

ITEM NUMBER: 5a

20/02519/MFA	Construction of 58 apartments, external amenity spaces and communal garden/play area.	
Site Address:	Paradise Fields St Albans Road Hemel Hempstead Hertfordshire	
Applicant/Agent:	Mr Ian Johnson	Mr Stuart Darling
Case Officer:	James Gardner	
Parish/Ward:	Hemel Hempstead (No Parish)	Adeyfield West
Referral to Committee:	DBC Application	

1. RECOMMENDATION

That planning permission be **GRANTED**

2. SUMMARY

2.1 The site forms part of local allocation H/7 and is within close proximity to Hemel Hempstead town centre. The principle of residential development is therefore acceptable, with densities broadly in line with Policy 21 of the Dacorum Local Plan.

2.2 In design terms, the development is considered to be well thought out and would positively contribute to the local area, thereby according with Policies CS10, CS11 and CS12 of the Dacorum Core Strategy (2013).

2.3 There would be no adverse impact on the nearest residential dwellings, thereby according with Policy CS12 of the Dacorum Core Strategy and Appendix 3 of the Dacorum Local Plan.

2.4 The scheme would provide 100% affordable housing (social rent) and thus exceeds the requirements of Policy CS19 of the Dacorum Core Strategy.

3. SITE DESCRIPTION

3.1 Paradise fields is a greenfield site with an area of approximately 1 hectare (240m in width by 45m in depth). It has an extensive frontage of about 230m on St. Albans Road (A414) to the south and includes a dense wooded area to the west, comprising approximately 0.3 hectares that extends to Turners Hill. A blanket Tree Protection Order (TPO 389) for trees of all species protects the wood.

3.2 The site is roughly rectangular shape, with a tapering end to the southwestern corner fronting Wood Lane. Access to Wood Lane is directly from the A414, which serves a commercial/industrial estate connecting with Park Lane to the northwest. The site is on a slope, rising from Wood Lane to Turners Hill by up to 14m.

3.3 The Town Centre with high street facilities and Marlowes Shopping Centre is located approximately 700m to the southwest, which is less than 10minutes walk from the western end of the site on Wood Lane.

3.4 A public footpath (PROW Hemel Hempstead 047B) runs along the northern boundary of the site from Turners Hill in the northeast down to Wood Lane in the southwest.

3.5 Beyond footpath 047B lies an extensive area of open land to the north, comprising of approximately 6 hectares in area, and extending to the residential properties on Walnut Grove at a distance of approximately 275m. Part of this open land adjacent to the site is a designated 'wildlife site' in the Dacorum Local Plan 2004. This area comprises approximately 4 hectares in area.

3.6 Hemel Hempstead Hospital is located to the northwest, across the open land, at a diagonal distance of approximately 225m, and connected by a dedicated footpath (PROW Hemel Hempstead 060) to the west from Wood Lane.

4. PROPOSAL

4.1 Planning permission is sought for the construction of 58 apartments within three blocks, provision of external amenity space, communal garden play / area and parking.

5. PLANNING HISTORY

Planning Applications (If Any):

4/00755/13/FHA - Demolishing and rebuilding existing single storey side extension to same size and footprint and changes to windows on rear Elevation.

GRA - 24th June 2013

4/00865/10/TPO - Works to trees

GRA - 22nd June 2010

4/02159/08/TPO - Works to trees

GRA - 16th December 2008

4/03167/07/TPO - Works to trees

GRA - 4th February 2008

4/03166/07/TPO - Works to trees

WDN - 4th February 2008

4/01869/06/FUL - Temporary contractors compound (for construction of surgicentre on site approved for nursery)

GRA - 10th November 2006

4/00512/06/ENA - Details of refuse storage as required by condition 7 of planning permission

4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

GRA - 27th April 2006

4/00125/06/DRC - Details of proposed parking turning arrangements as required by condition 6 of planning permission 4/01413/05 (variation of conditions 2, 5, & 6 of planning permission 4/02933/04 (construction of single storey building to provide ninety-six place day nurs

GRA - 20th February 2006

4/01415/05/DRC - Details of parking and turning required by condition 6 of planning permission

4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

WDN - 16th November 2005

4/01414/05/DRC - Details of access road as required by condition 1 of planning permission

4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

GRA - 5th August 2005

4/01413/05/ROC - Variation of conditions 2, 5, & 6 of planning permission 4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

GRA - 30th August 2005

4/02933/04/FUL - Construction of single storey building to provide ninety-six place day nursery
GRA - 3rd March 2005

4/02589/03/OUT - Construction of single storey building to provide 96 place day nursery
GRA - 27th January 2004

4/00168/03/OUT - Construction of single storey building to provide 96 place day nursery
WDN - 1st October 2003

4/01255/01/OUT - Multi-storey car park with nurses accommodation, ambulance station, hospital related use, mixed use commercial/residential site and open space and a & e access road (entry and exit) for emergency vehicles
REF - 3rd December 2002

4/01254/01/OUT - Multi-storey car park with nurses accommodation, hospital related use, ambulance station, english partnerships residential site, open space, mixed use commercial/residential
WDN - 12th December 2005

Appeals (If Any):

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

Parking Accessibility Zone (DBLP): 3

CIL Zone: CIL3

Former Land Use (Risk Zone):

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

RAF Halton and Chenies Zone: Green (15.2m)

Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)

Residential Character Area: HCA22

Smoke Control Order

Town: Hemel Hempstead

Tree Preservation Order: 389, Details of Trees: W1 - Trees of whatever species

Wildlife Site: Paradise Fields Central

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

Main Documents:

National Planning Policy Framework (February 2019)

Dacorum Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of the Public Realm
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS33 – Hemel Hempstead Town Centre
CS35 – Infrastructure and Developer Contributions

Dacorum Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 12 - Infrastructure Provision and Phasing
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 51 – Development and Transport Impacts
Policy 58 – Private Parking Provision
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 111 – Height of Buildings
Policy 118 – Important Archaeological Remains
Policy 129 – Storage and Recycling of Waste on Development Sites

Appendix 3 – Layout and Design

Supplementary Planning Guidance/Documents

Planning Obligations (2011)
Parking Standards Supplementary Planning Document (2020)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

Policy and principle justification for the proposal;
Mix of Housing
Density considerations
Quality of design and impact on visual amenity

Quality of the internal environment
 Impact on residential amenity; and
 Impact on highway safety and car parking.
 Ecological Impacts
 Other material considerations

Principle of Development

9.2 The site forms part of the Hemel Hempstead Town Centre Masterplan (2011-2021) and falls within the Hospital Zone character area.

9.3 The application site has been allocated for housing under designation H/7 within the Adopted Site Allocations 2006 to 2031 Map Book 2017.

9.4 A net housing capacity of 43 is indicated within H/7 of the Site Allocations. The supporting text briefly outlines the planning requirements for the site as follows:

To be planned comprehensively with Proposal MU/2. Access from A414, although some housing may be required to be served from Turners Hill. Public footpaths to be retained and new link created between Turners Hill and Albion Hill. Hedgerows and trees to be retained and supplemented. Early liaison required with Thames Water to develop a Drainage Strategy to identify any infrastructure upgrades required in order to ensure that sufficient sewage and sewerage treatment capacity is available to support the timely delivery of this site.

9.5 The principle of residential development on this site is therefore acceptable subject to compliance with the relevant local and national planning policies.

Mix of housing

9.6 Policy CS18 of the Core Strategy states that new housing development will provide a choice of homes. This will comprise a range of housing types, sizes and tenure; housing for those with special needs and affordable housing in accordance with Policy CS19.

9.7 Saved Policy 18 of the Dacorum Local Plan states that the development of a range of dwellings (size and type) will be encouraged. Regard will be paid to the need to provide accommodation for new, small households and the floor area of individual buildings.

9.8 The mix of dwellings is outlined below:

Unit Type	Building			Total by Type
	A	B	C	
1b2p	9	9	7	25
2b3p	3	3	3	9
2b4p	8	8	8	24
Total per Block	20	20	18	58

9.9 It is considered that the above strikes an appropriate mix of dwellings sizes.

Density Considerations

9.10 Policy CS10 of the Core Strategy states that, at broad settlement level, development should promote higher densities in and around town centres.

9.11 Policy 10 of the Dacorum Local Plan is of relevance and states that vacant or underused land and buildings should be brought into the appropriate use(s) as soon as practicable through new building, conversion, adaptation or other alteration. Importantly, the saved policy goes on to state (where relevant) general building development should be designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies in the plan. In particular, building development will be permitted if it makes optimum use of the land available, whether in terms of site coverage or height.

9.12 Policy 21 of the Dacorum Local Plan states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available.

9.13 The policy further states that densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. Higher densities will, however, generally be encouraged in urban areas at locations where services and / or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centres.

9.14 The application proposes 58 residential units on a 1.07 hectare site, giving a density of approximately 54.2 dwellings per hectare (dph), which is only marginally higher than the range set out in Policy 21. However, given the close proximity of the site to Hemel Hempstead Town Centre, where densities are substantially higher than other parts of the town, the proposed density is considered to be acceptable, making efficient use of land in accordance with Policy 10 and broadly in accordance with Policy 21.

9.15 Although the housing allocation (H/7) is stated as having a net capacity of 43 units, it is important to note that paragraph 6.21 of the Site Allocations document states that:

The net capacity figures specified provide an estimate of expected dwelling capacity and should not be treated as maxima. Final dwelling capacities will be tested through the planning application process, where detailed schemes will be expected to demonstrate compliance with specified planning requirements and other relevant policies and guidance.

9.16 Density is but one factor in determining whether a planning application is acceptable. Given the highly sustainable nature of the application site, it is considered that the density proposed would make effective use of the site.

Quality of Design / Impact on Visual Amenity

9.17 Policy CS10 of the Dacorum Core Strategy states that, at a broad settlement level, development should, inter alia, protect and enhance significant views into and out of towns and villages and deliver landmark buildings at movement and pedestrian gateways, enhancing focal points with high quality architecture.

9.18 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should respect the typical density intended in an area, preserve attractive streetscapes, integrate with the streetscape character and respect adjoining properties in terms of layout, site coverage, height, bulk and materials.

9.19 Appendix 3 of the Dacorum Borough Local Plan states that development should be guided by the existing topographical features of the site, its immediate surroundings, and respect the character of the surrounding area with an emphasis on there being adequate space for the development in order to avoid a cramped appearance.

Design

9.20 The development is formed of three rectilinear apartment blocks (Blocks A, B and C) whose heights range from four to five storeys, the building heights reflecting the level changes across the site.

9.21 The elevations of Blocks A and B exhibit a repeating square frame pattern extending from first floor up to roof level above a recessed ground floor entrance. This pattern extends over half the façade on the street elevation fronting St Albans Road, with a more subdued flush façade for the remaining half, and punctuated by columns of tall recessed windows on all elevations. The designs are contemporary and utilise precast stone frames, which form the principal elevational structure. The stone would be contrasted with panels of cream brickwork; glass and gold anodised aluminium window frames. White glazed bricks with white mortar joints would be utilised proximate to the main entrance in order to appropriately define these areas.

9.22 Accommodation in the upper floors of Blocks A and B will be set back from the building perimeter; clad in gold anodised aluminium and partially enclosed by the precast frame, which extends above the parapet line and is free standing at the building corners.

9.23 Block C differs from Blocks A and B in that it is of four storey construction, having no accommodation at roof level, with a precast stone frame terminating at the parapet. Block C is also located closer to St Albans Road, terminating the view from the main site entrance.

9.24 Notwithstanding the differences in height and siting, the regular grid and repeating bay structures are such that all three blocks have sufficient commonalities as to be perceived as a set of buildings, each forming part of a cohesive planned approach to design.

Impact on Street Scene

9.25 It is considered that the proposal will be visible from two key visual receptors: St Albans Road to the south and the public footpath to the north.

9.26 St Albans Road is a busy east-west route connecting Hemel Hempstead Town Centre with the M1 and the Maylands Avenue industrial area. Owing to the height of the proposed apartments and the fact that the application site occupies an elevated position vis-à-vis St Albans Road, the development will be prominent to persons travelling in either direction.

9.27 This is considered to be an opportunity to create landmark buildings along an important travel corridor in a sustainable location proximate to the Town Centre.

9.28 The architects describe the design in the following terms:

Our proposal is conceived as a series of pavilions in the Paradise Fields landscape with rooftop lanterns, lit at night that, viewed from St Albans Road serve as markers of entering/leaving the centre of Hemel Hempstead.

9.29 Blocks A, B and C are not adjacent to any other buildings. The closest building to the application site which is visible from the St Albans Road street scene is Amberside – a two-storey office block located to the south west. Amberside fronts Wood Lane and in some respects is similar in form to the proposed development. When travelling in a westerly direction along St Albans Road, the development will be seen against the backdrop of KD Tower

9.30 The existing hedges and grass bank are to be retained as a buffer between St Albans Road and the application site, and supplemented by additional tree planting between the proposed parking bays and the southern boundary of the site.

9.31 Views into the site at ground level would be limited to persons travelling along Wood Lane in the direction of the A414. Parking within the site will be reasonably well distributed throughout the

development and laid out in such a way as to minimise large expanses of car parking. Where this has not been possible, as is the case for spaces 18-44, the impact would be lessened by the presence of soft landscaping between the spaces and the site boundary. Furthermore, the substation and two bin stores would also provide some visual relief.

9.32 The Council's Conservation and Design Officer has been formally consulted and made the following comments in respect of the potential impact the proposal would have on the street scene:

The views of the buildings from the dual carriageway would be the biggest impact in within the wider area. We consider that it has successfully addressed the road, steps up successfully and would enhance the architectural quality of the St Albans road. The spaces between the buildings appear generous and the landscaping and planting well considered. The design detail would give the building a contemporary feel whilst reflecting the regular rhythm of more historic developments and in essence respond to the pattern book style architecture promoted in the governments new proposals with regards to design quality.

9.33 Residential and commercial development along St Albans Road between the Magic Roundabout and the application site varies considerably in both height and form. As such, there is not one particular style that need be followed.

9.34 Policy 111 of the Dacorum Local Plan advises that buildings in excess of three storeys may be permitted outside of Hemel Town Centre provided there is no harm to:

- a) the character of the area and the site's surroundings;
- b) the character of open land;
- c) views of open land, countryside and skylines; and
- d) the appearance and setting of conservation areas and listed buildings.

9.35 In summary, it is considered that the development would not be contrary to any of the criterion listed above.

- The area is of mixed character and in close proximity to Hemel Hempstead Town Centre, where heights increase significantly.
- The character of open land would not be prejudiced as a result of the development. Paradise Fields continues for some distance to the north west, and the enclosure of this substantial area by buildings of no more than five storeys would have a limited overall impact.
- Views of the open land from the public footpath would be unaffected, the footpath being located to the north of the development. The land is not readily visible from Fern Drive on the opposite side of the A414 owing to the interposition of blocks of flats and substantial mature trees.
- The development is not in close proximity to any conservation areas or listed buildings.

9.36 The increase in height also has benefits in terms of density and maximising the use of urban land, which is supported by saved Policy 10 of the Dacorum Local Plan.

9.37 In terms of the impact of the development as perceived from the public footpath, while introducing development in a location where none previously existed, the design would be very similar to that perceived from the A414. Blocks B and C would be considerably set back from the path and the associated new landscaping would help the buildings to sit comfortably within the site. It is also considered that the new development would be beneficial from the perspective of natural surveillance and reducing crime / fear of crime for users of the footpath.

Amenity Provision

9.38 Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height.

9.39 Amenity space will comprise of three distinct areas: The Habitat Garden, Courtyard Garden and Woodland area, all of which will be linked with connecting landscaping.

9.40 The Habitat Garden will use simple habitat creation measures – such as native planting, hibernacula, Hedgehog houses and a small attenuation basin with wetland planting – to increase biodiversity. It will include seating, and a woodchip path will connect the development with the public footpath to the north.

9.41 The central landscaped courtyard garden will be created between Building A and Building B, and it is envisaged that this will be used by residents for relaxation and socialising. Two paths will lead into and out of the garden, linking with the public footpath to the north, while the garden itself will include seating enclaves and an organically shaped central lawn area with children's play apparatus.

9.42 The Woodland Area to the east will provide a more natural environment, incorporating woodchip paths and seating. A Woodland Management Plan forms part of the application submission and proposes the removal of Ash trees and the dense understorey in order to improve the quality of the woodland, thereby allowing other species to flourish.

9.43 In addition to the communal open spaces already mentioned, all of the residential units would be provided with private outdoor amenity space in the form of a terrace area.

9.44 The public open space to the north will further supplement the amenity space referred to above, and the site's location in relation to Hemel Hempstead Town Centre will ensure that sufficient opportunities for recreation are available for future residents.

9.45 It is therefore considered that sufficient amenity space will be available for future occupiers of the new units.

Quality of Internal Environment

Impact from Road Noise

9.46 The development is in close proximity to St Albans Road and therefore consideration needs to be given to the potential for adverse impacts as a result of noise and vibration.

9.47 Planning Policy Guidance 24 (PPG24) guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. This has now been cancelled and superseded by the National Planning Policy Framework (NPPF).

9.48 Whereas PPG24 included a sequential test and Noise Exposure Categories, the NPPF is somewhat less prescriptive.

9.49 Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- Preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

9.50 As per Paragraph 180 of the NPPF:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) *Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions – and avoid noise giving rise to significant adverse impacts on health and quality of life.*

9.51 Reference is made in the NPPF to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs), within which two established concepts from toxicology are applied to noise impacts.

9.52 They are:

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

Extending these concepts for the purpose of this Noise Policy Statement leads to the concept of a significant observed adverse effect level.

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur

9.53 It is important to note that none of these three levels are defined numerically and for the SOAEL the NPSE makes it clear that the noise level is likely to vary depending upon the noise source, the receptor and the time of day.

9.54 Blocks A and B will be located approximately 27 metres away from the eastbound carriageway of the A414, while Block C will be located approximately 15 metres away.

9.55 In light of the proximity of the A414, Hann Tucker Associates were commissioned to carry out an Environmental Noise Survey in order for the potential impacts on the internal living environment and the external amenity areas of the development to be quantified and, where appropriate, mitigation put in place.

9.56 Manned and unmanned acoustic surveys were carried out on 6th February 2020, the result of which are outlined in the acoustic report.

Internal Noise Environment:

9.57 The results of the surveys and modelling suggest that an acceptable internal noise environment can be achieved; however, this is predicated on the windows remaining closed, which does not deal with the issue of thermal comfort. Purge ventilation is acceptable where it is used to disperse the smell of cooking, wet paint etc. However, where it is relied upon as the primary means of maintaining an acceptable internal temperature, this is considered to be less than ideal. Indeed, the Council's Environmental Health Officer has raised concerns with this approach.

9.58 A meeting took place with the acoustic consultants in conjunction with the Environmental Health Officer and it was considered that a workable solution would be achievable by way of the following condition:

No above ground development shall take place until a ventilation strategy to suitably protect future occupiers of the development from exposure to road transportation noise ingress, in conjunction with adequate ventilation and mitigation of overheating, has been submitted to and approved in writing by the local planning authority.

The ventilation strategy should address, but is not restricted to, how:

- *The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade*
- *Service and maintenance obligations for the MVHR*
- *The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this.*
- *Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any measures to be made to eliminate noise.*

The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation of the development and retained thereafter.

External Amenity Space (Balconies):

9.59 The acoustic report implies that the balconies of some flats within the development may experience noise levels in excess of the 50-55dB range, which should generally be avoided. 9.60 However, it is important to note BS 8233 recognises that the target range for external amenity spaces may not be achievable in all urban areas, stating:

"In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations...might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces but should not be prohibited".

9.61 Given other local opportunities for outdoor recreation (e.g. Paradise Fields to the north), and in acknowledging the realities of the convenience offered by a central urban location, which all future residents will benefit from, on balance, it is considered that the noise levels on the balconies would not be so detrimental as to warrant a refusal of planning permission.

9.62 The Environmental Noise Survey also considered the potential impact of noise emitted from the air source heat pumps located at roof level on the flats located in the upper-most floors of Buildings A and B.

9.63 Subject to the provision and retention of acoustic enclosures around the air source heat pumps, which comply with the specification outlined in Appendix B of the Environmental Noise Survey, it is

considered that there would be no significant adverse impacts on the internal environments of the flats at roof level.

Daylight Levels

9.64 All of the primary living areas – i.e. living / dining / kitchens - will be dual aspect and will not be in close proximity of any substantial trees that are likely to impinge upon the level of daylight entering the windows.

9.65 As a result, it is considered that there would be a satisfactory level of amenity for future occupiers of the flats, in accordance with paragraph 127 (f) of the NPPF.

Impact on Residential Amenity

9.66 Policy CS12 of the Dacorum Core Strategy states that development should, amongst other things, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.67 Appendix 3 of the Dacorum Local Plan states that Residential development should be designed and laid out so that the privacy of existing and new residents is achieved, with a minimum distance of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another being met in order to ensure privacy.

Loss of Privacy

9.68 The development site is somewhat divorced from the residential units in Turners Hill, which are located over 46 metres away from Block B and 26 metres away from Block C. This is considered to be sufficient to avoid any significant overlooking.

9.69 Each block within the development would be located in excess of 23 metres away from the nearest neighbouring block, ensuring that an acceptable level of privacy is maintained.

Visual Intrusion

9.70 There is no statutory planning definition of visual intrusion or whether development is overbearing. The proximity of built development, height, mass and bulk, topography, orientation and the existing layouts of adjoining dwellings are all relevant factors. As such, whether development is visually intrusive or overbearing is a matter of planning judgement.

9.71 The residential development within Turners Hill occupies an elevated land level so would not be adversely affected in terms of visual intrusion. Similarly, the residential flats in Fern Drive on the opposite side of St Albans Road would be unaffected, being located in excess of 70 metres away and shielded from view by a substantial belt of mature trees.

Loss of Sunlight and Daylight

9.72 Given the separation distance from the nearest residential development in Turners Hill, it is not considered that there would be any loss of sunlight and daylight.

Noise and Disturbance

9.73 Whilst there would be an increase in density at the site, there is no reason to believe that any increase in noise and disturbance from general day-to-day living would be so severe as to be to the detriment of the nearest sensitive residential receptors.

Impact on Highway Safety and Parking

Highway Safety / Capacity

9.74 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon:

- the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and
- the environmental and safety implications of the traffic generated by the development.

9.75 The proposal would necessitate the construction of a new vehicular access off Wood Lane. The access arrangements have been subject to amendment during the application process at the request of the Highway Authority. Specifically, the radii of the kerb access have been reduced and a two metre wide pedestrian footway is now proposed along Wood Lane.

9.76 In order to carry out the necessary works on the highway – i.e. creation of the bellmouth access, two metre wide pedestrian footpath, tactile paving and pedestrian dropped kerbs on either side of proposed bellmouth access etc – it would be necessary for the developer to enter into a S278 agreement with the Highway Authority. As this is outside of the planning process, an informative will be included with any grant of planning permission to remind the developer of his responsibilities in this regard.

9.77 A traffic survey was conducted in the vicinity of Wood Lane prior to the submission of this application in order to establish stopping distances and, by extension, the necessary visibility splay requirements. Based on the information provided, the Highway Authority is satisfied that the access would pose no danger to highway safety. Neither have any objections been raised by the Highway Authority vis-à-vis road capacity.

Manoeuvrability

9.78 Swept path analysis has been provided to demonstrate that a 10.2 metre refuse freighter would be able to enter and exit the development in a forward gear, a turning head adjacent to Block C providing the necessary means of turning the vehicle.

9.79 It has also been demonstrated that a medium-sized car (VW Touran) could enter the site and access the parking bays without difficulty.

9.80 The parking bays will measure 2.4 metres (W) x 4.8 metres (D) and sufficient space (6 metres) would be retained between rows of spaces in order to ensure sufficient manoeuvrability. In terms of the layby parking (spaces 45 and 46), these would have the requisite 6 metre length.

Fire Access

9.81 The Fire Safety Inspector at Hertfordshire Fire and Rescue has reviewed the particulars of the application and made the following comments:

Hertfordshire Highways sent us the Fire Safety Strategy document for the above planning application to comment on. Access for firefighters appears adequate and if we have any further comments to make, this will most likely be at Building Control level.

9.82 No concerns are therefore raised with regard to access for the fire service.

Parking Provision

9.83 The application proposes the provision of 64 car parking spaces to serve the development, including 13 EV ready spaces, 6 disabled spaces and 6 visitor spaces.

9.84 Appendix 5 of the Dacorum Local Plan (2004) advocates the use of maximum parking standards as a way of discouraging car ownership and facilitating modal shift. However, publication of the revised NPPF heralded changes to the way in which parking is considered by local planning policies. The maximum standards approach was no longer consistent with national planning policy and thus greater weight has generally been given to the case-by-case approach advocated by Policies CS8 and CS12 of the Dacorum Core Strategy.

9.85 Appendix 5 has now been superseded by the Parking Standards Supplementary Planning Document, which was formally adopted on 18th November 2020. The new supplementary planning document propose a 'parking standard' (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.

9.86 Section 6 of the Parking Standards Supplementary Planning Document states that:

The starting principle is that all parking demand for residential development should be accommodated on site; and the requirements shown are 'standards' - departures from these will only be accepted in exceptional cases, when appropriate evidence is provided by the agent/developer for consideration by the Council, and the Council agrees with this assessment.

....

Different standards for C3 use are provided as set out in the table in Appendix A, based on the three accessibility zones referred to in section 4.8 and shown in Appendix B.

9.87 Despite its close proximity to Hemel Hempstead Town Centre, Appendix B indicates that the application site is located just outside of Zone 2 and falls within Zone 3.

9.88 Within Zone 3, the following standards are applicable to residential development where the parking would be unallocated:

1 bedroom dwellings = 1.0 spaces

2 bedroom dwellings = 1.2 spaces

This equates to the following parking requirements:

25 x one bedroom = 25.0 spaces

33 x two bedroom = 39.6 spaces

Total: 64.6 spaces

9.89 The Parking Standards Supplementary Planning Document acknowledges that there may be circumstances in which a deviation from the parking standards may be deemed acceptable. Examples of situations where such flexibility might be accepted could include close proximity to transport interchanges and other highly accessible locations. In this instance, however, the deficit of less than one space (0.6 spaces) is considered to be de-minimus. However, should Members disagree with this assessment, then it is considered that site specific factors (outlined below) are sufficient to justify the level of provision:

9.90 The Transport Statement, quoting census data for Lower Super Output Area 015B, indicates a car ownership rate of 1.13 vehicles per household. For flats, this drops to an average of 0.70 vehicles per household. Based on these figures the development could reasonably be expected to generate a parking demand for approximately 41 car parking spaces. It is acknowledged that the

census data relied upon is almost 10 years old and may no longer be reflective of the current situation. It is therefore important to consider other locally relevant factors which may affect car ownership levels.

9.91 The site is located a relatively short walk from Hemel Hempstead Town Centre, which contains a range of amenities and facilities - including options for using sustainable means of transport. It is considered that this will reduce residents' reliance on cars and, accordingly, car ownership levels are likely to be suppressed in this area as compared with less centrally located areas of Hemel Hempstead.

Visitor Parking

9.92 Research has found that where at least half of parking provision is unallocated, no special provision is required for visitor parking as this can be largely offset by other residents being away at the same time.

9.93 It is understood that all car parking will be unallocated; therefore, the parking provision incorporates visitor parking. It follows that no additional provision need be provided.

Electric Vehicle (EV) Charge Points

9.94 The Parking Standards Supplementary Planning Document requires 50% of all parking spaces to have an active charging point, with all remaining parking spaces having passive provision.

9.95 The terms active provision and passive provision are defined as follows:

Active provision for electric vehicles: an actual socket connected to the electrical supply system that vehicle owners can plug their vehicle into.

Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.

The parking layout submitted in support of this application shows a total of 13 EV charge points spread throughout the development, so does not accord with the new parking standards. Should planning permission be granted, it is recommended that the following condition be included:

Notwithstanding the submitted details, no development shall take place until full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details

Cycle Storage

9.96 Secure storage for up to 91 bicycles would be provided within the ground floors of the respective blocks, which equates to approximately 1.57 spaces per flat and thus complies with the cycle storage requirements in the Parking Standards Supplementary Planning Document.

Conclusion

9.97 The Highway Authority are satisfied that, subject to the inclusion of planning conditions, there would be no adverse impacts on highway or pedestrian safety and that there is sufficient capacity within the highway network to absorb the modest increase in traffic associated with the development.

9.98 It is argued that, notwithstanding the slight deficit in parking provision (0.6 spaces), an acceptable level of parking would be provided. Furthermore, regard also needs to be given to the fact that the development is within relatively close proximity to the town centre.

9.99 It is also noted that adequate cycle storage provision would be provided.

9.100 The development is therefore considered to accord with Policies CS8 and CS12 of the Dacorum Core Strategy, the Parking Standards Supplementary Planning Document (2020) and saved Policy 51 of the Dacorum Local Plan and the NPPF.

Ecological Impacts

National Planning Policy Context

9.101 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, minimising the impacts on and providing net gains for biodiversity.

9.102 Paragraph 175 (a) states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Local Planning Policy Context

9.103 Local planning policy, Policy CS26 of the Dacorum Core Strategy states that the Green Infrastructure Network will be protected, extended and enhanced, and that development and management action will contribute towards:

- the conservation and restoration of habitats and species;
- the strengthening of biodiversity corridors;
- the creation of better public access and links through green space; and
- a greater range of uses in urban green spaces.

Background

9.104 The application has been supported by a Preliminary Ecological Appraisal in order to provide baseline ecological information about the site. The surveys listed below also form part of the application submission:

- National Vegetation Classification Survey
- Reptile Survey
- Landscape Management Plan
- Woodland Management Plan
- Badger Survey

9.105 Development of the application site would result in the loss of ancient grassland meadow, associated scrub and woodland. Further, the Senior Ecology Officer at Hertfordshire Country Council has reviewed the submitted reports and is of the view that the field represents a local valuable biodiversity resource.

9.106 Natural England's Biodiversity Metric v2 does not form part of the application submission, and therefore it is has not been possible to quantify the exact impact the proposed development would have on biodiversity.

9.107 As outlined above, paragraph 175 (a) of the NPPF advocates a hierarchical approach to biodiversity mitigation – the principle that on-site biodiversity loss should be avoided, mitigated and, as a last resort, compensated.

9.108 The application site has been allocated for housing development and therefore the principle of housing is acceptable. Accordingly, the approach will be to mitigate any loss of biodiversity and, so far as possible, provide net gains in line with the requirements of the Environment Bill 2019-21.

9.109 The Environment Bill, which is yet to gain Royal Assent, will require grants of planning permission in England to secure a biodiversity net gain of 10% on each site. Similarly, the emerging Local Plan - Policy DM30 Biodiversity Net Gain – will require all major development to deliver an overall net gain in biodiversity of 10%, determined by applying the Natural England Biodiversity Metric 2.0 calculator.

9.110 However, as the Environment Bill is not law and the emerging Local Plan is still in the very early stages of consultation, only limited weight can be given to them in the application process, with primacy being given to the Core Strategy – i.e. Policy CS26. The current policy context is such that it is not considered that a 10% net gain can be insisted upon, although this does not preclude being ambitious. Indeed, the trajectory of government policy is clear in this regard.

Biodiversity Strategy

9.111 The applicant has commissioned their ecological consultant to carry out the Natural England Biodiversity Metric in order to quantify what the actual loss of biodiversity will be. Early indications are that it is unlikely the application site itself will be able to provide the necessary mitigation and biodiversity gains.

9.112 The locally designated wildlife site to the north-west offers potential for mitigation and net gain. Details of this will be outlined in the Biodiversity Metric referred to extensively above and will be subject to input from the County Ecologist.

9.113 Any projects identified within the report will need to be costed and it is anticipated that these projects will translate into a financial contribution from the applicant, as well as a duty to manage the land / undertake the projects in a prescribed manner.

9.114 Details of these projects are not yet available; however, an update will be provided to Members in the addendum.

Other Material Planning Considerations

Ground and Water Contamination

9.115 The Council's Scientific Officer has been consulted as part of the application process and does not wish to raise any objections to the proposal. However, as a precautionary measure, should ground contamination be discovered, a condition will be included which requires works to temporarily cease until Contamination Remediation Scheme has been submitted to and approved in writing by the local planning authority.

9.116 Affinity Water initially raised concerns over the potential for excavations that penetrate into the chalk aquifer below the groundwater table – such as piling – to result in contamination and therefore requested that two planning conditions be included with any grant of planning permission. However, their attention was drawn to the Geoenvironmental and Geotechnical Site Investigation prepared by RSK, whose recommendations were that:

- further ground gas monitoring works will be required to confirm a low risk classification; and
- A watching brief is likely to be required during the ground works (specifically in the woodland area), should any unforeseen contamination be encountered.

9.117 A response was subsequently received from Affinity Water on 29th September 2020:

I have since gone over this with a colleague from our hydrogeology team and we feel our conditions have been addressed.

We still require a notification of any deep piling works if these are decided upon and once a commencement date is known.

9.118 As such, it is considered that land and water contamination issues have been satisfactorily address in accordance with Policy CS32 of the Dacorum Core Strategy.

Sustainable Urban Drainage Systems (SUDS)

9.119 The drainage strategy is predicated on the use of areas of permeable block paving and an infiltration basin and discharge of surface water into the ground.

9.120 The Lead Local Flood Authority have reviewed the particulars and are satisfied that the site can be adequately drained.

9.121 The development is therefore considered to accord with Policy CS31 of the Dacorum Core Strategy.

Archaeology

9.122 The County Archaeologist considers that there is the potential for the site to contain important archaeological remains. As a result, should planning permission be granted, two appropriately worded pre-commencement conditions will be included with any grant of planning permission.

Impact on Trees and Landscaping

9.123 Planning permission is sought for the removal of a number of trees within the woodland to the east of the site covered by a TPO.

9.124 The Trees and Woodlands Officer is satisfied that the mitigation measures outlined within the Woodland Management Plan (ART8386.1) would result in the woodland being improved.

9.125 These measures include:

- Removal of three Ash trees affected by Ash Dieback.
- Removal of dense understorey
- Coppicing of Hazel

9.126 Furthermore, in excess of 50 trees will be planted as part of the landscaping scheme for the development.

9.127 A condition requiring the submission of a tree protection plan in respect of the trees to be retained on site will be included with any grant of planning permission.

9.128 The development is considered to accord with Policy CS12 of the Dacorum Core Strategy and Policy 99 of the Dacorum Local Plan.

Waste Management

9.129 No comments have been received from the Council's Waste Controller. However, it is clear from the swept path analysis that a refuse freighter would be able to enter the site, manoeuvre and exit in a forward gear.

Affordable Housing

9.130 Policy CS19 of the Dacorum Core Strategy requires 35% of new dwellings on sites exceeding 0.3ha, or 10 dwellings (and larger), in Hemel Hempstead to be affordable homes.

9.131 This application is being brought forward by Dacorum Borough Council's Housing Development Team and it is understood that 100% of the units will meet the definition of affordable; in particular, the tenure would be social rent.

9.132 A Section 106 agreement will secure the requisite level of affordable housing to ensure that the proposal will comply with Policy CS19 of the Dacorum Core Strategy.

Community Infrastructure Levy (CIL)

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

Planning Obligations

9.134 Heads of Terms:

- Minimum 35% affordable housing.
- Financial contribution in respect of ecological impacts.

10. CONCLUSION

10.1 The principle of residential development in this area is acceptable subject to compliance with the relevant local and national planning policies.

10.2 The design of the development is considered to be high quality and would utilise an appropriate array of materials, positively contributing to the local streetscape character.

10.3 There would be no significant adverse impacts on the nearest residential properties.

10.4 Highways impacts have been fully considered. The Highway Authority have raised no objections to the proposal subject to the inclusion of a number of conditions. Parking provision would be broadly in compliance with the Council's Supplementary Parking Standards document.

10.5 Logical impacts are to be addressed by off-site mitigation, which will be secured by way of a Section 106 agreement.

11. RECOMMENDATION

11.1 That planning permission be delegated with a view to **APPROVAL** subject to the completion of a S106 agreement.

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

2392_PL_010_C - Proposed Site Plan
2392_PL_011_C - Proposed Landscape Site Plan

2392_PL_040_B - Proposed Site Section A-A
2392_PL_041_A - Proposed Site Section B-B

2392_PL_100_B - Block A: Proposed Ground Floor
2392_PL_101_B - Block A: Proposed First Floor
2392_PL_102_B - Block A: Proposed Second Floor
2392_PL_103_B - Block A: Proposed Third Floor
2392_PL_104_B - Block A: Proposed Fourth Floor
2392_PL_105_B - Block A: Proposed Roof Plan

2392_PL_110_C - Block B: Proposed Ground Floor
2392_PL_111_B - Block B: Proposed First Floor
2392_PL_112_B - Block B: Proposed Second Floor
2392_PL_113_B - Block B: Proposed Third Floor
2392_PL_114_B - Block B: Proposed Fourth Floor
2392_PL_115_B - Block B: Proposed Roof Plan

2392_PL_120_B - Block C: Proposed Ground Floor
2392_PL_121_B - Block C: Proposed First Floor
2392_PL_122_B - Block C: Proposed Second Floor
2392_PL_123_B - Block C: Proposed Third Floor
2392_PL_124_B - Block C: Proposed Fourth Floor
2392_PL_125_B - Block C: Proposed Roof Plan

2392_PL_300_B - Building A: Bin Store
2392_PL_301_B - Building B: Bin Store
2392_PL_302_B - Building C: Bin Store
2392_PL_303_B - Substation

2392_PL_400_B - Block A: Proposed Elevation 01
2392_PL_401_B - Block A: Proposed Elevation 02
2392_PL_402_B - Block A: Proposed Elevation 03
2392_PL_403_B - Block A: Proposed Elevation 04

2392_PL_410_B - Block B: Proposed Elevation 01
2392_PL_411_B - Block B: Proposed Elevation 02
2392_PL_412_B - Block B: Proposed Elevation 03
2392_PL_413_B - Block B: Proposed Elevation 04

2392_PL_420_B - Block C: Proposed Elevation 01
2392_PL_421_B - Block C: Proposed Elevation 02
2392_PL_422_B - Block C: Proposed Elevation 03
2392_PL_423_B - Block C: Proposed Elevation 04

2392_PL_500_B - Block A: Proposed Section A-A
2392_PL_501_B - Block A: Proposed Section B-B

2392_PL_510_B - Block B: Proposed Section A-A
2392_PL_511_B - Block B: Proposed Section B-B

2392_PL_520_B - Block C: Proposed Section A-A
2392_PL_521_B - Block C: Proposed Section B-B

2392_PL_600_B - Proposed Bay Section A & B

D8138.101 - Hardworks Plan (Sheet 1) Rev. A
D8138.102 - Hardworks Plan (Sheet 2) Rev. A
D8138.200 - Planting Schedule Rev. B
D8138.201 - Softworks Plan (Sheet 1) Rev. B
D8138.202 - Softworks Plan (Sheet 2) Rev. B
D8138.401 - Tree Pit Details
D8138.411 - Furniture & Boundary Details
D8138.412 - Play Details
D8138.413 - Habitat Features

19145 d3 Rev. B - Construction Traffic Management Plan
5012029-RDG-XX-XX-DOC-C-0520 - Foul and Surface Water Drainage Strategy
EBD0987 - Badger Survey

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

3. **The soft landscaping works shown on drawing nos. D8138.201 (Softworks Plan Sheet 1) Rev. A and D8138.202 (Softworks Plan Sheet 2) Rev. A shall be carried out within one planting season of completing the development in accordance with the planting schedule specified on drawing no. D8138.200 (Planting Schedule) Rev. B.**

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 2 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

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

4. **Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.

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

Informative:

Any submission made with the aim of discharging the Discovery Condition in place to address the potential for land contamination should include particular reference to the observations made of any fly-tipped materials within the woodland area of the application site and any subsequent clearance works required.

Identifying Potentially Contaminated Material

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

5. **Notwithstanding the details indicated on the submitted drawings, no development above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing number 2392_PL_010_C have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**

- **Vehicle bellmouth access into the site from Wood Lane.**
- **2m wide footpath fronting the site on the north side of Wood Lane.**
- **Tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.**
- **Tactile paving on either side of the existing pedestrian crossing point at the mouth of Wood Lane (on the existing A414 footway).**
- **Appropriate lighting.**

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies...

6. **Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Condition 5 shall be completed in accordance with the approved particulars.**

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies...

7. **Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies...

8. **The construction management of the development shall only be carried out in accordance with the approved Construction Management Traffic Plan (September 2020).**

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

9. **Notwithstanding the submitted details, no development shall take place until full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure have been submitted to and approved in writing by the local planning authority.**

The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.

Reason: To enable future occupiers to charge low emission vehicles in a safe and accessible way in accordance with Policy CS8 of the Dacorum Borough Core Strategy (2013), the Dacorum Borough Council Parking Standards Supplementary Planning Document, and Paragraph 110 (e) of the National Planning Policy Framework (2019).

10. **The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and the following mitigation measures:**

1. **Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.**
2. **Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 1325m³ (or such storage volume agreed with the LLFA) of storage volume in an infiltration basin.**
3. **Discharge of surface water from the private network into the ground.**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy CS31 of the Dacorum Core Strategy (2013).

11. **No development shall take place until a detailed surface water drainage scheme for the site based on the Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and sustainable drainage principles and sent to the LPA for approval. The scheme shall also include:**

- 1. Detailed infiltration tests conducted to BRE Digest 365 Standards at the exact locations and depths of the proposed permeable paving and infiltration basin. The worst case result should be utilised in the drainage design.**
- 2. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.**
- 3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy CS31 of the Dacorum Core Strategy (2013).

- 12. Upon completion of the drainage works for the site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.**

The scheme shall include;

- 1. Provision of complete set of built drawings for site drainage.**
- 2. Maintenance and operational activities.**
- 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with Policy CS31 of the Dacorum Core Strategy.

- 13. No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:**

- 1. The programme and methodology of site investigation and recording**
- 2. The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

- 14. Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 13.**

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and the

provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

15. **No above ground development shall take place until a ventilation strategy to suitably protect future occupiers of the development from exposure to road transportation noise ingress, in conjunction with adequate ventilation and mitigation of overheating, has been submitted to and approved in writing by the local planning authority.**

The ventilation strategy should address, but is not restricted to, how:

The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade

Service and maintenance obligations for the MVHR

The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this.

Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any measures to be made to eliminate noise.

The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation of the development and retained thereafter.

Reason: In the interests of the amenity of future occupants of the development, in accordance with Policy CS12 of the Core Strategy and Paragraphs 127, 170 and 180 of the National Planning Policy Framework.

16. **Prior to first occupation of Building A and Building B, acoustic enclosures which meet or exceed the specification within Appendix B of the Environmental Noise Survey and Acoustic Design Statement Report (27680/ADS1 Rev3) dated 26 August 2020 shall have been fitted to the Air Source Heat Pumps located at roof level. The acoustic enclosures shall thereafter be retained.**

Reason: In the interests of the amenity of future occupants of the development, in accordance with Policy CS12 of the Core Strategy and Paragraphs 127, 170 and 180 of the National Planning Policy Framework.

17. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

18. **Notwithstanding the arbeco Woodland Management Plan dated 20 May 2020, no above ground development shall take place until an updated Woodland Management Plan that addresses the issues raised by the County Ecologist in his response dated 20 November 2020 have been submitted to and approved in writing by the local planning authority.**

The woodland shall be managed in accordance with the approved particulars unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure that ecological matters are satisfactorily addressed in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

19. **Notwithstanding the Environment Partnership Landscape Management Plan dated May 2020, no above ground development shall take place until an updated Landscape Management Plan that addresses the issues raised by the County Ecologist in his response dated 20 November 2020 have been submitted to and approved in writing by the local planning authority.**

The landscaping shall be managed in accordance with the approved particulars unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure that ecological matters are satisfactorily addressed in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

Informatives:

1. Extent of Highway:

The applicant is advised to obtain confirmation as to the extent of the highway boundary in order to clearly illustrate the works that would be required on highway land. Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

Agreement with Highway Authority:

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements.

The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the

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

2. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.
3. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
4. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>This is an open area of ground adjacent to the dual carriageway. It is on a sloping site is currently grassland and has hedging to the road. The proposals have been discussed over time with the applicants and developed as issues were addressed.</p> <p>The proposal is for three blocks of flats with associated landscaping. These would be set within a landscaped area. The blocks step up reflecting the topography of the area. The design is contemporary and of a regular formal appearance. The buildings have a pre cast stone frame which is then infilled with various bricks and gold coloured metal fittings including window surrounds and balconies.</p> <p>We believe that the proposals have been carefully considered through the pre application process and all of our concerns with regards to design and landscaping have been debated, discussed and where possible addressed. Therefore we welcome the scheme as it follows the guidance in the national design guide and would create a pleasant environment to live in. The views of the buildings from the dual carriageway would be the biggest impact in within the wider area. We consider that it has successfully addressed the road, steps up successfully and would enhance the architectural quality of the St Albans road. The spaces between the buildings appears generous and the landscaping and planting well considered. The design detail would give the building a contemporary feel whilst reflecting the regular rhythm of more historic developments and in essence respond to the pattern book style architecture promoted in the governments new proposals with regards to design quality.</p>

	<p>Recommendation We believe that this would be a high quality scheme and therefore support the proposals and recommend approval. External materials and landscaping details subject to approval.</p>
<p>Trees & Woodlands</p>	<p>Arb Impact Assessment ARTET8386.1</p> <p>Removal of trees / hedges is mostly restricted to low quality, category C specimens so no objection would be raised in this regard. Woodland W1 will be partially affected but overall the amenity of the woodland will be improved by proposed mitigation mentioned below.</p> <p>Three Ash are to be removed, these being B cat trees, due to the impact of Ash Dieback (Chalara). This disease is to be found all across Dacorum and is likely to result in the loss of 80+% of Ash nationally. Once infected, trees in proximity to property will require frequent pruning to remove defects that affect public safety, and then complete removal. It is prudent therefore to remove these trees now, whilst infection is low, to facilitate the scheme with better landscaping in the longer term.</p> <p>Planting Schedule D8138.200</p> <p>Mix of tree and shrub species proposed is acceptable. The use of trees such as Ostrya and Cercis will give visual interest within a more usual selection of species such as Cherry, Birch and Maple. Planting locations are largely away from car park areas, reducing the potential for conflict. Additionally, no heavy fruiting or nutting trees have been proposed.</p> <p>Woodland Management Plan ART8386.1</p> <p>No objections to proposed works. The removal of Ash trees and dense understorey through selective thinning will improve the overall quality of the woodland, by allowing other species to flourish.</p> <p>The re-coppicing of Hazel is a traditional management technique that provides a variation of usable habitat for wildlife.</p> <p>Removal of invasive species will enhance the woodland and its use in the longer term.</p>
<p>Hertfordshire Property</p>	<p>Thank you for your email regarding the above mentioned planning</p>

<p>Services (HCC)</p>	<p>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>Crime Prevention Design Advisor</p>	<p>Thank you for your email, I have been in discussions with Studio Partington , any concerns I had relating to this project have now been mitigated , please find notes below:</p> <p>Physical Security (SBD)</p> <p>Layout / Boundary</p> <p>The site is open and has good surveillance throughout , with a public footpath running from East to West towards the Town Centre, the footpath will be 2metres width with low level planting to the boundary to retain passive surveillance.</p> <p>Entrance</p> <p>Some concern over the entrance and the possibility of providing a hiding area , however after looking more closely at the drawings and discussion , t was agreed that the entrance would be open with good surveillance .</p> <p>Communal door sets: Certificated to BS PAS 24: 2016, or LPS.1175</p> <p>Access Control to block of flats: Audio Visual. Tradespersons release buttons are not permitted.</p> <p>Postal delivery for communal dwellings (flats):</p>

	<p>Communal post boxes within the communal entrances (preferably covered by the CCTV) .</p> <p>Individual front entrance doors of flats Certificated to BS PAS 24:2016</p> <p>Windows: Flats Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175 French doors for balconies:</p> <p>Dwelling security lighting : Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points. (Dusk to dawn lighting).</p> <p>Bin stores : Detail to be confirmed , bins must be secure</p> <p>Car Park: Barrier to be installed , parking is situated in front of the flats with good surveillance . Car Park lighting - well-lit car parking areas , bollard lighting is not acceptable as it is not fit for purpose , raises the fear of crime and is easily damaged.</p> <p>CCTV Owing to the location and size of the build CCTV will be included on this site - details to be provided at a later date.</p> <p>Compartmentalisation of Developments incorporating multiple flats.</p> <p>Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised :</p> <ul style="list-style-type: none"> . Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors. . Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift <p>Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.</p>
Thames Water	<p>Waste Comments</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would</p>

	<p>need to review our position.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p> <p>You should be aware that the proposed development site is located near an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to Marlowes Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>If you are minded to approve the Application, it is essential that appropriate conditions are imposed to protect the public water supply, which would need to address the following points:</p> <ol style="list-style-type: none"> 1. Contamination including turbidity <p>Any works involving excavations that penetrate into the chalk aquifer below the groundwater table (for example, piling or the installation of a geothermal open/closed loop system) should be avoided. If these are necessary, then the following condition needs to be implemented:</p>

A) No works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in conjunction with Affinity Water:

i An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.

ii A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.

A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants including turbidity. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

2. Contamination during construction

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.

B) If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a Remediation Strategy detailing how this contamination will be dealt with has been submitted to and approved in

	<p>writing by the Local Planning Authority in conjunction with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.</p> <p>Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.</p> <p>Of the above we are particularly interested in any details that can be provided to us as early as possible regarding piling and a commencement date due to the increased amounts of developments occurring around our abstraction in recent years.</p> <p>There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.</p> <p>In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.</p> <p>Being within a water stressed area, we would encourage the developer to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> <p>Thank you for your consideration.</p>
Hertfordshire Highways (HCC)	<p>Interim Response / requesting amendments and further information.</p> <p>Comments / Analysis</p>

The proposal comprises of the construction of 58 residential dwellings (25 one bed; 33 two bed) on land at Paradise Fields, Hemel Hempstead. The site is located adjacent to the north boundary of the A414/St Albans Road, which is designated a classified A main distributor road, subject to a speed limit of 40mph and is highway maintainable at public expense. Public footpath Hemel Hempstead 47B runs adjacent to the north boundary of the site.

A Transport Statement (TS), Travel Plan Statement (TP), Road Safety Audit - Stage 1 (RSA) and Construction Traffic Management Plan (CTMP) has been submitted as part of the application.

Vehicle access to the site is proposed to be via Wood Lane, an unclassified local access road, subject to a speed limit of 30mph and highway maintainable at public expense.

The proposals include a new simple priority junction with a kerbed bellmouth entrance leading to an internal access road with a width of between 7.6m at the entrance to the site and 6.3m within the site, the layout of which is shown on submitted drawing number 2392_PL_010_B. HCC as Highway Authority would not have any objection to the general location of the access and the overall scale of the proposals.

Nevertheless in order for the access arrangements to be acceptable from a highways/transport perspective, HCC as Highway Authority is recommending amendments and further information including:

1. A 2m wide pedestrian footway on the north-east side of the carriageway for the full length of the site fronting onto Wood Lane - from the entrance to the public footpath (Hemel Hempstead 047B) to the existing footway on A414/St Albans Road and then leading into the site and joining with any other proposed internal site footpaths. There is a strip of land which is part of the highway adjacent to the north side of the carriageway of Wood Lane at this location (and also shown within the red line plan of the application). Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx .

It is acknowledged that this recommendation has been accepted as part of the designers response to the RSA although this would need to be clearly shown on an amended site plan.

2. A reduction in width of the access and access road from 7.6m/6.3m to 6m (rather than the normally recommended 5.5m) and with a kerb radii of 6m on either side of the proposed bellmouth vehicle

access into the site from Wood Lane. The reduction in width would be required to reduce the width for pedestrians to cross the bellmouth opening into the site whilst also being sufficiently wide enough to support the use of the car parking spaces along the internal access road.

3. Appropriate lighting fronting the site on Wood Lane and tactile paving on either side of the proposed bellmouth access on the recommended footway as detailed above and at the existing pedestrian dropped kerb / pedestrian crossing point across the mouth of Wood Lane (to accord with the recommendation in 2.3.3 and 2.4.1 of the RSA). The detailed design can be provided as part of the S278 agreement process with HCC as Highway Authority, nevertheless the tactile paving and lighting should be indicated on the plans at the planning application stage. It is acknowledged that this recommendation has been accepted as part of the designers response to the RSA.

4. Swept-path analysis / tracking to illustrate that the largest anticipated vehicle to use the site (most likely a waste collection vehicle) would be able to safely use any rearranged access arrangements.

5. Confirmation within the proposed CTMP that no parking or stopping would be permitted on the A414 at any time during the construction period. All construction vehicles would have to be able to pull off the A414 and directly into the site without stopping as there is little or no stacking room for larger construction vehicles between the A414 and the site entrance and any waiting vehicles would likely overhang lane one of the A414. The other details submitted as part of the CTMP are generally considered to be acceptable although it should be noted that the speed limit for the A414 is 40mph (whereas in section 2.1.3 it is referred to as being the national speed limit).

Following consideration of the size of the development and the submission of the Fire Safety Strategy for the development, the application would benefit from input from Herts Fire and Rescue. Therefore, details of the proposal and strategy have been passed to them for attention and for any comments which they may have.

HCC as Highway Authority is recommending these amendments and further information as outlined above is provided and approved in order for the proposals to be acceptable from a highways and transport perspective.

Comments from Fire Officer (23/09/20):

Hertfordshire Highways sent us the Fire Safety Strategy document for

	<p>the above planning application to comment on. Access for firefighters appears adequate and if we have any further comments to make, this will most likely be at Building Control level.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application, specifically the RSK Geo-Environmental Report (April 2019) and considered the information held by the ECP Team in relation to the application site I am able to confirm that there is no objection to the proposed development. Furthermore, on the basis of the findings of the above referenced Geo-Environmental it is only considered necessary to recommend the inclusion of the following planning condition.</p> <p>Contaminated Land - Discovery Condition: Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: Any submission made with the aim of discharging the Discovery Condition in place to address the potential for land contamination should include particular reference to the observations made of any fly-tipped materials within the woodland area of the application site and any subsequent clearance works required. I have reviewed the noise report and based upon the findings I am objecting on noise grounds.</p> <p>The noise survey has applied various sources of guidance including ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise to undertake the initial site risk assessment. The predicted worst case internal noise levels place the site at high risk. ProPG recognises that high noise levels indicate there is an increased risk that development may be refused on noise grounds, but may be reduced b</p>

following a good acoustic design process that is demonstrated in a detailed acoustic design statement. There is limited information this process has been followed.

The acoustic report details that an acceptable internal sound environment can be achieved where the site is reliant upon a closed window situation and alternative ventilation. This does not follow the principle of good acoustic design. ProPG advises that solely relying on sound insulation of the building envelope to achieve acceptable acoustic conditions in new residential development, when other methods could reduce the need for this approach, is not regarded as good acoustic design. Any reliance upon building envelope insulation with closed windows should be justified in supporting documents.

Whilst ProPg is regarded as guidance and can be played off other sources of guidance the Planning Practice Guidance on noise (GOV.UK) does advise that good acoustic design does need to be considered early in the design process. Ventilation forms an important part of the design, and general advice is that internal design should be met with windows open, but in noisy locations this is unlikely to be achievable. The acoustic report has specified a higher criteria for window design to protect occupiers (when closed) and use of whole dwelling ventilation. Whilst whole dwelling ventilation can satisfy the requirements of building regulations this will only address background ventilation. Purge ventilation is achieved by an openable window and may be regarded as short-term so that it does not affect acoustic character. This can be to remove odours from cooking, water vapour from showering or smell after painting.

However purge ventilation may be used to improve thermal comfort meaning windows will be open. As a result of climate change there is an overheating risk and how use of opening windows will be avoided and suitable alternative ventilation can be achieved for the development. This has not been presented as part of the application.

The development also proposes balconies to be provided with flats. The guidance on acceptable noise limits for external amenity spaces is not so strong. The British Standard is suggestive that where development is desirable and guideline values are not achievable a compromise may be required between elevated noise levels and other factors (convenience of living in a city centre). It is suggestive that at 55dB LAeq,16h people will be seriously annoyed by noise. The worst case reported level is 75 dB LAeq,16h. This would equate to be four times as loud as the level at which people are seriously annoyed. Guidance on outdoor spaces in the PPG on noise identifies noise is more relevant to outdoor spaces where it forms an intrinsic part of development. The PPG also helps to identify where noise effect is not adverse, slightly

	<p>adverse or significantly adverse. At 55 dB, LAeq,16h this has been argued as being the point of a significant adverse effect level, and so at 75 dB LAeq,16h we have reached the unacceptable adverse effect level and the recommended action is 'prevent'.</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>Thank you for consulting us on the above application for the Construction of 58 apartments, external amenity spaces and communal garden/play area at Paradise Fields, St Albans Road, Hemel Hempstead, Hertfordshire.</p> <p>Following a review of the Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020, we can confirm that we Hertfordshire County Council as the Lead Local Flood Authority are now in a position to remove our objection on flood risk grounds.</p> <p>The drainage strategy is based upon permeable block paving areas and an infiltration basin and discharge of surface water into the ground. We note surface water calculations have been updated and ensure that the drainage strategy caters for all rainfall events up to and including 1 in 100 plus 40% for climate change with 1325m³ of storage provided in an infiltration basin.</p> <p>We understand infiltration testing to BRE365 standards has been completed (Appendix E of the Foul and Surface Water Drainage Strategy prepared by Ridge, ref: 5012029, dated: 02.06.2020) and the average of the worst infiltration rates recorded in each of the trial pits has been utilised within the design calculations. We would like to highlight that the worst case result as opposed to the average should always be used and would recommend the necessary amendments to be made to the drainage strategy as well as the microdrainage calculations.</p> <p>In addition, we note that a number of the infiltration tests conducted indicate that the hole was backfilled to make safe overnight and re-excavated on the second day in order to complete the 3 tests in each location required by BRE365 standards. Please note that the updated infiltration tests as required by the conditions recommended below should be completed consecutively at the specific locations and depths of the proposed infiltration basin and permeable paving.</p> <p>We therefore recommend the following conditions to the LPA should planning permission be granted.</p> <p>LLFA position</p> <p>Condition 1</p>

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and the following mitigation measures:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 1325m³ (or such storage volume agreed with the LLFA) of storage volume in an infiltration basin.
3. Discharge of surface water from the private network into the ground.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

Condition 2

No development shall take place until a detailed surface water drainage scheme for the site based on the Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and sustainable drainage principles and sent to the LPA for approval. The scheme shall also include:

1. Detailed infiltration tests conducted to BRE Digest 365 Standards at the exact locations and depths of the proposed permeable paving and infiltration basin. The worst case result should be utilised in the drainage design.
2. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for

	<p>climate change event.</p> <p>3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.</p> <p>Reason</p> <p>1. To prevent the increased risk of flooding, both on and off site.</p> <p>Condition 3</p> <p>Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.</p> <p>The scheme shall include;</p> <p>1. Provision of complete set of built drawings for site drainage. 2. Maintenance and operational activities. 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</p> <p>Reason</p> <p>1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p> <p>Informative to the LPA</p> <p>Please note if the LPA decides to grant planning permission, we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.</p>
<p>Hertfordshire Highways (HCC)</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. Full details would need to be submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>a. Clarification of the highway boundary to clearly illustrate works which</p>

would be required on highway land (this is not specifically necessary as part of the planning process but would be needed prior to applying to enter into a Section 278 Agreement with the Highway Authority in relation to the necessary highway works).

b. Travel Plan. At least three months prior to the first use of the development hereby permitted, the details of a suitably qualified person/organisation to act as travel plan co-ordinator at the site would need to be submitted. Further free cycle training would be recommended to be provided to all occupants in addition to the provision of high speed internet to promote homeworking as a feasible option.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2. A Highway Improvements - Offsite (Design Approval)

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing number 2392_PL_010_C have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- o Vehicle bellmouth access into the site from Wood Lane.
- o 2m wide footpath fronting the site on the north side of Wood Lane.

- o Tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.
- o Tactile paving on either side of the existing pedestrian crossing point at the mouth of Wood Lane (on the existing A414 footway).
- o Appropriate lighting.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

B: Highway Improvements - Offsite (Implementation / Construction)

Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

3. Provision of Internal Access Roads, Parking & Servicing Areas

Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

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

4. Construction Management Plan

The construction management of the development shall only be carried out in accordance with the approved Construction Management Traffic Plan (September 2020).

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informatives

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300

	1234047.
Archaeology Unit (HCC)	<p>Thank you for consulting me on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>The proposed development comprises just over 1ha of undeveloped land. Much of the housing and other development to the west was constructed in the late 19th century and the earlier half of the 20th century. The housing to the east and south was all constructed in the second half of the 20th century, as part of the New Town. A small area of undisturbed grassland, with significant hedgerows, survives immediately to the north.</p> <p>No archaeological remains are known from within the proposed development site, other than a 19th century or earlier gravel pit (named 'Old Gravel Pit' on the 1878 Ordnance Survey map) which survives in the wooded area at the north eastern end of the site. There is also little evidence of settlement nearby, other than the site of Wood Farm [Historic Environment Record No 30117], a post-medieval farmstead, with probable medieval origins, c.200 metres to the north east. It appears from historic mapping (from Dury and Andrews 1766 map of Hertfordshire onwards) that it has been in agricultural use throughout the later post-medieval period, and it is currently undisturbed grassland.</p> <p>The applicant has submitted an archaeological desk-based assessment (L-P: Archaeology, Archaeological Desk Based Assessment. Paradise Fields Hemel Hempstead). This provides a comprehensive account of the existing information relating to this site and its vicinity, and concludes that it has low potential to contain archaeological remains, given the lack of evidence for prehistoric and Roman activity within the 'study area' and its agricultural use in later periods.</p> <p>However, this absence of archaeological evidence from the study area is not conclusive. No archaeological investigations took place during the construction of any of the housing that nearly surrounds the development site, or during that of the adjacent A414 St Albans Road (the closest recorded archaeological interventions are over 800m from Paradise Fields), since their construction pre-dated the existence of any planning policy or guidance relating to the historic environment.</p> <p>Furthermore, the proposed development site is in a location that is topographically favourable for settlement, particularly that of prehistoric date, on high ground overlooking the valley of the River Gade.</p>

Important prehistoric archaeological sites have been found in similar topographic locations in the more general vicinity, such as the significant Late Bronze Age domestic settlement, with a round house, four-post structures, and cremations, on the brow of the hill at Gadebridge Road, Hemel Hempstead [HER 7981], and Middle Iron Age settlement at the Manor Estate at Apsley [HER 16589], where settlement features found on high ground overlooking the river valley included two round houses, a rectangular post-built structure, and two small four-post structures, as well as pits, post holes and substantial ditches.

The proposed development site therefore has potential for prehistoric archaeological remains to be present, and given its long term use as agricultural land, any such remains may be well preserved, other than in its north eastern corner. In this context, the Desk Based Assessment of the site notes (para 6.2.2) that 'it is assumed that the sloped topography of the site will require significant amounts of earth removal to create the envisaged stepped layout (see APPENDIX II). Thus, this construction would have significant impacts on underlying archaeological deposits, if present.'

I believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest. I recommend that the following provisions be made, should you be minded to grant consent:

1. The archaeological field evaluation, via trial trenching, of the proposed development area, prior to development commencing;

2. such appropriate mitigation measures indicated as necessary by the evaluation. These may include:

a) the preservation of any archaeological remains in situ, if warranted, by amendment(s) to the design of the development if this is feasible;

b) the appropriate archaeological excavation of any remains before any development commences on the site;

c) the archaeological monitoring and recording of the ground works of the development, including foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered);

3. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, a publication of these results;

4. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

- i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.
- ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

	<p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.</p>
Rights Of Way (DBC)	<p>The entire northern flank of this site is crossed by Hemel Hempstead public footpath 47b. This is a busy footpath linking residential areas, via a green space, to the town centre, hospital and/or Heath Park. Clearly the proposal will put increased pressure on the public rights of way in the vicinity.</p> <p>Currently the path is bounded by a hedgerow on the proposed sites northern boundary but it has open grassland for much of its length on the southern side. As much as possible the current 'open' feel needs to be retained, primarily by avoiding fencing/walling the path out of the proposed development. Better to include the path as an artery of the developments, and wider areas, sustainable travel approach. To this end upgrading this path to a wider cycle track would be desirable, as has been agreed on other routes around the Maylands area - the idea being to create as much safe cycling as possible leading through to the town centre (colleagues in St Albans are working on a cycle route linking the city to HH). This would require a minimum width of 3m of tarmac to HCC standard along the entire length of the route. Ideally a way could be found of funding a similar approach to footpath 60, that links to the HH hospital site. Or, at the very least providing funding for less formal upgrading.</p> <p>If the site is too constrained to integrate a cycle path the option of diverting the public right of way to the northern side of the hedgerow could be an option as long as it links up the network in the same way.</p> <p>Any upgrading works should be undertaken by the developer, i.e. we don't want to end up with an agreed sum of money to undertake works.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
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181	0	0	0	0

Neighbour Responses

Address	Comments
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