

<b>4/03109/17/MFA</b>	<b>PROPOSED DEMOLITION OF ALL EXISTING BUILDINGS. IMPROVEMENTS TO EXISTING ACCESS, CONSTRUCTION OF FOUR 3-BED AND SIX 2-BED COTTAGES WITH ASSOCIATED CAR PARKING AND ACCESS ROAD WITH WASTE AND CYCLE STORAGE</b>
<b>Site Address</b>	<b>R/O 49 - 53, HIGH STREET, NORTHCHURCH, BERKHAMSTED, HP4 3QH</b>
<b>Applicant</b>	<b>V &amp; R HOMES LTD, C/O AGENT</b>
<b>Case Officer</b>	<b>James Gardner</b>
<b>Referral to Committee</b>	<b>Previously considered and deferred by DMC</b>

## **1. Background**

This planning application was originally presented to the DMC on 27/09/18 where it was resolved to defer determining the application in order to explore the possibility of a pedestrian crossing being provided to connect the development to the northern side of the High Street. A proposed site for the crossing has been provisionally agreed with Hertfordshire County Council Highway Authority, who are satisfied with the location subject to detailed design specifications. These design specifications are to be reserved by condition and the development will not be permitted to be occupied until the crossing has been provided as per conditions 15 and 16 added to the original report below.

## **2. Recommendation**

2.1 That planning permission be **GRANTED**.

Report to DMC 27/09/18 (amended by additional conditions 15 and 16).

### **1. Recommendation**

1.1 That planning permission be **GRANTED**.

### **2. Summary**

2.1.1 This application relates to the construction of 10 new cottage-style dwellings on brownfield land currently occupied by commercial premises. The principle of re-developing the site for residential purposes is acceptable as it is not designated employment land and is in an established urban area, thus according with saved Policy 10 of the Dacorum Local Plan (2004) and Policy CS4 of the Core Strategy.

2.1.2 The form, scale and design of the dwellings are all considered to be acceptable and would satisfactorily integrate with the surrounding development. A reasonable quantum of development is proposed, which makes effective use of the available land but avoids an overly cramped appearance. The re-development of the site would result in an improvement to the setting of the Conservation Area and enhance views from within it. This is accordance with saved Policies 21 and 120 of the Dacorum Local Plan (2004) and Policies CS11, CS12 and CS27 of the Dacorum Core Strategy (2013).

2.1.3 There would be no significant adverse impacts on the residential amenity of neighbouring dwellings. The proposal is considered to comply with the relevant local and national planning policies.

### **3. Site Description**

3.1.1 The application site comprises an area of approximately 0.25ha and is currently occupied by commercial buildings associated with car repairs/washing.

### **4. Proposal**

4.1.1 This application seeks full planning permission for the demolition of all the existing buildings on the site and the construction of 10 terraced dwellings (six 2-beds & four 3-beds) with associated amenity space and car parking.

### **5. Relevant Planning History**

No recent history.

### **6. Policies**

#### 6.1 National Policy Guidance

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

#### 6.2 Adopted Core Strategy

NP1, CS1, CS2, CS4, CS8, CS9, CS11, CS12, CS13, CS17, CS18, CS19, CS27, CS28, CS29, CS31, CS32, CS35

#### 6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 18, 21, 51, etc.

#### 6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)

### **7. Constraints**

- Conservation Area
- Former Land Use

### **8. Representations**

#### Consultation responses

8.1.1 These are reproduced in full at Appendix A

#### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## **9. Considerations**

### Main issues

9.1 The main issues to consider are:

- Policy and Principle
- Layout, Design and Scale
- Impact on Street Scene / Conservation Area
- Impact on Amenity of Neighbours
- Impact on Trees and Landscaping
- Parking Arrangements and Impact on Highway Safety
- Other Material Planning Considerations

### 9.2 Policy and Principle

9.2.1 The application site is located in Northchurch – an established urban area - and therefore the principle of residential development is acceptable, in accordance with Policy CS4 of the Dacorum Core Strategy (2013). Furthermore, there is a strong presumption in Policy CS17 in favour of promoting residential use of the land to address a need for additional housing within the Borough.

9.2.2 Saved Policy 10 of the Local Plan (2004) seeks to optimise the use of available land within urban areas provided it:

- makes optimum use of the land available whether in terms of site coverage or height; or
- contributes towards or provides for the reasonable sharing of facilities, such as off street car parking; or
- does not prevent other land coming forward for development in the future; or
- helps to achieve a comprehensively planned development framework.

9.2.3 The proposal would make a small but valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). The development would be located in a sustainable location and seeks to optimise the use of previously developed urban land; the proposal is therefore in accordance with policies CS1, CS4, and CS17 of the Core Strategy (2013) and saved Policy 10 of the Local Plan (2004).

### 9.3 Layout, Design and Scale

9.3.1 Saved Appendix 3 of the Dacorum Local Plan (2004) deals with the detailed aspects of the layout and design of residential areas, with reference specifically being made to the need for development to respect the character of the surrounding area, and, in particular, the provision of adequate space in order to avoid creating a development with a cramped appearance. Variety and imagination in the layout and design of housing is important to ensure that the development is not afflicted by

mundanity and repetitiveness.

9.3.2 The layout makes use of the existing access from the A4251. During the course of pre-application discussions, the possibility of forming a new access between the site boundary and no. 49 was discussed; however, following concerns from the Conservation and Design Officer and dialogue with the Highway Authority, retaining and improving the existing access was considered to be most appropriate. This has naturally had a direct impact on the form and layout of the site.

9.3.3 From looking at the plans submitted in support of this application it is evident that considerable time has been taken over the design and layout of the development.

9.3.4 Plots 1-3 would be located proximate to the north-western boundary of the site and orientated toward Northchurch High Street, whilst Plots 4-7 and 8-10 would face a north-westerly direction and roughly align with Northchurch Place (no. 49 High Street) to the north-east.

9.3.5 Individually, the dwelling designs have a pleasing visual appearance and are relatively modest in scale. The designs utilise a mixture of hipped and gable roof forms and include front and rear facing pitched roof dormers. Architectural detailing in the form of brick arches and sills around the window openings is also included, helping to distinguish the dwellings from the ersatz English cottage-style found all too often in new developments. In order to ensure a high quality development, should Members be minded to grant planning permission, it would be appropriate to include a condition requiring samples of materials to be provided prior to the commencement of building works.

9.3.6 Plots 1- 3 would be the most visible part of the development, and as such, it is especially important that the design is suitable and reflects the character of the area. This particular group would utilise a steeply pitched hipped roof with a two-storey projection to the rear. The front elevation would be characterised by two front facing gables, one of which would be externally finished in brick and the other from render. Plot 3 includes an unobtrusive pitched roof half dormer which further adds design variation to the group and helps to minimise the appearance of a planned estate. The terrace would have a stagger in order to add some visual interest. With the exception of plots 1 and 3, all of the dwellings within the site would have an area of amenity space exceeding the standard prescribed in saved Appendix 3 of the Dacorum Local Plan (2004).

9.3.7 Guidance in respect of the density of new development is provided by saved Policy 21 of the Dacorum Local Plan, in which it is stated that careful consideration needs to be given to new housing proposals in order to ensure that they make effective and most efficient use of the available land. A density in the region of 30 to 50 dwellings per hectare is generally considered to be acceptable; densities below 30 dwellings per hectare should be avoided.

9.3.8 The density of the application site has been calculated as approximately 41 dwellings per hectare (net). For the avoidance of doubt, the net site area comprises the land to be developed for housing and directly associated uses (e.g. access roads, gardens and parking areas).

9.3.9 In this instance, the quantum of development is considered to be appropriate to

the context and does not, therefore, give rise to any concerns.

#### 9.4 Impact on Street Scene / Conservation Area

9.4.1 In accordance with Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, local planning authorities are under a duty to designate as conservation areas any parts of their own area which are considered to be of special architectural or historic interest, the character and appearance of which it is desirable to conserve. Conservation Area designation introduces general control over the demolition of unlisted buildings and provides a basis for the formulation of specific planning policies, whose ultimate aim will be to conserve or enhance the area. Section 72 of the aforementioned Act states that, when considering works within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the area.

9.4.2 The north-eastern edge of the application site falls within the Northchurch Conservation Area and as such the statutory duties outlined above are relevant to the assessment of the proposal, in addition to national and local planning policies, summaries of which are provided below:

##### Paragraph 200 of NPPF 2018

- Local planning authorities should look for opportunities for new development within Conservation Areas to enhance and better reveal the significance of heritage assets. Proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

##### Saved Policy 120 of Dacorum Local Plan 2004

- There is a presumption against the demolition of any building that contributes to the character of a conservation area (case officer's emphasis).
  - New developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area. Development proposals outside a conservation area which affect its character and setting will be considered likewise.
  - Each scheme will be expected to, inter alia, respect established building lines, layouts and patterns; use materials and adopt design details which are traditional to the area and complement its character and be of a scale and proportion which is sympathetic to the scale, form, height and overall character of the surrounding area.

##### Policy CS27 of Dacorum Core Strategy (2013)

- All development will favour the conservation of heritage assets.
- The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.
- Development will positively conserve and enhance the appearance and character of conservation areas.

9.4.3 This application proposes the demolition of all buildings on site, one of which is

partially located within the Northchurch Conservation Area. In order to establish the significance, if any, and whether or not the building contributes to the character of a conservation area, the applicant commissioned IQ Planning Consultants to carry out a heritage assessment. This was received by the local planning authority on 17<sup>th</sup> May 2018.

9.4.4 The contents of Page 18 of the Heritage Statement, which describes the building in question, has been reproduced below for ease of reference:

*This is the only building situated within the Conservation Area that is proposed to be demolished (indicated as building A on the site plan above), although the Conservation Area boundary runs through the building, excluding its rear projecting part. It is in a poor state of repair and condition, and is currently used by a car washing business located at the site, primarily for storage.*

*In the absence of written records, the exact age of the building cannot be ascertained, however given its presence alongside No. 49 High Street in the historic OS Maps shown further above, coupled with its materials and general style, it is likely that it was erected around the same time as No.49, dating to a mid-Victorian construction period of Circa 1855-1860. It is likely that it may have been used for external storage by the occupants of Northchurch Place, for example for the storage of equipment necessary in the maintenance of the grounds.*

*The building has a footprint of 18m wide and a maximum depth of 12.8m to its rear projecting part. The outer building walls comprise a mixture of red brick stock. The south east end section of the building containing a curved metal bar enclosure and rear metal barred window/opening appears to be a later addition, due to its lower height pitched roof construction, and brickwork which more closely appears to match the brickwork of the later former dairy building adjacent to it (the latter was erected during the late 1920s / early 1930s). There are two small metal framed windows in the north eastern elevation facing High Street, which are also later additions, as are the metal garage and wooden door serving the toilet area on the south east elevation.*

*The building has a low profile pitched roof comprising slate tiles, with red clay tiles forming the roof ridge. The roof is in poor condition, with some broken and loose slate tiles, and considerable bowing in places, particularly in the central areas of the pitch facing High Street, and along its rear projecting element. Internally most of the roof construction is exposed and reveals rafter and purlins appearing to be constructed of soft wood. The floor is composed of cast concrete panels. There is the presence of damp in some of the walls near ground level, and some of the external brickwork also shows deterioration due to moisture damage. Various spot repair work of a generally poor quality and temporary nature has been carried out throughout the building. This includes roof membrane patches on some of the slate tile areas, the replacement of some clay ridge tiles near the south eastern end of the building, the insertion of waterproof lining and roof meshing above some of the rafter areas along with MDF panels, and the rebuilding of the internal rear wall with blockwork.*

9.4.5 The Council's Conservation and Design Officer has reviewed the Heritage Statement and concurs with its findings, stating that:

*The single storey 19<sup>th</sup> century structure has now also been investigated. It*

*would appear to have had some interest and was associated with the property to the frontage. However, it is in a very poor state and has had a number of unsympathetic alterations to the fabric which have detrimentally impacted upon its character. The only surviving element of interest appears to be the metal railing area to the rear.*

9.4.6 Therefore, given the very poor state of repair and its negative visual appearance, the building is not considered to be worthy of retention. The other buildings on the site are believed to date to the inter-war period. Many, if not all, of these buildings have either a ramshackle or utilitarian appearance and are not, in the opinion of the Conservation and Design Officer, worthy of local listing, and by extension, retention.

9.4.7 Were the development to be approved and the permission implemented, there would be substantial benefits to the Northchurch Conservation Area, its setting and the street scene:

- It would result in the removal of commercial / industrial uses which are at variance with the residential character of the area, and introduce a much more sympathetic form of development.
- The buildings within the existing site would be removed and replaced with modest cottages more appropriate to the local context.
- The removal of the existing buildings and careful positioning of the proposed dwellings within the site would open up views toward the rear of the site and mature trees, when viewed between nos. 49 and 51 High Street.

9.4.8 In terms of the impact on the street scene, Policies CS11 and CS12 seek to ensure that development preserves attractive streetscapes and enhances any positive linkages between character areas, protects or enhances significant views within character areas and integrates with the streetscape character.

9.4.9 Whilst the vast majority of the site is located behind existing development fronting the High Street, this does not preclude the opportunity for visual improvements. Indeed, in addition to opening up views between nos. 49 and 51, plots 1, 2 and 3 would be visible through the gap between no. 53 High Street (Montague Pianos) and 55a High Street, replacing the existing car-related businesses. Although there would not be a continuous frontage, the aforementioned plots being located some 35 metres back from the highway, the design has regard to the local context and, as a result, would satisfactorily integrate with the streetscape character make a positive contribution to this section of the street scene.

## 9.5 Impact on Amenity of Neighbours

9.5.1 The site layout has been designed in such a way as to minimise, so far as possible, the impact on neighbouring properties.

### Plots 1-3

9.5.2 There would be some oblique overlooking of the rear garden areas of 55a and 55b; however, this would not be from close quarters and would not exceed levels reasonably be expected in a built up area. No objections have been received from these properties.

9.5.3 There would be a separation distance in excess of 27 metres between plots 1-3 and the rear elevation of nos. 51-53. Although 23 metres is the minimum distance stated in saved Appendix 3, a necessary distinction is made in the policy where there is a change in levels. This separation distance is considered to be acceptable. No objections have been received from these properties.

9.5.4 There are no obvious implications for the residential amenity of the dwellings located on Loxley Road (at a higher level).

#### Plots 4-7

9.5.5 Plot 4 is located 8.60 metres away from the rear projecting wing of no. 49 High Street. However, the windows on the side elevation are shown as serving an en-suite and bathroom, so the expectation is that the windows would be fitted with obscure glass. Nevertheless, a condition will be included with any grant of planning permission

9.5.6 The new layout represents a considerable improvement on the existing state of affairs, as an unattractive two-storey building is being removed and a modest cottage is being constructed a greater distance away. No objections have been received from the residents of no. 49 High Street.

#### Plots 8-10

9.5.7 The separation distance between the rear elevations of plots 8-10 and nos. 1-4 Salter Close are approximately 23.63 metres, 22.91 metres and 22.08 metres. Whilst the plot 10 falls marginally short of 23 metres given that there is only a marginal deficit, and the fact that the residents to the rear have not objected, on balance, the proposal is considered to be acceptable. Furthermore, the orientation is favourable so there would not be no loss of sunshine / daylight.

#### 9.6 Impact on Trees and Landscaping

9.6.1 A tree survey was not included with the submission, although it is understood, and indicated on drawing no. 16 2422-1 Revision C, that some trees are to be retained. For the avoidance of doubt and to ensure that only healthy trees and those which are appropriate to the context, bearing in mind the proximity of new built development, are retained, a landscaping condition will be included to ensure that the particulars are clarified prior to the commencement of any development.

9.6.2 Consideration has also been given to Policy CS29 regarding the requirement to incorporate one new tree per dwelling on-site. Providing new housing is important and is clearly high on the agenda of central government; yet it is also important that the houses being constructed are situated in pleasant surroundings. Trees help to soften urban landscapes; provide shade and aid biodiversity. Wherever possible the requisite number of trees should be provided. Accordingly, tree planting for this site will be reserved by condition.

#### 9.7 Parking Arrangements and Impact on Highway Safety

9.7.1 For residential development, Dacorum's supplementary planning guidance expects all parking demand to be accommodated on site. Saved Appendix 5 of the



Dacorum Borough Local Plan (2004) provides specific details of the maximum parking standards and is based on a zonal approach, whereby significantly lower provisions of parking provision may be acceptable in areas of high accessibility, or where overspill on-street parking can be effectively controlled.

9.7.2 The application site is located within Zone 4, as defined by 'Accessibility Zones for the Applications of Car Parking Standards', and is not considered to be an area where lower parking provision is acceptable. Thus, the following maximum parking standards are applicable:

Description	Maximum car parking standards
1-bedroom dwellings/bedsits	1.25 spaces
2-bedroom dwellings	1.5 spaces
3-bedroom dwellings	– 2.25 spaces
4 or more-bedroom dwellings	3 spaces

9.7.3 A total of 18 car parking spaces would be provided to serve the new development. On the basis that the development would comprise 6 x 2-bedroom dwellings and 4 x 3-bedroom dwellings, the provision of 18 spaces would meet the Council's maximum standard.

9.7.4 Standard minimum size car parking spaces are taken as being 2.4m x 4.8m for areas of hardstanding, and where spaces are provided in lay-bys, a bay length of 6 metres is required. The Strategic Planning Team are currently undertaking a review of the dimensions of car parking spaces, though it is understood that this is at an early stage. As such, they are not relevant to this application.

9.7.5 The majority of the car parking spaces would take the form of bays located in front of the dwellings. Bays 4 and 5 are the exception, taking the form of lay-bys. The dimensions measured on the supporting plans confirm that the car parking spaces would comply with the relevant standards.

9.7.6 Saved Appendix 3 of the Dacorum Local Plan (2004), which provides guidance on the layout and design of residential areas, highlights the importance of providing appropriate access for statutory undertakers, emergency services and essential delivery and refuse disposal vehicles.

9.7.7 The access road includes a turning head in order to aid manoeuvrability within the site. At the request of the case officer, swept path analysis has been provided which demonstrates that both a refuse freighter and fire appliance could enter and leave the site in forward gear.

9.7.8 It will be noted by Members that concerns have been raised by a number of local residents over the lack of a pedestrian crossing.

9.7.9 The Highway Authority have not raised objections to the proposal subject to the inclusion of conditions and informatives. Subsequent communication with the Highway

Officer has confirmed that the applicant entered into pre-application discussions with the Highway Authority prior to the submission of this application, and it was concluded that localised works to the highway (i.e. alterations to the kerbline of the High Street - and reductions in the height of a boundary wall outside of 51-53 High Street) would be satisfactory. The access is an existing arrangement and due to the commercial use of the site it is conceivable that the current intensity of use – both in terms of vehicular and pedestrian movements – is greater than if it were to be used for residential purposes.

9.7.10 Provision of a crossing is further complicated by the fact that the pedestrian footpath on the south-western side of the High Street is not in the ownership of the Highway Authority. Permission would therefore be required from the owner to use this as a connection point. Assuming this were possible, and that the location was deemed to be suitable for a controlled or uncontrolled crossing point by the Highway Authority, it would be entirely at the discretion of the developer as to whether a crossing was actually provided (as the Highway Authority have not stipulated this as a requirement).

9.7.11 The concerns regarding pedestrian safety have been noted and the possibility of providing a pedestrian link into Salter Close (over land the ownership of Dacorum Borough Council) has been explored. However, the Housing Department have confirmed that they are not amenable to this proposal.

9.7.12 Compliance with the Council's maximum parking standard would limit, though admittedly would not avoid entirely, the potential for vehicular-pedestrian conflict. The expectation is that car parking would, for the most part, be contained within the site itself, thus limiting the necessity of crossing the road on foot. Whilst far from ideal it should be borne in mind that this state of affairs is not dissimilar to the situation that already exists in the immediate vicinity: numbers 49, 55 – 65a High Street and Northchurch Baptist Church are all located on the south-western side of the High Street and do not benefit from any connection to the pedestrian highway network; neither do they have a controlled or uncontrolled crossing point.

9.7.13 Concerns have also been raised with regard to potential disruption arising as a result of the delivery of building materials, contractors, plant machinery etc. These concerns have been noted and will be addressed by way of a Construction Traffic Management Plan, details of which are to be submitted prior to the commencement of on-site works.

## **Other Material Planning Considerations**

### **9.8 Contaminated Land**

9.8.1 The Council's Contaminated Land Officer has recommended that further ground investigation is carried out. This is considered to be reasonable and will be included as part of the planning permission.

### **9.9 Refuse and Recycling**

9.9.1 Access for refuse collection vehicles has already been dealt with above (see "*Parking Arrangements and Impact on Highway Safety*").

9.9.2 It is noted from the site layout plan that bin storage is to be provided in the rear

gardens of the respective dwellings.

This is preferable as it would protect the street scene from unsightly bins for a large proportion of the week.

9.9.3 The particulars of the bin storage will be required by way of a condition and will need to be provided prior to first occupation of the development.

## 10 Loss of Existing Facilities / Employment

10.1.1 The proposal is predicated upon the loss of the existing commercial uses; however, the site does not fall within a designated General Employment Area and is not therefore afforded protection by planning policies.

10.1.2 That said, it is anticipated that the proposal would result in the provision of a number of employment positions during the construction phase, after which it could reasonably be assumed that the new residents would patronise shops in Northchurch and Berkhamsted, supporting the local economy.

## 10.2 Affordable Housing

10.2.1 As per Policy CS19 of the Core Strategy (2013) and the Council's Affordable Housing SPD (2013), affordable housing obligations should be met in the form of dwellings as part of the proposed development on sites which have a size threshold of a minimum:

- 0.3ha or greater or providing 10 or more dwellings in Hemel Hempstead; or
- 1 0.16ha or greater or providing 5 or more dwellings in the rest of the Borough.

10.2.2 The Council's Affordable Housing SPD - Clarification Note (July 2016) was produced in response to the Ministerial Statement of 28 November 2014 and the associated changes to the National Planning Practice Guidance. The government's approach introduces a waiver to developments of 10 units and below with a combined gross internal floor space of no more than 1,000 square metres ('maximum combined gross floorspace').

10.2.3 The combined gross floor space of the proposed development equates to 906 square metres and thus falls below the waiver.

10.2.4 Having reviewed the particulars, Strategic Housing have confirmed that the development is exempt from affordable housing contributions.

## 10.3 Hertfordshire Fire and Rescue

10.3.1 The County Council have confirmed that the provision of fire hydrants is required. This will be secured by way of an appropriately worded condition.

## 10.4 Permitted Development Rights

10.4.1 The Government's Planning Practice Guidance provides useful advice to Local Planning Authorities as regards the use of conditions:

*When used properly, conditions can enhance the quality of development and*

*enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary control.*

Paragraph 53 of the NPPF (2018) states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.

Paragraph 55 of the NPPF states “Planning conditions should only be imposed where they are:

- Necessary
- Relevant to planning and;
- To the development to be permitted
- Enforceable;
- Precise and;
- Reasonable in all other respects

The 6 tests must all be satisfied each time a decision to grant planning permission subject to conditions is made.

Any proposed condition that fails to meet any of the 6 tests should not be used. This applies even if the applicant suggests it or agrees on its terms or it is suggested by the members of a planning committee or a third party.

Specific guidance in relation to conditions which remove permitted development rights is also provided:

*Conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances.... Area wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.*

The site’s location proximate to the Northchurch Conservation Area means that a certain level of circumspection is required when considering whether to allow future occupiers free reign to alter their dwellings, within the limits of the General Permitted Development Order. Permitted development rights allow for a wide range of extensions and alterations to be carried out without the requirement for planning permission.

The fact that the terraces have been designed to form attractive groups, cohesive groups means that alterations to one dwelling within a group could quite easily adversely impact upon the whole group. Plots 1-3 are the most sensitive within the site as they are clearly visible from the High Street, and furthermore, the roof form lends itself

to alteration. In particular, if Class B permitted development rights were not removed, there would be an inevitable unbalancing of the group and visual disruption to the carefully considered proportions if a hip-to-gable conversion were to take place to either plot 1 or 3 in isolation. The other terraces within the site already have gable ends and thus are not at risk in quite the same way.

For this reason, it is considered appropriate to remove Class B permitted development rights (relating to roof extension) for plots 1-3. It would also be appropriate to remove permitted development rights in respect of chimneys (Class G), given that this adds a traditional, vernacular feel to the area and in light of the fact that plots 1-3 are highly visible.

Restrictions on the PD rights of the remainder of the dwellings is not considered to be necessary.

### 10.5 Drainage

10.5.1 RSK Land and Development Engineering Ltd were commissioned by The Hall Partnership to provide a Sustainable Drainage Strategy in support of this planning application.

10.5.2 Two options have been proposed:

- Infiltration with the use of permeable paving and soakaways (though infiltration tests are yet to be conducted); or
- Attenuation and discharge into Thames Water surface sewer.

10.5.3 The Lead Local Flood Authority have been consulted and have no objections.

10.5.4 As the specifics of the scheme are yet to be finalised and in order to secure the principles of the current proposed scheme, two conditions are recommended for inclusion with any grant of planning permission.

### 11 Response to Neighbour comments

11.1.1 These points have been addressed above other than the following comment:

*Finally, these houses are in addition to the proposed large scale house building project of 285 homes in Northchurch. What provision is being made for the extra school places and other infrastructure needed to cope with so many new houses? This proposal will take the number of new homes to 300.*

11.1.2 Under Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) the Council is expected to publish a list of infrastructure projects that may benefit from CIL funding.

11.1.3 The Regulation 123 list sets out those projects or types of infrastructure that Dacorum Borough Council intend will be, or may be, wholly or partially funded by CIL.

11.1.4 The following categories are of relevance and appear on the aforesaid list:

- Early Years Education and Childcare Facilities.
- Primary Education Facilities.
- Secondary Education Facilities.
- Further Education.
- Health Facilities.

11.1.5 It is unlikely that the construction of ten modest dwelling would have a discernible impact on the local infrastructure.

However, taking planned growth in the area into account, it is acknowledged that there would be some impact on local services.

11.1.6 This application is CIL liable and the contribution arising from the development may potentially be used to fund infrastructure improvements in the future, should this be deemed appropriate.

## 12 Community Infrastructure Levy (CIL)

12.1.1 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is CIL liable.

## **13. Conclusions**

13.1.1 The proposed development would replace an agglomeration of commercial uses with 10 cottage-style dwellings. The removal of these commercial uses from what is predominantly a residential area would result in an improvement to the residential amenity of the surrounding dwellings in Loxley Road, Salter Close and the High Street.

13.1.2 Each dwelling would have its own garden and the designs would be in keeping with the local character. Overall, it is considered that the development would enhance the setting of the Northchurch Conservation Area.

13.1.3 The on-site parking provision complies with the Council's maximum parking standard, and it has been demonstrated that larger vehicles could safely manoeuvre within the site. The Highway authority have not raised any objections to the access or the raised any concerns with respect to pedestrian access.

13.1.4 Taking all the above into account, the case officer is of the view that the application complies with the relevant local and national planning policies.

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

### Conditions

No	Condition
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	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>16.2422-1      Revision C</p> <p>17.2422-2      Revision B</p> <p>17.2422-3      Revision B</p> <p>17.2422-4      Revision B</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development (except demolition and site clearance) shall take place until details of the materials, including details of doors and windows at a scale of 1:20 and rainwater goods and brick bonding to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development and the interests of the visual amenities of the Conservation Area in accordance with the aims of saved Policy 120 of the Dacorum Borough Local Plan (2004) and Policies CS12 and CS27 of the Dacorum Core Strategy (2013).</p>
4	<p>No development (except demolition and site clearance) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials;</p> <p>means of enclosure;</p> <p>soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;</p> <p>trees to be retained and measures for their protection during construction works;</p> <p>minor artefacts and structures (e.g. furniture, play equipment, other storage units, signs, lighting etc);</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
5	<p>The dwellings hereby approved shall not be occupied until details of facilities for the storage of refuse have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained unless otherwise agreed in writing with the local planning</p>

	<p>authority.</p> <p>Reason: To accord with Policy 129 of the Dacorum Borough Local Plan 1991-2011.</p>
6	<p>No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p>
7	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 6 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy</p>



	(2013) Policy CS32 and the NPPF (2012).
8	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Sustainable Drainage Strategy carried out by RSK reference 133126-R1(0) dated 05 October 2017 submitted and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> <li>1. Limiting the surface water run-off rates to maximum of 5.3l/s with discharge into Thames Surface water sewer.</li> <li>2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.</li> <li>3. Implementing the appropriate drainage strategy using appropriate above ground SuDS measures to include permeable paving as indicated on drainage drawing.</li> </ol> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants.</p>
9	<p>No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;</p> <ol style="list-style-type: none"> <li>1. Confirmation of proposed drainage scheme based on either infiltration or discharge in surface water sewer.</li> <li>2. Infiltration tests should be conducted to BRE Digest 365 Standards where infiltration is proposed.</li> <li>3. Implementing the appropriate drainage strategy using appropriate above ground SuDS measures where possible.</li> <li>4. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.</li> <li>5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.</li> </ol> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants.</p>
10	<p>Prior to the first occupation of the development hereby permitted, vehicular visibility splays measuring 43m x 2.4 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway</p> <p>Reason: In the interests of highway safety.</p>
11	Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing

	<p>by the local planning authority. The plan should consider all phases of the development including demolition, excavation and construction of all elements of the proposals. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <p>a. Construction vehicle numbers, type, routing; b. Traffic management requirements; c. Construction and storage compounds (including areas designated for car parking); d. Siting and details of wheel washing facilities; e. Cleaning of site entrances, site tracks and the adjacent public highway; f. Timing of construction activities to avoid school pick up/drop off times; g. Provision of sufficient on-site parking prior to commencement of construction activities; h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.</p>
12	<p>No development (except demolition and site clearance) shall take place until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.</p> <p>Reason: To ensure that sufficient strategic infrastructure is provided to support the development in accordance with Policy CS35 of the Dacorum Core Strategy (2013).</p>
13	<p>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 to plots 1-3 (shown on drawing number 16 2422-1 Rev. C) without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes B and G</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding visual amenity of the locality, in accordance with saved Policy 120 of the Dacorum Local Plan (2004) and Policies CS12 and CS27 of the Dacorum Core Strategy (2013).</p>
14	<p>No development (except demolition and site clearance) shall take place until details of the proposed slab, finished floor and ridge levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land shall have been submitted to and approved in writing by the local planning authority. The building(s) shall be constructed in accordance with the approved levels.</p> <p>Reason: For the avoidance of doubt, to ensure a satisfactory form of</p>

	development and in the interests of the residential amenity of the surrounding dwellings, in accordance with saved Appendix 3 of the Dacorum Local Plan (2004), Policies CS11, CS12 and CS27 of the Dacorum Core Strategy (2013).
15	<p>No development shall take place until a detailed scheme for the offsite highway improvement works as indicated on drawing 16 2422-1 revision D Site &amp; Location Plans have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In order to ensure a safe and satisfactory means of access for pedestrians in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p>
16	<p>Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Condition 15 shall be completed in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: In order to ensure a safe and satisfactory means of access for pedestrians in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p>

## **Appendix A**

### **Consultation responses**

#### **Conservation & Design**

We have now received the heritage impact assessment for the above development. We would therefore comment as follows:

We would agree with the statement and its analysis of the impact of the proposed development. The majority of the buildings on the site date from the inter war period and are of lesser interest. They are not worthy of local listing and therefore we would not object to their demolition. The single storey 19<sup>th</sup> century structure has now also been investigated. It would appear to have had some interest and was associated with the property to the frontage. However it is in a very poor state and has had a number of unsympathetic alterations to the fabric which have detrimentally impacted upon its character. The only surviving element of interest appears to be the metal railing area to the rear.

The proposed scheme is in keeping with the general character of the area. The housing has been designed in an appropriate manner to reflect the character of Northchurch and the size, scale, layout and massing of the development would be appropriate. The design and general detailing proposed is appropriate for the character of the area and reflects and responds to local features. Therefore we believe that overall the proposals would not cause harm to the setting of the conservation area. The materials and joinery detailing should be conditioned to ensure that the character of the area is preserved.

We would recommend that the boundary treatment to the rear of the historic Victorian properties should be a brick wall reusing the historic bricks of the single storey 19<sup>th</sup>

century structure. This would provide a more in keeping boundary treatment which would preserve the character of the conservation area. This would be most important when considering the overall impact on the areas character as inappropriate boundary treatments would detract from the character of the conservation area. It would also be recommended that the large stone blocks be reused within the landscaping on the site. As previously noted with the landscaping it would be useful to agree a high quality surfacing material for the entrance area to the site and ideally pedestrian linkages to the rear of the site into the garage courtyard area or to the rear of the adjacent flats to provide better access throughout the area and help it integrate with the street patterns of the wider area.

**Recommendation The proposals are now acceptable. Bricks, brick bond, tiles, render, eaves and joinery details and finishes subject to approval. Hard and soft landscaping including boundary treatments subject to approval. Details (including coping) and finish of the new boundary walls to the High street to be agreed. Historic material to be reused where possible.**

### **DBC Contaminated Land**

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/03109/17/MFA for the demolition of all existing buildings, improvements to existing access, construction of four 3-bed and six 2-bed cottages with associated car parking and access road with waste and cycle storage.

Please be advise that we have **no objection to the proposed application as it relates to Air Quality and land contamination.**

However, with the proposed development within 125metres buffer zone of a former contaminated industrial land use from our record, the following planning conditions and informative are recommend should planning permission be granted.

#### **1a). Contaminated Land Condition**

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

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

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

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

**Informative:**

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as ‘A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.’ Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council’s website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

**2). Construction Management Plan Condition**

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The Construction Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing
- b) Traffic management requirements
- c) Construction and storage compounds (including areas designated for car parking)
- d) Siting and details of wheel washing facilities
- e) Cleaning of site entrances, site tracks and the adjacent public highway
- f) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities

h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

**Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.**

### **3. Un-expected Contaminated Land Informative**

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

### **4. Construction/Demolition Dust Informative**

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

### **5. Noise on Construction/Demolition Sites Informative**

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

I hope the above clarify our position on the submitted application?

Should you have any further query in respect of the application, please do not hesitate contact me on Ext 2719 quoting Flare reference 537447.

## **Hertfordshire Highways**

26/09/19

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:

1 Offsite Highway Improvements – Design Approval Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing 16 2422-1 revision D Site & Location Plans have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

2 Offsite Highway Improvements – Construction Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details. Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

The views of the highway authority on an amendment to planning application for the demolition of all existing buildings, improvements to existing access, construction of four 3-bed and six 2-bed cottages with associated car parking and access road with waste and cycle storage. The development site is at rear of 49-53 High Street, Northchurch. The amendment is the addition of a pedestrian crossing over the A4251 High Street to the scheme.

The amendment would consist of a pedestrian crossing over High Street that would connect with the footpath proposed from the development to the High Street between numbers 49 and 51. There is no footway on the SW (development) side so this would enable safer access to local amenities and services including the bus stop at Midcot Way. The location has been discussed with my HCC Highways colleagues Andrew Freeman and Ed Fisher and found to be acceptable in principle. The type, exact dimensions and location of the crossing have not been established. These critical elements should be established before meaningful development take space on the scheme so that the crossing can be operational in time for the first occupants to move in. The crossing would need to be built under a Section 278 agreement with the highway authority.

It is not anticipated that the site roads or the new footpath would be adopted by the highway authority however HCC reminds that all are designed in accordance with the standards set out in the highway authority's design guide Roads in Hertfordshire.

08/02/18

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:

1: Prior to the first occupation of the development hereby permitted, vehicular visibility splays measuring 43m x 2.4 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. Reason: In the interests of highway safety.

(Note: Off-site works have been agreed with the Highway Authority as part of a pre application submission .Drawing No 16 2422-1 Rev C, showing an indicative layout incorporates the changes suggested to improve the visibility from the site access onto the High St.

2 Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development including demolition, excavation and construction of all elements of the proposals. 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. Traffic management requirements; c. Construction and storage compounds (including areas designated for car parking); d. Siting and details of wheel washing facilities; e. Cleaning of site entrances, site tracks and the adjacent public highway; f. Timing of construction activities to avoid school pick up/drop off times; g. Provision of sufficient on-site parking prior to commencement of construction activities; h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

S278 Agreement Any works within the highway boundary will need to be secured and approved via a S278 Agreement with the HCC.

The 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.

AN1) Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

#### Description of the Proposal

Proposed demolition of all existing buildings. Improvements to existing access, construction of four 3-bed and six 2-bed cottages with associated car parking and access road with waste and cycle storage. Both pedestrian and vehicular access to the site would be via the existing (modified) access off the High Street leading on to a shared surface road approximately 4.8m wide. This access road has not been offered



for adoption nor is it likely that the local highway authority would adopt it. Roads in Hertfordshire highway design guide, 3rd edition (RiH 3rdedt.)

High Street This is a classified road, A4251 main distributor. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

Road Safety The applicant has submitted a stage 1 safety audit as part of the submission. This looks at the issues raised at by the HA at pre application stage regarding visibility and other issues such as localised ponding of surface water etc. The access road will need to contain any surface water run-off and will not be allowed to discharged on to the highway network (Note RSK drainage report look s at this and the foul water collection and disposal too)

### Analysis

The applicant has not submitted any transport information ie - Transport Assessment, Transport Statement or a Travel Plan. A Planning Design Statement has been submitted though as part of this submission along with a safety audit which will be checked as part of a legal s278 agreement for the off-site works should this application be granted. As part of a Design and Access statement, the application should take account of the following policy documents; • National Planning Policy Framework (March 2012); • Hertfordshire County Council (HCC) Local Transport Plan 3-2011-2031 • Roads in Hertfordshire Design Guide 3rd Edition • Dacorum Borough Councils parking provision as per their parking policy.

Trip generation and distribution As there are no supporting/mitigating details from the applicant regarding trip generation and distribution that this level of development will generate. However, this level of development is unlikely to generate significantly high levels of movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity.

Impact on Highway Network As mentioned above, the highway authority has had dialogue with the applicants over the possible repositioning of this existing access. The result of these pre application discussions concluded that it would be acceptable to improve the existing access with a package of off-site works rather than relocate the access. These included works to the footway and boundary wall. The detail of these improvements is shown in the plan, DWG No 16 2422-1 Rev C. Highway Layout The modified vehicular access would need to be built to the highway authority's standards hence the condition covering vehicular visibility requirements and the informative covering construction protocol/permission.

### Parking

Although parking is a matter for the Local Planning Authority (LPA), the applicant should always provide details of parking provision and whether or not there will be any impact on the highway. Roads in Hertfordshire highway design guide 3rd edition states that the dimension and location requirements for parking bays, driveways shall be in accordance with the guidance in DfT Manual for Streets.

Servicing Arrangements Refuse and recycling receptacle storage will need to be provided. The applicant should speak to the waste collection officer at Cupid Green depot over the size of refuse vehicles used and the applicant will need to supply computer aided drawings showing swept track runs of a large vehicle such as a refuse

vehicle entering and leaving the site in a forwards gear. It is noted that a track run swept path dwg has been submitted for a fire tender but again the highway authority considers that the site must be accessible by a refuse vehicle as well. ie enter and leave in a forwards gear

#### Travel Plans

The applicant has not submitted a travel plan as part of this application. The scale of the development falls below the threshold that requires either a Travel Plan or a Statement

#### Planning Obligations/ Community Infrastructure Levy (CIL)

It is not considered that any planning obligations are considered applicable to the proposed development.

#### Conclusion

The assessment does not indicate any significant issues with the proposal. The highway authority would not wish to restrict the grant of planning permission subject to the inclusion of the above conditions and informatives.

#### **DBC Refuse Collection**

Each property should have enough space to store 3 x wheeled bins and a kerbside caddy with the same amount of space to present them outside their boundary on collection day. The collection vehicle is a 26 ton rigid freighter.

#### **Northchurch Parish Council**

14/10/19

NPC has no comments.

31/01/18

OBJECTION on the basis it is an overdevelopment of the site and insufficient parking

#### **Lead Local Flood Authority**

23/02/18

Thank you for consulting us on the above application for full planning permission for proposed demolition to all existing buildings. Improvements to existing access, construction of four three-bed and six two-bed cottages with associated car parking and access road with waste and cycle storage.

Following a review of the Sustainable Drainage Strategy carried out by RSK reference 133126-R1(0) dated 05 October 2017, we can confirm that we have no objection in principle on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

We note two options have been proposed for drainage. Option 1 proposes infiltration

with the use of permeable paving and soakaways; however infiltration tests have yet to be carried out. An alternative option 2 has been proposed based on attenuation and discharge into Thames surface water sewers restricted to 5.3l/s. It is assumed that the existing site currently discharges into the Thames surface water sewer. We acknowledge that Thames Water have been contacted and have no concerns with proposals. As the proposed scheme has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend the following planning condition to the LPA should planning permission be granted.

## **LLFA position**

### **Condition 1**

The development permitted by this planning permission shall be carried out in accordance with the approved Sustainable Drainage Strategy carried out by RSK reference 133126-R1(0) dated 05 October 2017 submitted and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off rates to maximum of 5.3l/s with discharge into Thames Surface water sewer.
2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implementing the appropriate drainage strategy using appropriate above ground SuDS measures to include permeable paving as indicated on drainage drawing.

### **Condition 2**

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;

1. Confirmation of proposed drainage scheme based on either infiltration or discharge in surface water sewer.
2. Infiltration tests should be conducted to BRE Digest 365 Standards where infiltration is proposed.
3. Implementing the appropriate drainage strategy using appropriate above ground SuDS measures where possible.
4. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

## **Reason**

To reduce the risk of flooding to the proposed development and future occupants.

## **Informative to the LPA**

The proposed soakaways for room drainage are shown to be located within private

curtilage. As the drainage system is serving more than one property, the lack of maintenance would affect several properties. The LPA will need to be satisfied that the drainage scheme can be adopted and maintained for its lifetime.

25/01/18

Thank you for consulting us on the above application for full planning permission for proposed demolition to all existing buildings. Improvements to existing access, construction of four three-bed and six two-bed cottages with associated car parking and access road with waste and cycle storage.

No detailed information has been submitted in relation to surface water management. Without this information, the flood risks resulting from the proposed development are unknown. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site is not increasing flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as a minimum as part of the surface water drainage assessment:

- A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.
- Drainage plan including location of all drainage features.
- Where infiltration is proposed, evidence of ground conditions / underlying geology and permeability including BRE Digest 365 compliant infiltration tests should be provided.
- Detailed calculations of existing/proposed surface water storage volumes and flows with initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change.
- Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant water company that they have the capacity to take the proposed volumes and run-off rates.

For further advice on what we expect to be contained within the FRA 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#>

### **Informative to the LPA**

The applicant can overcome our objection by submitting a surface water assessment which covers the deficiencies highlighted above and demonstrates that the development does not increase risk elsewhere and where possible reduces flood risk overall, and gives priority to the use of sustainable drainage methods. If this cannot be achieved we are likely to maintain our objection to the application.

We ask to be re-consulted with the results of the surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate surface water

drainage assessment has been submitted.

Please note if the LPA decide to grant planning permission we wish to be notified for our records.

### **Herts Property Services**

Thank you for your email regarding the above mentioned planning application.

Herts Property Services 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 1 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 ([development.services@hertfordshire.gov.uk](mailto:development.services@hertfordshire.gov.uk)).

### **Herts Fire and 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](http://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 Development Services team.

**Building Control**

No comment.

## **Appendix B**

### **Neighbour notification/site notice responses**

#### **4 representations objecting have been received:**

- This proposed house building is in an area with already inadequate parking provision. I estimate that roughly 20 residential parking spaces would need to be built into the area with additional spaces for visitors. The proposal will mean lengthy construction in the area with no detail provided as to how the building will minimise inconvenience to traffic on High St. Are Northchurch residents going to have to suffer months of temporary traffic lights hampering already congested roads at peak times?

Also, are the current businesses operating at that location happy with this proposal? This proposal appears to effectively put both mechanics to the rear of the piano shop out of businesses.

Finally, these houses are in addition to the proposed large scale house building project of 285 homes in Northchurch. What provision is being made for the extra school places and other infrastructure needed to cope with so many new houses? This proposal will take the number of new homes to 300.

- Inadequate parking provisions; A three bedroom family home will have 2 to 3 vehicles and 2 bedroom homes are likely to have 2 vehicles, in addition there should be capacity for visitors. 18 spaces is therefore inadequate. This area of Northchurch suffers from severe parking issues already, this proposal will exacerbate this issue.

Poor pedestrian access; this is a busy and hazardous road and there is no footpath provision in the SE direction.

These two issues combine; inadequate parking will result in residents parking in areas requiring crossing of the road. There is no safe crossing facilities at this end of the High Street. The property at 49 High Street is a multi-occupancy dwelling and has no parking provision, this application is an opportunity to provide those residents with parking and so reduce the parking pressures elsewhere and reduce the current amount of road crossings by pedestrians.

Flood impact; 'The Meads' suffers from flooding, this should be assessed.

- There is insufficient parking along the high street and this development does not provide enough parking spaces for the size and quantity of units proposed, there is also no allowance for disabled persons parking.

In addition there is no swept path analysis to substantiate that a refuse vehicle or fire tender can service this development.

There is no improvement to the main pathway on this side of the high street or improved crossing arrangements. This is concerning as based on the size of these properties it would suggest that they will be family homes with small children.

The architecture is not entirely in keeping with the conservation area and material selection would be vital especially after replacing in keeping buildings. It would be better to have restored number 49 rather than demolish.

### **'Northchurch Go 20' Community Campaign**

Thank you for the plans, I have submitted a comment online.

I would also like to make a formal comment on behalf of the 'Northchurch Go 20' campaign; we are a local community group looking to improve road and pedestrian safety in Northchurch.

Our comment is as follows:-

*'We object to the planning application 4/03109/17/MFA on the grounds of inadequate pedestrian access and inadequate parking provision. We are a community group of local residents that have spent some time investigating the road safety aspects of Northchurch High Street. In our investigation, we have become aware of how vulnerable pedestrians are in the High Street area. We are particularly concerned that 10 dwellings are proposed with NO pedestrian access provided in either direction, meaning that all pedestrian access to the dwellings will involve crossing the High Street. This end (SE) of the High Street, where the application is proposed, has no crossing facilities and is a long distance from the only crossing in Northchurch. We know from experience that this road is difficult and dangerous to cross. The lack of parking will contribute to the pedestrian access issue, because the only additional parking available to residents of the development will be on the other side of the High Street (The Meads etc.) thus requiring crossing the High Street. 1.8 spaces per household (four of which are 3 bedroom family) and no visitor spaces is wholly inadequate especially taking into account the extremely bad parking situation in this area already.'*

On a side note I would like to say that this is an opportunity to look at the crossing facilities at this end of the High Street. There are lots of activities for example at the Baptist Church involving young children and they have to cross often in low light and poor conditions. The residents of 49 High Street have no parking of their own and so require to cross the High Street regularly.'

I hope you will take these comments into account.