

ITEM NUMBER: 5e

20/03753/FUL	Construction of five dwellings, access road, landscaping and ancillary works.	
Site Address:	Land at Green End Gardens, Hemel Hempstead	
Applicant/Agent:	Matthew Homes Ltd and Charles Gallagher Ltd	
Case Officer:	Robert Freeman	
Parish/Ward:	Hemel Hempstead	Boxmoor
Referral to Committee:	The application is referred to committee at the request of Councillor Hobson	

1. RECOMMENDATION

That planning permission be **GRANTED**

2. SUMMARY

- 2.1 The proposed development is located in the town of Hemel Hempstead where appropriate residential development is acceptable under Policies CS1 and CS4 of the Core Strategy.
- 2.2 The proposals would result in a high quality development in accordance with Policies CS11, CS12 and CS13 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011. The proposals would not be detrimental to the amenities of neighbouring properties nor harmful to matters of highway safety in accordance with Policies CS8 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan 1991-2011 and the Car Parking Standards SPD (November 2020)

3. SITE DESCRIPTION

- 3.1 The site is located to the west of Latchford Place and comprises a rectangle of land to the rear of 19-25 Gravel Hill Terrace. The site would be accessible from Green End Gardens, a modest residential cul-de-sac containing 15 residential units. Boxmoor Primary School adjoins the site. There are a number of mature trees beyond the southern site boundary, but the site itself has been cleared of a number of trees and scrub vegetation prior to submission of these proposals.

4. PROPOSAL

- 4.1 The proposals involve the construction of a five x four bedroom detached dwellings, traditional in appearance and fronting a new access road off Green End Gardens. A priority junction and access road would replace the existing private drive to 4 Green End Gardens.
- 4.2. The principal elevations to the new residential units would front onto the newly created access road with off-street parking provided to the frontage of the units and within integral and detached garages.

5 PLANNING HISTORY

- 5.1 The application was subject to pre-application advice. This was generally supportive of residential development in the area with officers raising some minor concerns with the

design of individual units. The proposed scheme builds upon this advice and has been refined through the submission of amended plans within the application period.

6. PLANNING POLICIES

6.1 National Policy

National Planning Policy Framework (February 2019) (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Dacorum Borough Core Strategy 2006-2031

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 – The Towns and Large Villages
CS8 – Sustainable Transport
CS9 – Management of Roads
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
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

6.3 Saved Policies of the Dacorum Borough Local Plan 1991-2011

Policies 13, 51, 54, 55, 58 and 99.
Appendices 3, 5 and 7

6.4 Supplementary Planning Guidance/Documents:

Car Parking Standards (2020)
Planning Obligations (2011)
Residential Character Appraisals
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

7. REPRESENTATIONS

7.1 Consultation responses

These are reproduced in full at Appendix A.

7.2 Neighbour notification/site notice responses

There were no comments received from neighbouring parties.

8. CONSIDERATIONS

Policy and Principle

- 8.1 The application site comprises vacant land within the main town of Hemel Hempstead where new residential development would be encouraged in accordance with Policies NP1, CS1 and CS4 of the Core Strategy.
- 8.2 Policy CS8 of the Core Strategy would encourage such developments to make appropriate arrangements to ensure that they are accessible and in particular that new residential development should provide safe, sufficient and convenient parking based on car parking standards within the Car Parking Standards SPD (November 2020).
- 8.3 All developments are expected to be well designed in the context of the site and surrounding land in accordance with Policies CS10, CS11, CS12 and CS13. This supports the government's objectives for a high standard of design, delivered at optimum densities and in the right locations.
- 8.4 The proposal would make a small contribution towards the delivery of the housing target of 430 new homes per annum over the plan period under Policy CS17 of the Core Strategy. The housing target in Policy CS17 sets a level of housing which the Council expects to achieve and exceed of the Core Strategy. It is important to optimise the use of housing sites in accordance with Saved Policy 10 of the Local Plan not only to deliver the requisite housing in the plan but also to limit the allocation and loss of further land within the Green Belt or outside key settlements for residential purposes.
- 8.5 Members should also be mindful that the Council does not have a five year housing land supply and as such are bound to apply the planning balance under paragraph 11 of the NPPF. Members should support the provision of residential development unless there is clear identifiable harm under the NPPF.
- 8.6 The development of residential properties should not be at the cost of significant landscaping and green infrastructure in accordance with Policies CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan.
- 8.7 Sustainable design and construction is also an essential part of the Council's response to challenges of climate change, natural resource depletion, habitat loss and wider environmental and social issues. Accordingly the proposed dwelling has been assessed against the requirements of Policies CS28, CS29, CS31 and CS32 of the Core Strategy.

Layout, Scale and Design

- 8.8 The Council expects a high quality design to be pursued in this location in accordance with Policies CS10, CS11, CS12 and CS13 of the Core Strategy. Additional advice upon the layout and design of residential development is contained within Saved Appendix 3 of the Local Plan 1991-2011.
- 8.9 The proposed development is considered to be appropriate in terms of its design, bulk, scale, height, site coverage and use of materials in accordance with Policy CS12 of the Core Strategy. These dwellings would use a simple palette of materials and design details and would be similar in appearance to those located in Green End Gardens. They would form a natural extension to the character and appearance of this road.
- 8.10 The proposals have been amended to incorporate the comments of the design officer and to reduce the impact on 2 Green End Gardens through the processing of the application. These alterations extend to the provision of chimneys and a reduction in the pitch to the roof of plot 1 to the development.

Impact on Residential Amenity

- 8.11 The proposed development will not result in any significant harm to the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan.
- 8.12 Residential properties have been carefully aligned so as not to project significantly to the front or rear of existing dwellings in either Green End Gardens or Latchford Place. The new dwellings would not breach a 45 degree angle to the windows serving main habitable rooms at 4 Green End Gardens, 4 and 5 Latchford Place. On this basis any loss in daylight and sunlight to these properties is likely to be insignificant. Furthermore it is likely that such light levels have been significantly improved in the last year as a result of the removal of vegetation upon the application site. There would be no overlooking of neighbouring land as a result of this development.
- 8.13 The main impact would be on the amenities of 2 Green End Garden whose rear elevation would face onto the flank elevation to plot 1. The angle of the roof to Plot 1 has been reduced and a hipped roof is introduced to minimise the impact on this property. This flank elevation would be located approximately 12.6m from the rear elevation. Drawing CSE.01 Revision D demonstrates that the flank elevation to this property would not obstruct a 25 degree angle to the windows in the rear elevation to this property and as such one is satisfied that there is no significant loss in either daylight or sunlight thereto.

Impact on Highway Safety and Parking

- 8.14 The proposed access road is considered to be appropriate and functional for a development of this scale. There are no objections from the highway authority who consider its design would result in no significant harm to matters of highways safety.
- 8.15 Three parking spaces would be provided for each 4 bed dwelling. This would be in accordance with the Car Parking Standards SPD (November 2020). Each property has a garage which may be provided with EV charging infrastructure. This may be secured by condition.

Other Material Planning Considerations

Contamination

- 8.16 There is a potential risk that the site may be contaminated as a result of historic land uses. If the site is contaminated, any contamination will need to be remediated in accordance with the comments of the Environmental Health team. Further investigations and remediation works have been conditioned.

Drainage Strategy

- 8.17 The site is located within Flood Zone 1 (Low Risk) and as such a Flood Risk Assessment is not required in relation to the proposals. It is also minor in scale and as such does not require assessment by the Lead Local Flood Authority nor trigger a requirement for the submission of a drainage strategy.
- 8.18 A drainage strategy has however been prepared to support the proposals and this demonstrates that the development of the site should not pose any flood risk either to the site or neighbouring land. The drainage report also follows the hierarchy for sustainable surface water disposal providing a number of viable drainage options for the site, whilst discussions with Thames Water have identified that suitable foul drainage measures are

agreed in principle. On this basis there should be no grounds to withhold the grant of planning permission.

Ecology and Biodiversity

- 8.19 It is clear from the submitted Preliminary Ecological Appraisal (PEA), that much of the ecological value of the site was stripped from the site following the destruction of woodland upon the site around February 2019. The exact species composition and structure of the original woodland is unknown, however it is likely that the woodland habitat was exploited by foraging and nesting birds and foraging and roosting bats prior to its felling.
- 8.20 The PEA recommends that each dwelling is provided with bat and bird boxes as compensatory measures and in addition a landscaping scheme is developed to encourage wildlife friendly planting within the development. This should deliver biodiversity net gains against baseline data as required under the NPPF, although it is difficult to see how such works might deliver the biodiversity net gains likely to emerge as a result of the Environment Bill (10%). These measures will be secured by a landscaping condition, which should include a minimum of a single tree planted per dwelling and an assessment using a Biodiversity Impact Calculator to ensure that woodland loss is fully accounted for in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

Sustainability

- 8.21 The submitted Sustainability Statement is considered to be acceptable in accordance with Policies CS29 and CS31 of the Core Strategy.

Response to Neighbour Comments

Process

- 8.22 The Council has fully complied with its legislative requirements in terms of public consultation and has made appropriate information available through its website in relation to these proposals. This does not extend to personal information such as that contained within the application form and covered by Data Protection policies.
- 8.23 Notwithstanding the current COVID-19 pandemic, it is not necessary or appropriate for such processes to be amended. Furthermore significant time has elapsed since the end of this statutory consultation period and its consideration by the Development Management Committee, such that it is considered that the consideration of the application has not prejudiced residents of neighbouring land from expressing a view.

Tree Felling

- 8.24 The neighbours to the site have identified that the site was heavily treed prior to works being undertaken over a sustained period in February 2019. This occurred before the applicants engaged in pre-application discussions in May 2019. It is quite clear from an examination of historic and aerial photos of the site that these trees covered a substantial area of the site, however it is not clear why these trees were removed nor do they appear to have been subject to any protection under the planning system. The removal of these trees, whilst unfortunate, does not provide any appropriate basis to withhold planning permission in this case.

9 CONCLUSION

9.1 The proposals will result in a high quality residential scheme and more efficient use of garden land within the settlement of Hemel Hempstead. It would allow for the provision of five new properties supporting the objectives of Policy CS17 of the Core Strategy without harming the amenities of neighbouring units nor undermining highways safety.

10. RECOMMENDATION

10.1 That planning permission be **GRANTED** subject to the following planning conditions

Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. No development of the superstructure shall take place until samples of the materials to be used upon the external surfaces of the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

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

PLANS

BDML.01 Revision D (Material Layout)
CSE.01 Revision D (Coloured Street Elevations)
GAR.01.pe Revision C (Double Garage Plans)
HT.1335-1.e Revision C (House Type 1335 Elevations Option 1)
HT.1335-2.e Revision B (House Type 1335 Elevations Option 2)
HT.1335-p Revision B (House Type 1335 Floor Plans)
HT.1557.e Revision D (House Type 1557 Elevations)
LP.01 Revision C (Location Plan)
SL.01 Revision E (Site Layout)
18527-HEME-5-100 Revision G (Site Access Plan)
18527-HEME-5-102 Revision D (Site Access Fire Vehicle Tracking)

DOCUMENTS

Preliminary Ecological Appraisal by ACD Environmental (MAT22683PEA A)
Sustainability Statement by Thrive Architects (MATT190214) (April 2020)
Transport Statement Revision A by Woods Hardwick (August 2020)

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

4. Prior to the first occupation / use hereby permitted the vehicular access (indicated for improvement on drawing number 18527-HEME-5-100 rev G) shall be upgraded / widened to a minimum width of 4.8 metres in accordance with the Hertfordshire County Council residential /industrial access construction specification.

Reason: To ensure the provision and retention of adequate access and parking facilities for the site in accordance with Policies CS8 and CS12 of the Core Strategy.

5. Prior to the first occupation / use of the development hereby permitted a visibility splay measuring 2.4m x 34m metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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).

6. Prior to the first occupation / use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

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).

7. Prior to the first occupation the development hereby permitted the proposed access, on-site car and cycle parking, servicing, loading and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with 18527-HEME-5-100 rev G 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)

8. No construction of the superstructure 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:

- means of enclosure, including the materials and/or hedging plants to be used for any enclosures, together with the location of any hedgehog gates;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- An assessment of the proposed landscaping using a Biodiversity Impact Calculator
- finished levels and contours in relation to existing site levels, eaves and ridge heights of neighbouring properties;
- any exterior lighting works and
- the siting and design of any bird boxes, bat boxes and other habitat creation as outlined within the submitted Preliminary Ecological Report.

The planting must be carried out 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 5 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 ensure the adequate landscaping of the site in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

9. 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.

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.

10. If the Local Planning Authority is of the opinion that the report which discharges condition 9, 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.**

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. 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 10, above; has been submitted to and approved 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.

12. 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 16 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.

13 The development, hereby approved, shall not be occupied until full details of the Electric Vehicle Charging Points including the type of charger, power supply and a scheme for the

maintenance and management of charging points has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to occupation and shall thereafter be retained.

Reason: In the interests of access and highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire County Council – Highway Authority	<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>CONDITIONS</p> <p>1. Prior to the first occupation / use hereby permitted the vehicular access (indicated for improvement on drawing number 18527-HEME-5-100 rev G) shall be upgraded / widened to a minimum width of 4.8 metres in accordance with the Hertfordshire County Council residential /industrial access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Prior to the first occupation / use of the development hereby permitted a visibility splay measuring 2.4m x 34m metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.</p> <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).</p> <p>3. Prior to the first occupation / use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between</p>

0.6 metres and 2.0 metres above the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Prior to the first occupation / use of the development hereby permitted the proposed access /on-site car and cycle parking / servicing / loading, unloading / turning /waiting area shall be laid out, demarcated, levelled, 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).

INFORMATIVES

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

2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

4) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the

	<p>public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.</p> <p>Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf.</p> <p>COMMENTS This application is for construction of five dwellings, the creation of a new priority junction and access road, associated landscaping and ancillary works. The site is located on Green End Gardens, which is an unclassified local access road and a cul-de-sac.</p> <p>ACCESS Access into the proposed development will be achieved via the creation of a new priority junction and access road off Green End Gardens that follows the approximate alignment of the current private driveway associated with 4 Green End Gardens.</p> <p>Repositioning of the existing lamp post will need to be at the applicant's expense.</p> <p>PARKING Each proposed new dwelling will have one garage and one off street parking space.</p> <p>COLLECTION AND STORAGE OF WASTE Arrangements have been made for the collection and storage of waste</p> <p>EMERGENCY ACCESS The swept path diagram in drawing no 18527-HEME-5-102 rev D demonstrates that fire service vehicles are able to enter and leave the site in forward gear.</p> <p>CONCLUSION The proposals are not considered to result in a severe residual impact on the public highway and are considered acceptable to the Highway Authority, subject to the conditions and informative notes above.</p>
Environmental Health	Having reviewed the planning application I am able to confirm that there 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.

This is considered necessary because the application site has an unknown former land use, and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed residential end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.

Contaminated Land Conditions:

Condition 1:

(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.

	<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>
Conservation Officer	The layout and design are acceptable, but I would ask for chimneys to be added to the five new dwellings.

APPENDIX B: NEIGHBOUR RESPONSES

Address	Comments
2 Green End Gardens	<p>Please note that due to the short time scale allocated for public consultation it is only possible to set out our reasons together with some questions in summary form:</p> <p>1. The Consultation</p> <p>1.1. We note that the Application Form included as one of the documents on the Planning Portal has been redacted. This suggests that the Application submitted is NOT COMPLETE. Can you please confirm this is the case? In any event a valid Application Form is not</p>

available for the public to view.

1.2. The Public Consultation period would appear to be a fixed period of 21 days. In view of the current restrictions due to Covid and the fact that the last day for consultation is Christmas Day, we consider this to be totally unreasonable.

2. Sustainability, The Environment and Ecology

2.1. The following is extracted from the Ecological Statement included in the Planning Application Documents:

In October 2019, ACD Environmental Ltd carried out a Preliminary Ecological Appraisal (PEA) of a parcel of land at Green End Gardens, Hemel Hempstead, HP1 1SN hereafter referred to as the 'Application Site'.

The PEA comprised a desk study and an Extended Phase 1 Habitat Survey combined with a visual survey for badger and identifying potential for protected species to be present.

The Application Site comprises of 0.2 hectares of recently felled woodland with a small stretch of semi-improved grassland. Tree species from early successional regrowth were recorded in order to compile a list of tree species likely to have been present prior to felling. However, the exact species composition and structure for the original woodland are unknown. Numerous log piles and chippings piles are at the centre of the Application Site and a small stretch of semi-improved grassland is also present which appears to have previously been kept as a lawn.

The Application Site comprises approximately 0.2 hectares of land, which was until recently broadleaved woodland, which has since been felled. (Image 1).

Image 1 referred to above is an overhead image of the site before the trees were felled. We witnessed the felling of these trees, carried out in February 2019 over a fortnight without any warning. We have got videos of the tree felling which can be made available on request. The impression we got at the time was that these trees were felled without any consideration for the ecology on the site, the neighbours or environmental legislation. It smacked of a "hurried undercover operation". We ask that the appropriate officers in the council comment on the legality of this operation, which smacks of ecological vandalism, and why the perpetrators have not been challenged to explain their actions. We await your comments.

The neighbours are calling for a thorough investigation into the felling of these trees and for your findings to be made known together with any further actions you propose to take.

This investigation should also explore any links between the felling of these trees and this Planning Application.

It is indisputable that the felling of these trees, which form a well-

established woodland in the area has caused significant damage to the habitat and the species associated with it including protected species.

It is ironic therefore that the Environmental Statement is based on the site after the precious ecology of the site had been vandalized and that the mitigation measures for protected species for bats for example is based on the vandalized site, and not on the habitat that existed previously. The trees have been missing for nearly eighteen months. Comments from your Environmental and Ecological Protection teams are eagerly awaited.

2.2 The Environmental surveys were commissioned and carried out in October 2019. These surveys were therefore carried out, at best, in sub-optimal times of the year. There are no details of the survey results available and no evidence of any repeat surveys which for many species are, as far as we understand a legal requirement. In any case with reference to para 2.1 above, the surveys should have been carried out when the woodland was intact.

2.3. It is somewhat galling to read in para 2.10 of the Sustainability Statement that the developer proposes to "minimise impacts on biodiversity and incorporate positive measures to support wildlife".

3. Access Road

3.1 We consider the access to the site via a new junction off Green End Gardens to be totally unsuitable as it will cause significant disruption to neighbours in Nos 4 & 6 in particular during construction and loss of amenity to Nos 2, 4 and 6 in particular if the development proceeds.

This will be a detrimental change to 'streetscape' as well as loss of amenity to the entire cul-de-sac?

The Design and Access Statement does identify the "sensitive relationship" of the new houses on adjacent properties but does not mention the effect the new road will have.

The Design and Access Statement does not even mention the possibility of entering the site via Latchford Place. This access is far more suitable and does not involve any reconstruction or new construction outside existing properties.

4. Drainage Strategy

4.1. The drainage Strategy is referenced in several documents included within the application and includes confusing and at times contradictory statements.

It would appear that the suitability of the site to accept shallow or deep soakaways is very much in question, and far from proven in the documents provided.

The alternative of out-falling the surface water to a surface water or

foul sewer has not been examined sufficiently to demonstrate that it can be achieved.

With regards to foul water, a suitable connection point has not been established and any obligation on the utility provider to upgrade their sewers could result in severe disruption to residents in Green End Gardens.

The alternative of connecting to sewers situated in Latchford Place, where it may be possible to achieve gravity connections, has not been explored.

We conclude that in terms of providing drainage to this new development, it is totally unreasonable to carry out significant works in a housing estate that was completed over 25 years ago.

Will the planning application be determined by the officer or will it go to the planning committee?

We trust you will not approve this planning application because it will set a precedent whereby an ecological habitat can be destroyed prior to a planning application being submitted.

In the meantime we will be consulting with our local councillor, local MP and taking legal advice.

Yours sincerely

Fred Parry No 2
Siân Parry No 2
Leah Parry No 2
Ruth Parry No 2
Chris Ward No 6
Jane Ward No 6
Ellie Ward No 6
Amy Beardsworth No 10
Elliot Beardsworth No 10
Lewis Beardsworth No 10
Matthew Durrant No 5
Sarah Durrant No 5
Luke Durrant No 5
Ben Jolly No 3
Vikki Jolly No 3
Adam Jolly No 3
Ben Jolly No 3
Hitesh Mistry No 14
Kirti Mistry No 14
Anya Mistry No 14
Chris Hill No 9
Seema Hill No 9
Andy Piper No 12
Moya Piper No 12
Dean Watkins No 8
Debs Watkins No 8
Louise Cornock No 7

	James Fee No 7 Charlotte Hopwood No 1 Paul Hopwood No 1
2A Green End Gardens	<p>The proposed properties on plots 1 and 2 will be very close to existing properties in Green End Gardens and Latchford Place. The house on Plot 1 which is my direct concern will overlook my house 2a GEG. This plan could be improved by relocating the planned location of the garages for plots 1 and 2 to the outer side of the respective plots next to the boundary fences in both cases. This will mean that the houses on Plots 1 and 2 could be moved more centrally at least 3 metres more away from existing properties in each case. This seems to be a reasonable request. Please could this change be incorporated into the proposed plan</p> <p>The second point is related to the Water and Sewage disposal plan which is still to be determined</p> <p>For these reasons I object to this development</p>
4 Green End Gardens (x2)	<p>1. Planned building poses risk of flooding to No. 4 Green End Gardens, namely via:-</p> <p>a) Heavy surface H₂O flow coming down Green End Gardens being able to flow down new access road and down driveway of No. 4 Green End Gardens.</p> <p>b) Planning drawing of drainage not complete - final connections not shown.</p> <p>c) The raised cobbled path at the entrance of the new access road should stay in place. This will ensure that the H₂O flow will continue to flow down Green End Gardens as it does now and prevent flood risk to No. 4 & 6 Green End Gardens.</p> <p>d) Should the (possible) geo-cellular storage crates outside the 5 plots be extended to also be outside No 4 Green End Gardens?</p> <p>2. Plots 3, 4 & 5 are very deep. Plot 5 appears to be at the maximum permitted 45 degree angle. This will cause a loss of light at No 4 Green End Gardens. Can the properties not be built further forward? Will this 45 degree ruling be checked prior and during construction?</p> <p>3. The new access road creates a dangerous junction. Traffic calming measures are already in place on Green End Gardens. The new access road should also contain at least one speed bump etc.</p>
4 Latchford Place	I would like to raise a concern over the position of the house planned in Plot 2. It will take daylight from my bathroom, utility room, kitchen, lounge, and 3 rear bedrooms. It will also cast shadows over my garden.