

ITEM NUMBER: 5d

20/00227/FHA	Demolition of existing outbuildings and construction of replacement single storey residential annexe with ancillary driveway from existing access on Hempstead Lane for emergency vehicle use
Site Address	Mollcroft, 69 Hempstead Lane, Potten End Berkhamsted
Applicant	Mrs Linda Brasier
Case Officer	Nigel Gibbs
Parish / Ward	Nettleden and Potten End /Ashridge
Referral to Committee	The Applicant's son is a an employee of Dacorum Borough Council

1. RECOMMENDATION

1.1 That planning permission be **GRANTED**

2. SUMMARY

- 2.1 Mollcroft is a detached dwellinghouse occupying a substantial plot. The building and its immediate large rear garden (Area 1) is located at the eastern edge of the built up limits of the defined Selected Small Village of Potten End in the Green Belt which is subject to Policy CS6 of Dacorum Core Strategy (2013). The other part of its plot to the immediate east (Area 2) featuring outbuildings is located within the Green Belt, splitting the site's grounds into 2 differently designated areas. Area 2 is subject to Policy CS5. The existing outbuildings which are to be demolished are currently used for domestic purposes directly relating to / associated with the existing dwellinghouse.
- 2.2 The proposed detached annexe building would provide necessary additional ancillary residential accommodation for the Applicant's husband due to very extenuating family health reasons. The building would be served by a separate emergency/ fire access/ driveway. Both the building and access are located within Area 2.
- 2.3 The annexe would ensure the availability of safe accommodation for a person with disabilities and a carer in accordance with Policy 18 of the Dacorum Core Strategy and Paragraph 60 of the National Planning Policy Framework.
- 2.4 The proposed annexe would be in accordance with Policy CS5 criteria (b) which supports the replacement of existing buildings in the Green Belt. Policy CS5 is considered to be primarily in accordance with the NPPF.
- 2.5 The annexe would not strictly accord with Paragraph 145 (d) of the NPPF relating to development in the Green Belt. This supports the construction of a replacement building, providing it is in the same use and not materially larger. This is because the proposal would replace more than one building which is slightly larger and the respective domestic uses are similar but not the same - the existing being 'incidental to the enjoyment of the dwellinghouse' and the proposal being 'ancillary'. The driveway is considered under the NPPF's Paragraph 146 (b) as an engineering operation - due to its scale it is not considered to be appropriate development in the Green Belt.

- 2.6 Under the NPPF (2019), Paragraph 143, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In this case, there are substantive very special circumstances which justify the grant of planning permission for the proposed building and the driveway in the Green Belt, with no other harm.

3. SITE DESCRIPTION

- 3.1 Mollcroft (no. 69) is a detached 2 and half storey dwellinghouse located on the northern side of Hempstead Lane at the eastern end of Potten End village, to the north west of the junction with Berkhamsted Road and Pouchen End Lane. No. 69 is the final dwelling on this side of Hempstead Lane, with nos. 76 and 78, a new dwelling, on the opposite side of Hempstead Lane.
- 3.2 The site's elongated wooded frontage features 2 accesses. The dwelling, which is set back from the front boundary, is served by the access within the frontage's south western corner linked to its driveway / parking area.
- 3.3 The second gated access is at the south eastern end of the site's frontage. The access is linked to its very extensive garden/ grounds/ residential curtilage which is enclosed by planting. The grounds feature a tennis court within the part to the immediate rear of the dwellinghouse and a pitched roof former stable building and two smaller buildings about 20m to the north east of the main house.
- 3.4 The grounds appear as comprising of a very longstanding amalgamation/ fusion/ now somewhat seamless merging of a typical garden to the rear of the house and an adjoining field into a single unit resulting in the above mentioned planning policy split /distinction between Areas 1 and 2 - land within the built up part of the village (Policy CS6) and the open green belt, Policy CS5 (Green Belt).

4. PROPOSAL

- 4.1 This is for the construction of a single storey gabled slate roofed timber clad 'L' shaped residential annexe (113.6 sqm) to provide accommodation for extenuating family circumstances, as explained by Paragraph 4.3. It will replace and occupy a similar footprint to the aforementioned outbuildings (98 sqm) which will be demolished.
- 4.2 The annexe would provide 2 bedrooms, an open plan living/ dining room and wet room. The second bedroom is for a carer to stay overnight if required and to store medical supplies. No kitchen or no cooking facilities are provided as meals would be prepared in the main house and brought to the annexe.
- 4.3 The annexe is for the occupation of the Applicant's husband who has been diagnosed with Dementia and Alzheimer's with very limited mobility and requires increasing levels of care and support day to day. When the application was submitted it was confirmed that he was being currently cared for by family members within Mollcroft. Due to the age and internal configuration of the Mollcroft the supporting statement confirms that with uneven flooring and inaccessible rooms, the accommodation available is no longer sufficient to meet the needs arising from his worsening condition. At the time of the site visit the Applicant's husband was away at a care home.
- 4.4 The supporting statement confirms that the proposal would establish a long term and sustainable solution allowing family members to provide the level of care and support

required whilst enabling the Applicant's husband to retain some level of independence and remain in close proximity to the familiarity of his own home.

- 4.3 The application has required amendment to provide a 3.7m wide driveway /emergency/ fire access road comprising of a cellular grassed concrete system 'Grasscrete' (or similar) and associated 16.8 wide turning area to the north of the annexe. This would be linked to the south eastern access to separately serve the annexe. Its design would be constructed to a standard to enable loadbearing for emergency vehicles and would feature sustainable drainage qualities, with no removal of existing planting.

5. PLANNING HISTORY

4/00599/77 – Bungalow and Garage : Refused

4/0648/87 _ Two Storey Side Extension
DET – 17 June 1987

4/00167/05/FHA- Two storey side extension and double garage
GRA- 14 March 2005

6. CONSTRAINTS

Green Belt: CS5
Parish : Nettleden with Potten End
Small Village
EA Source Protection Zone

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

National Planning Policy Framework (February 2019)
National Planning Policy Guidance
National Design Guide

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS5 - The Green Belt
Policy CS6- Selected Small Villages
Policy CS9- Management of Roads
Policy CS10 - Quality of Settlement Design
Policy CS11 - Quality of Neighbourhood Design

Policy CS12 - Quality of Site Design
Policy CS13 - Quality of Public Realm
Policy CS17 - New Housing
Policy CS18- Mix of Housing
Policy CS25- Landscape Character
Policy CS29 -Sustainable Design and Construction
Policy CS 31-Water Management
Policy CS32- Air, Soil and Water Quality
Countryside Place Strategy

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)
Saved Policies

Policy 13-Planning Conditions
Policy 18- Size of New Dwellings
Policy 51-Development and Transport Impacts
Policy 54-Highway Design
Policy 58 - Private Parking Provision
Policy 99-Preservation of Trees, Hedgerows and Woodlands
Policy 113 -Exterior Lighting
Appendix 5 - Parking Provision
Appendix 8- Exterior Lighting

Supplementary Planning Guidance: Area 120 Little Heath Uplands

Sustainable Development Advice Note (March 2011)
Environmental Guidelines (May 2004)

9. CONSIDERATIONS

Main Issues

9.1 The main planning issues in the determination of this application are:

- The Principle: Additional Residential Accommodation.
- Ancillary Development.
- The Principle :Green Belt Implications.
- Design.
- Access and highway safety.

Principle of Development: Additional Residential Accommodation

9.2 The Agent's supporting statement has explained the expected relationship of the proposed annexe with Mollcroft:

- Its size is commensurate with the demonstrated need of the intended occupant and would be subservient in size and scale to Mollcroft.
- The land proposed to accommodate the annexe is closely related to the main house both physically and functionally, is and has always been in the same ownership and is not separated from it in any way, with an established path linking the outbuildings with the main house. It can therefore be reasonably concluded that the site falls within the residential curtilage of Mollcroft.

- It would have no cooking facilities, separate postal address, utility meters, garden, vehicular access or parking area and would be reached via an established path which leads to the main house.
- Whilst not attached to the house it is in reasonable proximity to it to enable it to be used in association with it. These factors clearly demonstrate the ancillary nature of the proposed use such that the building would not be tantamount to a separate dwelling. The applicant fully expects and accepts that a condition ensuring this ancillary relationship will be attached to any forthcoming permission.

9.3 The NPPF Paragraph 61 supports planning policies need to address the provision of housing needed for different groups in the community. These include older people and people with disabilities. The Core Strategy's approach to housing is in accordance with Paragraph 61, in addressing the Borough's Housing Mix through its pages 92 and 93. The Core Strategy's Paragraph 14.24 (p92) emphasises the importance of a mix of new homes, being adaptable and accessible to all occupiers.

9.4 Core Strategy Paragraph 14.25 expresses the need for special attention being given to the needs of elderly people, with Hertfordshire County Council Health and Community Service aiming to provide support for older people to remain in their own homes for as long as possible. This is through adaptations in the home and/ or support from a care worker/ personal assistant. This is reflected through Policy CS18.

9.5 The provision of the annexe is a direct way of adapting the site to accommodate the family needs. Therefore, there is robust case to support the principle of additional accommodation within the grounds associated with Mollcoft.

Ancillary Development: The Proposed Use as Ancillary to the Dwelling

9.6 There is the very long established recognition that under Class E Permitted Development outbuildings are regarded as a necessary part of a dwellinghouse, being incidental to the enjoyment of dwellinghouses.

9.7 In this case it is considered that based upon the submitted information and site conditions the proposed annexe would not be an incidental use and therefore requires planning permission. This is regardless of its size. This is because it is interpreted that it would be ancillary to the dwellinghouse which is materially different from being incidental. This takes into account the working definition of 'Purposes Incidental to the Enjoyment of the Dwellinghouse'. The Householder Technical Guidance confirms:

'Paragraph E.4 of Class E indicates that purposes incidental to the enjoyment of the house includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the house.

But the rules also allow, subject to the conditions and limitations below, a large range of other buildings on land surrounding a house. Examples could include common buildings such as garden sheds, other storage buildings, garages, and garden decking as long as they can be properly be described as having a purpose incidental to the enjoyment of the house. A purpose incidental to a house would not, however, cover normal residential uses, such as separate self-contained accommodation or the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen'.

- 9.8 However, by being ancillary it would not be an independent separate independent self contained dwelling. There would be an ancillary coexisting relationship between the proposed annexe and the existing dwellinghouse as identified in paragraph 9.2 above. In addition, there would be a shared garden with the existing dwellinghouse with no boundary demarcation or sub division of the land. The building's scale when compared to the house is not disproportionate and is commensurate with the demonstrated need of the intended occupant thereby subservient in size and scale to Mollcroft.
- 9.9 The initial scheme relied upon an existing main access only, with no reference to the building's drainage. Due to the need for safe access to the site, the development is now to be served by a separate access. Although there may an independent non - main drainage/ private drainage system, it is still considered that the building would be ancillary and not a separate dwelling. This is reinforced by the Agent's preparedness to propose an ancillary condition.

Principle:Green Belt Implications

- 9.10 As confirmed above the application site is split into Areas 1 and Area 2 in terms of applying Green Belt policies, notwithstanding the site conditions:
- Area 1 - The dwellinghouse and its immediate large rear garden is just located within the defined built up limits of the Selected Small Village of Potten End in the Green Belt subject to Policy CS6 of Dacorum Core Strategy at the settlement's eastern edge.
- Area 2- The other part of the plot to the immediate east featuring the outbuildings to be demolished, the replacement building and the driveway located within the Green Belt. This area of land is subject to Policy CS5.
- 9.11 The proposed annexe would be in accordance with Policy CS5 criteria (b) which supports the replacement of existing buildings in the Green Belt. This criteria requires development to have no significant impact on the character and appearance of the countryside. Policy CS5 is considered to be primarily in accordance with the NPPF.
- 9.12 The annexe would not strictly accord with Paragraph 145 (d) of the NPPF relating to development in the Green Belt. This supports the construction of a replacement building, providing it is in the same use and not materially larger. This is because the proposal would replace more than one building which is slightly larger and the respective domestic uses are not the same, but similar as both relate to the existing dwellinghouse. It is therefore considered to be inappropriate development in the Green Belt and therefore by definition harmful.
- 9.13 The driveway access road and turning are an engineering operation. Under the NPPF's Paragraph 146 (b) an engineering operation is not inappropriate development in the Green Belt provided it preserves Green Belt's openness and does not conflict with its 5 purposes under Paragraph 134. This access, due to its scale, is significant with some encroachment of the countryside, which is considered to represent inappropriate development in the Green Belt it and would therefore, by definition, be harmful.
- 9.14 The Agent, however, considers that both the building and driveway would constitute appropriate development in the Green Belt and are in accordance with Paragraphs 145 (d) and 146(b) respectively, explaining a different interpretation, but confirming that if it is found to be inappropriate development, there are very special circumstances.

- 9.15 There are robust substantive very special circumstances which need to be taken into account, including:

The Annexe

- Although not strictly in accordance with the NPPF's Paragraph 145 (d), it is still very much reflects what types of new building can be constructed as exceptions.
- The floorspace difference is an increase of 16% with the building being about 0.5m higher than the highest outbuilding, with a single footprint as compared to the looser existing array of existing outbuildings, with resultant more compactness. The difference is considered to be insignificant in terms of its impact upon the openness of the Green Belt.
- The outbuildings to be replaced are used for storage and kennelling and are incidental to the enjoyment of the dwellinghouse and would be replaced with another use associated with the dwellinghouse, albeit different. The building would still be a domestic use directly related to the existing dwelling, which the submitted supporting statement confirms is proposed with an ancillary use specific condition.
- The annexe would enable a family member to be cared for within a familiar environment and has been specifically designed to meet the complex specialist needs of the end user which cannot be met in the main house nor without significant upheaval and distress in moving to an alternative home. Personal medical requirements of this nature are capable of being regarded as very special circumstances.
- In terms of use and the effect upon the openness of the Green Belt there would not be harm, including marginal change in vehicular movements.
- The Size and Location of the Replacement Building - It has also been taken into account that the Agent has noted 'as a realistic' fallback position' that the building could be constructed as 'permitted development' under Class E, clarifying that: 'for the avoidance of doubt, the nature of the ancillary accommodation it is to provide means it is necessary to seek planning permission'.
- The spatial effect of a Class E building in terms of the openness of the Green Belt would be the same, but could actually be much greater.

The Access Road.

The Agent has confirmed:

- The driveway will ensure emergency access to an annexe which would enable a family member to be cared for within a familiar environment and has been specifically designed to meet the complex specialist needs of the end user which cannot be met in the main house. Taking the above into account it is considered that very special circumstances exist to outweigh any potential harm to the Green Belt by reason of inappropriateness, although this is not considered to be applicable.
- It is also a material consideration that, as a realistic fallback position, given the access onto the highway already exists, the driveway as a hardstanding constructed of a porous material and located within the residential curtilage of Mollcroft, falls within the limitations set out in Class F of Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. It is therefore considered that an area of hardstanding in the location shown could currently be constructed under Permitted Development Rights without the need to apply for planning permission.

- 9.16 It is considered that this range of very special circumstances individually and collectively outweigh the harm.

Design/ Visual Implications/ Character of the Area

9.17 This is with reference to Policies CS5 , CS11 and C12, and the NPPF's Part 12 (Achieving well- designed places). Policies CS11 and CS12 are generally consistent with the relevant aims of the Framework, expecting high quality design. The timber clad/ slate roof building would be compatible with its garden/ countryside setting representing a relatively low profile development with very limited impact upon the wider area.

Access and Highway Safety

9.18. This is with reference to Policies CS 8, CS12, saved DBLP Policies 51 and 54 and the NPPF paragraph 110 (d).

9.19 Due to the need to address safe emergency access to the building and the inbuilt difficulties of accessing the building from the existing access there is a requirement to provide a secondary access. This is acceptable to Hertfordshire Fire & Rescue Service.

9.20 The proposal is designed to accommodate a person with disabilities/ limited mobility with the opportunity for a carer to stay temporarily or permanently in the building.

Other Matters

9.21 There would be no harm to adjoining/ nearby dwellinghouse with reference to Policy CS12.

9.22 Ecological Implications. With reference to Hertfordshire Ecology's response there are no objections.

9.23 Contamination. An informative is recommended as referred to by the Community and Environmental Protection Team, also taking into account the site's location in Environment Agency Source Protection Zone with the resultant vulnerability of groundwater

9.24 Drainage. A condition is recommended taking into account the groundwater implications of non mains foul drainage in this Environment Agency Source Protection Zone. It will be expected that the building is designed with sustainable drainage. This takes into account that there have been no responses from the relevant technical consultees.

9.25 Security and Exterior Lighting. A condition is recommended due to the need to ensure safety for the occupier and the carer at all times, the level of use and the importance of limiting light pollution from an isolated building in an E1 lighting zone.

10. CONCLUSION

10.1 The proposal would provide essential ancillary family accommodation for which there are very special circumstances in the Green Belt and no other identified harm, representing a sustainable form of development in accordance with the NPPF's social and environmental objectives, with no clear apparent economic implications.

10.2 The recommended conditions have been discussed and agreed with the Agent.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall begin 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. The building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Mollcroft and therefore the building hereby permitted shall not be used as a separate residential unit.

Reason: For the avoidance of doubt and to ensure that the use of the development remains ancillary to the use of the main dwellinghouse without allowing the intensification of residential accommodation within the site in the interests of the Green Belt and highway safety in accordance with Policies CS5 and CS12 of Dacorum Core Strategy (2013) and saved Policies 51 and 54 of Dacorum Borough Local Plan (2004) and Part 13 of the National Planning Policy Framework 2019 (Protecting Green Belt land).

3. The emergency access and turning area hereby permitted as shown by Plan No. 110 Rev E shall be provided fully in accordance with this plan before the first use of the building hereby permitted and shall be thereafter retained at all times and shall only be used for servicing of the building hereby permitted.

Reason: In accordance with Policies CS 8 and CS12 of Dacorum Core Strategy, saved Policies 51 and 54 of Dacorum Local Plan (2004) and paragraph 110 (d) of the National Planning Policy Framework 2019.

4. Any exterior lighting serving the development hereby permitted shall be installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority.

Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS29 and CS32 of the Dacorum Core Strategy(2013) and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan(2004).

5. Before the first use of the building hereby permitted, details of the drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the building's first use and shall be thereafter retained.

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in in accordance with Policy CS29 of the Dacorum Borough Core Strategy (2013).

6. Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be otherwise carried out in accordance with the following approved plans:

110 Revision E

109 Revision B

200 Revision B

201 Revision B

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

Informatives:

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Land Contamination

The proposed development is not for a change in land use and will not involve significant ground works. It does, however, involve the demolition of outbuildings which were built circa 1970.

Land Contamination Informative

In the event that ground contamination is encountered at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.

Bats

If bats, or evidence for them, are discovered during the course of demolition works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England, to avoid an offence being committed.

Highway Issues

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

Further information is available via the website

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

APPENDIX A: CONSULTEE RESPONSES

<p>Nettleden and Potten End Parish Council</p>	<p>Original comments</p> <p>No objection</p> <p>Revised Plans</p> <p>No objection on the understanding that permission is subject to a condition ensuring the ancillary relationship of the annexe and associated driveway as anticipated by the applicant.</p>
<p>Hertfordshire Ecology</p>	<p>ORIGINAL SCHEME</p> <p>Thank you for consulting Hertfordshire Ecology on the above. I apologise for the delay with this reply.</p> <p>I am not aware of any existing habitat or species data for this site; however there are records of roosting bats in the area.</p> <p>Given the nature of the site, and lack of apparent characteristics of the buildings, on this occasion I do not consider there is sufficient likelihood of bats being present and affected for the LPA to require a formal survey prior to determination.</p> <p>However, in the event that bats are found, given the proposal will involve demolition, I advise a precautionary approach to the works is taken and recommend the following Informative is added to any permission granted.</p> <p>If bats, or evidence for them, are discovered during the course of demolition works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England, to avoid an offence being committed.</p>
<p>British Pipeline Agency</p>	<p>ORIGINAL SCHEME</p> <p>Thank you for your correspondence enclosing details of your proposals as listed above.</p> <p>We are not aware that any of BPA Pipelines apparatus, falls within the vicinity of the above noted location. However, if the location of your work should change, please contact us immediately, on 01442 218911 or email nickifarenden@bpa.co.uk</p> <p>Whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>(1). With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for dust.</p> <p>(2). The proposed development is not for a change in land use and will not involve significant ground works. It does, however, involve the demolition of outbuildings which were built circa 1970 and so the following informative is recommended.</p>

	<p>Land Contamination Informative</p> <p>In the event that ground contamination is encountered at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.</p> <p>As per email sent 2nd March'20 lease be advised Environmental Health still have no objections to the application but it is recommended that the application is subject to construction working hour guidelines as per below email</p>
National Air Traffic Services	<p>ORIGINAL SCHEME</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p> <p>REVISED SCHEME</p> <p>As the only change is for driveway access NATS previous no objection remains</p>
Hertfordshire County Council Highway Authority (HCC)	<p>ORIGINAL SCHEME</p> <p>(1). Highways Proposal</p> <p>Demolition of existing outbuildings and construction of replacement single storey residential annexe</p> <p>Decision</p> <p>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:</p> <p>1. No development shall commence until full details) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:</p> <ul style="list-style-type: none"> o Approval from Herts Fire & Rescue due to the distance of the proposed annexe from the highway. Reason: To ensure satisfactory development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). <p>HIGHWAY INFORMATIVE: Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are</p>

carried out in accordance with the provisions of the Highway Act 1980:
AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

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

COMMENTS / ANALYSIS: The application comprises of the demolition of outbuilding and erection of new single residential annexe for a disabled occupant at Mollcroft, 69 Hempstead Lane, Berkhamsted. Hempstead Lane is designated as an unclassified local road.

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

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

COMMENTS / ANALYSIS: The application comprises of the demolition of outbuilding and erection of new single residential annexe for a disabled occupant at Mollcroft, 69 Hempstead Lane, Berkhamsted. Hempstead Lane is designated as an unclassified local access road, subject to a speed limit of 30 mph and is highway maintainable at public expense.

VEHICLE ACCESS & PARKING: The proposals do not include any new or altered vehicular or pedestrian access from the highway with the existing vehicle crossover (VXO) and driveway to Mollcroft remaining.

EMERGENCY VEHICLE ACCESS: The proposed annexe is more than 45m from the highway, which is greater than the maximum recommended distance of 45m for emergency vehicle access for a fire tender. The application has therefore been forwarded onto Herts Fire & Rescue for any comments or recommendations that they may have.

CONCLUSION: HCC as Highway Authority has considered that the proposal would not have a significant or negative impact on the safety and operation of the nearest highway. HCC has no objections or further comments on highway grounds, subject to the inclusion of the above informative and approval from Herts Fire and Rescue.

(2).Access for Hertfordshire Fire & Rescue Service

Hertfordshire Highways informed us of the above planning application as they say the new build appears to be further than 45m from the road (which appears to be the nearest point the firefighters can park the appliance). The entrance door of the annexe to the furthest point within the building appears to be approximately 16m. However I cannot seem to determine from the plans the access / travel path

	<p>firefighters would take and unclear of what the overall travel distance would be.</p> <p>Residential sprinklers could be considered as per 50.1.2 within BS9991 which states; "the distance between the fire appliance and any point within the house (in houses having no floor more than 4.5 m above ground level) may be up to 90 m</p> <p>Revised Scheme</p> <p>The application comprises of the demolition of outbuilding and erection of new single residential annexe for a disabled occupant at Mollcroft, 69 Hempstead Lane, Berkhamsted. Hempstead Lane is designated as an unclassified local access road, subject to a speed limit of 30 mph and is highway maintainable at public expense.</p> <p>VEHICLE ACCESS & PARKING:</p> <p>The proposals do not include any new or altered vehicular or pedestrian access from the highway with the existing vehicle crossover (VXO) and driveway to Mollcroft remaining.</p> <p>EMERGENCY VEHICLE ACCESS:</p> <p>The proposed annexe is more than 45m from the highway, which is greater than the maximum recommended distance of 45m for emergency vehicle access for a fire tender. A supplemental plan and planning statement has been submitted in June 2020 detailing a proposed vehicle access route to the proposed annexe, utilising an existing gated access from Hempstead Lane. The proposals include a grasscrete access route with a width of at least 3.7m and a turning area for a emergency vehicle. HCC as Highway Authority would not have any objection to this arrangement although Herts Fire and Rescue would need to be satisfied with the arrangements and therefore the details have been forwarded onto Herts Fire & Rescue for any comments or recommendations that they may have.</p> <p>CONCLUSION:</p> <p>HCC as Highway Authority has considered that the proposal would not have a significant or negative impact on the safety and operation of the nearest highway. HCC has no objections or further comments on highway grounds, subject to the inclusion of the above informative and approval from Herts Fire and Rescue and need for a condition reserving the access for emergency vehicles only.</p> <p>(2).Hertfordshire Fire & Rescue Service</p> <p>The drawings appeared to demonstrate adequate access, as the proposed driveway (on drawing 1087032) appears to be approx. 7m wide. Presuming it can withstand 19 tonnes and, an appliance can turn the corner in the driveway as per the diagram below, access for firefighters appears adequate to me.</p> <p>Case Officer Note: 7m should read 3.7m</p>
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Cadent Gas Limited	<p>ORIGINAL SCHEME</p> <p>(1).Main Response</p> <p>Thank you for consulting Cadent Gas for this application. We do not object to the proposal in principle.</p>
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(2).

Thank you for your enquiry which was received on 19/02/2020. Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-beforeyou dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is: High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment

As the proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

Requirements

BEFORE carrying out any work the developer must:

Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

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GUIDANCE

High Pressure Gas Pipelines Guidance:

If working in the vicinity of a high pressure gas pipeline the following document must be followed:

'Specification for Safe Working in the Vicinity of Cadent and/or National Grid High Pressure Gas Pipelines and

Associated Installations - Requirements for Third Parties' (SSW22).

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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
4	0	0	0	0

Neighbour Responses

Address	Comments
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