

ITEM NUMBER: 5b

20/02738/FUL	Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking	
Site Address:	Land Rear Of Southern Wood 12 Trowley Hill Road Flamstead Hertfordshire AL3 8EE	
Applicant/Agent:	Davidson	
Case Officer:	James Gardner	
Parish/Ward:	Flamstead Parish Council	Watling
Referral to Committee:	Objection from Flamstead Parish Council	

1. RECOMMENDATION

That planning permission be **GRANTED**.

2. SUMMARY

2.1 The application constitutes limited infilling as defined within Policy CS6 of the Dacorum Core Strategy (2013) and is therefore considered to be acceptable in Green Belt terms.

2.2 The designs have been reviewed by the Conservation and Design Officer and deemed acceptable in terms of both their impact on the Flamstead Conservation Area and the nearby listed buildings, thereby complying with Policy CS27 of the Dacorum Core Strategy (2013) and Policies 119 and 120 of the Dacorum Local Plan (2004).

2.3 There would be no significant adverse impacts on the residential amenity of the neighbouring properties.

3. SITE DESCRIPTION

3.1 The application site is located on the western side of Trowley Hill Road and is accessed through an existing gap between Southernwood and no. 14 Trowley Hill Road. A single-storey brick-built office building is located along the western boundary of the site, with single-storey storage buildings – both enclosed and open – sited on the northern and eastern boundaries with hardstanding in the courtyard area formed by these buildings.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of all existing buildings on the site and the construction of two dwellings with associated parking.

5. PLANNING HISTORY

Planning Applications (If Any):

19/02993/FUL - (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme).
GRA - 24th March 2020

20/01584/NMA - Non-Material amendment to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme) by insertion of a mezzanine floor to Units 5 and 6 and alterations to the floor plan layout.

GRA - 8th July 2020

20/02246/ROC - Variation of condition 2 (approved plans) attached to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme)

GRA - 24th November 2020

20/02571/DRC - Details as required by Condition 6 (Archaeological WSI) attached to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme).

GRA - 25th September 2020

20/03604/DRC - Details as required by Conditions 3 (Materials), 4 (Landscaping Works), 5 (Biodiversity) , 7 (Phase Reports) & 12 (CMP) attached to planning permission 20/02246/ROC (Variation of condition 2 (approved plans) attached to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme).

PCO -

4/00306/19/FUL - Construction of 6 new dwellings with associated parking, landscaping and hardstanding

REF - 5th September 2019

4/00136/19/LDP - Construction of building for storage of building materials

GRA - 18th March 2019

4/02585/18/LDP - Construction of buildings for the storage of building materials

WDN - 16th January 2019

4/01299/18/LDE - Storage of building materials

GRA - 27th July 2018

Appeals (If Any):

6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr

Area of Archaeological Significance: 18

CIL Zone: CIL2

Conservation Area: FLAMSTED

Green Belt: Policy: CS5

Listed Building, Grade: II,

Parish: Flamstead CP

RAF Halton and Chenies Zone: Green (15.2m)

Small Village: 2

SPD Zone 3

EA Source Protection Zone: 3

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
CS5 – Green Belt
CS6 – Small Village in the Green Belt
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of Public Realm
CS17 – New Housing
CS18 – Mix of Housing
CS26 – Green Infrastructure
CS27 – Quality of Historic Environment
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Dacorum Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 13 – Planning Conditions and Planning Obligations
Policy 18 – The size of New Dwellings
Policy 51 – Development and Transport Impacts
Policy 21 – Density of Residential Development
Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100 – Tree and Woodland Planting
Policy 111 – Height of Buildings
Policy 118 – Important Archaeological remains
Policy 119 – Development affecting Listed Buildings
Policy 120 – Development in Conservation Areas

Appendix 3 – Layout of Residential Development

Supplementary Planning Guidance/Documents

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Parking Standards Supplementary Planning Document (2020)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Policy and Principle

9.2 The application site is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

9.3 Paragraph 145 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, it goes on to list exceptions to inappropriate development, including:

e) limited infilling in villages

and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development;

or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.4 Previously developed land is defined in Annex 2 (Glossary) of the NPPF as follows:

Previously developed land: *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

9.5 The proposal constitutes both limited infilling and previously developed land for the purposes of the above Green Belt assessment in the NPPF. However, the 'limited infilling' approach under sub-paragraph e) is more relevant as the site is within the designated village boundary as defined in the Local Plan.

9.6 Policy CS6 of the Dacorum Core Strategy is supportive of limited infilling within Flamstead provided that each development is:

- i. sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and
- ii. retains and protects features essential to the character and appearance of the village.

9.7 Policy CS6 indicates that the principle of limited infilling is acceptable only where it would provide affordable housing for local people.

9.8 Paragraph 63 of the NPPF states that affordable housing should not be sought for residential development that are not major developments, the exception being developments within designated rural areas.

9.9 The National Planning Practice Guidance (NPPG) states that:

In designated rural areas local planning authorities may instead choose to set their own lower threshold in plans and seek affordable housing contributions from developments above that threshold. Designated rural areas applies to rural areas described under Section 157 (1) of the Housing Act 1985, which includes National Parks, Areas of Outstanding Natural Beauty and such areas as have been designated as rural by the Secretary of State.

9.10 The application site is not located within the Chilterns AONB and no part of Dacorum has been designated as rural pursuant to Section 157 of the Housing Act 1985. Accordingly, there is no requirement for affordable housing to be provided on sites of less than 10 homes. As such, the application does not give rise to a requirement for affordable housing.

Limited Infilling

9.11 The term 'limited' is generally taken to refer to development which does not create more than two extra dwellings, while 'infilling' is a form of development whereby buildings, most frequently dwellings, are proposed or constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings.

9.12 The site is bounded to the south by outbuildings within the curtilage of Pound Farm and to the east by dwellings fronting Trowley Hill Road. Furthermore, planning permission has been granted (19/02993/FUL & 20/02246/ROC) for the redevelopment of the Builder's Yard directly to the west of the site for six dwellings; which, it is understood, will be implemented concurrently with this application should permission be granted.

9.13 Taking all of the above into account, the site is considered to comprise a gap within a group of buildings which would be capable of limited infilling and which would sit comfortably and consistently with the existing grain of development.

Policy CS6 Impact Assessment

9.14 Policy CS6 of the Dacorum Core Strategy requires an assessment to be made as to whether the development would be sympathetic to its surroundings and the surrounding countryside, as well as retaining and protecting features essential to the character and appearance of the village.

9.15 Public Footpaths 33 and 34 run to the north-west and west of the site and therefore it is conceivable that there may be some long distance views of the development. However, it is likely that the proposed dwellings would be shielded from views by the dwellings approved as part of the

Builder's Yard development scheme. Furthermore, even if the extant permissions referred to were not implemented, the distance of the dwellings from the public footpaths, coupled with their limited height and the relatively close proximity to the dwellings on Trowley Hill Road, is such that the visual impact would not be jarring or significant.

9.16 The design of the dwellings – i.e. their scale, form and architectural detailing – are considered to retain and protect features essential to the character and appearance of the village.

Impact on Significance of Heritage Assets

9.17 The application site is located within the Flamstead Conservation Area and proximate to a number of listed buildings. Accordingly, the local planning authority is required to have regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, both of which have been reproduced below for ease of reference:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9.18 In terms of national planning policy considerations, the historic environment policies within the NPPF are contained within paragraphs 184-202. Paragraph 192 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 193 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation. Paragraph 195 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

9.19 Policy CS27 of the Dacorum Core Strategy is an overarching heritage policy which seeks to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and, if appropriate, enhanced, with development positively conserving and enhancing the appearance and character of the Conservation Areas. This is supported by saved Policies 119 and 120 of the Dacorum Local Plan which relate specifically to development affecting listed buildings and conservation areas.

9.20 Policy 119 states that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building.

9.21 Policy 120 requires new development in conservation areas to be carried out in a manner which preserves or enhances its established character or appearance. It further states that each scheme will be expected to respect established patterns of development, utilise materials and design details which are traditional to the area, and be sympathetic to the scale, form, height and overall character of the surrounding area.

9.22 The site is currently occupied by commercial buildings dating from the 1940s onwards. These

buildings are of no architectural or historical merit, as confirmed by the Heritage Statement and the Council's Conservation and Design Officer, and do not positively contribute to the Flamstead Conservation Area or the setting of the nearby listed buildings.

The proposed dwellings, by contrast, would utilise high quality materials and architectural detailing appropriate to the conservation area context – i.e. white painted timber windows with stone cills, timber doors, clay roof tiles and Flemish bond brickwork with corbelled brick eaves; brick gable corbelling and brick arches over doors and windows. The dwellings would be of 1.5 storey construction and include pitched roof dormers on the front and rear roof slopes. The outrigger to the rear has been described by the Conservation Officer as being slightly wider than would be ideal, but is nonetheless of the opinion that, due to its discrete position, is not a cause for concern.

9.23 The application site is within close proximity to a number of listed buildings, the closest of which front Trowley Hill Road. Despite the new dwellings being seen in context with the rear of the aforementioned listed buildings, given their modest height and sympathetic form, it is not considered that they would be harmful to the significance of the heritage assets.

9.24 Regard has been had to the statutory tests of preserving or enhancing the character and appearance of Conservation Areas and the setting of Listed Buildings under S.66 and S72 of The Planning (Listed Building and Conservation Areas) Act 1990, which, it is accepted, is a higher duty. It is concluded that no harm would arise on the setting of the adjacent listed buildings and the character and appearance of the Conservation Area, which would be preserved.

9.25 The design and appearance of the proposal is considered acceptable in heritage terms. No harm would be inflicted upon heritage assets and therefore the proposal is considered to accord with Policy CS27 of the Core Strategy (2013) and Policies 119 and 120 of the Dacorum Local Plan (2004).

Quality of Design / Impact on Visual Amenity

9.26 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes, protect or enhance significant views within character areas, and integrate with the streetscape character. Policy CS12 further states that development should respect adjoining properties in terms of layout, site coverage, scale, height, bulk, materials and amenity space.

9.27 Paragraph 127 of the NPPF seeks to ensure that planning policies and decisions create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

Design

9.28 The scale, height and design of the buildings in the traditional style shown on the plans is appropriate to the rural setting. The dwellings would form a semi-detached pair with reasonably sized gardens to the rear and convenient parking on the frontage. For the reasons outlined in the section above, the design is considered appropriate to the local context.

Impact on Street Scene

9.29 The dwellings would have a relatively limited presence in the Trowley Hill Road street scene and limited visibility from the closest public footpaths.

Amenity Space

9.30 Appendix 3 of the Dacorum Local Plan (2004) states that residential development is required to provide private open space for use by residents whether the development be houses or flats. Private

gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 metres. An allowance is made for infill developments where garden depths below 11.5m but of equal depth to adjoining properties.

9.31 The amenity space demised to Plot A would be set out in an irregular L shape and have an area of approximately 91m². Owing to its shape, the garden depth will inevitably vary across the site – from between 10 to 15 metres. Although the area to the side of the outrigger would be somewhat constrained (approximately 3 metres wide), this would not preclude its use for sitting out and provide a relatively sheltered area with the added benefit of not being overlooked by Plot B.

9.32 Plot B would benefit from a slightly larger level of space but would be of a similar layout.

9.33 In summary, the width, shape and size of the amenity spaces would ensure that they are functional and provide a good level of amenity to future occupiers.

Impact on Residential Amenity

9.34 Policy CS12 of the Dacorum Core Strategy states that development should, inter alia, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.35 Appendix 3 of the Dacorum Local Plan states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings, and that significant overshadowing should be avoided.

Loss of Sunlight and Daylight

9.36 The development would be located to the west of the dwellings on Trowley Hill Road, limiting any loss of sunlight. Furthermore, the limited height of the proposed dwellings, coupled with the substantial distance from these dwellings would ensure that no significant adverse impacts would arise. Such impacts as would occur would be further limited by virtue of the fact that the roof of the outrigger slopes away from the boundary.

Visual Intrusion

9.37 Plot B would be positioned at 90 degrees to nos. 4 and 6 Trowley Hill Road, the main rear walls of which are located approximately 17 metres and 27 metres away, respectively. Further, the boundaries are formed of two substantial outbuildings, thereby limiting the visual impact of the development.

9.38 Whilst the garden area of Plot B would extend along the boundary with no. 2 Trowley Hill Road, the position of the dwelling in the plot is such that no built form would be directly in line with the rear elevation, leaving direct views up the garden and beyond more or less unimpeded.

Loss of Privacy

9.39 No side windows are proposed at first floor level in the flank elevation of Plot B. At ground floor level there would be two windows (serving the kitchen / dining room) facing no. 4 Trowley Hill Road. It should be noted that there is no minimum separation distance for a scenario where a flank wall faces a rear wall of another dwelling. As such, whether a proposal is acceptable is ultimately a matter of planning judgement. Although it is noted that Plot B would occupy a slightly elevated level compared with no. 4 and the other dwellings on Trowley Hill Road, the level change is not significant; and, furthermore, the existing outbuilding forming the rear boundary would effectively limit views. The windows at first floor level on the rear elevation of Plot B would afford only oblique views of the amenity area serving Holly Cottage, the rear elevation of which would be located approximately 22

metres away at angle. It is anticipated that additional boundary treatment will be provided along the boundary with Holly Cottage to compensate for the loss of a semi-open storage building and limit view over the low garden wall. Details of boundary treatments are to be reserved by condition.

Noise and Disturbance

9.40 Given the residential nature of the use and the distances involved, it is considered unlikely that there would be any significant adverse impacts arising from noise following completion of the construction process. Should excessive and unneighbourly levels of noise occur from day-to-day living, this would fall within the remit of the Council's Environmental Health Team.

Impact on Builder's Yard Development

9.41 Plots 1 and 2 are the nearest dwellings within the Builder's Yard Development. In terms of privacy, the approved dwellings would not be adversely affected as there are no windows at first floor level in the flank wall of Plot A; there would be some oblique overlooking of the north-east corner of Plot 2's garden, but this would be relatively minor and no worse than the overlooking from Plot 1.

9.42 The separation distance and low ridge height would ensure that there would be no visual intrusion or significant loss of sunlight and daylight.

Impact on Highway Safety and Parking

Highway Safety

9.43 Swept path analysis (drawing no. SK01 Rev. A) indicates that a Skoda Octavia would be able to enter, access the parking spaces and exit the site in a forward gear. Visibility splays of 2.4m x 43m and 2.4m x 25.0m (1m off the kerb line) are shown as being achievable.

9.44 The Highway Authority were consulted and have confirmed that the general access arrangements are considered acceptable subject to conditions. It should also be noted that the access arrangements were scrutinised as part of planning permission 19/02993/FUL and found acceptable by the Development Management Committee.

9.45 The present lawful use of the site is for the storage of building materials and commercial offices. There are no restrictions in terms of how many vehicle movements may occur during the course any one day, and whilst anecdotal evidence suggests the intensity of use at the site has decreased in recent years, this does not preclude the site from being sold to another operator who would be within their rights to use it more intensely.

9.46 An additional two dwellings are unlikely to result in an excessive number of additional vehicle movements, while the number of available spaces (4) would act as a de-facto limit on the number of vehicles using the access. Should a future resident of the either of the two dwellings have more than two cars, the assumption is that they would find alternative parking outside the confines of the application site.

Car Parking

9.47 The Dacorum Borough Council Parking Standards Supplementary Planning Document (SPD) (November 2020) states that the starting principle is that all parking demand for residential development will be accommodated on site, with departures being accepted only in exceptional circumstances and subject to additional evidence being provided to the Council for consideration.

9.48 The SPD identifies three accessibility zones and varies the parking requirement accordingly. The application site is located within Zone 3 wherein three bedroom dwellings are expected to provide 1.8 spaces per dwelling where the spaces are unallocated and 2.25 spaces where they are allocated. It has not been explicitly stated which form the parking will take, but based on the plans provided it appears as though the parking would be allocated, thus giving rise to a parking standard of 4.5 spaces.

9.49 The rationale for allowing a lesser standard for unallocated spaces is that this can be a more efficient way of providing car parking, as it makes spaces available that would have otherwise been left vacant - e.g. where a householder has less cars than allocated spaces. However, it is considered that such a situation is unlikely to arise in Flamstead, which has a limited number of local services and a less than robust public transport provision. As such, it is considered that allocated parking would be as efficient as unallocated in this instance and that the acceptance of the lesser level of 3.6 spaces would be an acceptable compromise. What is more, even assuming the higher standard of 4.5 spaces is taken into account, there is an argument to say that a deficit of less than one space (0.5 of a space) could be considered de-minimus.

Electric Vehicle (EV) Charge Points

9.50 The Parking Standards SPD requires 50% of all parking spaces to have an active charging point, with all remaining parking spaces having passive provision.

9.51 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.

9.52 No details have been provided of EV charge points; therefore, this information will be required to be submitted and approved prior to commencement of development.

Fire Access

9.53 Hertfordshire Fire and Rescue provided the following comments in an email dated 26th October 2020:

Below I have copied what I sent to Anjohn after he sent me the same plan you did of the planning application for the additional two houses.

“Just to confirm from this new plan in your email below, access for firefighters appears adequate, with also taking the swept path analysis plans in to consideration.

As we discussed, it appears the firefighters would have two options if an incident occurred in one of the two additional new houses;

- 1. Stop halfway through the access road – this would allow them to reach the furthest point on the top floor within one of the two dwellings within 45m. They would then have less than 20m to reverse out on to Trowley Hill Road.*
- 2. Park directly outside the two houses, then follow the path down to the turning area that is provided from the previous planning application for the 6 houses to be built.”*

You are correct that the firefighters attended in January 2020 and managed to turn around on site and leave (obviously this is prior to any works this application, or the original application for the 6 dwellings takes place) and there were no cars parked opposite the access path on Trowley Hill Road.

They did express their concerns to me that it may be very tight when leaving the site if there are cars parked in that parking area although previous plans I had seen used correct fire tender dimensions and technically it showed the appliance being able to leave the site. To put it simply, I have said these planning applications appear adequate (when looking at drawings & plans) however practically there is still hesitation and concern that if there are cars parked opposite the entrance path it then becomes a very tight squeeze.

9.54 According to the swept path analysis a fire tender would be able to access the site even if cars were parked opposite.

9.55 The comments from the Parish Council vis-à-vis the fire tender do not tally with the information provided by the Fire Officer. Furthermore, the applicant has provided a photograph that shows a fire tender within the site.

9.56 It is acknowledged that the access would ideally be wider; however, given the extant permission for the site to the rear and the fact that no objections have been received from Hertfordshire Fire and Rescue, it is considered that, on balance, the access arrangements are acceptable.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.57 There are no significant trees proximate to the application site.

Affordable Housing

As outlined in the Policy and Principle section above, the development does not give rise to a requirement for affordable housing owing to the number of new dwellings created being less than 10.

Contamination

9.58 The Council's Scientific Officer has raised no objections to the proposed development, but has recommended the inclusion of planning conditions which require the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and, where present, remediated.

Archaeology

9.59 The County Archaeologist has recommended that conditions requiring archaeological investigation be attached to any grant of planning permission.

Waste Management

9.60 The Planning Statement indicates that refuse collection will be by way of a private waste management company, which will be shared with that of the approved Builder's Yard scheme. This is considered acceptable and will be secured by condition.

Ecology

9.61 The application is supported by a Preliminary Ecological Appraisal (PEA) which has been reviewed by Hertfordshire Ecology. In summary, no evidence of protected species (including bats) was found. The precautions outlined in section 5.1 of the PEA will be included as an informative with any grant of planning permission.

Response to Neighbour Comments

9.62 These have been addressed in the sections above.

Community Infrastructure Levy (CIL)

9.63 The development would be CIL liable in Zone 2 where the adopted CIL Charging Schedule specifies a payment of £197.24 per square metre for all new residential development to address community infrastructure provision.

10. CONCLUSION

10.1 The application site is located within a village and would result in two dwellings being constructed within a group of buildings, thus constituting limited infilling pursuant to Policy CS6 of the Dacorum Core Strategy.

10.2 Consideration has been given to the impact of the development on the Flamstead Conservation Area and the nearby listed buildings. It is considered that the design, bulk, mass and scale of the dwellings would be sympathetic to the identified heritage assets and, accordingly, would preserve their setting. The Conservation and Design Officer has been consulted and is supportive of the application.

10.3 There would be no significant adverse impacts on the residential amenity of the dwellings on Trowley Hill Road or the dwellings granted approval in the Builder's Yard development to the west.

10.4 The development would provide adequately for its own parking requirements. The parking standards for 2 x 3 bedroom dwellings in Accessibility Zone 3 ranges from 3.6 spaces to 4.5 spaces and is dependent on whether the spaces are unallocated or allocated. It is implied, and it would be logical to assume, that the parking would be allocated. As such, the development has been assessed against this requirement and it is acknowledged that there would be a marginal deficit. However, unlike flats, it is reasonable to assume that each household will fully utilise its parking allocation, noting both the size of the dwellings and the limited number of services and employment opportunities available in Flamstead. As a result, it is submitted that the efficiencies implied vis-à-vis unallocated parking spaces could be equally applied to this development. On this basis, the parking requirement would accord with the SPD.

10.5 Access arrangements have been scrutinised by the Highway Authority and Hertfordshire Fire and Rescue, both of whom are satisfied that the necessary access could be obtained without risk to highway safety.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to conditions.

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:**

C4T5/FOU/FLA2-P02 Rev. C

C4T5/FOU/FLA2-P04 Rev. G

C4T5/FOU/FLA4 - S03/1 Rev. N

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

3. **Prior to the first occupation of the development hereby permitted the proposed access, 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 57 of the Dacorum Borough Local Plan.

4. **No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

The Construction Management Plan shall include details of:

- a. **Construction vehicle numbers, type,**
- b. **Access arrangements to the site;**
- c. **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- d. **Siting and details of wheel washing facilities;**
- e. **Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
- f. **where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.**

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

5. **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).

6. **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).

7. **Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 6.**

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 6 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).

8. **No development (excluding demolition/ground investigations) shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

**all external hard surfaces within the site;
other surfacing materials;
means of enclosure;
soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.).**

The hard landscape works and means of enclosure shall be carried out in accordance with the approved particulars and prior to first occupation of the development.

The soft landscape works shall be carried out in accordance with the approved particulars and within one planting season of completing the development.

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).

9. **No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To preserve or enhance the character and appearance of the designated heritage asset in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CS27 of the Dacorum Borough Core Strategy (2013).

10. (a) **No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**
- (b) **If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
- i. **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
 - ii. **The results from the application of an appropriate risk assessment methodology.**
- (c) **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.**
- (d) **This site shall not be occupied, or brought into use, until:**
- i. **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - ii. **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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.

11. **Any contamination, other than that reported by virtue of Condition 10 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.**

Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

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:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

12. **The development hereby permitted shall not be occupied or the use commenced until a private refuse collection service has been arranged and implemented. Thereafter, all refuse and recyclable materials associated with the development shall be continuously collected by a private waste service contractor in perpetuity. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement on Trowley Hill Road.**

Reason: To ensure a satisfactory means of access for refuse collection service to safeguard the residential and visual amenities of the locality, and prevent obstruction to vehicular and pedestrian movement in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 54 of the Dacorum Local Plan.

13. **No demolition of the buildings on the eastern boundary of the application site shall take place until a demolition method statement has been submitted to and approved in writing by the local planning authority. The method statement shall include details of the following:**
- i. **manner of demolition,**
 - ii. **how any damage to the curtilage listed buildings will be made good; and**
 - iii. **time-scales for carrying out the remedial works, where appropriate.**

The demolition / remedial works shall be carried out in accordance with the approved particulars.

Reason: In order to ensure that the demolition of the existing buildings on the site will not impact upon the curtilage listed buildings or prejudice their structural integrity / future maintenance, in accordance with Policy CS27 of the Dacorum Core Strategy, Policy 119 of the Dacorum Local Plan and paragraph 193 of the NPPF.

14. **The brickwork of the dwellings hereby approved shall be constructed using Flemish bond.**

Reason: To preserve or enhance the character and appearance of the Flamstead Conservation Area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Policy 120 of the Dacorum Local Plan (2004).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
3. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
5. Ecological Informatives

Roofing materials should be stripped by hand during demolition. If at any point bats or evidence of bats (droppings) are discovered, works should stop and an ecologist called for advice;

Any new proposed external lighting should be minimised. Where external lighting is required it should be warm white LED lamps with glass glazing, rather than plastic, as these produce the least amount of UV light possible, minimising the attraction effects on insects and minimising disturbance to local bats;

Any external lighting proposed for the development should be aimed carefully, to minimise illumination of boundary habitats and avoid light spillage into the sky, or horizontally out from any buildings, by using hoods or directional lighting;

External lighting should be set on short timers and be sensitive to large moving objects only, to prevent any passing bats switching them on.

To prevent harm to nesting birds demolition should commence outside of the main bird nesting season (March until the end of August). If this timescale is not possible then an ecologist should survey the site for active bird nests just prior to the commencement of works within the nesting season. If an active bird nest is found, it would be necessary to protect the nest from harm or disturbance until the bird had finished nesting.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	
Environmental And Community Protection (DBC)	No comment.
Conservation & Design (DBC)	<p>The application site lies within the Flamstead Conservation Area. Conservation areas are areas that have been designated as being of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The Planning (Listed Building and Conservation Areas) Act 1990 creates special controls for areas designated as conservation areas.</p> <p>Consent has recently been granted for the redevelopment of part of a builders yard to the rear of 12 Trowley Hill Road but between this builders yard and the rear boundaries of 12 Trowley Hill Road and adjacent properties is a narrow plot with single storey linear outbuildings along the west, north and east boundaries with a gravelled yard between, used as a builders yard / offices. The site is accessed from Trowley Hill via a narrow track which runs past the side of no. 12 and is not immediately visible within the street scene.</p> <p>There are several listed buildings to the east of the site (fronting Trowley Hill Road) and others, including the grade I St Leonards Church which forms a focal point within the village and is at the core of the Conservation Area.</p> <p>The application proposes demolition of the existing outbuildings and the construction of 2 3-bed dwellings.</p> <p>The application has been accompanied by a Heritage Statement in accordance with NPPF, para. 189. This Heritage Statement confirms that the existing buildings date to the 1940's onwards and are of no architectural or historic merit. In its present form the site does not make a positive contribution towards the character and appearance of the Flamstead Conservation Area.</p> <p>As initially advised at the pre-application stage, it would have been preferred if this site had been incorporated into the adjoining site (which has approval for residential development) however the existing proposed plans are a distinct improvement on those submitted at the pre-app stage.</p> <p>The new semi-detached pair of dwellings are 1 ½ storeys with modest</p>

scale gabled dormers to the front roof slopes and a shared rear wing, they have similar detailing to the approved development next door. The shared rear wing is slightly wider than would be ideal and with a lower roof pitch giving it a slightly squat appearance which is not ideal but due to its discrete position this is not a great issue. The choice of materials (brick laid in Flemish bond, lead dormers, timber windows) seem appropriate to the Conservation Area.

There are several listed buildings immediately to the east of the site (fronting Trowley Hill Road) including Southernwood, Bell House and C Merit Butchers. Further to the east lies the grade I St Leonards Church which forms a focal point within the village. The development will be closer to the rear of the listed buildings fronting Trowley Hill Road (Southernwood, Bell House and C Merit Butchers) and whilst the new dwellings will be seen in context with the rear of these listed buildings in views of the site from the west / south-west it is considered that the significance of these designated heritage assets (through development within their setting) will not be harmed under the current proposals.

There is little relationship between the application site and the grade I listed St Leonards Church and as such it is considered the key aspects of the Church's setting and significance (the churchyard, surrounding roads and historic properties fronting the road) will not be impacted under the proposed scheme.

The application has undergone amendment since the pre-application stage and in their present form the proposed semi-detached pair of dwellings are considered to preserve the character and appearance of the Flamstead Conservation Area and preserve the significance of statutory listed buildings in the vicinity. The proposal accords with relevant conservation based policies within the NPPF and policy CS27. Recommend approval.

It is not clear whether the outbuildings to be demolished along the west side of the site adjoin or abut the rear / west elevations of the curtilage listed outbuildings to the properties fronting the High Street. For this reason it is recommended that as a condition of any consent it is ensured that the demolition of the existing buildings on the site will not impact upon these buildings or prejudice their structural integrity / future maintenance.

All landscaping / boundary treatment should be sympathetic to the semi-rural location of the site and should be a condition of any consent.

Details of all external construction materials (including details of brick bond) to be submitted for approval.

<p>National Air Traffic Services</p>	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
<p>Archaeology Unit (HCC)</p>	<p>Thank you for consulting me on the above application.</p> <p>Flamstead, meaning 'place of refuge', is first documented in AD 990, and it is believed that it grew up in the Late Saxon and early medieval period as a place of safe accommodation for travellers along Watling Street (Historic Environment Record no. 2637). The parish church of St Leonard has a Norman tower and nave, and Roman brick was reused and incorporated into the former (HER nos. 864 & 1372). It is Grade I listed and contains, according to the list description, the 'second most important wall paintings in the county' after St Albans Abbey.</p> <p>The church and accompanying medieval settlement were situated on a hilltop overlooking Watling Street. The proposed development site is on the same hilltop, circa 80m to the west of the church, and may be within the extent of the Saxon/medieval settlement. There is therefore potential at this location for encountering and negatively impacting on buried heritage assets dating to those periods.</p> <p>This office recently recommended that an archaeological evaluation take place prior to a larger housing development to the west. That evaluation has not yet taken place.</p> <p>The proposed development site for the current development has buildings on site, and is therefore more difficult to evaluate prior to</p>

development. Archaeological monitoring of groundworks is therefore a preferable approach.

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 monitoring of all groundworks related to the development, including foundation trenches, service trenches, grubbing out of foundations/removal of slab, hard landscaping, piling and any other ground impact. This should include a contingency for preservation or further investigation of any remains encountered;
2. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, publication of these results
3. 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, and the 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

	<p>records of the site investigation</p> <p>6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.</p> <p>Condition B</p> <p>i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.</p> <p>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> <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.</p> <p>Please do not hesitate to contact me should you require any further information or clarification.</p>
Parish/Town Council	<p>The PC objects to this application as it did for the other development on the same site for 6 dwellings due to the following:</p> <p>Access and vehicle trip numbers:</p> <p>The width of the access is a real bone of contention - it states on the plans that it is several centimetres wider than it actually is and although the correct width was given by a DBC councillor and the Parish Council at the Development Committee meeting, it was ignored. In the PC's opinion, it does not comply with planning law. There will be huge implications for the neighbouring properties as large vehicle access is extremely difficult especially when negotiated by drivers unfamiliar with the entrance.</p> <p>2 further dwellings would seriously impact on the vehicle trips made as each three bedroomed house could have up to 3 children, going to different schools in different places, so the graph which makes a guess at the number of daily trips is unrealistic.</p> <p>Furthermore, it has made the assumption that the builders' yard made up to 40 trips a day which if you speak to the neighbours, is simply not true. There were in fact very few movements of traffic and none at the weekend - this information has been disregarded.</p> <p>Fire appliance access:</p> <p>This was proven to be impossible when an independent test was</p>

	<p>carried out with a fire appliance, which made a number of unsuccessful attempts at reversing in. It would not in an emergency even consider entering the site, so the location of an adequate fire hydrant is key, but either way the main road would definitely be blocked by the fire appliances that are unable to enter the side road. This trial information was disregarded as it presented a different picture to the one presented by the Fire Officer who did not visit the site.</p> <p>Parking spaces: The plans state that each new dwelling has 2 x spaces and a "shared" space for visitors. This shared space is not indicated on the plans nor cannot it be seen where it could be located. Any reversing of the cars to exit in a forward gear, would mean encroaching on the neighbouring site and there would most likely be a serious visibility issue and danger to children.</p> <p>Loss of privacy: There is no information given as to how the removal of the current buildings will be dealt with in regard to the neighbouring property whose garden ends with the wall of the building due to be demolished - thus exposing their garden. This property on Trowley Hill Road will be directly overlooking the proposed dwelling and vice versa which is not acceptable. The replacement dwellings will be higher than the current buildings thus reducing the openness which they currently enjoy.</p> <p>Egress on to Trowley Hill Rd: Despite the many swept path analyses that have been done to prove the ease of exit, it is indeed very difficult to exit the site without jutting past the line of permanently parked cars to see if anything is coming along Trowley Hill Rd. With the potential for 16 cars on the site, with no parking capacity on the road, and with a pavement of less than 2 feet wide, this will become an accident-prone zone.</p> <p>The PC will consider taking this application to the ombudsman because DBC has disregarded key information by choosing to ignore where errors have been pointed out.</p> <p>Object</p>
Hertfordshire Ecology	<p>Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:</p> <ol style="list-style-type: none"> 1. This application is for the last developable section of this site. A Preliminary Ecological Appraisal has been undertaken for the application site which was surveyed for evidence for protected species and habitats. 2. Several relatively modern buildings are present on this site which is otherwise wholly developed. External and internal surveys found no evidence of bats and were considered to have negligible potential to

	<p>support a bat roost.</p> <p>3. No other evidence of protected species was found. The developed nature of the site was considered to have no potential for birds, reptiles, amphibians or notable invertebrates. The site supports no semi-natural habitat interest and was considered to be of low ecological value. No further surveys were considered necessary. I am satisfied that the surveys were sufficient and reliable in determining any ecological interest on the site.</p> <p>4. Recommendations for a precautionary approach to undertaking the proposals are outlined in Section 5.1 of the PEA. These should be followed and attached to any permission as an Informative.</p> <p>5. Enhancements are proposed in 5.2 of the PEA and should also be attached to any permission as an Informative, in pursuance of providing ecological benefits (I am not satisfied provision of such habitat features such as bird and bat boxes meet the test of a Condition in that without them, the application should be refused. However, it may be considered that securing them by Condition is the best means of ensuring they are provided).</p> <p>6. Wildflower planting within gardens is considered to deliver ecological enhancements but obviously there is no control on subsequent garden use or management so little weight can be attached to this proposal. However, there is a significant landscaping proposal to plant an orchard associated with the recently approved adjacent development to the west, and this will provide locally significant ecological gain associated with the redevelopment of this whole site.</p> <p>On this basis I consider that the LPA can determine the application accordingly.</p> <p>I trust these comments are of assistance,</p>
Thames Water	<p>Waste Comments</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</p>

	<p>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>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</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>
Hertfordshire Highways (HCC)	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <ul style="list-style-type: none"> a. Provision of a suitable level of safe, secure and convenient cycle parking. b. Approval that the access arrangements are acceptable to Herts Fire & Rescue. Details have been forwarded to them. c. Illustrate that the largest anticipated vehicle to access the site can turn around safely and egress to the highway in forward gear. <p>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).</p> <p>2. Provision of Parking & Servicing Areas</p> <p>Prior to the first occupation of the development hereby permitted the proposed access, 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.</p>

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).

3. Construction Management

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- d. Siting and details of wheel washing facilities;
- e. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- f. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

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).

COMMENTS / ANALYSIS:

This proposal is for: Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking

The site is on land to the rear of 12 Trowley Hill Road, which is an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.

ACCESS:

The site has an existing access and private access road from Trowley Hill Road into the site and the proposal is to use this existing access unchanged. The general access arrangements are considered

	<p>acceptable by HCC as Highway Authority.</p> <p>The applicant has submitted swept path diagrams demonstrating that Fire Tenders are able to enter the site, however these do not demonstrate the ability for vehicles to turn around on site to enter and leave the highway in forward gear and the proposed dwellings are approximately 20-30m from the nearest highway.</p> <p>This is contrary to MFS 6.7.2 The Building Regulation requirement B5 (2000)10 concerns 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes, inter alia, the following advice on access from the highway:</p> <ul style="list-style-type: none"> o fire service vehicles should not have to reverse more than 20 m <p>HCC as Highway Authority has therefore passed details to Herts Fire & Rescue for their attention and any comments or recommendations.</p> <p>PARKING</p> <p>The proposal includes the provision of four car parking spaces, the layout of which is shown on drawing number C4T5/FOU/FLA2-P02 Revision B . The size and layout of the parking area is acceptable and in accordance with MfS and Roads in Hertfordshire: Highway Design Guide. Dacorum Borough Council (DBC) is the parking authority for the district and therefore should ultimately be satisfied with the parking provision.</p> <p>SURFACE WATER DRAINAGE:</p> <p>The proposed development would need to make adequate provision for drainage on site to ensure that surface water is disposed of on site and does not discharge onto the highway.</p> <p>REFUSE / WASTE COLLECTION:</p> <p>The submitted planning statement states that a private waste collection company would be used to collect waste.</p> <p>CONCLUSION:</p> <p>HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway, subject to the conditions and informative notes above.</p>
Environmental And	Having reviewed the planning application I am able to confirm that there

Community Protection (DBC)	<p>is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site has been under a commercial land use since the mid-1900s which will have had the potential to result in ground contamination. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.</p> <p>(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.</p> <p>(d) This site shall not be occupied, or brought into use, until:</p> <p>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local</p>
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	<p>Planning Authority.</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>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</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: The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>Please let me know if you have any questions.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	0	0	0	0

Neighbour Responses

Address	Comments

<p>14 Trowley Hill Road Flamstead St Albans Hertfordshire AL3 8EE</p>	<p>RE planning application reference: 20/02738/FUL Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking Land Rear Of Southern Wood 12 Trowley Hill Road Flamstead Hertfordshire AL3 8EE</p> <p>We wish to strongly object to this planning application for this development of two houses. We live at no. 14 Trowley Hill Rd, the wall of our home is the southern boundary of the proposed access.</p> <p>1 Access Dacorum policy POLICY CS12 states: Quality of Site Design On each site development should: a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; C)avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; This proposal meets none of the above. The access is not suitable, the width between no's 14 (built 1799) & 12 (listed building) is 3.3 metres (I've measured it). There is unrestricted parking on Trowley Hill Road, when pulling out of the access, parked cars reduce visibility to zero. A fire officer reported after visiting with is appliance that" stated "that if vehicles were parked on the highway (Trowley Hill road) then fire appliances would be unable to gain access to the development of six new houses" The proposed access is the same & so his assessment is also very relevant to this application. The wall of our home is the southern boundary of the proposed access. The wall is routinely damaged by vehicles hitting the corner of the wall. The developers of the current development think it would be a good idea to put boards against our house during construction to ameliorate any potential damage. This alone suggests there is a problem. (unlike Dacorum planning at least they've accepted the access is problematic). There will also be increased risk to pedestrians, the access is narrow & hidden & the pavement is also very narrow. The houses are two storeys, replacing single storey offices & workshop. They will overlook at least 4 existing houses along Trowley Hill Road. Their orientation is completely at odds with the surrounding properties.</p> <p>2. Inappropriate development in a conservation area. It should be noted that currently, along Trowley Hill Road (western side, that part within the conservation area) that there are currently 14 dwellings. This proposed development (2 dwellings) together with the very recent permission to grant permission for 6 dwellings within the same yard means that there will be 8 new dwellings within this small part of the conservation area, i.e., a very significant increase in housing density in this Conservation Area (a designated Small Village in the Green Belt (Dacorum Council's designation!) .</p>
<p>Holly Cottage 2 Trowley Hill Road Flamstead</p>	<p>I wish to object to the Planning Application number 20/02738/FUL for two further houses to be built on land behind 12 Trowley Hill Road AL3 8EE. Unsurprisingly, the Council's recent decision to grant the previous</p>

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application to build six houses on this site (19/02993/FUL) has been followed by the same developer's present application to further develop the remaining part of the site, a scenario I predicted in my objection to the previous application (see section 2(b) in my previous submission). This will bring the total number of houses on this site to eight, including a total of 18 car parking spaces (five new ones added to the already approved total of 13; I note that although only four appear on the plan, Section 9 of the present application states that there will be five parking spaces).

My objections fall under two heads: [1] the further addition to the traffic load on this road which can be very busy at key times, together with the additional hazards posed by the very narrow site exit onto the main road, and its restricted visibility, and [2] the direct loss of privacy and amenity to my house and garden (number 2), which backs immediately onto Plot B, and to the neighbouring houses (numbers 4 - 8).

[1] I set out the potential hazards of the increased traffic in my previous submission (section 3 (a-e) of that document). I am aware that Highways confirmed in assessment of the previous submission that there is no objection to the development on Highway Safety Grounds, but this is not the view widely represented in local experience and comments on the previous application. The increased volume of traffic presents hazards to pedestrians and road-users alike; and the original assertion, unsupported by any evidence, that the change of use from a builder's yard to residential will decrease the volume of traffic is manifestly incorrect. To the best of my knowledge, no figures were ever produced by the developers for the existing traffic in and out of the yard, but regular observation over the four years I have lived here suggests that it is much less in volume than will be the daily comings and goings of the proposed 18 permanent on-site vehicles, which will significantly add to the traffic burden in Trowley Hill Road.

[2] Regarding the loss of amenity and privacy that this development poses to my house, there are two aspects:

[a] The garden of plot B would directly abut onto my back garden, and while the side of the house on this plot is immediately adjacent to my neighbours' gardens, where it will certainly intrude, it will also introduce a two-storey building into the outlook from my house and garden, much higher than the existing low structures. My present rear outlook includes an unimpeded view of the westerly sky, distant trees, and the traditionally-tiled single story roof top of the lockups in the builder's yard. I am in no way overlooked, and experience no noise from the existing site. That will change if the development goes ahead.

[b] A particular issue arises from the fact that the development will presumably involve the demolition of a brick storage unit which was built against my rear garden wall many years ago, and forms a significant part of my rear boundary. The traditional garden wall, in the same style as other low walls in the conservation area (eg that bordering the churchyard on Trowley Hill Road), is low, approaching five feet high, but the abutting structure nearly doubles the height. Over many years, and certainly long before we came here, a variety of climbing plants have been trained up this to create a green wall at the

end of my garden, giving the garden a sense of seclusion and tranquillity, one of the features which attracted my late husband and myself to the house in the first place. These long-established plants will clearly be destroyed or drastically cut down when the structure is demolished, and that sense of peace and seclusion, which is a part of the appeal of the garden, will go with them.

In addition, the low wall left between the two plots will be easily looked over, and the potential noise, disturbance, and visual intrusion will result in significant loss of amenity and privacy for me. There is at present no suggestion in the application of creating greater privacy - for the gardens on both sides of this wall - by creating an appropriate boundary construction of similar height. I would hope that, if this application is approved, such a mitigation would be put in place by the developer.

On grounds of [1] an increased risk of traffic hazard on Trowley Hill Road, and [2] a direct and significant loss of privacy and amenity to my house, I strongly object to this planning application.