

ITEM NUMBER: 5c

20/02550/FUL	Conversion of basement into 1x 1-bedroom flat	
Site Address:	Nash House Dickinson Square Hemel Hempstead Hertfordshire HP3 9GT	
Applicant/Agent:	Nash House Development Ltd	DLA Town Planning Ltd
Case Officer:	Nigel Gibbs	
Parish/Ward:	Nash Mills Parish Council	Nash Mills
Referral to Committee:	Contrary to Parish Council's View and called in by Councillor Maddern	

RECOMMENDATION

1.1 That the application be **GRANTED**.

2. SUMMARY

2.1 The principle of providing an additional one bedroom basement flat at Nash House is acceptable, contributing to the Borough's housing stock.

2.2. Nash House is subject to Planning Permission 4/01679/17/MFA for 9 flats and a community use served by 11 parking spaces. This was amended by Planning Permission 4/01092/19/ROC. The development is at a very advanced stage of construction.

2.3 The Original Scheme has been superseded by the Revised Scheme. The flat would be served by two connected south west facing windows adjoining the glazed entrance front door which would be linked to the proposed living room. It is considered that the flat would provide an adequate standard of accommodation.

2.3 The proposal is materially different to the previously proposed conversion refused under Application 20/01248/FUL for a basement flat which had no windows being reliant upon a lightwell for the bedroom.

3. SITE DESCRIPTION

3.1 Nash House, a non designated heritage asset, comprising a former Georgian style dwelling house (1750) located within the former Sappi site residential development. It occupies a prominent position visible from and to north of the Red Lion Lane junction with Rose Lane which is the main entry road to the estate. This part of the Sappi development features flats/ flat blocks and terraced/ townhouse style housing.

3.2 Nash House was the residence of key pioneers of the paper making industry, with international historical significance, Despite the former English Heritage's not supporting its listing. The highly influential John Dickinson was amongst these former residents, purchasing the building in 1811.

3.3 Until recently - through the grant and carrying out of Planning Permission 4/01679/17/MFA - Nash House had become wholly derelict with its shell roof and portico entrance being particularly prominent. What should have been the prestigious landmark building at the visual focus of this part of the Sappi development - as a legacy to the site's

historical importance - had become the focal point for all the wrong reasons which resulted in major local/ national criticism.

3.4 When 4/01679/17/MFA was considered Nash House's condition wholly detracted from the otherwise high quality surrounding nearby residential development, in its high profile very visible location set against the designated play area at Dickinson Square adjoining Butterfly Crescent and the culverted mill stream.

3.5 In granting 4/01679/17/MFA, the approved Revised Scheme involved:

- ☐ a reduction in the number of units from ten to nine;
 - ☐ the provision of 5 one-bed units and 4 two bed-units;
 - ☐ the introduction of a community use on the ground floor with a ramped access;
 - ☐ Flat 4 shown as a duplex and including a bedroom within the basement;
 - ☐ the provision of bin storage areas;
 - ☐ all of the residential units designed to meet the national space standards; and
- The removal of 3 second floor windows on the north-east elevation.

3.6 With regard to the remainder of the basement the Agent has previously advised that it wouldn't be suitable for any form of accommodation or any other practical use due to low ceiling heights, pilling for walls, and backfilling. In this respect the Agent has clarified that having discussed it with the client they have ensured that, at great cost, as much of the basement has been retained as possible in order to retain this historic feature as opposed to simply concreting it in. In this context the Agent has explained that if there is any concern about the remainder of the basement having a residential use in the future the Developer would agree with the imposition of a condition to stop this.

3.7 In addition to Refusal 20/01248/FUL, Planning permission was also refused under reference 20/01249/FUL for the provision of a flat within the approved community unit for the following reason:

'The proposal would result in the permanent loss of the approved community use at Nash House which is a non designated heritage asset.

This loss would be contrary to Policy CS23 of the Dacorum Core Strategy (2013), saved Framework's parts Paragraphs 9.1 and 9.2. This is set against the approved use forming an integral part of Planning Permission 4/01679/17/MFA, as modified, at Nash House, which was to form the focal point of the now otherwise completed redevelopment of the area of the former Sappi Industrial site providing a mix of uses at Nash House.

There would be an incompatible relationship between the location of the flat's windows serving the lounge and bedroom and the approved communal refuse store serving Nash House under Planning Permission 4/01679/17/MFA. The proposal would conflict with the expectations of saved Policy 19 criteria (iii) (Conversions) of Dacorum Borough Plan (2004) which requires the provision of a high standard of accommodation and the Refuse Storage Guidance Note (February 2015) and would be contrary to the National Planning Policy Framework's Part 12 (Achieving well- designed places) Paragraphs 127 and 130 which is supported by the National Design Guide.

The adverse impact of the loss of the approved community use and the layout implications relating to the location of the windows adjoining refuse bin storage area outweighs the implications of the lack of a 5 year housing land supply by the Council, as referred to by the National Planning Policy Framework Paragraph 11 (d) (ii), with the loss of the use and layout being contrary to the NPPF's Paragraph 8 (b). It is not a sustainable development, by not being in accordance with its social objectives'.

4. PROPOSAL

4.1 This is for the provision of a self-contained (70.6 sq. m) one bedroom flat within part of Nash House's basement. It features a separate living room, bedroom and kitchen benefitting from internal storage.

4.2. The unit would be located within the south western side of Nash House accessed by an external staircase. It would feature two connected south west facing windows adjoining the glazed door which would be linked to the living room. The flat would be served by the previously communal approved refuse storage facility with access to one of the approved 11 parking spaces and communal refuse storage area. The application is accompanied by a Planning Statement and Lighting Report.

4.3 The Revised Scheme has modified the internal layout with the front door opening into the living room. The Original Scheme featured the bedroom adjoining the entrance door served by main window.

4.4 The Revised Scheme's accompanying notes confirm:

1. The internal space of the proposed flat is 70.6sqm. This is greater than the required 50sqm national minimum floorspace standards.

2. The internal space of the proposed bedroom is 12.2sqm in size. This is greater than the required 11.5sqm as set out in the technical requirements.

3. The floor to ceiling height 2.376m as shown on the section drawings.

4. The bedroom meets building regulations requirements.

Note: The standards are those referred to by the Homes & Communities 'Technical housing standards – nationally described space standard'.

5. PLANNING HISTORY

Planning Applications

20/00507/NMA - Non material amendment to planning permission 4/01679/17/mfa (Roof extension, refurbishment and repair, use of building as 9 flats (5 one-bed, 4 two-bed) community use on part of ground floor and ramped access, bin storage area and parking (11 spaces))
GRA - 23rd April 2020

20/00924/DRC - Details required by condition 2 (Heritage Signage) and 14 (basement management plan) of planning permission 4/01679/17/MFA (Roof extension, refurbishment and repair, use of building as 9 flats (5 one-bed, 4 two-bed) community use on part of ground floor and ramped access, bin storage area and parking (11 spaces))

GRA - 13th July 2020

20/01248/FUL - Conversion of basement into 1x 1-bedroom flat
REF - 17th August 2020

20/01249/FUL - Conversion of gym into into one 1-bedroom flat
REF - 17th August 2020

20/02528/NMA - Non material amendment to planning permission 4/01679/17/MFA (Roof extension, refurbishment and repair, use of building as 9 flats (5 one-bed, 4 two-bed) community use on part of ground floor and ramped access, bin storage area and parking (11 spaces))
REF - 2nd October 2020

4/01093/19/DRC - Details required by condition 2 (community use: partial), condition 6 (drainage design), 8 (boundary treatment), 12 (details of exterior lighting) and 14 (management plan:partial) attached to planning permission 4/01679/17/mfa - roof extension, refurb
GRA - 31st July 2019

4/01092/19/ROC - Variation of condition 5 (approved site layout plan) attached to planning permission 4/01679/17/mfa - roof extension, refurbishment and repair, use of building as 9 flats (5 one-bed, 4 two-bed) community use on part of ground floor and ramped access, bin
GRA - 6th August 2019

4/02571/18/DRC - Details as required by condition 4 (scheme for noise insulation/mitigation) of planning permission 4/01679/17/mfa (roof extension, refurbishment and repair, use of building as 9 flats (5 one-bed, 4 two-bed) community use on part of ground floor and rampe
GRA - 21st June 2019

4/02387/18/DRC - Details required by conditions 3 (external works and materials), 9 (contamination 15 (construction management) and 16 (drainage) attached to planning application 4/01679/17/mfa (roof extension, refurbishment and repair, use of building as 9 flats (5 one-b
GRA - 22nd February 2019

4/01679/17/MFA - Roof extension, refurbishment and repair, use of building as 9 flats (5 one-bed, 4 two-bed) community use on part of ground floor and ramped access, bin storage area and parking (11 spaces)
GRA - 5th June 2018

4/00195/13/FUL - Conversion of upper floors from commercial (b1a) to three residential flats (c3) with associated car parking
GRA - 2nd April 2013

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
Canal Buffer Zone: Minor
Canal Buffer Zone: Major
CIL Zone: CIL3
Former Land Use (Risk Zone):
Heathrow Safeguarding Zone: LHR Wind Turbine
Parish: Nash Mills CP
RAF Halton and Chenies Zone: Yellow (45.7m)
Town: Hemel Hempstead

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 CS4 - The Towns and Large Villages

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 CS27- Quality of Historic Environment

Policy CS29 - Sustainable Design and Construction

Policy CS32- Air, Soil and Water Quality

Hemel Place Strategy

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

Policy 10 - Optimising the use of Urban Land

Policy 18 - Size of New Dwellings

Policy 19 - Conversions

Policy 21 - Density of Residential Development

Policy 51- Development and Transport Impacts

Policy 54- Highway Design

Policy 58 - Private Parking Provision

Policy 113- Exterior Lighting

Policy 129 - Storage and Recycling of Waste on Development Sites

Appendix 1 - Sustainability Checklist

Appendix 3 - Layout and Design of Residential Areas

Appendix 5 - Parking Provision Appendices

Supplementary Planning Guidance

Sustainable Development Advice Note (March 2011)

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (September 2011)

Refuse Storage Guidance Note (February 2015)

Parking Standards Supplementary Planning Document (March 2019)

9. CONSIDERATIONS

Main Issues

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

- ☐ Principle. This relates to a residential use.
- ☐ Viability.
- ☐ Heritage Implications.
- ☐ The layout issues.

9.2 This is set against the LPA's grant for the redevelopment of Nash House and the refusal of Application 20/01248/FUL for the following reason:

'The proposed flat would not be served by any windows. The proposal would conflict with the expectations of saved Policy 19 (conversions) of Dacorum Borough Local Plan which requires the provision of a high standard of accommodation. The development (sic) would be contrary to the National Planning Policy Framework Part 12 (Achieving well- designed places), Paragraphs 127 and 130 which are (sic) supported by the National Design Guide.

The adverse implications of providing a flat without any windows outweighs the implications of the lack of a 5 year land supply for housing by the Council, as referred to in the National Planning Policy Framework Paragraph 11 (d) (ii). The development

would be contrary to the NPPF Paragraph 8 (b). It is not a sustainable development, by not being in accordance with its social objectives’.

9.3 This refusal was because the proposed flat was wholly dependent upon a south facing lightwell and door. Due to the lack of any window the proposal was not considered to be to a high standard/ well designed as expected through saved DBLP Policy 19 and the National Design Guide, with reference to various studies regarding the importance of some daylighting/ windows.

9.4 This took into account that the adjoining approved flat unit features a basement bedroom relying upon a lightwell. Contrary to the NPPF’s Para 8 the proposed conversion failed to accord with its expected social objective by failing to meet the needs of all occupiers now and in the future, not being well designed and not providing an adequate environment.

Principle of Development: Residential Development

9.5 The site is located within the urban area of Hemel Hempstead. Under Policies CS1 and CS4 of the Dacorum Core Strategy residential development is acceptable in principle. CS1 confirms that Hemel is to be the focus for new homes, as expressed through Hemel Hempstead Place Strategy. CS4 clarifies that in residential areas appropriate residential development is encouraged.

9.6 Policy CS17 supports new residential development to meet the district housing allocation, with saved Policy 10 of the Dacorum Borough Local Plan (DBLP) expecting the optimisation of urban land. This approach is set against the NPPF’s emphasis upon delivering sustainable development – with the social objective of providing a sufficient number and range of new homes, as expressed through Part 5 (Delivering a sufficient supply of homes).

9.7 Policy CS18 addresses the requirement to support a choice of homes through the provision of a range of housing types, sizes and tenure under criteria (a). This echoes the NPPF’s Paragraph 61.

9.8. Also in considering the application the Council does not have a demonstrable 5-year supply of deliverable housing sites. Under the NPPF’s paragraph 11 planning permission should therefore be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, or if specific policies within the NPPF that protect areas or assets of particular importance provide clear reasons for refusal.

Viability

9.9 The Planning Statement addresses viability:

Whilst it is considered that the proposal is acceptable on its own merits, it is also noted that the current permission does not provide a viable form of development. Viability was raised as a factor during the previous application. However, between the submission of the previous application and the current (near complete) stage, the financial situation has considerably worsened. This is due to significant reductions in expected property values, as well as increases in construction costs. This has significantly altered the projected viability

for the project. The applicant's financial forecasts show a developer profit margin that is significantly below the levels that are generally accepted as necessary to make a development viable.

9.10 However, It is not considered that this issue would outweigh the importance of only supporting applications which provide an environmentally acceptable form of development.

Heritage Implications

9.11 Planning Permission 4/01679/17/MFA ensures the retention of Nash House as a non – designated heritage asset. The use of part of the basement would not harm the building with reference to the NPPF's Paragraph 197. It is not considered that the proposed changes to the windows would harm the overall appearance of the building.

Layout: Background

9.12 This is with reference to Dacorum Core Strategy Policy CS12 and saved DBLP Policies 19 and 21, with Appendix 3 in achieving a high quality of design, as expected through the NPPF's Part 12 and the National Design Guide.

9.13 This is set against the NPPF's approach to 'making effective use of land' under Part 11 with specific regard to achieving appropriate densities under paras 122 and 123. Para 123 explains that where there is a shortage of land for meeting housing needs it is expected that developments make optimal use of each site.

9.14 Saved DBLP Policy 19 expects high quality residential conversions with a range of development criteria. Saved DBLP Appendix 5 establishes the standards for new housing with criterion (iv) addressing the satisfactory level of sun and day light.

9.15 The NPPF's Part 12 (Achieving well- designed places) expects the delivery of high quality buildings and places through Paragraph 124. Its Paragraph 127 addresses the importance of achieving such developments through both policies and individual decisions, with the need to consider the 'lifetime' of the development. Accordingly Paragraph 130 reinforces this through clarifying that permission should be refused for poor design.

9.16 National Design Guide notes under H1 the importance of a 'Healthy, comfortable and safe internal and external environment' with reference to its Paragraphs 124 to 128. Paragraph 124 explains good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, accessibility and adaptability. Para 126 clarifies that well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. Background documents addressing Quality Environments / Homes include:

Public Health England Spatial Planning for Health: An evidence resource for planning and designing healthier places. 2017, and

Quality standard of homes delivered through change of use permitted development rights July 2020: Report on the independent MHCLG funded research into quality standard of homes delivered through certain permitted development rights for the change of use. Published 21 July 2020 Ministry of Housing, Communities & Local Government. Although this addresses the implications of the exercise of 'permitted development' rights relating to conversions, there is specific reference to the quality of the conversions. This includes the size of units and their living conditions with reference to lighting and the presence of windows and the implications, which is reinforced with the recent increased likelihood of working from home. It notes that access to sufficient natural light and sunlight has long been linked to health and its lack can very likely impact the wellbeing of residents, with reference to longstanding recognition of the role of daylight and a recent study of the role of sunlight. It clarifies that Building Regulations do not actually require a dwelling to have a window and this is not something that an LPA can consider through the prior approval process, but it is of serious concern in terms of residential quality

Layout: The Proposal

9.17 The LPA can only give limited weight to the National Space standards as these have not been adopted, however they are an important indicator of what is acceptable. With reference to the expectations of saved DDBLP Policy 19, the 70 .6 sq. m gross provision is acceptable with regard to the minimum of 23 sq. m of habitable floor space under (iv), with an adequate bedroom size.

9.18 The provision of a main double window serving the living room is a fundamental material difference to Refusal 20/01248/FUL, benefitting from a southerly aspect, adequately addressing the previous objection. The submitted Lighting Report, based upon the Original Scheme's layout confirms the adequacy of the lighting.

Other Material Planning Considerations

Effect upon Residential Amenity

9.19 This is with reference to Dacorum Core Strategy Policy CS 12 and saved DBLP Appendix 3. It addresses the physical impact, privacy, the receipt of day and sunlight and noise and disturbance.

9.20 There would be no harm to the adjoining approved flats or the surrounding area.

Highway Safety / Access/ Parking

9.21 This is with reference to Policies CS8, CS12, saved DBLP Policies 51, 54 and 58, Appendices 3 and 5 and the NPPF's Part 9 promoting sustainable transport.

9.22 Access. This was approved decision under 4/01679/17/MFA. A fire tender can park next to the site. Access for persons with disabilities to the unit is problematical for wheelchair users/ persons with limited mobility, generally reflecting the difficulties in accommodating access for building conversions. However, the Nash House conversion

has provided access opportunities for the community unit with a ramped access and 2 disabled parking spaces.

9.23 Parking. Nash House would continue to be served by 11 parking spaces (with 2 spaces for persons with disabilities) as required by both the previous permissions, enabling community use and residential parking in a sustainable location as observed by Hertfordshire County Council Highways.

9.24 The Sappi Development was based upon 1 parking space per unit. The approach to the Nash House scheme was the same with the 11 spaces split between the 9 flats and community facility. In this context, set against the NPPF's Part 9 (Promoting sustainable transport) with the opportunity for the flat to benefit from use of the car park in this sustainable location, it is not considered that there is a parking objection to the provision of this one bedroom unit.

Ecological Implications

9.25 Hertfordshire Ecology raise no objections.

Contamination/Flooding/Foul and Surface Water Drainage/ Water Supply

9.26 This has been addressed through 4/01679/17/MFA with no relevant consultee objections to the current application.

Security/ Crime Prevention Exterior Lighting

9.27 There are no apparent objections. Lighting at the entrance would be important.

CIL

9.28 There will be a requirement. Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development site within Zone 3.

10. CONCLUSION

10.1. The proposal adequately addresses the severe limitations associated with Refusal 20/01248/FUL served by no windows, representing an acceptable alternative approach. In this relatively sustainable location and the availability of off street parking for Nash House as a whole, it is not considered that there is a parking objection to the application, set against the NPPF's emphasis upon promoting sustainable transport.

10.2 It is in accordance with the National Planning Policy Framework's economic, social and environmental objectives representing a sustainable development.

11. RECOMMENDATION

11.1 That planning permission be granted subject to the conditions set out below.

Condition(s) and Reason(s):

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 flat hereby permitted shall not be occupied until both windows serving the dwelling are provided fully in accordance with Plan Nos. PL-2-04a and PL-2-03e . Thereafter the flat shall be served at all times by both windows.**

Reason: Without both windows the use of this part of the basement for the provision of a flat would conflict with the expectations of saved Policy 19 (conversions) of Dacorum Borough Local Plan (2004) which requires the provision of a high standard of accommodation. Without the windows the development would be contrary to the National Planning Policy Framework Part 12 (Achieving well- designed places), Paragraphs 127 and 130 which are supported by the National Design Guide.

3. **The flat hereby permitted shall not be occupied until the community use unit at Nash House subject to Condition 2 Planning Permissions 4/ 01679/MFA and Condition 1 of Planning Permission 4/01092/19/MFA is provided fully in accordance with these conditions. Thereafter the community use unit shall be permanently available for community use between 10.00 and 20.00 hours Mondays to Fridays and 10.00 and 16.00 hours on Saturdays. In all other respects the use shall be operated in accordance with the letter (Management Plan) from DLA Town Planning dated 11 October 2018 to the local planning authority and therefore, notwithstanding the content of the letter dated 11 October 2019 the community unit shall not be used outside the times specified by this condition.**

Reason: To ensure that the community use is permanently provided at all times to accord with the expectations to the former Sappi site which is subject to Planning Permission 4/01382/09/MFA and Policies CS 23 and CS27 of Dacorum Core Strategy. The Management Plan's hours referred to by the letter dated 11 October 2019 extends beyond those originally approved by the local planning authority.

4. **The development hereby permitted shall not be occupied until the following have been provided:**

- **The ramped/ disabled accesses to the community unit and Unit 1 fully in accordance with Plan No 1805/A1.01Rev G subject to Planning Permission 4/01092/19/ROC, and**
- **11 (eleven) parking spaces serving the development including 2 disabled spaces being located next to the community unit and Unit 1 in accordance with Planning Permission 4/001092/ROC, notwithstanding the details shown by Plan No. PL-2-01 Rev A.**

Both accesses and all of the parking spaces shall be retained thereafter at all times and they shall not be used thereafter otherwise than for the respective approved purposes. In addition cycle storage at Nash House shall be provided at the site at all times fully in accordance with details submitted to and approved in writing by the local planning authority before the first use of the building hereby permitted.

Reason: To provide the ramped/ disabled/ inclusive accesses, parking and cycle storage at all times in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

5. **Subject to the requirements of other conditions of this planning permission, all the conditions of Planning Permissions 4/01679/MFA and 4/01092/19/ROC, the development hereby permitted shall be otherwise carried out in accordance with the following approved plans:**

PL-2 -01A

PL-2-04a

PL-2-03e

PL-2-05b

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
3. 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.
4. 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

<p>Hertfordshire Highways (HCC)</p>	<p>ORIGINAL SCHEME</p> <p>Application type Full Application</p> <p>Proposal Conversion of basement into 1x 1-bedroom flat</p> <p>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.</p> <p>HIGHWAY INFORMATIVES</p> <p>1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>2. 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.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>3. 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.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p>
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	<p>ANALYSIS: This application is for: Conversion of basement into 1x 1-bedroom flat.</p> <p>ACCESS: No new or altered vehicular or pedestrian access is proposed to or from the public highway and no works are required in the highway.</p> <p>PARKING: No additional parking spaces are proposed for this development. The site is in a sustainable location close to town centre amenities.</p> <p>CONCLUSION Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highway, subject to the informative notes above.</p>
Trees & Woodlands	<p>ORIGINAL SCHEME</p> <p>Comments awaited.</p>
Thames Water	<p>ORIGINAL SCHEME</p> <p>Comments awaited.</p>
Affinity Water - Three Valleys Water PLC	<p>ORIGINAL SCHEME</p> <p>Comments awaited.</p>
Hertfordshire Building Control	<p>ORIGINAL SCHEME</p> <p>Comments awaited.</p>
Hertfordshire Property Services (HCC)	<p>ORIGINAL SCHEME</p> <p>Comments awaited.</p>
Conservation & Design (DBC)	<p>ORIGINAL SCHEME</p> <p>This application is confusing as it states there are no external alterations but additional light is only possible by the introduction of two new adjacent windows of different dimensions and styles in the side elevation and introducing an inappropriate half-glazed door, and moving the steps toward the façade requiring additional excavation and engineering - all requiring changes to this elevation.</p>

	<p>The proposed layout still leaves the kitchen area without its own natural lighting. The 'storage area' is entirely unlit. The layout places the double bedroom and bed directly opposite the front door.</p> <p>The calculations for the ADF are not given.</p> <p>What will be the impact on bin storage?</p> <p>This proposal is an afterthought and appears on the plans as such, failing to integrate with the rest of the works.</p>
Hertfordshire Ecology	<p>ORIGINAL SCHEME</p> <p>Thank you for your letter of 19 June 2020 which refers, and for consulting Herts Ecology.</p> <p>I commented on a previous similar application at this address on 10 July 2020 and my advice remains the same.</p> <p>ORIGINAL SCHEME</p> <p>As before, the Hertfordshire Environmental Records Centre has no records of notable ecological interest at this recently converted building. Consequently, I am not aware of any ecological constraints that could apply. There will be no loss of biodiversity and, given the scale, type and location of the proposed development, the aspiration to deliver a net gain of biodiversity can be put to one side.</p> <p>I hope these comments are helpful.</p>
Canal & River Trust	<p>ORIGINAL SCHEME</p> <p>No comment.</p>
Parish/Town Council	<p>ORIGINAL SCHEME</p> <p>Objection Nash House 20/02550/FUL</p> <p>NMPC object to the amended proposals as they do not adequately address our concerns raised in the previous applications.</p> <p>NMPC feel that the planning officers report detailing his extensive justification for recommending refusal of the previous application have only been satisfied in part by the addition of a small window.</p> <p>The concerns about the space being suitable and well-designed living space is still not met in our opinion, the layout is still controversial in that the front door opens straight into a bedroom.</p> <p>NMPC have concerns that the proposed new window will still not allow sufficient light due to the fact that the majority of it is underground and shadowed by the neighbouring stairs, railings and portico.</p>

	<p>Section 4.2 of the accompanying light report mentions that a kitchen, if non-daylit should have access to a well-lit living/dining room ' the plans show that the kitchen is next to the bedroom so it is unclear if this space is a studio flat or a one bedroom flat as described.</p> <p>We also object under CS12 under the following points Cs12 (b).</p> <p>Parking was a component of our original objection and this issue has not been addressed.</p> <p>It is well known that there is under provision for parking at Nash Mills Wharf and parking there is a cause of grave concern for existing residents and the parish council. This development had only the minimum required spaces on its approved application and therefore the lack of any additional provision with this new proposal will mean that there is not sufficient parking provided for the Nash House development</p>
Environmental And Community Protection (DBC)	<p>ORIGINAL SCHEME</p> <p>Noise / Pollution</p> <p>No comment.</p> <p>Scientific Officer</p> <p>Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>
Civil Aviation Authority	<p>ORIGINAL SCHEME</p> <p>Comments awaited.</p>
Civil Aviation Authority	<p>REVISED SCHEME</p> <p>Comments awaited.</p>
Canal & River Trust	<p>REVISED SCHEME</p> <p>No comment.</p>
Conservation & Design (DBC)	<p>REVISED SCHEME</p> <p>Comments awaited.</p>
Trees & Woodlands	<p>REVISED SCHEME</p>

	<p>Comments awaited.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>REVISED SCHEME</p> <p>Comments awaited.</p>
<p>Hertfordshire Property Services (HCC)</p>	<p>REVISED SCHEME</p> <p>Response by HCC's Growth & Infrastructure Unit to Conversion of basement into 1x 1-bedroom flat at Nash House Dickinson Sq. Hemel Hempstead HP3 9GT</p> <p>Thank you for your email regarding the re-consultation on the above mentioned planning application.</p> <p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone 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.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p> <p>Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision.</p> <p>I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>REVISED SCHEME</p> <p>Application type Full Application Proposal</p> <p>AMENDED PROPOSAL Conversion of basement into 1x 1-bedroom flat</p> <p>Decision</p> <p>Notice is given under article 18 of the Town and Country Planning</p>

(Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

HIGHWAY INFORMATIVES

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public

right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

ANALYSIS:

This application is for: AMENDED PROPOSAL Conversion of basement into 1x 1-bedroom flat.

This proposed revised application is for having additional windows in place as well as an accompanying lighting report.

	<p>ACCESS: No new or altered vehicular or pedestrian access is proposed to or from the public highway and no works are required in the highway.</p> <p>PARKING: One car parking space will be provided for the additional unit. The site is in a sustainable location close to town centre amenities.</p> <p>CONCLUSION Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highway, subject to the informative notes above.</p>
Hertfordshire Ecology	<p>REVISED SCHEME</p> <p>Comments awaited.</p>
Hertfordshire Building Control	<p>REVISED SCHEME</p> <p>Comments awaited.</p>
Parish/Town Council	<p>REVISED SCHEME</p> <p>NMPC have considered the submitted amendments to the application and object to this revised application as we do not feel that our earlier concerns have been addressed satisfactorily.</p> <p>NMPC feel that the planning officers report detailing his extensive justification for recommending refusal of the previous application have only been addressed in part. The concerns about the space being suitable and well-designed living space is still not met in our opinion. The proposed development would result in overdevelopment and overcrowding. NMPC fully supports the view of the conservation officer, this amended scheme is not in character and will have a detrimental effect on a very significant heritage asset.</p> <p>We also object under CS12 with the following points Cs12 (b) Parking was a component of our original objection, there are insufficient spaces for the number of approved flats even without this additional unit. There would be no overall increase in the net number of spaces available for Nash House (including the community facility within) to provide this proposed dwelling with parking. Parking remains a major issue in Nash Mills especially within the Wharf.</p>
Affinity Water - Three	<p>REVISED SCHEME</p>

Valleys Water PLC	Comments awaited.
Thames Water	REVISED SCHEME Comments awaited.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
119	11	0	11	0

Neighbour Responses

Address	Comments
2 Butterfly Crescent Hemel Hempstead Hertfordshire HP3 9GS	<p>ORIGINAL SCHEME</p> <p>I should like to object to this proposal as it will result in over development of the site and insufficient parking.</p> <p>There is already inadequate parking for Nash House, based on the number of units for which permission has been granted and one more unit will exacerbate the problem.</p> <p>Lack of proper parking facilities results in residents parking in unallocated spaces, which is dangerous as it reduces road width and the ability of emergency vehicles to enter and exit the site with ease. It also results in cars in allocated spaces being blocked in. It is not realistic in 2020 to expect a unit holder to own only one vehicle. Most units of this nature are occupied by couples, with one car each.</p>
1 Butterfly Crescent Hemel Hempstead Hertfordshire HP3 9GS	<p>ORIGINAL SCHEME</p> <p>1. Inadequate parking provision: 11 spaces for 10 flats is inadequate There is already insufficient parking, and as a resident of 8.5 years I have become increasingly frustrated during the past 2 years with visitors parking in my 2 spaces with no prior arrangement. This results in my having to knock on doors to establish ownership of the offending vehicle/s.</p> <p>2. Increase in traffic: there is already a constant flow of traffic around the development often with little regard for noise or speed.</p> <p>3. Other - Vermin risk: there are already issues with vermin on the development with residents not responsibly binning refuse. The inadequate provision of only 2x 1,100 litre bins (for recycling and</p>

	<p>non-recycling) for 10 units is likely to contribute to vermin risk.</p> <p>4. Over development: 9 flats is thought to be too many; the proposal to have 10 flats is unacceptable.</p>
<p>Chris Newman 10 Croxley Road Nash Mills Wharf</p>	<p>ORIGINAL SCHEME</p> <p>I am very disappointed to see yet another application relating to Nash House. As I mentioned before this can only be regarded as the further overdevelopment of Nash House. Nash Mills Wharf is a very dense development with horrendous parking problems exacerbated by outdated parking policies. There is no additional parking proposed for this new apartment which is simply unacceptable and it is not realistic as has already been proven on this development with Red Lion Lane full of cars parking on the pavement and insufficient overflow parking opposite Water Mill House Care Home. This proposal would further reduce visitor spaces on the development.</p> <p>I am still not convinced on the natural light which would be very unpleasant for the occupants and I wonder how this apartment, particularly the kitchen and bathrooms would be ventilated.</p> <p>I am still not convinced that the bin enclosure/proposals would be sufficient for the unit numbers within Nash House.</p> <p>This proposal still has no community space whatsoever. The previous application included for at least a gym area which was insufficient then. Now there is no community or commercial space at all.</p> <p>I would also stress that the proposal would have a negative impact on the overall character of Nash House which would be detrimental to its heritage and identity.</p> <p>Previous applications for additional units has already been refused for similar reasons and we see no justification for any further additional units.</p>
	<p>We have just seen the plans for the above reference and I would like to object these plans. From the beginning of building there was only meant to be a total of 9 flats, the developer then put a request in for 10 which got declined and now originally and now they are trying again. I feel the developer is being greedy and not thinking about it from a location point of view or parking. There is not enough parking for 9 flats (as majority are already double occupancy). The parking around the development is minimal already and this is only going to add to the issue.</p>
<p>12 Dickinson House Nash Mills Wharf HP3 9DR</p>	<p>ORIGINAL SCHEME</p> <p>Please note the following:</p> <ol style="list-style-type: none"> 1. Similar applications have been refused twice in 2017 and in 2020. Why another one, as nothing has changed? 2. The development is already overcrowded with massive issues with car parking, and health matters with regards to vermin. More bin stores will further exacerbate the problem. Vistry Group via Rentokil have only installed further traps last week due to a surge in rats from the weir and river area.

	<p>3. The original site planning application granted to Crest Nicholson/Linden Homes ref: Dacorum Borough Council Granted Application No. 4/01382/09/MFA (12th May 2010)</p> <p>This has never been complied with and is the subject of a non compliance order by your department for a range of issues not least of which was the failure to build or do anything with Nash House and leave it derelict for over 5 or more years, and adequately provide for a nice visual aspect for the residents. Ha, ha!! Vistry Group need to be communicated with as they are waiting for Dacorum Council to approve completion works by the EA at your own offices! Nothing should be agreed until this is transparent and it is far from it.</p>
<p>11 Frances Mews Hemel Hempstead Hertfordshire HP3 9GR</p>	<p>ORIGINAL SCHEME</p> <p>Over development - 9 flats is too many as it is so 10 is excessive.</p> <p>Bins/Vermin - there is a known problem with vermin on the estate, the proposal for 2 x 1,100 litre dustbins is not enough as it is for 9 flats, so risk of overflow of rubbish and vermin being attracted to where these will be stored. Living next to these flats with children is an issue with bins and issues that will come with it next to our living space.</p> <p>Parking - There is a lack of parking for the estate as it is, adding another flat only adds to the parking issues we face</p> <p>Revised design proposal - the last application for this additional unit was refused due to lack of natural light. The new plans shows the addition of 2 windows next to the door . From an outside point of view this will look odd and not in keeping with the rest of the building. Internally it would compromise the privacy for the occupant.</p>
<p>5 Butterfly Crescent Hemel Hempstead Hertfordshire HP3 9GS</p>	<p>ORIGINAL SCHEME</p> <p>I write to OBJECT to the revised application to create one more residential unit in the basement of Nash House. This would bring the total number of units to 10. In 2017 an application was submitted to convert and extend Nash House to create 10 units and this application was rejected.</p> <p>Why would 10 units now be acceptable when nothing in the area or site itself has improved/changed?</p> <p>The same problems remain, as follows:</p> <ol style="list-style-type: none"> 1. Parking - when Crest Nicholson/Linden Homes sold the Nash House site they sold most of the visitor parking in Nash Mills Wharf with it including the only allocated disabled parking bay. This has led to residents and their visitors spilling over on to Red Lion Lane and other neighbouring streets causing a nuisance and danger to road users (including Emergency vehicles) and pavement users. 9 units will add to the existing problem and a total of 10 will only exacerbate the problem further. 2. Over-development - 9 units is cramming but 10 would be totally excessive. 3. Vermin risk - The plans provide for a bin store for only 2 x 1,100 litre bins - one for re-cycling and the other for non-recycling. This provision is likely to be inadequate for 9 units and adding another unit risks having major problems with vermin and rubbish spilling out of the bin housing. 4. Design & external impact of the basement flat - The June 2020

application was refused due to lack of natural light. The developer is now proposing to add two windows next to the door to the basement to allow more light. Externally, this is going to look most odd and not in keeping with the overall look of the building. Their plan also suggests that the flat will, in fact, be a studio as the bed space is not separate from the living area.

Further, the proposed position of the bed itself is opposite the door and windows which would mean that blinds/curtains would need to be covered in order to afford the occupant any privacy, which leaves the problem of not having sufficient natural light.

Is the developer going to keep coming back with tweaked designs so that in the end the Council just gives in and grants their application so as to 'get rid' of a time-consuming problem? Please do not let this happen.

May I suggest an alternative use for the basement? To create 9 storage spaces - one for each flat. The design for the 9 flats is cramped and affords little space for storage. The developer has expressed a concern (the Planning Officer should not take this into account) that not enough profit will be made from 9 units. With the addition of a storage space the developer can surely add a premium to the price of each flat so as to compensate for income he feels he might have lost.

Please reject this latest planning application and word the refusal in such a way as to 'shut the door' on any other tweaks to the plans and any other re-submission.

I write to OBJECT to the revised application to create one more residential unit in the basement of Nash House.

On 28th October 2020 we were notified of an amendment to this planning application. It would appear that the layout of the proposed basement flat has been amended.

Changing the layout of the basement flat does not change the fact that this would bring the total number of units to 10. In 2017 an application was submitted to convert and extend Nash House to create 10 units and this application was rejected.

Why would 10 units now be acceptable when nothing in the area or site itself has improved/changed?

The same problems remain, as follows:

1. Parking - when Crest Nicholson/Linden Homes sold the Nash House site they sold most of the visitor parking in Nash Mills Wharf with it including the only allocated disabled parking bay. This has led to residents and their visitors spilling over on to Red Lion Lane and other neighbouring streets causing a nuisance and danger to road users (including Emergency vehicles) and pavement users. 9 units will add to the existing problem and a total of 10 will only exacerbate the problem further.

2. Over-development - 9 units is cramming but 10 would be totally excessive.

3. Vermin risk - The plans provide for a bin store for only 2 x 1,100 litre bins - one for re-cycling and the other for non-recycling. This provision is likely to be inadequate for 9 units and adding another unit risks

	<p>having major problems with vermin and rubbish spilling out of the bin housing.</p> <p>4. Design & external impact of the basement flat - The June 2020 application was refused due to lack of natural light. The developer is now proposing to add two windows next to the door to the basement to allow more light. Externally, this is going to look most odd and not in keeping with the overall look of the building.</p> <p>As I said before, is the developer going to keep coming back with tweaked designs so that in the end the Council just gives in and grants their application so as to 'get rid' of a time-consuming problem? Please do not let this happen.</p> <p>Please reject this latest planning application and word the refusal in such a way as to 'shut the door' on any other tweaks to the plans and any other re-submission.</p>
<p>6 Frances Mews Hemel Hempstead Hertfordshire HP3 9GR</p>	<p>ORIGINAL SCHEME</p> <p>Vermin Risk</p> <p>Design and external impact of the basement flat proposal. It will not have enough light and will make it look odd externally.</p> <p>It feels like the developer is cramming people and flats in a confined space with effects to teh wider community, eg parking.</p>
<p>3 Frances Mews Hemel Hempstead Hertfordshire HP3 9GR</p>	<p>ORIGINAL SCHEME</p> <p>The planning application for 10 units was refused as the scheme was over developed and there is a lack of parking provision. The application for 11 units was also recently refused. Now applying again to squeeze in another unit and all the reasons for refusal are still valid. Will the developer keep re-applying until the local authority relent?</p> <p>The over development of this scheme is well documented. Where will the residents park? Red Lion Lane is already dangerous due to parking from apartment owners in Nash Mills Wharf.</p> <p>All visitors parking places have been taken up by this scheme.</p> <p>The planning application for 10 units was refused as the scheme was over developed and there is a lack of parking provision. The application for 11 units was also recently refused. Now applying again to squeeze in another unit and all the reasons for refusal are still valid. Will the developer keep re-applying until the local authority relent?</p> <p>The over development of this scheme is well documented. Where will the residents park? Red Lion Lane is already dangerous due to parking from apartment owners in Nash Mills Wharf.</p> <p>All visitors parking places have been taken up by this scheme.</p>
<p>25 Butterfly Crescent Hemel Hempstead Hertfordshire HP3 9GS</p>	<p>ORIGINAL SCHEME</p> <p>The development can barely cope with the amount of residents it already has. The congestion within the development and the parking issues means that adding a further 10 flats with not enough parking will</p>

	<p>cause massive issues. The bin lorries, delivery vans and emergency services struggle as it is too.</p>
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We are also concerned for the increased vermin risk as we live by the canal and already suffer with this from time to time.

The basement flat proposal is also a concern with lack of privacy.