

4/01719/19/MFA	PROVISION OF A 34 NO. UNIT RESIDENTIAL BLOCK AND A PAIR OF SEMI-DETACHED HOUSES FOR SOCIAL RENT. THE SCHEME WILL INCLUDE THE REMODELING OF THE EXISTING EASTWICK ROW SITE INCLUDING LANDSCAPED CAR PARKING, NEW BIN STORAGE, CYCLE STORAGE, MOBILITY SCOOTER STORAGE AND EXTERNAL PERSONAL STORAGE UNITS. THE SCHEME WILL ALSO INTRODUCE NEW PEDESTRIAN AND CYCLE ROUTES ACROSS THE EXISTING SITE TO LINK EASTWICK ROW WITH ST ALBANS ROAD
Site Address:	LAND AT EASTWICK ROW, HEMEL HEMPSTEAD, HP2 4JQ
Applicant:	Dacorum Borough Council
Case Officer:	Martin Stickley
Referral to Committee:	Council Scheme

1. Recommendation

1.1 That planning permission is **GRANTED** subject to subject to the satisfactory signing of the Unilateral Undertaking legal agreement and the conditions set out in this report.

2. Summary

2.1 The principle of providing 36 affordable units on previously developed land within the urban area of Hemel Hempstead is found to be acceptable. The design, scale and layout of the proposal raises no concerns. The proposed external amenity areas and parking/access arrangements are considered acceptable. The living conditions of the neighbouring residents would not be compromised.

2.2 As such, the proposal is considered acceptable in accordance with Policies CS4, CS11, CS12 and CS17 of the Dacorum Borough Core Strategy (2013); saved Polices 10 and 116 of the Dacorum Borough Local Plan (2004) and Paragraph 118 (d) of the National Planning Policy Framework (2019).

3. Site Description

3.1 Eastwick Row is a residential street ending in a cul-de-sac. This space serves two six-storey residential towers comprising 48 residential flats (24 x 1-bedroom and 24 x 2-bedroom units), which were granted planning permission in 1960. Approximately 29 parking spaces are associated with these existing towers. The site also includes bins, personal storage space (brick sheds), garages and a substation.

3.2 The existing flats are primarily social rent. However, ten of the properties have been purchased by residents under the 'Rent-to-Buy' scheme and have leasehold status. The personal storage sheds associated with these units are owned by the leasehold residents.

3.3 There are two blocks of garages that comprise a total of 41 garages. Analysis of

the use of these garages by Dacorum's Housing Department has indicated that the repairs required far exceeds the demand for them. Around five of the garages are currently let, out of the 41 available. The garages are not popular and have been known to create issues of anti-social behaviour. The garages are not considered in a fit state to rent and are generally too small to park modern cars in. It is not felt that the loss of the garages would have any consequence with regards to parking in the area.

3.4 The surrounding built context is predominantly two and three-storey residential houses. Bennetts End House, a Grade II listed building, sits just north of the site. The listed building is partially screened by a group of trees. The site has a number of other mature trees set in surrounding grassland. These provide a visual screen to three sides of the site.

3.5 To the south lies St Albans Road, a busy 'A' road. It has bus stops with connections to Hemel Hempstead town centre approximately every 15 minutes and the train station approximately every half hour.

4. Proposal

4.1 Planning permission is sought for the construction of an additional tower block on the site. The tower would be seven-stories high and would comprise 34 flats (17 x 1-bedroom and 17 x 2-bedroom apartments). The application also proposes two new two-storey semi-detached properties, each with 3-bedrooms.

5. Relevant Planning History

5.1 Plan Number 6810 – Construction of 48 Flats – Granted (30/04/60)

6. Relevant Policies

6.1 National Planning Policies

National Planning Policy Framework

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places

6.2 Local Planning Policies

Dacorum Borough Core Strategy

- NP1 - Supporting Development
- CS1 - Distribution of Development
- CS4 - The Towns and Large Villages
- CS8 - Sustainable Transport

- CS9 - Management of Roads
- CS10 - Quality of Settlement Design
- CS11 - Quality of Neighbourhood Design
- CS12 - Quality of Site Design
- CS13 - Quality of Public Realm
- CS17 - New Housing
- CS18 - Mix of Housing
- CS27 - Quality of the Historic Environment
- CS29 - Sustainable Design and Construction
- CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (Saved Policies)

- Policy 10 - Optimising the use of Urban Land
- Policy 18 - Size of New Dwellings
- Policy 21 - Density of Residential Development
- Policy 51 - Development and Transport Impacts
- Policy 57 - Provision and Management of Parking
- Policy 58 - Private Parking Provision
- Policy 99 - Preservation of Trees, Hedgerows and Woodlands
- Policy 116 - Open Land in Towns and Large Villages
- Policy 119 - Development Affecting Listed Buildings
- Policy 129 - Storage and Recycling of Waste on Development Sites
- Appendix 1 - Sustainability Checklist
- Appendix 3 - Layout and Design of Residential Areas
- Appendix 5 - Parking Provision Appendices

6.4 Supplementary Planning Guidance/Documents

- Accessibility Zones for the Application of Car Parking Standards (2002)
- Area Based Policies - HCA22 Adeyfield South (2004)
- Manual for Streets (2010)
- Planning Obligations (2011)
- Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
- Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
- Strategic Housing Market Assessment (February 2016)

7. Constraints

- Residential Area
- Former Land Use
- SSSI Impact Risk Zone

8. Representations

Consultation Responses

8.1 These are reproduced in full in Appendix A.

Neighbour Notification/Site Notice Responses

8.2 These are reproduced in full in Appendix B.

9. Considerations

Key Issues

9.1 The main issues of relevance to application are as follows:

- The policy and principle justification for the development;
- The impact on residential amenity;
- The impact on highway safety and car parking;
- The impact on the adjacent listed building;
- The number of trees being removed/replaced; and
- The quality of design and impact on visual amenity.

Principle of Development

9.2 Dacorum Borough Council (DBC), in line with the National Planning Policy Framework (the 'Framework') has adopted an "open for business" approach to new development in order to secure sustainable economic growth by proactively supporting sustainable economic development to deliver homes, business and infrastructure with particular emphasis on high quality design.

9.3 The Framework encourages the provision of more housing within towns and the effective use of land by reusing land that has been previously developed. The DBC Local Plan (DBLP) also seeks to optimise the use of available land within urban areas (saved Policy 10).

9.4 The application site is situated within the urban area of Hemel Hempstead. The surrounding infrastructure has been developed to provide good transport links to various land uses and there is an extensive range of services and facilities within close proximity.

9.5 The proposal for 36 new homes would make a valuable contribution towards meeting DBC's identified affordable housing need of 366 homes per annum, as acknowledged by the Council's Strategic Housing Market Assessment (SHMA) (table 2, executive summary). Of the proposed units, all 36 (100%) would be affordable (social rent), 65% above DBC's baseline obligation of 35% as set out in Policy CS19 of the Core Strategy.

9.6 In summary, the proposal would make a valuable contribution to the Borough's affordable housing stock. The development would be located in a sustainable location and would seek to optimise the use of previously developed urban land. In this regard the proposal would comply with Core Strategy Policies CS1, CS4, CS17, saved Policy 10 of the Local Plan and the National Planning Policy Framework. There is no compelling objection to the principle of the proposed development.

Impact on Residential Amenity

9.7 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy.

Visual Intrusion and Loss of Light

9.8 The impact on the occupiers of the existing tower blocks and other surrounding properties must be considered in terms of visual intrusion and loss of light. Due to the positioning of the proposed tower and the path of the sun, it is unlikely that any existing residents would be significantly affected in terms of loss of light. The nursery to the north is situated within close proximity, however, the existing trees already cause overshadowing and it is not felt that the new building would worsen this in any serious way. The proposed semi-detached properties would have a limited impact on the nearby development at Mariner Way, as there are no side-facing windows on No. 12.

9.9 Taking all of the above into account it is not considered that any of the surrounding units would be significantly affected in terms of loss of light or visual intrusion. Therefore, the proposal complies with Policy CS12 in this regard.

Overlooking / Loss of Privacy

9.10 Drawing 1005-P04 represents an 18m radii from the nearest habitable room within the existing tower blocks to the corner of the proposed block. The distance between the existing/proposed blocks combined with the proposed orientation of the new block would prevent direct overlooking, as there are no straight views towards the existing windows. The south-eastern balconies would allow views toward the existing blocks, however, the views towards windows would be limited. Considering the distances and relationships between the new buildings and the surrounding residential properties, it is unlikely that any severe loss of privacy would occur as a result of the proposal.

9.11 The public consultation held prior to submission of this application highlighted some initial concerns by Mariner Way residents regarding overlooking. As the mature trees are being retained on the boundary between the site and Mariner Way, it is unlikely that any of these existing residents would suffer from unacceptable levels of overlooking. Following the submission of the current application, no neighbours objected to the proposal in terms of overlooking or loss of privacy. Overall, it is not felt that the proposal would result in any serious loss of privacy to the surrounding residents in accordance with Policy CS12.

Future Occupiers

9.12 All of the proposed properties meet or are above the nationally described space standards (DCLG, 2015) and are Building Regulation compliant. Four of the units are wheelchair accessible and the rest are wheelchair adaptable.

9.13 The majority of properties benefit from dual aspect kitchen/living areas. The Arboricultural Impact Plan and Tree Shade Analysis reveal that the level of shading cast by the remaining trees would not be excessive to the ground-floor flats.

9.14 All of the flats would be provided with balconies of a decent size. The site comprises areas of grassland that would be primarily retained and there are a number of areas of open space within proximate (walking) distance. As shown on the proposed site plan, a new play/communal area would be delivered. The proposed level of amenity space is therefore considered sufficient and the overall living conditions for future occupiers is deemed acceptable.

9.15 There have been six objections to the proposal. None of these neighbours raised concerns over residential amenity. The primary concern raised relates to the proposed access and parking arrangements. These concerns will now be discussed in detail.

Impact on Highway Safety

Accessibility, Safety and Capacity

9.16 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety. Paragraph 109 of the Framework states, *“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.”*

9.17 The site is accessed from Eastwick Row. The Transport Statement discusses feasibility study, which reviewed a number of different options for creating new access roads into the site. Four options were discussed and two were considered feasible. Considering the low volume of vehicle movements associated with the proposed development, the existing access was deemed satisfactory.

9.18 The Design and Access Statement highlights that the most appropriate access with visibility splays is via Eastwick Row (i.e. the existing access). The majority of residents that attended the public consultation event also felt that the existing access would be the best option. However, it should be noted that a large percentage of the residents that attended the consultation event live in Mariner Way and were opposed to any access options that would affect their road.

9.19 Vehicle tracking for both a refuse vehicle and pumping appliance has been completed for the car parking area to ensure that fire tenders can get within 4m of the building and to at least 25% of the building façade. Refuse vehicles can access to within 20m of refuse stores and are able to access and turn on site.

9.20 Mayer Brown, acting as Highway Consultants, requested five years of personal injury collision (PICs) data from the County Council. This data covered the period of October 2013 to September 2018 and revealed that no PICs occurred on Eastwick Row within this period. Hertfordshire County Council’s Highways Department have raised no objection to the proposed development subject to a number of conditions

that would be added if the application is approved. Considering this, and considering the other evidence that suggests the existing access would be able to accommodate the new development without an unacceptable impact on highway safety, it is felt that the proposed access arrangements are considered acceptable.

Parking Provision

9.21 Policy CS12 seeks to ensure developments have sufficient parking provision. The Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.22 Dacorum's local parking standards (as set out in saved Appendix 5 of the Local Plan) require, as a maximum, 1.25 parking spaces per 1-bedroom dwelling, 1.5 spaces per 2-bedroom dwelling and 2.25 spaces per 3-bedroom dwelling.

9.23 The current tower blocks, which comprise 24 x 1-bedroom units and 24 x 2-bedroom units (48 total), would as a maximum standard, require 66 parking spaces (see saved Appendix 5). The site layout currently provides 29 spaces that are large enough to accommodate modern vehicles (i.e. parking spaces that have a minimum size of 2.4m x 4.8m). Overall there is currently an under-provision of 37 spaces below the maximum standard.

9.24 The maximum requirement for the new units would be 52.75 spaces (17 x 1-bedroom units = 21.25 spaces, 17 x 2-bedroom units = 25.5 spaces and 2 x 3-bedroom units = 6). This figure (52.75) combined with the requirement for the existing towers (66) equates to 118.75 spaces. The re-configured site layout would provide an additional 81 parking spaces, bringing the total number of spaces up to 110. Whilst the overall number of parking spaces for the existing and proposed blocks combined is still slightly lower than the maximum standard for all of the blocks, it has significantly improved the situation for the existing residents by reducing the overall shortfall by 28.25 (from 37 to just 8.75).

9.25 Currently, only 60% of the existing flats are able to park one vehicle in the on-site car parking spaces. The new scheme would allow for 100% of the flats (existing and proposed) to have at least one parking space. This would also leave an additional 26 (30%) spaces, which could potentially be used for the 33 units that have more than 1-bedroom, or for visitor parking. In summary, the parking ratio per residential unit would significantly improve on the site. With this in mind, no significant concerns are raised with regards to parking. It should also be noted that 16 of the spaces will be equipped with electric charging points (8 passive and 8 active) and five will be disabled spaces.

9.26 The application site is situated within a developed urban area. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are local shops nearby and frequent buses to the town centre and main line railway. Therefore, local amenities are easily accessible on foot.

9.27 Considering the sustainable location of the development site and improvement in the provision of parking spaces, it is unlikely that the proposal would place undue stress on the surrounding road network. In summary, the proposed parking provision and internal layout is deemed acceptable in accordance with Policy CS12 and saved Appendix 5.

Pedestrian Access

9.28 Two new pedestrian access routes are proposed to link Eastwick Row with St Albans Road (providing direct access to the bus stop and pedestrian crossing). These paths would not have levels greater than 1:21 and would be illuminated with lighting. This would positively impact the existing occupiers, who currently rely on dirt tracks leading through holes in the boundary hedges. These tracks are sited under the tree canopies and are poorly lit. The proposed pedestrian improvements should improve safety for the residents and reduce the fear of crime.

Impact on Heritage Assets

9.29 Bennetts End House situated just north of the site is a Grade II Listed Building (ID1359676). The building is currently occupied by a local authority nursery but the building was originally a 17th Century yeoman's farmhouse which stood at the centre of a large farm holding on the edge of Leverstock Green and Hemel Hempstead. Over the years, Bennetts End House has received a number of extensions, outbuildings and alterations that have eroded the character of the building. However, the original beauty of the building remains intact. The Planning (Listed Building and Conservation Areas Act 1990, Paragraph 66(1) requires Local Planning Authorities to have special regard to the desirability of preserving historic buildings and their settings. Furthermore, Paragraph 193 of the Framework states that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development.

9.30 The land surrounding Bennetts End House has been developed over the years and there are a range of different buildings within close proximity. The Conservation and Design (C&D) Officer has identified that the construction of the new town and the adjacent road (Eastwick Row) has had a detrimental impact on the setting of the listed building. In particular, the two existing towers are not felt to preserve the setting of the building, appearing in views of the façade and therefore impacting upon the buildings character and significance. The new block would further impact upon the views of the heritage asset, introducing a new modern feature into the setting. This would affect the heritage assets significance to some degree, however, the proposal would not impact on the physical built fabric of the listed building in any way.

9.31 Following pre-application advice from C&D the design has evolved. The tower was pulled in a south-westerly direction to reduce negative impacts on the heritage asset and the materials were altered. It was queried whether the building could be moved further away, however the Architects stated that this would result in the removal of additional trees and potentially create undesirable impacts in terms of loss of privacy to the occupiers of the existing flats.

9.32 There is no doubt that the construction of the new town has drastically altered the setting of Bennetts End House. Nevertheless, the addition of a large seven-storey tower block would further impact the significance of this listed building. Considering the fact that the context of the building has already been eroded, it is felt that the harm would be less than substantial and at a moderate to low level.

9.33 Paragraph 196 of the Framework states that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal."* Following relevant legislation and national guidance, I give great weight to the less than significant harm (moderate to low level) to the designated heritage asset. The main public benefits of the scheme include: (a) 36 new affordable homes; (b) improved layout and an increased number of parking spaces for existing residents; (c) other improvements including improved lighting and new pathways. The scheme would provide a large number of affordable homes, contributing to Dacorum's housing need. The scheme should also lead to improvements in the living conditions for the existing residents by providing additional parking spaces and a safer, more attractive place to live. When weighing up the harm against the numerous public benefits of the scheme, the impacts on the heritage asset are considered to be acceptable.

Impact on Trees/Vegetation

9.34 Dacorum's Trees and Woodlands Department have liaised with the Architects from an early stage to determine a positive approach to tree works on the site. They have confirmed that the proposed plans *"accurately show tree retention, removal and replanting proposals as discussed between DBC, the Agent and the Agent's Tree Consultant."* Since reviewing the site a number of trees that were identified as hazardous and/or defective have been removed.

9.35 The submitted Arboricultural Impact Plan (DS03101801.03-C) identifies a number of Category B (11), C (13) and U (6) trees (30 total) that would need to be removed as part of the proposal. No Category A trees are proposed to be removed. The plan also establishes a replacement tree planting strategy that delivers a number of new trees (25) around the site. The proposed include a variety of different trees such as Norway Maple, Hornbeam, Swedish Birch, etc. The planting has been designed to enhance the existing character whilst allowing adequate space between the trees to allow them to reach their full potential.

9.36 In the short-term, the removal of some of the larger trees may open up views of the site until the younger trees become established. However, there is a large amount of vegetation being retained and views into the site from St Albans Road would still be limited. The large Category A trees lining the eastern boundary would be protected to ensure that the green visual buffer between the site and Mariner Way remains.

9.37 Overall, it is considered that the proposed tree works are acceptable. The positioning and orientation of the building appears to have taken into account the Root Protection Areas of the existing trees and the retention of the higher quality trees on the site. The submitted Tree Protection Plan provides adequate protection

for all trees that are to be retained. If the application is approved, a full landscaping condition would be added to ensure that the proposed landscaping is of high quality.

Quality of Design and Impact on Visual Amenity

9.38 The Framework highlights core principles that planning should take account of such as the different roles and characters of different areas, and always seek to secure high quality design. More specifically, Policies CS11 and CS12 state that development should respect the typical density intended in an area, coordinate streetscape design between character areas, integrate with such character, and respect adjoining properties in terms of layout, site coverage, scale, height, bulk, landscaping, and amenity space.

Layout

9.39 The proposed development does not seamlessly integrate with established urban grain but the reasons for positioning the units in this way (to avoid impacts on trees and neighbouring residents) is understood. The Framework's emphasis on the redevelopment of previously developed sites and the provision of 36 new units is felt to outweigh the negative impact on the spatial pattern of the area.

9.40 Sufficient separation distances between the proposed units and the surrounding residential development have been achieved in accordance with layout principles in saved Appendix 3. There are no unacceptable front-to-back distances. There are some limited back-to-side distances (7.75m) between No. 12 Mariner Way and the proposed semi-detached units, but, as mentioned previously, there are no side-facing windows on this neighbour.

9.41 The flats are designed to have similar floor plans on each floor, generally accommodating open plan, dual-aspect living areas/kitchens. The proposed units have a sufficient level of internal space. All habitable rooms would receive adequate levels of daylight and sunlight. Although not currently adopted by Dacorum Borough Council, all of the proposed units meet or are above National Space Standards.

9.42 The proposed flats would benefit from balconies and areas of external amenity spaces around the building. These areas are considered adequate. The site also within close proximity to a number of areas of public open space e.g. Longlands Park. The proposed semi-detached properties have garden depths of 6.2m. This falls below Dacorum's minimum garden depth of 11.5m (see saved Appendix 3). The garden widths are 10.8m. Although the garden areas are limited, they would provide small but functional spaces for the occupiers.

Scale

9.43 HCA22 (Adeyfield South) states that all dwelling types are acceptable, although the specific type should relate well to adjacent and nearby development in terms of design, scale and height.

9.44 The proposed block of flats would not be too dissimilar in terms of height when compared to the 6-storey blocks. There is a seventh floor proposed, however, it is

recessed and clad in dark grey zinc cladding so that it fades into skyline and gives the impression that all of the blocks have the same height. The increased height may be apparent from long-distance views, however, the surrounding vegetation would help to mask the proportions of the building.

9.45 The new block would be bulkier than the existing towers but not too dissimilar in terms of footprint. The building would not appear overly prominent or visually intrusive within the context of its surroundings. The scale and bulk of the building is felt to be acceptable. The semi-detached units would be similar in scale/bulk to the surrounding two-storey properties.

Density

9.46 HCA22 states that density should be at the medium range, at around 30-35 dwellings/ha (net). However, this may rise to a higher density in the range of 35-50 dwellings/ha (net) on sites close to or at areas of flatted development adjacent to St Albans Road in cases where the character and appearance of the area is not unduly harmed. The proposed density (including the existing units) is 63.64 dwellings/ha. Considering that the site is situated close to St Albans Road and the push for the optimisation of urban land (saved Policy 10), the density is considered to be appropriate.

Materials / Appearance

9.47 The development site currently comprises two identical six-storey tower blocks with a 1960's 'modernist' design, two single-storey garage blocks and a number of brick sheds. The surrounding development primarily comprises two and three-storey dwellings of varied design.

9.48 The proposed development includes a seven-storey tower block with a design that corresponds with the existing towers. The materials include dark grey brick plinth at ground-floor, light cream coloured brick from floors two to six and zinc panels on the seventh floor. The greys and whites mimic the colour palette of the existing tower blocks. The differences in the materials at the top, middle and bottom of the building adds visual interest to the elevations. Amended plans received on the 4th September 2019 included a number of design improvements, including cream coloured terracotta cladding on the principle elevation and an improved entrance with signage and lighting.

9.49 The two existing blocks have been refurbished within the last 20 years and therefore there would not be a maintenance budget to re-clad and enhance their appearance at this time. There are currently no plans to replace the cladding within the next 10 to 15 years. However, this is something that should be considered in the future if this application is approved.

9.50 The proposed semi-detached houses have been designed to correspond with the simple designs of the surrounding houses. The design comprises a pitched roof with tiles, buff brick and uPVC fenestration. No concerns are raised with regards to this design.

9.51 In summary, it is felt that the proposal would have a limited impact on the visual amenity of the area and the design/appearance, bulk, scale and height are all found to be acceptable in accordance with the HCA22 and Policy CS12.

Crime Prevention

9.52 The provision of lit pathways would result in a betterment in terms of crime prevention. The reconfiguration of the site provides for natural surveillance from both the new and existing residential units over the car park areas. The scheme also follows a number of principles to discourage crime. Details on this can be found within the Design and Access Statement (Pages 37-38).

9.53 A number of residents that responded to the public consultation highlighted concerns over anti-social behaviour within the garage blocks and therefore their removal is encouraged. Some of the residents suggested CCTV cameras could also help to reduce crime in the area. Hertfordshire Constabulary's Crime Prevention Design Service have been consulted on the application and raised no objections.

10. Other Material Planning Considerations

Fire Safety

10.1 It is proposed that that the apartment building is fitted with fire and smoke detection systems, fire alarms, sprinklers, a fire fighting shaft and emergency lighting. The materials used in construction have all been specified in accordance with the new Approved Document B. Fire hydrants are included within the legal agreement. As mentioned previously, tracking diagrams have been included to show that fire tenders can get within 4m of the building. The submitted Fire Strategy Report covers a variety of other issues including escape routes, travel distances, exit widths and escape route signage. Hertfordshire's Fire and Rescue Service have replied to consultation and confirmed that they have no concerns with the development.

Ecology

10.2 The Design and Access Statement identifies the following ecological enhancements:

- 1) Connectivity and foraging opportunities for bats in the local area, Hawthorn, Blackthorn, Hazel, Field Maple and Spindle;
- 2) Two new bat tubes;
- 3) Two Sparrow terrace nest boxes;
- 4) Three bird boxes in the trees;
- 5) A Hoglio Hedgehog house within the woodland area of the site;
- 6) Hedgehog friendly gravel boards at the base of fences so hedgehogs can pass freely between gardens.

10.3 All of these enhancements have been incorporated onto the Site Plan (see Drawing 1005-P04). Aside from these ecological recommendations, a Preliminary Ecological Appraisal has been carried out. The assessment appears thorough and

the conclusion acceptable. Hertfordshire County Council's Ecology Department raised no objection to the scheme but suggested a number of conditions. These include a "*pre-felling climbed inspection*" to ensure that there are no roosting bats in the trees, and a Landscape and Ecological Management Plan to ensure that there are further biodiversity net gains. These conditions would be added to the planning consent if the application is approved.

Refuse Storage

10.4 The existing bin storage has been relocated around the periphery of the car park but within close proximity of each tower. The bin store for the proposed tower is located on the ground-floor and is accessed directly from the ground-floor corridor. Dacorum's Refuse Department have confirmed that the proposals are acceptable in terms of waste collection.

Contamination

10.5 Dacorum's Environmental and Community Protection Department raised no objection to the proposed development, but stated "*it will be necessary for the developer to demonstrate that potential for land contamination to affect the proposed development has been investigated and where it is present that it will be remediated.*" Therefore, they have requested that conditions are placed on the application, if approved.

Affordable Housing

10.6 The Applicant, Dacorum Borough Council, proposes to provide 100% affordable housing on the site. Whilst, in planning terms, the affordable housing would not affect the acceptability of the development, it does weigh in favour of the scheme.

10.7 In-line with Policy CS19, which has been subject to updated interpretation through the Council's Affordable Housing SPD – Clarification Note, the construction of 36 dwellings would give rise to a requirement for a minimum of 35% affordable housing. Considering this, Dacorum's Legal Department have been requested to draft a Unilateral Undertaking legal agreement to secure the affordable housing. Dacorum's Housing Department have confirmed that the Unilateral Undertaking can include all 36 units (100%) as affordable in the legal agreement.

Community Infrastructure Levy

10.8 The proposed development would be subject to Community Infrastructure Levy (CIL) charges in accordance with Policy CS33 of the Core Strategy and the 'Charging Schedule'. The site is located within CIL Zone 3. Therefore, a charge of £100 per square metre (plus indexation) would be levied against the proposal.

10.9 The applicants may be eligible for an exemption from the charge as an affordable housing provider, subject to the submission of a relevant and complete relief claim. These should be submitted and agreed with the Council prior to the commencement of works.

Sustainable Design

10.10 The Design and Access Statement states that the development will provide “a well-insulated new building envelope (20% better than the insulating values identified in the Building Regulations) with double/triple glazed windows and good air tightness will require very little heating and therefore address national issues regarding fuel poverty.” Furthermore, “South facing photovoltaics are to be located on the building roofs to provide communal spaces with electricity, and each unit and communal areas will have low energy efficient LED lighting.”

10.11 The proposed development would also provide 16 Electric Vehicle Charging Points (EVCP). Eight of these EVCPs will be active i.e. fully wired and ready to use and eight of the points will be passive i.e. the infrastructure is installed but electricity supply will only be triggered when future demand requires it.

10.12 With regards to drainage, the proposed sustainable drainage system (below ground cellular storage and permeable paving) is designed to accommodate a 1 in 100 year flood event including an additional 40% for climate change. The proposed drainage network would be designed not to flood in this event as well. The Lead Local Flood Authority raised concerns with the original approach but further information was submitted to deal with these issues (see letter/plans from Ridge dated 23rd October 2019). It is felt that all of these sustainable design techniques will benefit the scheme, in-line with Policy CS29.

Sheds/Storage

10.13 Dacorum Borough Council are proposing to replace all the existing personal storage units with new units of the same size. They are in a different location but they are a similar distance to the existing blocks when compared to the existing units. At present, no phasing plan for the construction has been submitted. However, it has been confirmed that the proposal would be phased to minimise disruption and provide continuity for both residents parking and storage. If the application is approved, this will be captured within a construction management plan condition to ensure that the timing/delivery of the storage units is acceptable.

Garages

10.14 Around five of the existing garages are still being rented. Dacorum Borough Council have clarified that their Property and Place Team are making contact with the tenants to offer an alternative. There are void garages on a block nearby and therefore this could be a potential solution.

Noise

10.15 Dacorum’s Environmental and Community Protection Team initially raised concerns over noise from the main road. They requested that a condition requesting an ‘overheating and alternative ventilation’ scheme is submitted to the Council. This would ensure that future occupiers are not adversely impacted due to road transportation noise. The condition has been added to this recommendation and details would be sought prior to construction of the tower block.

Other Matters

10.16 The submitted Design and Access Statement covers a range of other matters associated with this application. For example, cycle storage, mobility buggy/scooter parking, replacement storage, etc. All of these matters appear to have been adequately addressed within the proposed scheme.

Response to Neighbour comments

10.17 The points raised by neighbours have been addressed within this report.

11. Conclusions

11.1 The principle of a seven-storey tower block is found to be acceptable. The scale and design is suitable. The internal layout/arrangement would provide a good standard of accommodation for future occupiers. No significant impacts on the surrounding neighbours have been identified.

11.2 Only six objections have been received with concern relating to access and parking. Hertfordshire Highways and external Highways Consultants have accessed the scheme and deem the proposed access acceptable. The proposed parking layout provides an improved ratio of parking spaces per unit for existing residents.

11.3 The site is not designated as a housing allocation in Dacorum's Local Plan and as such the site can be regarded as a 'Windfall' housing opportunity that will contribute to Dacorum Borough Council's 5-year housing land supply. The provision of affordable housing is welcomed and the 36 new units would make a valuable contribution to the Borough's housing stock.

11.4 The proposal would make efficient use of previously developed land and the removal of the garage block and provision of landscaping scheme should improve the appearance of the site and add other public benefits (e.g. new communal area, lit pathways, etc.). These benefits are felt to outweigh the moderate to low harm identified to the designated heritage asset.

11.5 Taking all of the above into account, the proposals are considered to be acceptable and in accordance with the development plan. Therefore, the application is recommended for approval, subject to a number of conditions listed below.

13. RECOMMENDATION – That planning permission be **GRANTED** subject to the satisfactory signing of the Unilateral Undertaking legal agreement and conditions listed below.

Conditions

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

Reason: To comply with the requirements of Section 91 (1) of the Town and

Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

- **Schedule 2, Part 1, Classes A, B, E and F**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the visual amenity and character of the locality in accordance with Policies CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

- 3 (a) **No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**

- (i) **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
- (ii) **The results from the application of an appropriate risk assessment methodology.**

- (b) **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.**

- (c) **This site shall not be occupied, or brought into use, until:**

- (i) **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
- (ii) **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019). The details are required before commencement to ensure that the construction of the development does not result in pollution to the environment.

- 4 **Any contamination, other than that reported by virtue of Condition 3 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

- 5 **No development shall commence until plans have been submitted to and approved in writing by the Local Planning Authority to illustrate the site access arrangements, roads, footways, cycleways, foul and surface water drainage. All construction works shall be carried out in accordance with the approved plans.**

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 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required before commencement to ensure that the proposed access arrangements do not impact highway safety prior to the construction of the new roads/parking areas.

- 6 **Prior to the commencement of any below ground construction works including the erection of any foundations a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should consider all phases (excluding demolition) of the development. The construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:**

- construction vehicle numbers and type;
- access arrangements to the site;

- **traffic management requirements**
- **construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);**
- **siting and details of wheel washing facilities;**
- **cleaning of site entrances, site tracks and the adjacent public highway;**
- **timing of construction activities (to avoid school pick up/drop off times);**
- **provision of sufficient on-site parking prior to commencement of construction activities;**
- **post construction restoration/reinstatement of the working areas and temporary access to the public highway;**
- **construction or demolition hours of operation;**
- **phasing plan for the construction of the storage units; and**
- **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 saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

- 7 At least 3 months prior to the first occupation of the approved development a Travel Plan for the site, based upon the Hertfordshire Council document ‘Hertfordshire’s Travel Plan Guidance’, shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan Statement shall be implemented at all times.**

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policy CS8 of the Dacorum Borough Core Strategy (2013).

- 8 Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size car and refuse vehicle to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use.**

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 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National

Planning Policy Framework (2019).

- 9 **Prior to the occupation of the development hereby permitted, the 8 Passive and 8 Active Electric Car Charging Points (16 total), as indicated on the submitted site plan (Drawing Number 1005, Revision P04), shall be installed and made ready for operational use. The charging points shall thereafter be retained at those parking spaces.**

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policy CS8 of the Dacorum Borough Core Strategy (2013).

- 10 **Construction of the superstructures hereby approved shall not take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure;
- bicycle stores, scooter storage, bin stores and personal storage units;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- minor artefacts and structures (e.g. street furniture, play equipment, signs, refuse or other storage units, etc.); and
- parking spaces allocations including visitor spaces.

The landscape works shall be carried out in accordance with the approved details prior to first occupation of the respective buildings.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 3 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

- 11 **Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be prepared and submitted to the Local Planning Authority. The LEMP shall describe how it is planned to incorporate biodiversity as part of the development and achieve overall net gains for biodiversity. The approved plan shall be implemented in accordance with the approved details**

Reason: To ensure that the development contributes to and enhances the

natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019). These details are required prior to commencement to ensure that an overall on-site net gain for biodiversity can be achieved before construction works begin. The LEMP should include details of when the biodiversity enhancements will be introduced and this may be reliant on the construction process/timings.

- 12 **Prior to removal of the 3 trees marked as "bat trees to be inspected before felling" on Page 13 of the submitted Bat Report (August 2019), a pre-felling climbed inspection shall be undertaken by an appropriately qualified and experienced Ecologist to determine if bats are roosting, and should this be the case, appropriate mitigation to safeguard bats and their roosts shall be submitted to and approved in writing by the Local Planning Authority. The tree works shall then proceed in accordance with the approved scheme of mitigation.**

Reason: To ensure that no protected species are impacted by the proposal in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

- 13 **Prior to occupation of the development hereby approved, the bird boxes and terraces, the bat tubes and the hedgehog house as shown on Drawing 1005-P04 shall be installed.**

Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

- 14 **Prior to construction of the superstructure, an overheating and alternative ventilation scheme shall be submitted for the approval of the Local Planning Authority for the protection of likely future occupiers from exposure to road transportation noise. Such a scheme shall be compiled by appropriately experienced and competent persons.**

The approved scheme of noise protection measures shall be implemented prior to first occupation and retained thereafter.

Reason: Any development proposals which could cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell, light, noise or noxious substances, will not be permitted in accordance with Policy CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

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

612825-FCG-B1-06-DR-A-2006 REV P09-Proposed Tower Sixth Floor

Plan

612825-FCG-B1-00-DR-A-2000 REV P09-Proposed Tower Ground Floor Plan

612825-FCG-XX-XX-SK-A-0191-S4-P01-Eastwick Row Proposed Entrance

612825-FCG-XX-XX-SK-A-0191-S4-P01-Eastwick Row Proposed Materials

612825-FCG-ST-XX-DR-A-1005 REV P04-Proposed Site Plan Full

612825-FCG-ST-XX-DR-A-1003 REV P16-Proposed Site Plan

612825-FCG-B1-XX-DR-A-2001 REV P09-Proposed Tower First to Fifth Floor Plan

612825-FCG-B1-RF-DR-A-2007 REV P03-Tower Roof Plan

612825-FCG-B1-EL-DR-A-2201 REV P07 -Proposed Elevation 1 and 2

612825-FCG-B1-EL-DR-A-2202-Proposed Elevation 3 and 4

612825-FCG-B2-00-DR-A-2010-Proposed Semi Detached House Ground Floor Plan

612825-FCG-B2-00-DR-A-2011-Proposed Semi Detached House First Floor Plan

612825-FCG-B2-EL-DR-A-2210-Proposed Semi Detached Houses Elevations

612825-FCG-B2-RF-DR-A-2012-Proposed Semi Detached House Roof Plan

612825-FCG-ST-EL-DR-A-2215-East Elevation in Context

612825-FCG-ST-XX-DR-A-1007-Proposed Site Plan Demolition DS03101801.04-Tree Protection Plan

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

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive pre-application engagement and early engagement with the applicant during the determination process which led 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.

Informatives

Ecology

Birds

The trees on site may have potential to support nesting birds. To avoid an offence being committed, any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March 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.

Hedgehogs

The site has potential to support hedgehogs. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline.

To avoid killing or injuring of hedgehogs it is best practice for any brush piles to be cleared by hand if possible. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water. It is also possible to provide enhancements for hedgehogs by making small holes (13cm x 13cm) within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site but will be too small for most pets.

Thames Water

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Contaminated Land

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 www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

Highways

Storage of Materials

The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the Highway

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Road Deposits

It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

General works within the Highway (major/s278) - Construction Standards

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.

Environmental and Community Protection

Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1730hrs on Monday to Friday, 08:00 – 13:00 Saturday and no works are permitted at any time on Sundays or bank holidays.

Construction Dust Informative

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

Noise on Construction/Demolition Sites Informative

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

This application was supported by the following:

Preliminary Risk Assessment (Contamination) (March 2019)
1920306-R02 Site Layout and Exploratory Hole (Contamination)
Phase III Ground Investigation Report (September 2019)
Flood Risk Assessment & Drainage Strategy (July 2019)
Flood Risk Assessment Covering Letter
Arboricultural Impact Plan (REV C) (July 2019)
Transport Statement (July 2019)
Acoustic Design Statement (September 2019)
Fire Strategy Report (August 2019)
Bat Survey Report (August 2019)

Lighting Details (VE 605527) (June 2019)
Application Form
Tree Shade Analysis
Tree Survey Report (January 2019)
Preliminary Ecological Appraisal (October 2018)
TK01 - Swept Path Analysis
TK02 - Swept Path Analysis
TK03 - Swept Path Analysis
K190336_Energy Strategy Report_REV01
CIL Exemption Form
CIL Liability Form
Arboricultural Impact Plan REV C (July 2019)
612825-FCG-XX-XX-RP-A-0100-DesignAndAccessStatement
612825-FCG-ST-XX-VS-A-2930-Proposed Site CGIs
612825-FCG-ST-XX-DR-A-1002-Location Plan
612825-FCG-ST-XX-DR-A-1001-Existing Site Plan
612825-FCG-ST-XX-DR-A-1000-Existing Extended Site Plan
External Lighting Strategy (July 2019)
0007 cs Utilities Statement - Eastwick Row - REV3
53077REV A - Location of Underground Services and Drains
Transport Statement (July 2019 v2)

Appendix A

Consultation Responses

Housing Development

This is DBC's own scheme and will be 100% social rent. Therefore, it is not necessary to provide comments for this application.

Thames Water

Waste Comments

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday,

8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Water Comments

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.

Growth & Infrastructure

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

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (growth@hertfordshire.gov.uk).

Hertfordshire Fire & Rescue

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit.

Hertfordshire Constabulary

Thank you for sight of planning application 4/01719/19/MFA, provision of 34 No unit residential block and pair of semidetached houses for social rent, the scheme will include the remodelling of the existing Eastwick Row site including landscaped car parking, new bin storage, cycle storage, mobility scooter storage and external personal storage units. The scheme will also introduce new pedestrian and cycle routes across the existing site to link Eastwick Row, Hemel Hempstead, HP2 4JQ.

I am content that security & crime prevention have been considered for this site and it is the intention to build to the police minimum security standard Secured by Design as detailed in the Design and Access statement

Additional comments

With regard to security, crime prevention and safety I have no objections to play equipment being installed, there are children in the two existing towers that would benefit from this as they do not have gardens. I would ask that the play area has:

- good surveillance
- small boundary fence
- no covered areas
- no extra lighting at night

Environmental and Community Protection - Contamination

Having reviewed the documentation submitted with the above planning application, including the RSK Preliminary (contaminated land) Risk Assessment Report and having considered the information held by the Environmental Health Department I have the following advice and recommendations in relation to land contamination.

There is no objection to the proposed development, but it will be necessary for the developer to demonstrate that potential for land contamination to affect the proposed development has been investigated and where it is present that it will be remediated.

This recommendation reflects the brownfield nature of the application site and the vulnerability of the proposed end use to the presence of any contamination, which

means that the following planning conditions should be included if permission is granted.

Contaminated Land Conditions:

Condition 1:

No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology.

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.

This site shall not be occupied, or brought into use, until:

- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
- (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

Condition 2:

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.

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.

Informatives:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

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 www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

Further comments

Having reviewed the documentation submitted with the above planning application, including the RSK Preliminary (contaminated land) Risk Assessment Report and having considered the information held by the Environmental Health Department I have the following advice and recommendations in relation to land contamination.

There continues to be no objection to the proposed development and the developer is progressively identifying any land contamination risks that are likely to be impacting the application site and nature of the proposed development.

The RSK Phase 2 Geo-environmental and Geotechnical Site Investigation Report (13th September 2019) represents an appropriate report.

The report does identify the need for some additional investigation to establish the extent of the asbestos contamination that has been identified, primarily in the north-eastern part, but also in topsoil on the west of the site. Therefore, in order to ensure that the additional recommended site investigation is undertaken the following planning conditions are recommended.

Contaminated Land Conditions:

Condition 1:

- (a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
 - (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - (ii) The results from the application of an appropriate risk assessment methodology.
- (b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
- (c) This site shall not be occupied, or brought into use, until:

- (iii) 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.
- (iv) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

Condition 2:

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.

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

Informatives:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

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 www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

Lead Local Flood Authority

The applicant has provided the following information in support of the application:

- Flood Risk Assessment & Drainage Strategy, prepared by Ridge and Partners LLP, Project: 5009882, dated 12 July 2019, Version. 1.0

From a review of the Environment Agency’s national Risk of Flooding from Surface Water maps, part of the site is at a High Risk of flooding, which is an event with a

3.33% chance of flooding within any given year, the site is also at a Medium Risk of surface water flooding, which is an event with a 1% chance of flooding in any given year.

The Flood Risk Assessment & Drainage Statement dated July 2019 submitted with this application does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment/Drainage Strategy:

- 1) Approval from the Water & Sewerage Company to ensure viable surface water discharge mechanism
- 2) Provision of greenfield runoff rates
- 3) Adequate Climate change allowances
- 4) Provision for surface water flood risk
- 5) Justification of SuDS, provision of above ground storage and clarification of drainage layout

Overcoming our objection

1) The proposed method of surface water discharge is via restricted discharge to the Thames Water surface water sewer. The applicant needs to gain approval from the relevant Water & Sewerage Company for the area (Thames Water), that they are happy to accept the proposed volumes and flows. An agreement in principle would be acceptable at this stage.

2) The applicant is proposing a discharge rate of 7l/s. It is acknowledged that this is a betterment over the existing situation. However, this is not the greenfield run-off rate for the site. Considering that the site is at predicted surface water flood risk in the national Risk of Flooding from Surface Water map, we would at the very least expect the provision of greenfield run-off rates. The applicant has provided justification that restricting to the greenfield run-off rate is not realistic due to the risk of blockage. However, as LLFA we are aware of devices which can restrict to lower than the proposed rate, such as restricting to 2l/s or even 1l/s or a complex control varying the discharge rate depending on the event. The current proposed rate is not acceptable.

3) The applicant has used a climate change allowance of 20%, however, as this is a residential development, we would expect a 40% allowance for climate change. The applicant will need to update the drainage strategy and all associated calculations and modelling accordingly. The applicant will need to update the volume of storage needing to be provided.

4) The applicant has stated how the site is at a "Low" risk of surface water flooding. However, from a review of the Environment Agency's national Risk of Flooding from Surface Water maps, available online on gov.uk under Long term flood risk information, part of the site is actually at a high risk of predicted surface water flooding. Indeed, the proposed block of flats is in the high and medium risk events. In

the medium risk event, part of the site has 300-900mm depth of flooding predicted, which is very close if not within the proposed flat block envelope, with another part having over 900mm predicted.

The applicant has stated how the site of the proposed flats is at risk of surface water flooding during a storm with a return period between 1 in 30 years and 1 in 100 years. The applicant has stated how the finished floor level of the proposed flats/semi-detached houses should be set a minimum of 300mm/150mm above the existing ground levels. The applicant has confused the areas within the text, stated how the flats will be 300mm and then again the flats will be 150mm. However, within the Conceptual Drainage Layout at Appendix 9, this shows that the flats will be 300mm and the houses 150mm above existing ground levels.

Regardless, this is not acceptable as the only method of surface water flood mitigation for the site. Simply diverting water around these buildings is not enough. The applicant has stated how the proposed development will have no impact on flood risk elsewhere. However, if buildings are placed within the predicted surface water flood map outline, then this will displace this water elsewhere, potentially leading to flooding off site and to the road.

The applicant needs to propose how to manage this surface water flow route within the site; taking into consideration the speed of flow and the potential surrounding risk. Additional storage provision is likely to be needed within the site to ensure that the proposed development doesn't pose a risk of flooding on or off site.

5) From a review of the site, there are some existing areas of green space which could potentially provide above ground storage. However, the applicant has opted for a tanked storage solution. We would suggest the applicant explores further the possibility of above ground storage, particularly considering the surface water flood risk to the site.

We are pleased the applicant is proposing the use of permeable paving; this provides an appropriate level of SuDS management and treatment. The applicant has stated how 72m² of permeable paving will be provided. However, this is not shown on the Conceptual Drainage Design drawing, 5009882-RDG-ST-PL-C-FRA2-, dated 12/07/2019. The drainage layout drawing should be updated to show this.

Permeable paving should be provided for the entire car parking area, else additional management and treatment of surface water will be needed.

For further advice on what we expect to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

We offer a charge for Surface Water Advisory Service, details of which are also available via the website. We would recommend the applicant uses this service if they wish to discuss the site further, especially considering the surface water flood risk at the site.

Informative to the LPA

The applicant has stated how in order to construct the proposed semi-detached houses it will be necessary to divert the 825mm diameter public sewer crossing the site. The applicant has proposed an indicative diversion route. However, this is subject to Thames Water approval, which has not yet been sought. This sewer is likely to be classed as a trunk sewer.

In addition, the applicant has stated how a 375mm foul sewer will also need to be diverted. This also requires approval from Thames Water. The applicant has stated how both the trunk surface water and foul sewer pass through Root Protection Zones so will need an additional level of review.

The applicant needs to gain approval from Thames Water, else if planning permission is granted it may not be implementable if approval is not given from Thames Water and the trunk sewer is not able to be diverted. We would recommend the LPA consults Thames Water.

We ask to be re-consulted with the above points addressed. We will provide comments within 21 days of receiving formal re-consultation.

Please note if the LPA decides to grant planning permission we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.

Further comments

Thank you for re-consulting us on the above application for the provision of a 34 no. unit residential block and a pair of semi-detached houses for social rent. The scheme will include the remodelling of the existing Eastwick Row site including landscaped car parking, new bin storage, cycle storage, mobility scooter storage and external personal storage units. The scheme will also introduce new pedestrian and cycle routes across the existing site to link Eastwick Row with St Albans Road at Land at Eastwick Row, Hemel Hempstead, HP2 4JQ.

The applicant has provided the following additional information in support of the application:

- Letter dated 29 August 2019 from Ridge Property & Construction Consultants, Job Number: 5009882
- Flood Risk Assessment & Drainage Strategy, prepared by Ridge and Partners LLP, Project: 5009882, dated 9 September 2019, Version. 3.0

Unfortunately the additional information provided to date does not address the outstanding objection points. All comments in our letter dated 08 August 2019 are still outstanding and need to be addressed.

Following a review of the additional information provided we can also make the following additional comments with regards to our outstanding objection:

As the applicant is not proposing to discharge at Greenfield run-off rate, permission is needed for the Water and Sewerage Company for the area (Thames Water) that they are happy to accept the proposed volumes and flows. As this information has not been provided, we would consider that the applicant does not have a viable discharge mechanism.

From a review of the information provided, the approach currently taken does not have a clear understanding of the volumes of water needing to be managed; both for the drainage for the site itself and the surface water flood risk. From a review of the specific detail in the MicroDrainage modelling: The applicant has stated how they propose to restrict discharge to 7l/s. However, from a review of the MicroDrainage calculations it appears that 5l/s is modelled as the outflow control from the car parking and 5l/s is modelled for the secondary control. This doesn't match up with the drainage layout, which shows 5l/s and 7l/s, however, it does show that the volume of storage provided on site has been sized based on a lower discharge rate. The MicroDrainage calculations show that 2 hydrobrakes have been modelled, however, as no network has been provided we are not able to see their location as there are no node numbers on a layout and associated MicroDrainage node network.

Further, we would advise that 20% is not an appropriate figure for an allowance for climate change for a residential development. It is Lead Local Flood Authority policy that a 40% allowance for climate change for residential development needs to be used. This position is not moveable, the drainage strategy will need to be updated to ensure the 1 in 100 year + 40% for climate change is accounted for. No flooding of any building should occur up to the 1 in 100 year + 40% climate change event.

With regards to the proposed voids beneath the buildings to manage the predicted surface water flood risk, fundamentally, this is not ideal, however could be deemed acceptable providing it can be drained. If this is proposed to be integrated into the wider proposed drainage network for the site, this would also need to be discharged within the Greenfield run-off rate for the site. However, the overall issue is that it is not clear on the exact storage volumes to be provided beneath the building and in the open land to the south and east of the block or how the voids beneath the buildings will be drained.

For further advice on what we expect to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage. We also offer a charge for Surface Water Advisory Service, details of which are also available via the website. We would recommend the applicant uses this service if they wish to discuss the site further, especially considering the surface water flood risk at the site: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

Informative to the LPA

Please see comments in the informative in the letter dated 08 August 2019. We ask to be re-consulted with the above points addressed. We will provide comments within 21 days of receiving formal re-consultation.

Please note if the LPA decides to grant planning permission we wish to be notified

for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.

Hertfordshire Highways

Proposal

Provision of a 34-unit residential block and a pair of semi-detached houses for social rent. The scheme would include the remodelling of the Eastwick Row site including landscaped car parking, new bin storage, cycle storage, mobility scooter storage and external personal storage units. The scheme would also introduce new pedestrian and cycle routes across the existing site to link Eastwick Row with St Albans Road.

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:

Condition 1: Detailed Design Drawings

No development shall commence until plans have been submitted to and approved in writing by the Local Planning Authority to illustrate the site access arrangements, roads, footways, cycleways, foul and surface water drainage. All construction works shall be carried out in accordance with the approved plans.

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

Condition 2: 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).

Condition 3: Travel Plan

At least 3 months prior to the first occupation of the approved development a Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan Statement shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 4: Provision of Parking and Servicing Areas

Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size car and refuse vehicle to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use.

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

Condition 5: Electric Vehicle Charging Points

Prior to the occupation of the development hereby permitted, the development shall include provision for 10% (site by site decision depending on nature and size of development) of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready [domestic and/or fast] charging points.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

Section 278 Agreement

Any changes to the highway network would be subject to a Section 278 Agreement, in particular any changes to the proposed site access arrangements.

Section 106 Agreement / Planning Obligations

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards local strategic schemes will be sought by DBC via CIL.

A Section 106 Agreement would be required for Travel Plan monitoring and evaluation fees of £6000.

Improvements to the bus stop outside the site would be sought as part of any permitted development, this can be undertaken by the provision of Section 106 Contributions or via a Section 278 Agreement. HCC would require contributions of £8,000 for access kerbing and £10,000 for a display screen.

Informatives:

HCC as Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

Storage of materials

AN1) Storage of materials:

The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the highway

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

General works within the highway (major/s278) - construction standards

AN4) 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.

Description of the Proposal

The proposals are for the demolition of an existing Garage Block and Storage Unit for the construction of 36 social rented residential units, with associated access, car and cycle parking and landscaping. The proposed development would comprise of 34 flats and two houses.

The composition of the proposed units, as set out in the Transport Statement (TS) would be as follows:

- Two (2) x 3-bedroom houses;
- 17 x 1-bedroom apartment; and
- 17 x 2-bedroom apartment.

The TS has stated that access to the existing children's nursery would be retained, in-line with the right of way. New pedestrian links would be provided from the site to the bus stop on St Albans Road and to Mariner Way.

The TS has stated that the two proposed houses would each have a private parking

area. It is proposed that the existing car park would be redesigned to provide a total provision of 104 car parking spaces that would be used by the proposed apartments (34 apartments) and the existing apartments of Blocks 1 and 2 (comprising a total of 48 apartments).

Site Description

At present, the site is occupied by two residential blocks of apartments with associated parking and garages. Each apartment block is six storeys and consists of 24 affordable apartments.

A children's nursery bounds the north of the site and is located outside of the site's red line boundary; however, vehicular and pedestrian access to the nursery is from within the site's red line boundary.

Vehicular access to the site is via Eastwick Row. Eastwick Row provides vehicular access to a number of residential units and is a single carriageway subject to a 30mph speed limit. Eastwick Row forms the minor-arm of a priority junction with White Hart Road. White Hart Road leads southwards to form a four-arm roundabout with St Albans Road.

The site is located near four primary schools, Adeyfield School, a supermarket, and Adeyfield local centre. These are within a 1km walk from the site.

History

A Scoping Note was submitted to HCC in May 2019. The applicant has stated that the response from HCC is provided within Appendix A of the TS; however, the Appendices are missing from the TS. The TS has stated that the key outcomes of HCC's response to the Scoping Note were:

- Agreement to the TS methodology and lack of trip distribution and modelling;
- Retaining vehicular access via Eastwick Row would be HCC's preferred access option;
- Eastwick Row and circulation space to in front of the existing block of apartments is adopted and the parking area to the west is private. HCC would continue this arrangement; and,
- HCC would require the applicant to include additional, and improved, pedestrian and cycle links to, from and within the site.

The HCC response to the Scoping Note also provided design advice on four possible access options and requested that the TS acknowledges that HCC adopted the 4th edition of its Local Transport Plan in March 2018.

Analysis

A Design and Access Statement is a requirement of all planning applications which have an impact on the highway in line with Hertfordshire County Council's Highway Design Guide 3rd Edition. A Design and Access Statement has been provided and this is considered acceptable.

Policy Review

The TS has included a Policy Review which has taken into account:

- National Planning Policy Framework (February 2019);
- Hertfordshire County Council's Local Transport Plan (2018-2031); and
- Manual for Streets.

The TS has not included:

- Dacorum Core Strategy 2006-2031 (September 2013); and,
- Dacorum Local Plan 2001-2011 (Saved Policies September 2013).

Although the TS has not included the Dacorum Core Strategy and Local Plan, the TS has included a review of HCC's Local Transport Plan (2018-2031) 4, as requested in HCC.

Therefore, this is considered acceptable to HCC.

Transport Statement

A Transport Statement has been provided as part of the planning application package for consideration by HCC. This is in-line with requirements set out in Roads in Hertfordshire Highway Design Guide 3rd Edition (Roads in Herts). It should be noted, however, that the TS has 'Draft' watermarked on each page and does not include the Appendices.

Trip Generation

The trip generation and distribution methodology provided in the Applicant's Scoping Note was deemed acceptable by HCC. On this basis, as the trip generation and distribution are consistent with that which was presented in the Scoping this is considered acceptable.

The TS has shown that the proposed development would result in an additional nine two-way vehicle trips in the AM Peak and 15 two-way vehicle trips in the PM peak. This is unlikely to have a severe impact on the operation of the existing network.

Impact on the highway

Traffic Impact at Local Junctions

The trips generated by the proposed development (as stated above) would likely have a negligible impact to the operation of the existing network, including the White Hart Road / St Albans Road / Bennetts End Road roundabout. On this basis, junction modelling was not required.

Highway Safety

The TS has stated that HCC provided Personal Injury Collision (PIC) data for the five-year period between October 2013 and September 2018.

The PIC data has shown no collisions have occurred on Eastwick Road. However, one fatal collision has occurred on the White Heart Road arm of the roundabout with St Albans Road. Details of this collision have shown that a cyclist and a car collided.

There are not existing trends in collision on the local highway network in the vicinity of the site. Therefore, HCC do not anticipate that any existing highway safety issues will be exacerbated by the development proposals due to the low number of vehicle trips generated.

Highway layout

Vehicle Site Access

The development proposals seek to retain the existing vehicle access from Eastwick Row. This arrangement is in-line with the HCC's response to the Scoping Note provided as part of pre-application discussions. Therefore, HCC are satisfied with the proposed arrangements.

Pedestrian Access

The development proposals include the retention of the existing pedestrian access from Eastwick Row and the provision of new footways that would lead to the existing Blocks 1 and 2 and the proposed new blocks. A review of these footways on the proposed site masterplan has raised no initial issues; however, it is requested that there would be the provision of dropped kerbs and tactile paving that would link the footways at the children's nursery access.

The development proposals include the provision of a footpath linking the site to the public footway on St Albans Road, where there is a sheltered bus stop. The provision of this footpath is welcomed. A second footpath is proposed from the east of the site, that would also link to Mariner Way. Overall, it is considered that the proposed footpaths would improve pedestrian access from the site to the local amenities and improve the connection to the local bus stop on St Albans Road.

Swept Path Assessment

The applicant has provided a swept path analysis of a refuse vehicle of 10.7m length routing through the site, and exiting the site in a forward gear.

The applicant has provided a swept path analysis of a fire appliance of 7.9m length routing through the site and to the car park on the south of the site, and exiting the site in a forward gear.

It is considered that the applicant has demonstrated that safe and suitable access is achievable at the site for both a refuse vehicle and a fire tender.

Refuse and Servicing Arrangements

The proposed site masterplan has shown that the proposed apartment block and the two existing Blocks will have their own bin stores. The three bin stores all front the car park and are not blocked or obscured.

It is considered that the three bin stores are located in suitable distance for residents, and suitable drag distance to refuse vehicles. The swept path analysis has demonstrated that a refuse vehicle can access the bin stores.

Road Safety Audit

As there are no changes expected to the highway that would have a material impact, it is not expected that a Road Safety Audit would be required.

Parking

Car Parking Provisions and Layout

The TS has stated that the proposed development would provide a new car park layout that would consist of 104 car parking spaces for the new total 82 apartments (consisting of 34 proposed and the 48 existing). The proposals include the demolition of an existing Garage Block.

It should be noted that the two proposed houses would have a private driveway suitable for three vehicle each. HCC consider this provision satisfactory.

The Dacorum Borough Council's parking standards state the following maximum car parking requirements for residential use:

- One Bedroom: 1.25 spaces per dwelling; and
- Two Bedroom: 1.75 spaces per dwelling.

Based on the proposed development composition of 17 one-bedroom and 17 two-bedroom apartments, for a maximum of 51 car parking spaces should be provided for the new dwellings.

It is stated in the Design and Access Statement that of the proposed 104 car parking spaces, 30 spaces would be allocated to existing block 1, 30 would be allocated to existing block 2 and 42.5 would be allocated to proposed block 3 with 1.5 spaces allocated for visitor car parking. This is considered acceptable due to the nature of the proposed development.

The applicant proposes 3 spaces per house. This is acceptable.

The proposed level of car parking is acceptable to HCC; however, it is ultimately the decision of the DBC to determine the suitable of the car parking provision.

Disabled Parking Provisions

The proposed development has included the six disabled car parking spaces.

The Dacorum Borough Council Car Parking Standards require that for residential use 1 disabled space is provided for every dwelling built to mobility to standard. This level of disabled car parking spaces is acceptable to HCC; however, it is ultimately the decision of DBC to determine the suitability of disabled parking provision.

Electric Vehicle Parking Provision

The TS has not stated details of any provision for electric vehicle charging points. It is recommended that the development should include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles (EV), with 10% passive provision.

Cycle Parking Provisions

The TS has stated that there would be 48 private lockable storage areas located throughout the site and a bicycle store which would hold up to 40 bicycles to be located between blocks 2 and 3.

HCC consider this level of cycle parking at the site to be acceptable; however, It is ultimately the decision of DBC to determine the suitability of cycle parking provision.

Accessibility

Public Transport

Bus

The public transport infrastructure surrounding the site provides suitable access to and from a range of locations.

The development proposals include the provision of a footpath linking from the site to the footway on St Albans Road, where a sheltered bus stop is located.

A summary of the bus services available on St Albans Road is included within Table 4.1 of the TS.

These services are summarised below:

- 1 Leverstock Green to Adeyfield Circular: Mon-Sat every hour,
- 300 / 301 Hemel Hempstead - Stevenage: Mon-Sat every 15-20 mins;
- 748 London Victoria - Hemel Hempstead: Mon-Sat every hour;
- H10 Levestock Green - Hemel Hempstead: Mon-Sat every hour; and,
- ML1 & PB2: Hemel Hempstead Railway Station - Maylands Avenue (Circular).

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes.

Rail

Hemel Hempstead railway station is the closest station to the proposed development

site and is located approximately a 3km away. Hemel Hempstead railway station lies on the West Coast Main Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company.

Walking and Cycling

A summary of the suitable walking and cycling infrastructure has been provided within the TS.

HCC notes that the site appears reasonably well situated in terms of access to the facilities. The site is located near four primary schools, Adeyfield School, a supermarket, and Adeyfield local centre. These are a 1km walk from the site.

The new footpath links from the site to St Alban's Road should be paved, lit, and at least 1.8m wide. From St Albans Road, it is considered that the local footway network is of a good standard. A shared footway/cycleway is located along the westbound carriageway of St Albans Road and links to the Tesco supermarket and leisure amenities.

Travel Plan Statement

The development as a whole qualifies for a Travel Plan; however, one has not been provided. This would be required and would be obtained by Condition, with contributions of £6000 sought by Section 106 Agreement for Travel Plan monitoring and evaluation.

Construction

A Construction Traffic Management Plan will be required to ensure that construction vehicles would not have a detrimental impact on the highway network within 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 the highway safety. It will also need to take account of vulnerable pedestrians and delivery and servicing arrangements to ensure conflict is avoided at all times.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards local strategic schemes will be sought by DBC via CIL.

A Section 106 Agreement would be required for Travel Plan monitoring and evaluation fees of £6000.

Improvements to the bus stop outside the site would be sought as part of any permitted development, this can be undertaken by the provision of Section 106 Contributions or via a Section 278 Agreement. HCC would require contributions of £8,000 for access kerbing and £10,000 for a display screen.

Conclusion

HCC as highway authority has reviewed the information submitted to support the planning application and are satisfied that the proposed development would not have a severe impact on the operation or safety of the local highway network and that provision of cycle parking and better pedestrian access to the wider highway network is in keeping with LTP4 objectives. Therefore, HCC have no objection to permitting the proposed development, subject to suitable conditions.

Environment and Community Protection - Noise

I refer to the above planning application and advise I have concerns in relation to road traffic noise.

The location of the development site has the potential to be impacted by road traffic noise. The application is not supported by any information which considers noise due to road transportation sources within the location. Noise is recognised within the National Planning Policy and this requires consultations to explore impact of noise due to impacts on health and quality of life.

Before determination of this application by Environmental Health, the applicant is required to carry out an assessment of the likely noise impact on the proposed development to show the impact on likely future residential occupiers and be able to demonstrate the development can be made acceptable in noise terms.

Once these details have been received Environmental Health will consider all documentation and make comments accordingly.

Further comments

Having reviewed the noise assessment with the lead officer, ECP consider that the development can be made acceptable through condition. However the assessment would need to consider in further detail adequate provision for alternative ventilation. We note that the trickle ventilation proposed would only address background ventilation, but not ventilation requirements to avoid overheating. For the purposes of overheating the equivalent of Purge Ventilation would be necessary as this provides the effect of an open window.

Therefore we would suggest the condition below which requires more detailed consideration of ventilation requirements alongside the overheating potential.

We would also request the following informatives too.

Suggested Condition – internal noise

Prior to commencement of the development an overheating and alternative ventilation scheme shall be submitted for the approval of the LPA for the protection of likely future occupiers from exposure to road transportation noise. Such a scheme shall be compiled by appropriately experienced and competent persons.

The approved scheme of noise protection measures shall be implemented prior to first occupation and retained thereafter.

Reason

Policy CS32 – any development proposals which could cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise or noxious substances, will not be permitted.

Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1730hrs on Monday to Friday, 08:00 – 13:00 Saturday and no works are permitted at any time on Sundays or bank holidays.

Construction Dust Informative

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

Noise on Construction/Demolition Sites Informative

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

Environment Agency

No comment.

Hertfordshire Ecology

Thank you for consulting Hertfordshire Ecology on the above. Hertfordshire Environmental Records Centre does not have any habitat or species data for the application site, which includes two residential towers, several rows of garages and personal storage units, large areas of hardstanding, a small area of broadleaved plantation woodland, many scatter broadleaved trees, amenity grassland and a species-poor hedge.

I am pleased to see the following ecological reports have been submitted in support of this application:

- Preliminary Ecological Appraisal (Ecology by Design, October 2018)
- Bat Survey Report (Ecology by Design, August 2019)

Bats

Bat surveys in 2018 (inspection) and 2019 (roost characterisation) found no

evidence of roosting bats in buildings or trees on site. However, three trees have potential bat roosting features and if these trees are to be removed under the proposals, they should be subject to a pre-felling climbed inspection, which should be secured by Condition. These trees are marked on the Bat Survey Drawing on page 13 of the bat report.

Trees

At least 29 trees are proposed for removal (plus 2 within a group of trees). Ten of those proposed for removal are Category B (moderate quality) trees, 13 are Category C (low quality), and 6 are Category U (unsuitable for retention). According to the Arboricultural Impact Plan, it appears that only 25 trees are proposed to compensate for this loss. I would expect tree replacement to be at least one-for-one, with any mature trees being replaced on a two-for-one basis (also see biodiversity offsetting below).

Biodiversity offsetting

The proposed tree works (ref: Arboricultural Impact Plan) include native planting, which is welcomed. However, I consider there will currently be a net loss of habitats (notably trees) from the site and this needs addressing. If this cannot be adequately achieved within the application site, the LPA should consider biodiversity offsetting - along with a 10% expected enhancement from Defra - to achieve overall net gain in biodiversity which meets the aims of NPPF. If off-site offsetting is required, a suitable project should be identified locally which can provide ecological benefits commensurate with the impact on the application site. The means of achieving this should be secured through an s106 agreement. We may be able to provide suggestions for suitable projects to help achieve this if requested.

Birds

The trees on site may have potential to support nesting birds. To avoid an offence being committed, any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March 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.

Hedgehogs

The site has potential to support hedgehogs. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline.

To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand if possible. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is

particularly important if holes fill with water. It is also possible to provide enhancements for hedgehogs by making small holes (13cm x 13cm) within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site but will be too small for most pets.

Lighting

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

I am pleased to see a sensitive lighting scheme is proposed, with downward pointing LED lights timed hours of use set to be off between 2300hrs and 0700hrs (except for safety and security lighting).

LED lamps are considered to be more bat-friendly than non-LED lamps as they attract less insect prey of bats. Modern LED lights can also be UV free, which is even more bat-friendly as UV has a high attractiveness to insects leading to direct insect mortality thereby reducing the availability of insect prey. Therefore, reduced UV content is preferred if possible.

Biodiversity enhancements

Some simple enhancements for bats, birds and hedgehogs have been proposed and I advise these are followed (Preliminary Ecological Appraisal Section 6.3 Enhancements; and Bat Survey Report Section 6 Recommended Enhancements).

However, these should be expanded to include further biodiversity enhancements such as native hedgerow planting, orchard and fruit tree planting, wildflower area, wildlife pond, green roofs and walls, refuge habitats (e.g. log piles, hibernacula) for reptiles and invertebrates, gaps under fencing to allow free movement of small mammals (e.g. hedgehogs) and amphibians, etc. Any biodiversity enhancements should be considered at an early stage to avoid potential conflict with any external lighting plans.

To tie up our concerns for further biodiversity enhancements and overall biodiversity net gain, I advise a Landscape and Ecological Management Plan (LEMP) is produced describing how biodiversity objectives and long term maintenance will be realised. This should be secured by Condition, and I can suggest the following wording (or similar):

“Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be prepared and submitted to the Local Planning Authority. The LEMP shall describe how it is planned to incorporate biodiversity as part of the development and achieve overall net gains for biodiversity. The approved plan shall be implemented in accordance with the approved details.”

I trust these comments are of assistance.

Trees and Woodlands

No objection.

'Proposed Extended Site Plan' 05.12.2018 Rev P04 and 'Proposed Site Plan' 05.12.2018 Rev P16 accurately show tree retention, removal and replanting proposals as discussed between DBC, the agent and the agent's tree consultant.

DBC has since removed from the site trees considered to be in a hazardous condition, following site inspection.

Hertfordshire Fire and Rescue Service

Re the above application and the fire strategy report, HFRS are satisfied at this stage and have no comment to make at this time.

Conservation and Design

The site is located within the new town of Hemel Hempstead the immediate local contains two tower blocks of 6 storeys and areas of two storey housing. It sits in mature landscaping. There are a number of single storey garage blocks.

Of interest adjacent is the adjacent Bennetts End House now a nursery. This of two storeys timber framed with brick infill and a hipped tiled roof. There is a later two storey extension to the rear and single storey extension to the side. It is surrounded by a concrete post and boarded fence which fails to preserve its setting. It appears to historically have been a farm house with a complex of barns to the rear (now demolished) set in an arable landscape. Today it is now located within the new town. There are some later outbuildings to the rear.

The design has been debated for some time during the pre-application and application process. Coupled with the landscaping and revisions it has developed to a stage, which could be considered acceptable.

The 1990 Planning (Listed Buildings and Conservation Areas) Act Para 66(1) requires that the local authority has special regard to the desirability of preserving a historic building or its setting. An impact would not necessarily detract from the significance as it depends on the extent to which their settings contribute to their significance. It is also noted that the settings are not designations in themselves.

Bennetts End House has had its setting in essence partly preserved to the façade where it looks out over a large garden with mature tree planting. To both sides and the rear it has been heavily compromised with the construction of the new town with in particular the road to Eastwick Row having a detrimental impact on the setting of the listed building. The two tower blocks are located slightly further away across a car park but would not be said to preserve the setting of the listed building and appear in views of the façade impacting upon its character and significance.

The proposal involves the construction of a new tower block closer to the heritage asset. This would further impact upon the views of the asset and introduce a new modern feature into its setting. As the new tower block would be seen in the

surroundings in which the asset is experienced and in conjunction with the asset it would impact upon its significance. However it would not impact on the physical built fabric of the listed building and its context has been radically changed with the construction of the new town. Therefore following the guidance set out in the framework we believe that harm would be less than substantial and at a moderate to low level.

This harm can be balanced against the public benefit. The planning officer should follow the guidance set out in the framework whilst giving great weight to the assets preservation.

As discussed in the application process heritage gain such as the improvement of the boundary treatment to the listed building could be used within this weighting process. Ideally a sympathetic brick wall could be constructed which would provide a more in keeping immediate setting to the listed building.

Recommendation: The proposal should be considered with regards to the above comments. The weighting exercise should be undertaken as noted in the Framework to consider if the public benefits of the new housing outweigh the harm to the setting of the listed building considered above as being less than substantial and at a moderate to low level.

Appendix B

Neighbour Notification/Site Notice Responses

6 representations received

- With this development, it would appear that you suggest the works are completed by using the existing turning into Eastwick Row, however this will cause bedlum at certain times with large lorries and workers required on site to build this development. At present due to people parking on the corner into Eastwick Row, if cars are exiting the road, we have to sit in White Hart Road and this can be dangerous with people back ending cars, as they speed off the main roundabout during peak times.

The council really need to do a study of traffic at certain times of the day regarding access to Eastwick Row as during the Nursery drop off and pickup times the main road in and out can become congested with traffic.

Whilst i have no objection to new developments, it would appear that the council have not looked at at parking as a whole in Eastwick Row and only at this end of this development.

Currently 1 - 12 Eastwick Row park on the road outside their houses, this in effect could be 17 cars working on the allowance of 1.4 cars per household.

On these assumptions, you would not be able to have two way traffic flowing in and out of Eastwick Row and this would become dangerous at times with

the lorries involved in delivering goods, having to mount the pavement and in effect causing danger to walkers / parents who pickup children.

It would be better to either create a new turning in to this development via St Albans Road, or via making Eastwick Row's main access bigger by taking up 3 meters of space from the Nursery to allow parking and two way access to the road.

Whilst the council is doing the works, to make Eastwick Row better as a whole, it would be beneficial for the council to look at parking for 13 - 30 too. Currently we have 12 spaces for a total of 17 houses, and require 23 spaces.

We have a block of 8 garages, some with External roof damage and others rented, however Eastwick Row as a whole have around 7 spare empty garages in other blocks that could allow for the demolition and to make a further 8 spaces and the changes of grass verges into parking spaces making it better for all.

If the council hasn't already looked at this then the existing blocks of flats, should be updated to please the eye next to the brand new tower as they look tatty . We have already had trees removed from the council which has made the existiing flats viewable and us overlooked from the houses in Grange Close, it would be good for the council to look at planting trees to block these views as the new tower will be overlooking alot of existing housing.

The road surface into Eastwick row is also damaged and needs repair and will become worse over time with additional heavy goods vehicles using the road. Please can this be resurfaced.

- I'd have concerns on practical and health and safety issues if no additional/improved access was not implemented to what is in essence with parked cars a single track Road.

I can see there being issues with cars backing up onto White Hart rd and onto the Bennetts end roundabout/A414. Cars come off the roundabout at a fast rate and have to brake abruptly as it is!

Also what would be the arrangements during the construction stage?

- Please find as detailed below, the body text from my email correspondence with my local Councillor with regard to the application development of/and in the above regard.

Dear Adrian

Firstly, may I offer my apologies for a delay in response and the general resident generic lack of interest in the above regard.

My Mother Sheila has lived in the Row since it was built (some 61 years) and I myself was born and bred in the house she now occupies at No3 so I'm sure you'll agree some vested interest here.

I understand the need for housing and the local demand as such so this really isn't a NIMBY rant but a concern for H&S and environmental issues this development raises.

Ok, so the Council are satisfied with sole access to this new development..!! Have they been to Eastwick Row at peak times on a cul-de- sac originally designed in the 50's? And are they aware of an established Nursery school business who's access is smack squarely in front of this first bigger development? In addition, parking is at a premium as is (a few have access to a driveway/hardstanding) with access to an already busy junction with White Hart Road, increased traffic flow would substantially affect the ability to turn right alone causing a huge queue for a road with single road (in effect) access, which impacts not only on the immediate area but Emergency vehicle access too.

Which brings me to me to an environmental issue and a proposal to widen the Row for two way traffic. I was to understand trees within the grounds of the nursery school are ancient to say the least and protected as such along with listed building status to the Nursery building itself (Bennet's End Manor as was) the resulting vista to the affected established households (No's 1 - 7) is not agreeable either and the reinstatement works for this would cause mayhem alone.

I would ask this proposal be removed from the agenda and alternative access solutions sought.

Where this access is positioned is a tricky one in its self but a possibility would be to directly link the new development through the rear of the current garages into St Albans Rd as there is currently a feeder lane in place near to Mariner Way access (not the road itself obviously) as there is less impact to the ancient existing fauna and a two way access to White Hart Road would create more issues than it would solve.

As I mentioned, I fully support the need for progress as our Town grows but not at the cost of local established residents day to day life and indeed the concerns raised here.

Once again, apologies for the lack of response but thank you both for your continued promotion of local issues and concerns.

I look forward to any current feedback you may have and appreciate the time taken to campaign on the residents behalf.

- I strongly object to the development. The road is for traffic coming in and out. This road services 2 blocks of flats, numerous houses and Merry Hill Nursery. Parking is already a problem. We are pensioners and cannot afford a hard

stand for our car. The new development will increase this problem.

- With reference to the application for Planning Permission for the erection of flats and houses on two of the garage sites in Eastwick Row.

I would like to register my opposition to the access route along the existing road. This route is totally unsuitable due to the narrowness of the road. The stretch from White Hart Road to the corner where it splits in two, this is reduced to a single track for most of the day and night making difficulty for through traffic. This is compounded by delivery, service and emergency vehicles stop and completely block the stretch. The road is completely inadequate for the existing residential and nursery traffic which uses it. This will be compounded by the increase brought on by the development.

Two other access points were suggested at the consultation both having been rejected by the Council (presumably for the cost as there are other roads accessing the dual carriage way without the excuses made for turning these down.

I suggest that this application is turned down until a more suitable alternative can be found, which takes into account of the existing residents.

- My objections to this applications are:

One road for access- This needs to be addressed.

The one road is already not enough. The exit junction deteriorates every 6~ Months due to the usage.

The Building developments proximity.

This is going to effect health and well being of all residents. Air pollution (Asthma Suffers), Noise pollution. The access of the one road being blocked/used by construction vehicles.

How long will we suffer, and what mental state will we be in at the end of it? - This needs to be addressed.

This all sounds great, that's the power of words!. what will the actual end product be?

Councillor Tindall

To ensure this application comes before the Development Management Committee, as one of the Ward Councillors, I formally request that this application is called-in.