

<b>4/00932/19/FUL</b>	<b>DEMOLITION OF GARAGES AND THE CONSTRUCTION OF 5 DWELLINGS CONSISTING OF ONE 2-BEDROOM HOUSE AND TWO 2-BEDROOM APARTMENTS AND TWO 1-BEDROOM APARTMENTS, ASSOCIATED PARKING AND LANDSCAPING, BIN STORE AND WORKS TO ACCESS ROAD.</b>
<b>Site Address</b>	<b>GARAGE SITE, LEYS ROAD, HEMEL HEMPSTEAD</b>
<b>Applicant</b>	<b>Thrive Homes</b>
<b>Case Officer</b>	<b>James Gardner</b>
<b>Referral to Committee</b>	<b>Site formerly owned by Dacorum Borough Council.</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**.

## **2. Summary**

2.1 The proposal would optimise the use of a previously developed site and provide much needed affordable housing within a part of the borough where new residential development is encouraged. The proposed layout of the site and the design of the building has regard to the local context and avoids any significant adverse impacts on the residential amenity of nearby occupiers. Access arrangements are acceptable and sufficient parking would be provided within the confines of the site. The development is therefore considered to be policy compliant as discussed within this report.

## **3. Site Description**

3.1 The application site comprises an area of approximately 0.14 hectares and is currently occupied by 21 garages with associated hardstanding. The garages are laid out in two terraces - one on the south-east boundary and one on south-west boundary. The garages on the south-east boundary are in a level terrace while the the garages on the south-west boundary follow the site gradient. Vehicular access to the site is from Langley Avenue with pedestrian-only access available from Belmont Road. The site occupies an elevated position above Langley Avenue but sits below the level of the dwellings on Belmont Road.

## **4. Proposal**

4.1 Planning permission is sought for the demolition of the existing garages and the construction of a residential block containing one 2-bedroom house, two 2-bedroom apartments and two 1-bedroom apartments, associated parking, landscaping, bin store and works to the access road.

## **5. Relevant Planning History**

No recent history.

## **6. Policies**

### **6.1 National Policy Guidance**

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

## 6.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, CS8, CS9, CS11, CS12, CS17, CS18, CS19, CS28, CS29, CS31, CS32, CS35

## 6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 18, 21, 51, 58

## 6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Area Based Policies (May 2004) - Residential Character Area BCA 3:Bank Mill
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013)

## **7. Constraints**

- Former Land Use
- Residential Area
- CIL3

## **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
- Quality of the Design and Impact on Character and Appearance of the Area
- The Potential Impact on Living Conditions of Occupiers of Surrounding Residential Units
- Impact on Trees and Landscaping
- Access, Parking and Manoeuvrability
- Other Considerations

## **Policy and Principle**

9.2.3 Core Strategy 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.

9.2.4 Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy.

9.2.5 The National Planning Policy Framework (henceforth referred to as the NPPF) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Local Plan Policy 10 seeks to optimise the use of available land within urban areas.

9.2.6 The Bennetts End character area appraisal, within which the application site is located, states that:

*9.2.7 The redevelopment of garage blocks will only be acceptable if alternative provision is made for displaced vehicle parking and where proposals accord with the Development Principles.*

9.2.8 The disposal of garage sites formerly owned by Dacorum Borough Council is the culmination of a review of garage stock undertaken in 2014 at the request of Members. The garages were found to be unsuitable for modern vehicles, owing to their limited size, and therefore only suitable for general storage and the parking of motorcycles. As such, the re-development of this site for housing is unlikely to result in any significant levels of parking displacement.

### **The Quality of the Design and Impact on the Character and Appearance of the Area**

9.3.1 Saved Appendix 3 of the Dacorum Local Plan (2004) deals with the detailed aspects of the layout and design of residential areas, with reference specifically being made to the need for development to respect the character of the surrounding area, and, in particular, the provision of adequate space in order to avoid creating a development with a cramped appearance.

9.3.2 The layout has largely been dictated by the location of the existing road and the need to maintain access to a pedestrian path connecting the site to Belmont Road.

9.3.3 The site is located within the Bennetts End character area, which is described as:

*9.3.4 An early new town residential neighbourhood built mainly in the 1950s, characterised by consistency in design of buildings and a traditional approach to dwelling layout fronting onto curving roads and following clear building lines; the area contains a high incidence of open land and structural amenity areas.*

HCA 21: Bennetts End

### **Development Principles**

Design:	No special requirements.
Type:	Terraces are encouraged; detached houses will not normally be permitted.
Height:	Should not exceed two storeys. Three storey development may be permitted where adjacent or nearby to buildings of a similar height, depending upon its impact on the character and appearance of the area.
Size:	Small to medium sized dwellings are encouraged. Large bulky buildings are strongly discouraged and will not normally be permitted.
Layout:	Dwellings should front onto the road, and follow or set out clear building lines. Layout of new dwellings should be strongly linked to existing or new areas of amenity land. New development should contribute to or create serial views in the area. Spacing in the medium range (2 m to 5 m) is expected.
Density:	Should be provide within the medium density range (30 to 35 dwellings/ha (net)). This may rise to a high density (35 to 50 dwelling/ha (net)) on sites close to or at the Bennettsgate Local Centre Local Centre in cases where the character and appearance of the area are not unduly harmed.

9.3.5 Guidance in respect of the density of new development is also provided by saved Policy 21 of the Dacorum Local Plan, which states that careful consideration needs to be given to new housing proposals in order to ensure that they make effective and most efficient use of the available land. A density in the region of 30 to 50 dwellings per hectare is generally considered to be acceptable; densities below 30 dwellings per hectare should be avoided. As the proposal would result in a numerical density of approximately 35 dwellings per hectare, it is considered to be in accordance with both HCA 21 and saved Policy 21.

9.3.6 The design utilises a hipped roof form and the materials would comprise a mixture of red facing brick at ground floor, grey weatherboarding at first floor and plain red concrete tiles for the roof. Policy CS12 of the Dacorum Core Strategy stated that development should, amongst other things, respect adjoining properties in terms of layout, site coverage, scale, height, bulk and materials. Whilst not an exact replication of the nearby maisonettes on Leys Road, the design is not dissimilar: both constitute two-storey blocks which make use of standard building materials (brick, render and concrete tiles in the case of the properties on Leys Road; and, in the case of the proposed development, brick, weatherboarding and concrete roof tiles). Overall, the resultant visual appearance would be satisfactory. In order to ensure a high quality development, should Members be minded to grant planning permission, it is recommended that a condition be included requiring samples of materials to be provided prior to the commencement of building works.

9.3.7 Saved Appendix 3 of the Dacorum Local Plan requires all residential development to provide private open space for use by residents whether the development be houses or flats. Gardens should usually be positioned to the rear and have an average minimum depth of 11.5 metres, although it is acknowledged in the appendix that a range of garden sizes should be provided. An exception is made for

dwellings in close proximity to public open space and infill dwellings. In the case of the latter, garden depths of below 11.5m but of equal depth to adjoining properties will be acceptable. Residential development designed for multiple occupancy is required to provide a private communal area to the rear of the building at least equal to the footprint of the building for two-storey development.

9.3.8 Unit 5 is the only unit that could properly be described as a traditional house, albeit one integrated into a larger block of flats. It would have a rear garden depth of approximately 11.05m. However, given that the development represents infill and is in close proximity to a large playing field - adjacent to Leys Road - the level of amenity space being provided is considered acceptable. Importantly, the area being provided would be functional and allow for a range of uses. The communal area to the rear of the building (including the private terraced areas for Units 1 and 2) would exceed the footprint of the area of the building containing the flats. Therefore, the level of provision for the flats is also considered acceptable.

### **The Potential Impact on the Living Conditions of the Occupiers of Surrounding Residential Units**

9.4.1 The NPPF (2019) outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that residential development is designed and laid out so that the privacy of existing and new residents is achieved, whilst also avoiding visual intrusion, loss of sunlight and daylight and disturbance to surrounding properties.

9.4.2 A number of objections have been received from local residents, which are appended in full within Appendix 1. These are addressed below.

9.4.3 Saved Appendix 3 of the Dacorum Local Plan (2004) states that a minimum distance 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, with distance being increased depending on character level and other factors.

9.4.4 Unit 5 would be located directly to the rear of no. 44 Langley Avenue. Consequently, consideration needs to be given as to whether this would result in an unacceptable loss of privacy. Drawing no. 407-210 (Rev P3) confirms that there would be a separation distance of approximately 40 metres from the front wall of Unit 5 to the main rear wall of no. 44. Whilst noting that the application site occupies a higher land level, the degree of separation is considered to be acceptable and is far in excess of the minimum set out in saved Appendix 3. Unit 5 does not have any windows on its flank elevation; therefore, there would be no loss of overlooking / loss of privacy to the dwellings in Pamela Avenue.

9.4.5 Nos. 105-111 Belmont Road are located to the south-east of the application; therefore, the rear windows of the proposed development would face toward these properties. There would, however, be a minimum back-to-back separation distance of approximately 37 metres and, furthermore, it should also be noted that a number of mature trees, all but two of which are to be retained, would provide additional screening. The separation distance is considered to be acceptable, ensuring that the

levels of overlooking would not be over and above that reasonably expected within a residential area of a town.

9.4.6 In terms of the dwellings located to north (on Leys Road), the design of the development has been mindful of the potential for overlooking from first floor windows. As such, the kitchen window of Unit 3 has been angled away from the northern boundary in order to avoid the perception of overlooking to the nearest garden areas.

9.4.7 Whilst it is acknowledged that the 21 garages within the site are no longer available for use, effectively resulting in zero vehicular movements for a period of time, prior to the purchase of the site by the applicant there would have been vehicle movements connected with the garages. Moreover, as acknowledged by the transport appraisal carried out by Cannon Consulting Engineers, it is debatable whether the vehicular movements associated with the garages, which in all likelihood would have been used for storage (owing to their inadequate size for use by modern vehicles), would be less than that of the new residential development. The residential development is limited in scale and any vehicles using the access road would not be travelling at great speed; therefore, taking all the above into account, it is not considered that there would be significant impacts in terms of noise and disturbance on the nearby dwellings and residential gardens.

9.4.8 The proposed development would be located to the north-west of the properties on Belmont Road, over 37 metres away and screened by mature trees. It should also be noted that the Belmont Road properties occupy a land level approximately 3.4 metres higher than that of the application site. Consequently, having had regard to the fact that the new residential block would only be of two-storey construction, the development proposal would not result in any significant adverse impacts in terms of overshadowing or visual intrusion.

9.4.9 In terms of the bin storage area, this is set in from the boundary by over 1m and located at the far end of the nearest garden areas. It is unclear whether the bin store would be covered; however, it is not considered that its positioning in this location would have such a severe effect as to warrant a refusal of planning permission. This notwithstanding, it is appropriate to obtain full details of the bin storage area prior to first occupation of the development, and as such, a condition is recommended to be included with any grant of planning permission requiring further details to be submitted.

9.4.10 There would be no significant impacts on sunlight and daylight to the surrounding properties.

### **Impact on Trees and Landscaping**

9.5.1 Saved Policy 99 of the Dacorum Local Plan states where new development is proposed a high priority will be given to their retention and to their protection during development.

9.5.2 All but two of the mature trees proximate to the south-eastern boundary of the site are to be retained. Tree 10 (as indicated within Tree Survey Report) has been identified as potentially unstable with limited potential to stabilise through pruning. Tree 9, a companion of Tree 10, is unlikely to be stable following the removal of its counterpart and thus will need to be removed.

9.5.3 A Tree Protection Plan has been provided which outlines how the remaining retained trees are to be protected during the construction period. These measures are considered to be appropriate and will be secured by way of a suitably worded planning condition.

### **Access, Parking and Manoeuvrability**

9.6.1 The proposal includes the reconfiguration and widening of the existing access to accommodate the residential use of the site. This would be achieved by the removal of an area of grass verge which runs parallel to the access road, allowing two vehicles to pass one another at the entrance to the site, and provide an enhanced width along the entire extent of the access. The increased width would be sufficient to facilitate access by emergency vehicles. Swept path analysis has been provided to demonstrate that there would be sufficient space for a refuse freighter and fire tender to manoeuvre within the site and depart in a forward gear.

9.6.2 Whilst increasing the width of the access is appropriate in order to provide a safe and satisfactory means of access to the development, it is acknowledged that the removal of the grass verge would result in vehicles coming into closer proximity with the flank wall and garden boundary of no. 44 Langley Avenue. Consequently, the plans have now been amended to include the installation of an impact barrier, full details of which are to be reserved by condition.

9.6.3 In terms of parking provision, the development would give rise to a requirement of 7 off-road parking spaces. A total of 7 off-road car parking spaces are proposed and thus the scheme is fully compliant with the Council's maximum parking standards found within saved Appendix 5 of the Dacorum Local Plan. As regards national planning policy, paragraph 109 of the NPPF states that:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

9.6.4 Having had regard to the relatively small-scale nature of the development, the level of parking provision is considered to be acceptable and would not result in an unacceptable impact on highway safety.

9.6.5 The Highway Authority have been consulted and do not wish to raise any objections to the proposal subject to the inclusion of a number of conditions and informatives.

9.6.6 In accordance with saved Appendix 5 of the Dacorum Local Plan, the respective rows of spaces have a separation of 6m and the spaces have dimensions of 2.4m x 4.8m.

9.6.7 As a result of the above assessment, access, parking and manoeuvrability are considered to be acceptable. The development would therefore comply with saved Policy 58 (*Private Parking Provision*) of the Dacorum Local Plan, saved Appendix 5 of the Dacorum Local Plan, Policies CS8 and CS12 of the Dacorum Core Strategy.

### **Other Material Planning Considerations**

## Affordable Housing

9.7.1 In line with Policy CS19 of the Core Strategy, which has been subject to updated interpretation through the Council's Affordable Housing SPD – Clarification Note, the construction of 5 dwellings would not give rise to a requirement for affordable housing – either by way of on-site provision or in the form of a commuted sum. However, it is understood that the proposed units would comprise "Rent to Buy" , which is an affordable housing tenure as defined in Annex 2 of the NPPF.

## Land Contamination

9.8.1 Given the proximity of a former infilled chalk quarry to the north and historic use of the application site as lock-up garages, there is the potential for ground contamination that could adversely impact the proposed residential use. The Council's Scientific Officer has therefore recommended a number of conditions be applied to any grant of planning permission in order to ensure that potential for land contamination is addressed and, where appropriate, remediated.

## Bats

9.9.1 A Preliminary Ecological Appraisal of the site was carried out by Arbtech on 14<sup>th</sup> January 2019. No bats, evidence of bats or suitable roosting features were found within the existing garages, and the buildings were assessed as having a negligible potential to support roosting bats. Similarly, the area was found to be unsuitable for reptiles and amphibians. Hertfordshire Ecology concur with the findings and are satisfied that sufficient information has been provided in order for the local planning authority to determine the application.

## Community Infrastructure Levy (CIL)

9.10.1 Policy CS35 states that all development will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development.

9.10.2 The site is situated within Charging Area 3 as defined by the Community Infrastructure Levy Charging Schedule. As such, residential development within this area is chargeable at a rate of £100 per square metre. Exemptions in respect of payment may be available to the applicant as the proposal is for affordable housing.

## **10. Conclusions**

10.1.1 Planning permission is sought for the construction of 5 residential units with associated amenity space and parking within land comprising of several garage blocks. The proposals would respect / reflect the density and character of the local area, and the development would provide adequate parking and amenity space.

10.1.2 Subject to the imposition of the recommended conditions, the proposals would not result in an unacceptable impact upon neighbouring properties. The submission of further information in respect of a number of matters is recommended to be secured by condition as detailed within this report.

10.1.3 The proposed units would make a valuable contribution to housing stock within



the area through the optimisation of an existing site. The application is therefore recommended for approval.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>407-210 Rev. P4            407-211 Rev. P3            407-212 Rev. P4            407-213 Rev. P4</p> <p>Tree Protection Plan</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development except demolition and site clearance 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 and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013).</p>
4	<p>No development (other than that necessary for the discharge of this condition) 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:</p> <p>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.</p> <p>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.</p> <p>This site shall not be occupied, or brought into use, until:</p>

	<p>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.</p> <p>A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p>
5	<p>Any contamination, other than that reported by virtue of Condition 1 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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p>
6	<p>No development except demolition and site clearance shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>The creation of a vehicle crossover/ dropped kerb rather than the proposed 2m kerbed access on Langley Avenue.</p> <p>Reason: In the interests of highway safety and in order to ensure a safe and satisfactory means of access for all users in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).</p>
7	<p>Prior to the first occupation of the development hereby permitted the vehicular access (indicated for improvement on drawing no. 407-210 P4 shall be upgraded 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. The highway verge shall be reinstated where the existing vehicular access is no longer required in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.</p> <p>Reason: In the interests of highway safety and to ensure that surface water run-off is effectively dealt with in accordance with Policies CS8, CS12 and CS31 of the Dacorum Core Strategy (2013).</p>
8	<p>Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained</p>

	<p>thereafter available for that specific use.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).</p>
9	<p>Prior to first occupation of the development hereby approved, full details of the impact barrier shown on drawing no. 407-210 (Rev. 4) shall have been submitted to and approved in writing by the local planning authority. The details shall include:</p> <p>specific type of barrier to be used.  extent of barrier - i.e. how far it would extend along the access road.  method of securing the barrier in place.</p> <p>The impact barrier shall be erected in accordance with the approved particulars prior to first occupation of the development hereby permitted and retained in perpetuity thereafter.</p> <p>Reason: In the interests of the safety of the occupiers of no. 44 Langley Avenue, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p>
10	<p>No development except demolition and site clearance shall take place until details (elevations and floor plans) of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained.</p> <p>Reason: To accord with Policy 129 of the Dacorum Borough Local Plan 1991-2011.</p>
11	<p>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 [1 year] from the date of the occupation of the building for its permitted use.</p> <p>(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.</p> <p>(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.</p> <p>(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</p>

	<p>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.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with saved Policy 99 of the Dacorum Local Plan and Policies CS11 and CS12 of the Dacorum Core Strategy (2013).</p>
12	<p>The trees shown for retention on Drawing No DS16011901.04 (Tree Protection Plan) shall be protected during the whole period of site excavation and construction in the manner illustrated on aforementioned Drawing No.</p> <p>Reason: In order to ensure that damage does not occur to the trees during building operations, in accordance with saved Policy 99 of the Dacorum Local Plan (2004).</p> <p>INFORMATIVES</p> <p>Contaminated Land</p> <p>The potential for the site to be affected by ground gas from the former chalk quarry should be investigated as part of the Phase II site investigation required by the Contaminated Land Condition</p> <p>The above conditions are considered to be in line with paragraphs 170 (e) &amp; (f) and 178 and 179 of the NPPF 2019.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on 'Development on Potentially Contaminated Land and/or for a Sensitive Land Use' in use across Hertfordshire and Bedfordshire. This can be found on <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>Ecology</p> <p>Terrestrial Mammals:</p> <p>Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board &gt;60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped. To avoid killing or injuring of hedgehogs it is best practice for any brush piles to be cleared by hand.'</p> <p>Nesting birds:</p> <p>Nesting birds are protected under Schedule 1 of the Wildlife and Countryside Act 1981.</p> <p>'Any vegetation should be undertaken outside the nesting bird season (March</p>

to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.'

#### Highways

Construction standards for works within the highway: 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.

## Appendix A

### Consultation responses

THAMES WATER UTILITIES	No Objection
<p><b>WASTE COMMENT</b></p> <p>As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, 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. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>.</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. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></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</p>	

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](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).'

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

#### WATER COMMENT

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
	<p>This planning application will be approved regardless of any objections received, however my objection is based on parking.</p> <p>Residents across this borough are fed up with planning approval given and not enough parking provided, which then causes tension with existing residents.</p> <p>There needs to be a minimum of 10 spaces for this build, the location cannot take anymore cars parked on pavements on Leys Road and Langley Avenue, which is what will happen.</p> <p>Red Lion Road is a perfect example of it going wrong, that area is bumper to bumper with cars along that road making it dangerous for everyone who uses it especially pedestrians who struggle to walk down that road because it has turned into a car park.</p> <p>Make 10 spaces available and stop using a calculation</p>

	method which is clearly flawed for working out parking.
	Not enough parking for the number of dwellings. Parking spaces are already limited on Langley Avenue, Leys Road & Stonelea Road. 10 spaces minimum would be more appropriate.
	<p>My wife and I live at Langley avenue with our son. Below is our view which was the deal clincher back in November 2018.</p> <p>Not only were we assured by Castles estate agents in Boxmoor that NOTHING would be constructed that would obscure our views, light and/ privacy but also that the WHOLE garden would be ours. 6 months after making the biggest investment of our lives, these selling points that we bought into, are now being withdrawn from us. We find this totally unacceptable.</p> <p>1/ overlooking/ loss of privacy/ Visual intrusion: As you can see, we have large windows and skylights into our main family room. Will there be windows facing into our back yard?</p> <p>The hedges to the left of the photo will, according to your plans, now have an access road leading in and out of your proposed development. Not only will this leave us worried about our little boy playing in his own garden, but our privacy and safety will, again, be compromised.</p> <p>2/ Noise and disturbance resulting from use: This is our home. Had we known there would be constant traffic going in and out of the side of our house, we would never have gone ahead and purchased the property. Im sure you can understand. What measures of security will be put in place for us and what will you do about the constant noise, pollution and privacy to our property?</p> <p>3/ Design, appearance and type of materials: In your plans, there is a red line going through part of our back garden where our decking and shed are located. We are besides ourselves with worry that you are now about to take away what rightly belongs to us. This is affecting my health. I work for the London fire brigade and my wife also works shifts at Transport for London. We have enough stresses to deal with and we do not need this looming over us only 6 months into moving to our "dream home".</p> <p>Attached are documents which may help you understand our case more clearly.</p> <p>Please take all of this into consideration and if need be, send someone to see us in order to put our minds at rest or give us more insight into the development. Also, that person can have a first hand view of what we see and the reasons why we purchased this property to begin with.</p> <p>Other points</p> <p>4/ overflow parking In front of our large drive. What</p>

	<p>parking restrictions will be put in place to prevent visitors from parking on our side of the road?</p> <p>5/ Burglary This house has been broken into twice since 2014. With our privacy invaded and access road widened upto the borders of our house, we have reason to believe we are at greater risk of burglary.</p> <p>6/ Construction With heavy construction vehicles going in and out of the proposed site of development, will our foundations be affected and what assurances can you give us that any damage will be repaired by you, the developer?</p>
	<p>Thank you for your letter dated 18 April 2019. We note the proposed plans and welcome the redevelopment of the current garages and the construction of 5 affordable housing dwellings.</p> <p>However, we have two concerns and therefore have two objections to raise.</p> <p>Parking</p> <p>We note that provision has been made for 7 parking spaces. We believe that the provision of so few car parking spaces will inevitably lead to increased use of Langley Avenue as a location for car parking.</p> <p>This will be problematic as:</p> <ol style="list-style-type: none"> <li>1. There are often cars parked at the bottom of and adjacent to the proposed access road of the development and any additional use of Langley Avenue for parking will lead to increased problem parking and congestion;</li> <li>2. Any additional parking in Langley Avenue directly opposite and adjacent to the access road will result in access and manoeuvring difficulties for larger vehicles;</li> <li>3. Any additional parking in Langley Avenue directly opposite and adjacent to the access road will result in difficulties for the occupiers of 42 and 44 Langley Avenue to effectively manoeuvre in and out of their driveways, as has often been the case. This may potentially exacerbate the issue of problem parking and congestion if the cars of these householders need to be parked on the street.</li> </ol> <p>We note that the October 2017 Dacorum Borough Council Parking Standards Review (<a href="https://www.dacorum.gov.uk/docs/default-">https://www.dacorum.gov.uk/docs/default-</a></p>



source/strategic-planning/parking-standards-review-(pdf-14-mb).pdf?sfvrsn=2) recommends parking standards for Zone 3 (Section 6, page 65) as:

- 1-bedroom unit (1.25 spaces per unit);
- 2-bedroom dwellings (1.75 spaces).

As such, the Parking Standards Review recommends that there should be 13 parking spaces for an 8-bedroom development in Zone 3. We note that the development is on the cusp of Zone 2, and if it were to be included in Zone 2, the recommendations, as set out in the Review's recommendations, would equate to 11.8 (12) parking spaces.

We firmly believe, based on our experience of the demand for car parking spaces in Langley Avenue, together with the findings and evidence contained in the Parking Standards Review, that the current parking provision falls very well short of what is required to ensure there is adequate parking for those living across 8 bedrooms in the new development; the assumption that there would be fewer than one car per bedroom is at odds with the Review's findings and the reality of parking demands in the borough.

We provide two examples to illustrate our concerns:

1. Problem parking on St Albans Hill in front of and opposite the residential development between Newell Road and Risedale Road, resulting in significant traffic congestion and at least one vehicle accident of which we are aware;

2. Problem parking and traffic congestion (we are not aware of any vehicle accidents, though that is not to say that there haven't been any) in Red Lion Lane following the recent residential development. A comment on the Dacorum Planning portal illustrates this point well: "Since these houses were opened Red Lion lane is now fully occupied with parked vehicles of the residents, blocking the curb and providing an obstruction to passing traffic. Obviously the planning that was completed to determine the number of cars that new residents would use was inadequate, and now access to the Grand Union canal for recreational purposes is impossible by car, and local traffic using Red Lion lane is congested from the width restrictions. In addition, pedestrians are unable to safely navigate the pavement because of vehicles blocking the route."

<http://consult.dacorum.gov.uk/portal/planning/lp/io/io?&page=108&pageSize=20&pointId=ID-4764305->

	<p>QUESTION-46&amp;do=view&amp;q:sortMode= Communal Bin Store</p> <p>We note the proposed siting of the Communal Bin Store will abut two current residential gardens. Having reviewed the planning application documentation, we are concerned about three issues by virtue of the number of households using the communal bin store:</p> <ol style="list-style-type: none"><li>1. Smells from the bin store escaping into residential gardens;</li><li>2. Potential rodent and other pest infestation and impact on the residential gardens;</li><li>3. Noise and disturbance from the use of the bin store.</li></ol> <p>We presume provision has been made to mitigate the above but could not see any evidence of this in the planning documentation. As we are not confident that the issues above have been considered and addressed, we object to the location of the bin store.</p> <p>Loss of privacy</p> <p>Finally, it is difficult to be able to tell how the line of sight of the proposed development will impact on the privacy of the properties the development looks on to, but we would respectfully ask that this is taken into consideration when reviewing the application.</p>
	<p>Our property backs onto the proposed development site and we strongly oppose the plans to develop it.</p> <p>We are concerned that the units proposed have inadequate parking facilities: the units are purposed as affordable family homes, giving the average family has a minimum of two vehicles, at least 2 parking spaces should be allotted for this and therefore the seven spaces are insufficient.</p> <p>Notwithstanding those living in the units are not living in isolation and so will have visitors no doubt impact on availability of parking on the surrounding roads particularly on our road as there is a direct path to the site (this is illustrated by the flats on Stonelea Road whose inadequate parking significantly impacts on those living on Belmont Road) this development will only exacerbate the situation.</p>

	<p>Further, the increased use of the site will add to an increased disturbance and noise given the purposed use of the units and will impact directly on our right to enjoy our home, particularly as the 'garden/ amenity' area is directly backed on to our garden.</p> <p>We are also concerned that the removal of the trees will directly impact on our loss of privacy and visual intrusion (allowing the direct site to our home/ garden and bedrooms) and that we will be overshadowed by the units.</p> <p>That the apartments as designed will overlook our property (windows directly overlooking the garden and into our home) affecting our privacy.</p> <p>We are also concerned that there may not be adequate provisions made to the structural integrity of the boundary causing potential subsidence to the end of our garden/ property.</p>
	<p>Our property backs onto the proposed site and will suffer as a result of loss of light, overshadowing, loss of privacy and visual intrusion. Therefore we wish to object to this planning permission.</p>

### Supporting

Address	Comments
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### Commenting

Address	Comments
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