Lack of privacy as some of the flats in Mosaic House block 1 will be overlooked by the new Charter Court development
- Lack of parking, as there is insufficient onsite parking at Charter Court to accommodate the proposed increase in flats. Also any local on street parking is limited due to the proximity of the Hemel Hempstead Parking controlled zone.

While I have not expressed any opinion regarding the planning application 4/01172/19/MFA) to any of the Mosaic Court residents, I do believe that these residents should have an opportunity to express their concerns at a DMC meeting. Therefore I would like to call in the planning application 4/01172/19/MFA for consideration at the appropriate planning meeting.

If you could please let me know the date that the planning application 4/01172/19/MFA will be up for consideration, together with the process for residents to attend, I will inform the residents of Mosaic House and they can decide if they are able to attend in person.

7. Highway Authority:

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:

Decision

Hertfordshire County Council (HCC) as Highway Authority wishes to recommend that the application is approved, subject to conditions:

Conditions

Condition 1: Servicing and Delivery Plan

Prior to commencement of the development, the applicant shall submit a Servicing and Delivery Plan to be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and maneuvering of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

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

Condition 2: Car Parking Layout, Disabled Parking and Disabled Access

Prior to commencement of the redevelopment, the applicant should submit details of

vehicle tracking of a standard vehicle to/from the parking spaces, demonstrate that the proposed disabled parking bays meet the required number and dimensions and that wheelchair access between the footway and undercroft lift access is acceptable.

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).

Condition 3: Construction Traffic Management Plan

No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

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).

S278 Agreement

No S278 agreement will be required for the proposals as no changes are required to the public highway

S106 Agreement

No S106 agreement contributions are likely to be required for the proposals.

Description of the Proposal

The planning application form states that the proposal is for 33 apartments comprising 18 one-bedroom, 9 two-bedroom and 6 three-bedroom at Charter Court, Midland Road, Hemel Hempstead. However, this is inconsistent with what is stated and assessed in the Transport Assessment and shown in the proposed floor plans. The Transport Assessment and floor plans depict proposals for the change of use from

office space to residential, to provide 18 one-bedroom and 15 two-bedroom apartments.

Previous Planning Applications

There have been two previous planning applications submitted for the Charter Court site within the last five years. The first application (ref. 4/02230/18/OPA) was for the conversion of the existing building into 28 apartments consisting of 20 one-bedroom and 8 two-bedroom apartments. This application was withdrawn. The second application (ref. 4/00386/19/OPA) was for the conversion of both floors of the existing building from offices to apartments consisting of 15 studio apartments and 14 one-bedroom apartments. This application has been approved with conditions.

Site Description

The existing site is a two-storey (B1 use) office building with an entrance off Midland Road. The site is located north of Midland Road just east of the mini-roundabout junction between Midland Road and Marlowes. To the west of the existing office is another office building, with the two separated by a car park, with capacity for approximately ten vehicles. It is not known whether currently any of these parking spaces are available to the existing office residents at Charter Court. A car park is located within the undercroft level containing approximately 25 parking spaces and a bin area. The undercroft car parking is accessed from Midland Road via the car park to the west of the site. At present, the ground floor and first floor provide approximately 530m² and 604m² of office space, respectively.

Analysis

In addition to the 'Notification for Prior Approval for a Proposed Change of Use of a Building from Office Use (Class B1(a)) to a Dwelling house (Class C3)' application form, the applicant has provided the following supporting documentation which is relevant to highways:

- Design and Access Statement
- Planning Statement
- Transport Assessment (TA)
- 211632-MBS Existing floor plans
- 8365-A001-P2 Site location plan
- 8365-A003-P1, 8365-A004-P1, 8365-A006-P1 Existing plans- 8365-A002-P1, 8365-A010-P1 Existing site plans
- 8365-A007-P1 Existing site photographs
- 8365-A011-P1, 8365-A012-P1, 8365-A013-P1 Proposed floor plans

Policy Review

A policy review has been provided in Section 1.2 and 1.3 of the TA which covers the following documents

- National Planning Policy Framework;
- Hertfordshire County Council Local Transport Plan 4;
- Roads in Hertfordshire - Highway Design Guide; and,
- Dacorum Borough Council Adopted Core Strategy.

Due to the size and nature of the application this is considered acceptable. However, a review of the following additional policy documents would be recommended as part of any future submission.

- National Planning Practice Guidance; and,
- Dacorum Borough Council Local Plan.

Trip Generation

Section 5 of the TA estimates the existing trip generation for the 1134sqm of the B1 Office Use using trip rates from the TRICS database. The trip generation for the proposed development has also been estimated using trip rates from TRICS. The trip generation has been calculated for the proposed 33 flats. The assessment shows that the proposed development would be expected to generate 6 vehicle trips in the AM peak hour and 6 vehicle trips in the PM peak hour. This compares to 28 vehicle trips in the AM peak hour and 35 vehicle trips in the PM peak hour estimated for the existing office use. As such, the proposed development would likely generate fewer trips than the existing office use during peak times. The likely trip generation of the proposals is considered acceptable.

Impact on the Highway

Junction Assessment

Section 6 of the TA considers impacts on the road network. It concludes that given that the proposals are predicted to generate fewer peak hour trips compared to the existing office use the development would have a negligible impact on the capacity of the local highway network. As such no junction modelling has been undertaken. Due to the size and nature of the proposed development this is considered acceptable as the development is not likely to have a detrimental impact on the operation of the local highway network.

Refuse and Servicing Arrangements

Section 3.3. of the TA outlines servicing proposals for the development. A refuse store is proposed to the rear of the site within a 25m carry distance of Midland Road and is shown on the undercroft floor plan (drawing 8365-A011-P1). It is proposed for refuse collection to be undertaken on-street in accordance with the current arrangement.

The TA proposes that most servicing and delivery vehicles 'can stop on-site within the car parking area clear of Midland Road in accordance with the current arrangement'. It is not clear if this is referring to the parking within the undercroft level of the existing building or the parking area to the west of the building. No vehicle tracking has been undertaken for servicing or delivery vehicles. This is not considered acceptable as it is unclear if the current arrangements would be suitable for the proposed changes to the site.

It would be recommended that a Servicing and Delivery plan be conditioned, which would include detail relating to the waste and refuse collection arrangements. The plan should clearly demonstrate how deliveries and collections would be made from the site and show how a refuse vehicle could safely collect refuse from the site.

Road Safety

Personal Injury Collision (PIC) data has not been provided or assessed as part of the application. Collision data in the vicinity of the site has been reviewed as part of this assessment and there are five slight collisions in the vicinity of the site. Three collisions occurred at the junction of Midland Road and Marlowes and the fourth occurred at the junction of Midlands Road and Fernville Lane. A fifth occurred on Midland Road approximately 100m east of the existing building. There does not appear to be a trend in the collisions; therefore, due to the likely reduction in vehicle trips and lack of any change to the public highway associated with the change of use, it is considered that the development proposals would not have a severe impact on the safety of the highway network.

Highway Layout

Access Arrangements

A review of the site has identified one potential safety issue associated with the existing access to the car park adjacent to Charter Court. The wall fronting the car park obscures visibility between a driver leaving the access and an eastbound pedestrian on Midland Road. This is an existing issue and would not likely be exacerbated by the change of use, however, it is recommended that the access is improved.

The Design and Access Statement states that the existing pedestrian entrances remain in the same locations at undercroft and street levels. The application form states that new external steps are proposed from the footpath of Midland Road to the front entrance doors.

Parking

Car Parking Provision

Section 3.4 and Section 7 of the TA outline the parking proposals for the development. It states that a total of 24 parking spaces in the undercroft parking would be retained. The proposed basement plan (drawing 8368-A011-P1) shows the layout of the 24 spaces. The spaces would be accessed from Midland Road. It is not stated how residential and visitor parking would be managed and whether spaces would be allocated.

It is not clear if the existing car parking area to the west of the building would be available to future residents of the proposed development or if any changes are proposed to this car park.

The proposed parking should be assessed against the current parking standards found within Appendix 5 of the Dacorum Borough Local Plan (adopted April 2004). The standards state that new residential development will generally be expected to accommodate all parking demand on site.

A maximum of 1 space per one-bedroom flat or two-bedroom flat and 1.5 spaces per two-bedroom flat apply for Zone 2 where the site is located.

This equates to a maximum 33 spaces for the proposals for 18 one-bedroom and 15

two-bedroom.

The TA references a Technical Review of parking standards undertaken for Dacorum Borough Council. The Technical Review will form part of the evidence base to the new Local Plan and proposes new parking standards on a requirement basis. Applying the proposed (although not adopted) standards identifies a parking requirement of 38 parking spaces.

The car parking is considerably lower than the maximum standards, equivalent to 0.73 space per dwelling. However, the site is in a central location with good access to public transport. There are concerns that the proposed parking would not be able to accommodate all parking demand on site. These concerns reflect the message in the Technical Review that basing all standards on a maximum approach is, in some cases, likely to lead to under provision of parking and pressure on scarce on-street resources. However, it is ultimately the decision of the Local Planning Authority (LPA) to determine the suitability of the proposed parking.

The site is situated within a Controlled Parking Zone (CPZ) which is operational between the hours of 8am and 8pm Monday to Saturday.

Disabled Parking

The proposed basement plan (drawing 8368-A011-P1) shows the layout of the 24 spaces including two spaces for disabled people. The Design and Access Statement states that access by wheelchair is possible from the undercroft level by the passenger lift that serves all floors.

The standards require one disabled space for every dwelling which is built to mobility standards. It is not stated if any of the apartments would be built to mobility standards. Information should be provided to ascertain if the number of disabled parking spaces proposed are in keeping with the number of dwellings to be built to mobility standards. However, it is ultimately the decision of the Local Planning Authority (LPA) to determine the suitability of the proposed parking.

Car Parking Layout

The proposed plan drawing 8368-A011-P1 and existing plan 8365-A003-P1 show that it is proposed to retain 24 of the existing car parking spaces in the undercroft level. The spaces would be accessed from Midland Road to the west of the building, reflecting the existing situation.

It is acknowledged that no fundamental changes are proposed to the existing car parking layout; however, parking space number 12 appears to be narrow where the column and new barrier for the cycle parking will be located. It is considered that this spot may only be accessible to small cars.

Cycle Parking

Cycle parking standards for Dacorum Borough Council state that one long term space should be provided for per unit. This equates to 33 cycle parking spaces for the size of the proposed development. Cycle stores providing space for 34 cycles are proposed within the undercroft level of the building (as shown in drawing 8368-A011-P1). As

such, the proposed level of cycle storage is considered acceptable for the size of the proposed development and consistent with Dacorum Borough Council Standards

Accessibility

Bus Services

Section 4.1 outlines the nearest bus stops to the site and the general frequency of services. The nearest bus stop to Charter Court is situated less than 100m to the east on Midland Road just east of Fernville Lane. This stop is served by numerous bus and coach services, with regular buses to the centre of Hemel Hempstead. The station on Combe Street (Stop G), which is less than a five-minute walk from the site, provides access to a greater number of services.

Rail Service

Section 4.2 outlines the nearest railway station and the general frequency of rail services. The nearest railway station to Charter Court is Hemel Hempstead station. It is 1.5 miles away so outside of comfortable walking distance, but is easily accessible via bus services accessible from Combe Street. The station is also considered to be easily accessible by bicycle. Hemel Hempstead provides access to West Midlands Trains and Southern services, with routes to London Euston, Milton Keynes and Northampton.

Walking

Local pedestrian infrastructure is considered adequate with wide footways in good condition immediately adjacent to the site. There is an uncontrolled crossing with dropped kerbs at the mini-roundabout west of the site, with a signalized crossing to the north of the mini-roundabout on Marlowes.

Cycling

Fronting the site on Midland Road is a shared use-facility for cyclists and pedestrians. The current southern end of National Cycle Network Route 57 is situated on Midland Road 0.2 miles east of the site.

Construction

No Construction Traffic Management Plan has been provided as part of the application. Due to the location of the proposed development site, a Construction Traffic Management Plan will be required. A Construction Traffic Management Plan (CTMP) will be required to ensure that construction vehicles will not have a detrimental impact in the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to highway safety.

Travel Plan

No Travel Plan has been provided as part of application. Due to size and nature of the proposed development, this is considered acceptable.

Section 278 Agreement

No S278 agreements will be required as no changes are proposed to the public highway.

Planning Obligations / Community Infrastructure Levy

Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore any contributions would be sought by CIL, if the LPA deemed it appropriate.

Summary

HCC as highway authority has reviewed the application submission and wish to recommend that the proposed application is permitted, subject to conditions.

Further comments received:

Possible wording for a condition for a Car Parking Management Plan:

Prior to first occupation of the development, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the local planning authority. It shall include the following:

- Details of car parking allocation and distribution;
- Methods to minimise on-street car parking; and,
- Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

In terms of access improvement - if possible, removal of the wall, or lowering of it so it is at or below 0.6m height. However, as stated in the response, this is an existing issue at the access and is not likely to be exacerbated by a change of use.

8. Conservation & Design:

The existing office appears to date from the second half of the 20th century. It is of lesser interest although due to the design and detailing it is clearly a building of its time. We do not believe that it would be considered a heritage asset.

The proposal has been discussed at a pre application stage with officers. Our responses to the original ideas appear to have been considered as part of the proposed scheme. The main concern due to the adjacent grade II listed town house has been resolved. The building steps up away from the listed building and we do not

believe that it would cause any additional harm to the setting when compared to the current situation. Therefore we believe that this has a neutral impact on the setting of the listed building.

In relation to the proposed design we believe that externally it would enhance the built environment of the street. The design and detailing would sit comfortably with the adjacent block and the proposed elevations appear appropriately detailed. We would welcome the creation of a vertical emphasis and believe that the mixture of brick cladding and standing seam metal would be appropriate. We would also welcome the introduction of the planted beds to Midland Road as it would soften the entrance.

We would have a concern about the proposed colour of the roof element and it may benefit from being darker rather than the light colour shown in the sketches. It may also be useful to consider having a different colour to the central entrance element and the top floor element. Otherwise we believe that the scheme would be acceptable from an external design point of view.

Recommendation: We would not object to the proposals but would recommend that the cladding be reviewed as noted above. External materials and finishes subject to approval. It would be recommended that the windows to the brick clad elevations be recessed rather than flush to create shadow lines and visual interest to the property.

9. Secure by Design:

Thank you for sight of planning application 4/01172/19/MFA change of use from office (Class B1 (A) to residential (Class C3) and extension to create fourth & fifth levels, to provide 33 apartments comprising 18 one bedroom, 9 two- bedroom and 6 three bedroom dwellings with associated car parking, bicycle and refuse storage. Charter Court, Midland Road, Hemel Hempstead, HP2 5RL.

I am content that security and safety has been addressed for this application. If planning permission is granted it is the applicants intention to build to the Police minimum security standard Secured by Design.

Appendix B

Neighbour notification/site notice responses

Objections

- Two separate petitions (in objection) signed by 32 addresses at Mosaic House and Iveagh Court, Alexandra Road regarding:

Loss of light, overlooking, visual intrusion, highway safety, increased pressure for Fernville Doctors surgery, local schools are already at capacity, noise disturbance (e.g. refuse collection) and parking.

- Further letters of objection received from Mosaic House (four) addresses summarised as follows:

Loss of light or overshadowing, overlooking / loss of privacy, adequacy of parking / turning, noise and disturbance resulting from use

- Mosaic House:

Letter of objection received, summarised as follows:

Loss of light to Mosaic House, overlooking, increase in volume of traffic, highway safety in relation to adjacent super market delivery lorries and parking.

- East Street:

I have objected to previous applications regarding change of use from office to residential on grounds of insufficient parking provision and lack of amenity space on this very restricted site. The current application proposes to double the floor space of this building whilst reducing the number of parking spaces!!!! The Design and Access Statement accompanying the application indicates a density of 300 dwellings per hectare for this site of 0.11 of a hectare - surely that truly is a massive and gross over development of this very small site. As with previous objections I expect my comments will again be totally ignored.