

4/02840/15/FUL - REDEVELOPMENT OF EXISTING GARAGE COURT TO PROVIDE FOUR TWO-BED FLATS CONTAINED WITHIN A SINGLE BLOCK, TOGETHER WITH ASSOCIATED AMENITY SPACE AND CAR PARKING. PROVISION OF 19 PARKING BAYS FOR COMMUNITY USE (AMENDED DESCRIPTION ONLY).

GARAGE COURT TO THE SOUTH OF 71 TO 81 BURNS DRIVE, HEMEL HEMPSTEAD, HP2 7NW.

APPLICANT: Rodwell Property Limited.

[Case Officer - Tineke Rennie]

Summary

The application is recommended for approval.

The proposed development would optimise the use of an underused and unsightly site through the provision of a block of four residential units, and a communal parking/garden area. The residential development is considered to be consistent with the scale of development and character of the area and will respect the amenities of the neighbouring properties. Overall the proposed development will enhance the visual amenities of the area and accords with adopted Core Strategy Policies CS4, CS11 and CS12; and Saved Policies 10 and 21 of the Local Plan.

Site Description

The site is located on the southern side of Burns Drive and within the Woodhall Farm housing estate (HCA 33: Woodhall Farm). Woodhall Farm comprises a variety of housing types and densities set out around a looping local distributor road serving small collector roads and cul-de-sacs, such as Burns Drive. Properties are generally simple in design, exhibiting design features of the 1970's mass house building. A high standard of open space and amenity land is a feature of the estate with Woodhall Farm Park to the south.

Directly to the east and west of the site are two low rise three storey blocks of flats that accommodates Nos. 53 - 81 and Nos. 83 - 143 Burns Drive respectively. The blocks have shallow pitched roofs with facing brick. The two storey terrace dwellings on the opposite side of Burns Drive feature shallow pitched roofs, painted white timber bargeboarding, tile hanging and large simple timber casements. Bordering the site to the south is Woodhall Farm Park which is designated as open land. The eastern-most part of the application site extends into this designated open land area and is currently fenced off from the local park.

The site has an area of 840m² and currently comprises three blocks of garages in the southern part of the site providing 20 single garages. Vehicle access is from Burns Drive on the northern boundary. The northern half of the site is open and comprises an area of hard surfacing.

Historically the application site formed part of the flatted development (Nos. 83 -143 Burns Drive) that was consented in 1974, providing open parking and garages for the occupiers. It is understood from the applicant that the garages remained largely unsold and the site was sold off as a separate entity in 1980. However a legal requirement for a right of access for the occupiers of the flats to the open areas of the site remains in place although the occupants no longer have rights to park on the site. The garages

are available for rent from the landowner. At present four of the garages on the site are in use. The historic separation of the garage site from the adjacent flatted development has resulted in displacement of vehicles in the locality, resulting in severe on-road congestion.

Proposal

The proposal involves the demolition of the existing garages and the construction of a block of flats accommodating 4 no. two bedroom flats. The block of flats is to be positioned on the southern part of the site between the adjoining flatted block (Nos. 71 - 81 Burns Drive) and the southern boundary with the park. Due to the legal requirement to maintain access to the open areas for the residents of the adjoining flats, the ground floor of the proposed block will be positioned on the footprint of existing garages. The first and second floors will be suspended over the area between. The ground floor arrangements will include a lobby and stairwell accessing flats 1 and 3 together with cycle and other storage on the northern side of the building; similar arrangements are to be provided for flats 2 and 4 within the southern side. A communal garden area will be provided within the eastern parcel of land that is designated as open land. The area will remain largely grassed with some landscaping and an appropriate form of fencing. Access to this communal area will be reserved for the occupants of the proposed flats only. Four parking spaces are proposed within the open area to the west of the flat development, one space serving each of the four flats. A bin store and recycling station area is to be positioned along the western boundary.

In order to overcome the parking displacement that occurs in proximity to the site, the applicant has offered to provide 19 parking spaces that would be available for community use. The spaces will be allocated within the northern part of the site adjacent to the vehicle entrance, and within the western part of the site adjacent to the parking spaces allocated for the proposed flats. The applicant proposes to secure these parking spaces for community use in perpetuity by way of a section 106 unilateral undertaking. The spaces available for the residents of these flats would be physically marked out in a different colour to those serving the proposed flats in order to differentiate the parking provision arrangements. As the parking spaces are to be provided for residents located outside the application site, this parking provision is not a material consideration to this application and should not be considered as such in its determination.

An application was submitted this year (ref. 4/01126/15/FUL) for redevelopment of the garage site adjacent to 7 Burns Drive following pre-application discussion that took place with officers in 2014 (ref. 4/01775/14/PRE). The application was withdrawn and re-submitted concurrently with this application (ref. 4/02839/15/FUL). As with this application, the proposals involve demolition of the existing garages and the provision of three dwellings. The applications are being submitted concurrently as a comprehensive redevelopment of both sites. This is to ensure that the total residential development over both sites will be considered in its entirety.

Referral to Committee

The application is referred to the Development Control Committee as it has been called in by Councillor Wyatt-Lowe on grounds of lack of sufficient parking and over-development of the site.

Planning History

4/00804/12/PRE Housing.

4/01775/15/PRE Construction of 3 two bed houses and 2 one bed and 2 two bed flats.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Circular 11/95

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS26 - Green Infrastructure
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13,18, 21, 51, 58, 63, 76, 116.
Appendices 3,5.

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area [HCA 33:Woodhall Farm]
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Accessibility Zones for the Application of car Parking Standards (July 2002)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Thames Water:

Thames Water would advise that with regard to sewerage infrastructure capacity, we

would not have any objection to the above planning application.

Contaminated Land Officer:

I note that a previous application has been submitted in relation to this proposed residential development (4/01775/14/PRE). Records indicate that I was not consulted in respect of this application, which covers this site and also the proposed redevelopment of Garage Court to the South of 7 Burns Drive, Hemel Hempstead.

However, I was contacted by Mr Matthew Letten of Spectrum Town Planning Consultants on 11 November 2014 to enquire as to whether the Council would expect to see a contaminated land survey submitted upfront with the planning application/s or whether this is something that is usually secured via planning condition in the event planning permission is granted. He was informed of the site's potentially contaminative former use as a fireworks factory and advised that a contaminated land assessment (Phase I Desk Study) should be undertaken and submitted with the planning application/s. It was suggested that any further works (intrusive investigation and remediation) could be requested via a planning condition.

I have checked the documentation submitted with this application (and the previous application), it appears that a Phase I Desk Study has not been submitted to date.

To ensure this is undertaken, I recommend that the contamination condition be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Crime Prevention:

Regarding planning application 4/02840/15/FUL at garage court to the south of 71 TO 81 Burns Drive, Hemel Hempstead, HP2 7NW for redevelopment of existing garage court to provide two one-bed and two two-bed flats contained within a single block, together with associated amenity space and car parking. provision of 15 parking bays for community use

Comments

Secured by Design:

I thank the applicants for addressing crime prevention in their Design and Access Statement and undertaking that if permission is granted to build to the physical standards of secured by Design. This standard which is the police approved minimum security standard, has been shown consistently to reduce the potential for burglary by 50% to 75%.

1. Redevelopment of site:
Development of the site will remove a garage area with hidden away recess areas with little to no natural surveillance within the area. It will therefore be positive to remove a potential anti-social behaviour (ASB) area for youths to hang around in, if the area is redeveloped. Therefore I am broadly in favour of this development.
2. Covered area under block of flats:
This could become a gathering point for youths. Ideally I would like to see that

this area is behind a full height open top railing fence with access controlled gate (number lock would be sufficient) so residents have control of this area and the rear communal garden as well as access to their cycle stores.

3. Otherwise having reviewed the plans on the basis of information available I am content with the application proposed as regards designing out crime.

I hope the above is of use to you in your deliberations and will help the development achieve that aims of the National Planning Policy Framework (NPPF).

- 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

& the National Planning Practice Guidance (NPPG)

- 010 – re Sec 17 of the Crime and Disorder Act 1984 – to prevent crime & disorder.
- 011 – re planning promoting appropriate security measures.

& Dacorum Core Strategy policies:

- CS12 – re safe access, layout and security
- CS13 – re pedestrian friendly, shared spaces in appropriate places

Hertfordshire Highways

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Decision

Hertfordshire County Council (HCC) has no objection to the proposed development subject to the conditions detailed below.

Conditions

Condition 1 - Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) sufficient space shall be provided within the site to enable a standard size family car /refuse vehicle to park, turn and re-enter the highway in a forward gear.

Reason: In the interests of satisfactory development and highway safety.

Condition 2 - : Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

Condition 3 - Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted). Details regarding how the car parking area will be managed will be submitted to and approved in writing to Local Highway Authority.

Reason: To ensure parking is not displaced onto the highway.

Description of the Proposal

The proposal is for the redevelopment of the existing garage court to the south of 71 to 81 Burns Drive. The applicant seeks to provide 4 two bedroom residential flats contained within a single three storey block. The site has previously been used for garages and has provided a total of 20 single garages. The application proposes the provision of 15 off street parking spaces for community use on land between existing the garage court and Burns Drive. These spaces are to be provided in addition to the parking being proposed for each of the flats within the development.

The site is accessed from Burns Drive, a residential street located within a neighbourhood known locally as Woodhall Farm.

Analysis

The Roads is Hertfordshire: Design Guide 3rd Edition (RiH) only requires a Design and Access Statement for this level of development, this has been provided by the applicant.

Impact on Highway Network

Road Safety

There are no recorded accidents on Burns Drive or within close proximity of the site.

Highway Layout

Vehicle Access

Vehicular access to the application site is presently taken from Burns Drive via a vehicular crossover located opposite number 10 Burns Drive. The applicant proposes to maintain this crossover to provide access to parking bays associated with the proposed flats and the additional parking bays to be made available for community use. As this access is existing and the proposal is unlikely to generate more trips than the previous site use, this is deemed acceptable.

Refuse Storage

The applicant has stated that refuse collection and servicing would likely take place from the street or from the hard surfaced area to the southern end of the site. However, further justification is require by the applicant to address how delivery and services vehicles will access the site. The applicant will need to provide justification that the site can adequately be serviced by these vehicles.

Parking

Car Parking Provisions

The applicant proposes to provide two off-street spaces for each flat. This is higher than the maximum car parking allowance stated in the DBC Car Parking Standards which states that 2 bedroom dwellings can have maximum of 1 space per dwelling.

Additionally, the applicant has stated that comments received from the Local Planning Authority at the pre-app stage indicated that any application should seek to provide parking to offset the loss of the existing garages currently occupied and additional parking to address the historical displacement. The site presently contains 20 single garages although only four are presently in use and these are understood to be used mainly for storage rather than for car parking. The application proposals would see the creation of 15 parking marked bays. These spaces are proposed to offset the four

existing garages in use, together with a further eight spaces to make up for historical displacement.

The applicant has not provided adequate information to determine whether the car parking layout is feasible. The applicant will need to undertake a swept path analysis to justify that all the proposed car parking bays can be accessed.

Additionally, the applicant will need to justify how they will enforce the car parking allocation to ensure that residents entitled to the bays are not displaced onto the highway.

Disabled Parking

The applicant has not provided any information on disabled parking for this development. Provision for disabled parking needs to comply with DBC Parking Standards.

Cycle Parking

The applicant has stated that each dwelling will be provided with cycle storage space on the ground floor of the building. This is aligned with the DBC Parking Standards.

Accessibility

Public Transport

The main estate road (Shenley Road) is served by local bus services, which provide connections with Aylesbury, Hemel Hempstead town centre, Kings Langley and Watford.

The nearest railway station to the site is Hemel Hempstead on the West Coast Mainline, 7.5km to the south west.

Pedestrian and Cycle Access

There are no dedicated cycling facilities on the surrounding roads but due to the 30mph road speed the road network is suitable for cyclists. There are footways on either side of the carriageway providing suitable connections for pedestrians. The accessibility of the site is considered to be adequate for the size of the development.

Planning Obligations/ Community Infrastructure Levy (CIL)

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

Trees and Woodlands:

I have no objection, with regard to trees, to either of these applications being approved.

There are no trees of high quality within this Burns Drive residential estate, with some being located too close together to fully develop. All of the trees would attain a low development survey category score and so removal would not be opposed. Retention of a number of established trees would be welcomed but not insisted upon.

The provision of new trees and soft landscaping will aesthetically enhance the immediate environment. Further detail of species, planting size and maintenance should be submitted for assessment.

Response to Neighbour Notification

A total of 63 objections have been received from local residents; representatives of Burns Drive Management Limited whose members are the leaseholders of nos. 83-143 Burns Drive; and representatives of Burns Drive Associates Limited whose members are the leaseholders of nos. 9-81 Burns Drive. On the whole, the objections made reference to the impact of the proposed development on the on-street parking parking conditions within the Burns Drive locality. The comments are summarised below:

- The 48 garages and 30 existing parking spaces were meant for the 66 flats on Burns Drive. A
 - The existing 48 garages would be used by flats if they were in good condition but they are not. They are not illuminated at night. They do not have proper locks, They are too small for most vehicles, the garages do not have lights inside, The rent is too high. Some of these garages should be demolished and parking spaces created to ease the parking problems.
 - The on-street parking congestion is also causing further issues as emergency vehicles cannot get through, disabled people cannot ride their wheel chairs or scooter or even baby buggies safely on the footpath and roads.
 - If the houses and flats were to be built then this will cause further congestion and will not solve the current parking problems endured by all the residents of Burns Drive, Bronte Crescent, Dickens court etc.
 - The parking situation has deteriorated considerably since 2002 since the communal free parking was made chargeable.
 - The grant of permission for either application will only result in the permanent removal of off-street car parking spaces. This will remove any possibility of these off-street parking areas being returned to the use for which they were originally granted planning permission - serving the residents of nos. 9-81 and 83-143 Burns Drive. The simple and incontrovertible fact remains that the application site is needed, now and in the future, to accommodate the parking requirements of nos. 83-143 Burns Drive.

Further comments were raised in relation to other aspects of the proposed development:

- The plan to build new housing directly next to no. 7 Burns Drive will reduce the amount of light we receive to the front of our house and garden opposite the development (8 Burns Drive)
- Asbestos is likely to be present in the garages. If so what means will be taken to ensure this is safely dealt with and none is released into the air/environment around our houses?
- Additional developments of this nature do nothing for the area of Woodhall Farm but will congest an area close to the small park and playground frequented by lots of young families in addition.
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- If the garages were developed into flats then there would be a distinct loss of light to the current flats which would cause a damp issue as sun would never reach the

flats. There would be increased vehicle traffic causing noise and disruption. There would be increased rubbish and fly tipping which is already a problem. There would be a definite visual intrusion

- From looking at the documents submitted along with the Design and Access Statement, looking at the photos provided show a number of trees at the end of the area where the garages are currently, but on the planning application section 15 states there are no trees on the proposed site, whilst these might be within the communal gardens area of the plans, these would in all likelihood have to be removed to enable the building of the flats so the application is not accurate.
- The bin storage provided in the plans is insufficient. Each household will have three large wheelie bins on top of the bins for the flats (whose recycling facilities are due to be changed later in the year, to sync up with the changes households made in late 2014, who knows how many bins they will require but logically it would follow that as households were given more bins so will the flats.
- It will block out the light to the properties next to the development. There is no mention of the existing car parking spaces in the application nor the trees that would need to be removed for the development to proceed.

Considerations

Policy and Principle

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. Similarly, Policy CS4 of the Core Strategy directs residential development to established residential areas in towns and large villages, such as Hemel Hempstead where the application site is located. Policy CS17 seeks to promote residential development to address a need for additional housing within the Borough. The provision of new dwellings is supported in principle in the choice of homes that it provides under Policy CS18 of the Core Strategy.

The proposed development would result in a density of 50 dwellings per hectare. This would be within the expected range of 30 to 50 dwellings per hectare outlined under saved Policy 21 of the Local Plan. It is also acknowledged within the character area appraisal HCA 33: Woodhall Farm that densities for blocks of flats in the area are generally 50 dwellings per hectare (Cuffley Court, Bayford Close) and as high as 88 dwellings per hectare (Valley Green). Small dwellings of this nature would be encouraged by saved Policy 18 of the Local Plan.

Saved Policy 10 of the Local Plan seeks development to optimise the use of urban land, bringing vacant or underused land into appropriate use as soon as practicable. Of the 20 garages, only four are currently in use. The proposed development would provide four flats of the appropriate density compatible with the character of the area and the immediate adjoining flatted developments, making optimum use of a currently under-used site.

The eastern part of the site is designated as open land, the purpose of which is to maintain the generally open character in towns as set out in Policy CS4 and further defined in Policy 116 of the Local Plan. Policy 116 states that open land forming part of the urban structure can be public or private open land. Any new development or change of use must be well related to the character of the existing development, its use and its open land setting. It must also ensure that the integrity and future of the

wider area of open land in which the new development is set must not be compromised.

In practical terms the use of the area of open land forming part of the application site is not changing. At present it is fenced off and access restricted. As part of the proposed development it would be utilised as communal amenity space for future occupiers which is well related to the character and use of the surrounding residential development. Defining its use as communal amenity space would not compromise the integrity and future of the wider Woodhall Farm Park. On the basis that it would not prejudice the wider area of open land the proposal would meet criterion (b) of Policy 116.

Site layout

The proposed site layout is somewhat unconventional due to the constraints imposed by the need to retain the right of way access to the central areas for the occupiers of the adjacent block of flats. However the proposed block would generally align with the front and rear building lines of the existing adjacent block of flats, albeit positioned forward slightly. It will also maintain separation with the flank wall and high level windows of Nos. 71 – 81 Burns Drive so as not to create a sense of enclosure to these residents.

The occupiers of the flats would benefit from dual aspect with views to the east over the communal gardens and open space of the park and to the west over the parking area, communal gardens of Nos. 83 – 93 Burns Drive and the open space of the park beyond. The communal garden areas are well located with easy access for future occupiers. A good standard of accommodation is provided in terms of internal floor area and circulation, provision of natural light and communal amenity space. As such the scheme accords with Policies CS4, CS11 and CS12 of the Core Strategy; and Saved Policies 10 and 21 of the Local Plan.

A logical division of the site is proposed with the parking spaces available for the community located within the northern half of the site in proximity to the flats and the existing vehicle entrance from Burns Drive. The private residential component with communal amenity space and parking is contained within the southern part.

Alterations have been incorporated into the scheme in response to comments raised by the Crime Prevention officer at the pre-application stage. In terms of the principle of the development, the Crime Prevention officer is broadly in favour of the development as it will remove a garage area with hidden away recess areas with little to no natural surveillance. Ideally they would like to see that the undercroft area beneath the flats is behind a full height open top railing fence with access controlled gate, however it is considered that this would create a hostile barrier within the site which would be out of character with its surroundings. In all other respects the officer is satisfied with the application proposals with regard to designing out crime.

Impact on Street Scene

The immediate area of Burns Drive and surroundings is characterised by the open frontages of the terraced dwellings, blocks of flats and the open space of Woodhall Farm Park beyond. The proposed block of flats and landscaped communal garden area are consistent with this residential character. The removal of the flat roofed

garages and replacement with residential development that introduces vitality and maintenance to an underused site is considered to make a positive contribution to the visual amenities of the area.

The residential block broadly mirrors the adjacent block in terms of eaves and ridge height and fenestration pattern. The slight variation in features and design is considered acceptable, allowing an individual design approach between the blocks. Facing brickwork is proposed with brick heads above the windows, a shallow pitched roof with front and rear facing gables. Render is proposed to the two central rear facing gables. The simple design and scale is consistent with the character of the area and the proposals are considered to satisfactorily assimilate into the existing street scene.

The application is therefore considered to integrate with the streetscape and accords with Policies CS11 and CS12 of the Core Strategy.

Impact on Trees and Landscaping

Trees and Woodlands have confirmed that they have no objection to the loss of trees on the site but would welcome the retention of a number of established trees. A condition attached to a permission would require the provision of and details of new trees and soft landscaping that aesthetically enhance the environment to be submitted for approval.

Parking

The proposed development provides four parking spaces for the four flats, one space per unit. The provision is slightly below the standards set out in Appendix 5 of the Local Plan which sets the standard as 1.5 spaces for a two-bed dwelling. The applicant initially proposed two spaces per dwelling which would result in an over-provision based on the standards which are a maximum. It is considered that one space per dwelling is consistent with the overall parking provision within the area and is only marginally lower than the maximum standard. In addition a further 19 communal spaces will be provided which will be available for use by occupants of surrounding development.

Impact on Highway Safety

There are clearly problems with the parking within Burns Drive which have resulted in on-street parking congestion. In order to alleviate the existing on-street parking the applicant has offered to enter into a unilateral undertaking that obligates the owner of the land to provide 19 parking spaces within the site that would be available and free of charge in perpetuity to the residents of the adjacent flats Nos. 83 - 43 Burns Drive. A further 12 spaces are to be provided on the nearby site subject to application ref. 4/02839/15/FUL. This would result in a total of 31 spaces available for the residents of the flats Nos. 9-81 and 83 - 143 Burns Drive. The spaces would be physically marked out in a different colour to those serving the proposed flats in order to differentiate the parking provision arrangements.

The provision of these additional spaces will improve the current situation in terms of provision for off street parking for neighbouring residential properties and assist in dealing with the on-street parking problems in the area.

Impact on Neighbours

The proposed block maintains a separation of approximately 900mm of the adjoining block accommodating Nos. 71 – 81 Burns Drive. High level windows are positioned on the flank elevation at first and second floor. The distance separation reduces any sense of enclosure for these properties however the first floor window will suffer from some reduction in light. This however is a secondary window with the principal windows located to the front and rear of the dwelling. The front and rear building lines of the existing flats are respected so that no adverse impacts to the principal windows on these elevations would arise from the proposals.

No windows are located in the flank elevation of the properties Nos. 83 – 93 Burns Drive. The outlook from the proposed development to the west will extend over the communal gardens / open space to the south of these properties. The open space area is located some distance away and overlooking already occurs from the existing flats themselves. It is not considered that overlooking from the proposed flats would worsen this situation. Outlook from the proposed flats to the east is over the open land of the local park; there are no dwellings in proximity to the site that would experience overlooking.

As such the impact of the proposals on the amenities of the neighbouring properties would not be considered to be unduly harmful.

Sustainability

The application has been supported by a sustainability checklist as appropriate and is considered to satisfy the criteria of CS29. A construction management plan is to be produced setting out a commitment to using sustainable materials sourced locally, an efficient use of water and recycling of waste during construction. Solar panels are proposed to the roof and further measures explored in order to achieve compliance with Building Regulations and Code for Sustainable Homes level 4.

An energy statement has been submitted that has been assessed as acceptable by C-Plan meeting a target level of 2.

CIL

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

The Charging Schedule clarifies that the site is in Zone 3 within which a charge of £100 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

RECOMMENDATION – That planning permission be **DELEGATED** to the Group Manager, Development Management and Planning with a view to approval subject to the completion of a legal agreement requiring the provision and maintenance of the

communal parking and subject to the following 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 No development shall take place until details of the materials 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.**

Reason: To ensure a satisfactory appearance to the development and to accord with adopted Core Strategy Policy CS12.

- 3 No development 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:**

- hard surfacing materials;
- means of enclosure;
- 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;
- trees to be retained and measures for their protection during construction works;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with adopted Core Strategy Policy CS12.

- 4 Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be 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.

- 5 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 4 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.

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

- 6 **Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size family car /refuse vehicle to park, turn and re-enter the highway in a forward gear.**

Reason: In the interests of satisfactory development and highway safety.

- 7 **The development hereby permitted shall be carried out in accordance with the approved sustainability and energy statements.**

Reason: To ensure the sustainable development of the site in accordance with adopted Core Strategy Policy CS29.

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

**Site Location Plan;
C175/13/07 Rev C;
C175/13/08 Rev A;
C175/13/09 Rev B.**

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

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

THAMES WATER INFORMATIVE:

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

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.

HIGHWAYS INFORMATIVES:

All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development.

Reason: In the interest of highway safety and the free and safe flow of traffic.

Informative:

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this or use link:
<https://www.hertsdirect.org/droppedkerbs/>