

**ITEM NUMBER: 5a**

<b>21/01517/RES</b>	<b>Reserved matters application with details of Appearance, Landscaping, Layout and Scale comprising of 276 dwellings and associated works relating to application 4/02539/16/MOA (Outline planning application to include up to 600 dwellings (c3), land for primary school (d1), land for local centre uses (a1,a3,a4,a5,d1,d2), land for up to 7,500 square metres of employment uses (b1,b2,b8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off three cherry trees lane, new priority junction off three cherry trees lane, new vehicular access to spencer's park phase 1 and an emergency access to the employment land off cherry tree lane. Detailed approval is sought for access arrangement only, with all other matters reserved)</b>	
<b>Site Address:</b>	<b>Spencer's Park Phase 2 Land Between Three Cherry Trees Lane And Cherry Tree Lane Hemel Hempstead</b>	
<b>Applicant/Agent:</b>	<b>Miss Lucy Aspden</b>	<b>Miss Lucy Aspden</b>
<b>Case Officer:</b>	<b>Andrew Parrish</b>	
<b>Parish/Ward:</b>	<b>Hemel Hempstead (No Parish)</b>	<b>Woodhall Farm</b>
<b>Referral to Committee:</b>	<b>Large scale major development linked to Section 106</b>	

**1. RECOMMENDATION**

1.1 That planning permission be granted.

**2. SUMMARY**

2.1 The application is recommended for approval. Outline permission 4/01749/16/OUT was granted in September 2016 for up to 600 dwellings across the two authority areas of Dacorum Borough and St. Albans City and District. All matters were reserved apart from access. Condition 4 allows the site to come forward in phases.

2.2 Approval is sought in respect of the reserved matters (RM) comprising appearance, layout, scale and landscaping in relation to Phase 2 West (an area entirely within the administrative area of Dacorum).

2.3 The RM proposal is for 276 dwellings of which 35% would be classed as affordable housing, and the proposals would comprise a mix of 1, 2, 3 and 4 bed properties and include car parking, open space, children's play, landscaping, SUD's, segregated foot and cycleways, and provision for future bus services.

2.4 The proposals have been subject to extensive pre-application discussions with DBC, SADC and HCC officers, were presented to the Community Review Panel in November 2020, and have been subject to public engagement in December 2020.

2.5 The outline permission included land for a primary school, employment area, local centre uses and other uses as set out on the approved Parameters Plan. The phase being considered here does not include the school, employment area or local centre uses.

2.6 The proposed residential mix for approval is considered acceptable and would ensure a sustainable and balanced community with all dwellings exceeding National Minimum Space Standards.

2.7 The layout is dictated by a number of constraints including trees, extensive drainage and power easements and the location of the access on Three Cherry Trees Lane. The layout responds to these in a positive way including retention of the tree belt to the eastern boundary, creation of a linear park, sustainable travel connections with the wider area and the creation of a series of spatial typologies across the site imparting variation in built form, clear and legible routes that prioritise pedestrian and cycle movement, and a significant network of green spaces and landscaping.

2.8 The proposals respond appropriately in height and density terms in accordance with the approved parameters plan and would not cause harm to the street scene or surrounding area.

2.9 The details of design and appearance to the various house typologies is to a high standard. Whilst the architectural detailing is fairly simple and unembellished, the contemporary approach would not be materially harmful to the area.

2.10 Other than some additional planting that is being sought to soften private domain areas from street vistas, the hard and soft landscaping is to a high standard and the Trees and Woodlands Officer has raised no concerns. The proposals include a significant amount of well landscaped public open space and equipped children's play areas.

2.11 The highway authority has been party to pre-application discussions and raises no objection on highway safety grounds. Whilst the quantum of car parking is below that sought by the recently adopted SPD, it is nevertheless greater than that agreed at outline stage, and the reductions overall are considered to be justified on grounds that the site is sustainably located and the development includes significant enhancements to infrastructure that will encourage modal shift from car use. The proposals include EV charging and cycle storage per dwelling.

2.13 There are no nearby residential properties whose amenity would be materially harmed. Minimum back to back distances would be satisfied other than in a handful of cases where subject to further mitigation, the proposals are acceptable. Private communal amenity space for the flats is lacking in cases but balanced by balconies and availability of nearby well-designed open space. The Environmental Health Officer raises no objection subject to further noise mitigation and compliance conditions in respect of the introduction of an acoustic barrier along the western boundary of the site.

2.14 The proposals will be highly sustainable in terms of the energy and drainage strategies adopted and the development will be a Homes England showcase site in terms of MMC (Modern methods of construction). The site will provide an overall net gain in biodiversity.

2.15 A Statement of Compliance in terms of the EIA submitted at outline stage indicates that the conclusions of the EIA stand in respect of there being no on-balance harm to the environment. The Historic Environment Officer raises no objection subject to continuing archaeological investigations.

2.16 In terms of the overall planning balance, taking the 'tilted balance' in favour of sustainable development accordance with Para. 11 of the NPPF, when assessed against the policies in the Framework taken as a whole the benefits are considered to significantly and demonstrably outweigh the adverse effects of the proposal.

2.17 The details are acceptable for approval subject to the conditions set out.

### **3. SITE DESCRIPTION**

3.1 The site comprises the western part of the Spencer's Park Phase 2 site between Three Cherry Trees Lane and Cherry Tree Lane in north east Hemel Hempstead. The site is located immediately to the south of the Spencer's Park Phase 1 development, which has recently been completed by David Wilson Homes. The site is located within the built up area of Hemel Hempstead, within the Maylands General Employment Area (GEA).

3.2 The site currently comprises of rolling arable fields, with field access points off both Three Cherry Trees Lane and Cherry Tree Lane. A variety of employment uses are located to the west and south of the site within the Maylands General Employment Area, including Buncefield Oil Depot site to the south of the site. A Gypsy and Traveller site (Cherry Tree Caravan Park) is located to the west of the site.

3.3 The eastern edge of the site is defined by a north-south running over-mature hedgerow formed of a thick line of trees. To the southern edge with Three Cherry Trees Lane is a further mature hedgerow. The western border of the site comprises a woodland copse with drainage pond and a mature hedgerow extending north alongside the G&T site. The northern edge with Spencer's Park Phase 1 is open apart from a metal palisade fence that forms the boundary and which is to be removed and reused along the western boundary of the site.

3.4 Detailed access arrangements to the site were approved under the Outline permission with the main access into the site to be provided to the south, via a new roundabout from Three Cherry Trees Lane.

3.5 The site is part of the wider Spencer's Park Phase 2 site that crosses the administrative boundaries of Dacorum and St Albans City and District Councils and which is owned by Homes England. The red line site the subject of the current RM application extends to approximately 9ha and comprises the western half of the wider Spencer's Park Phase 2 site. The eastern part is not the subject of the current application and is to come forward as a separate RM application.

3.6 The application site does not fall within a Conservation Area, nor are there any listed buildings within its boundary or in the vicinity. The site is not subject to any other environmental designations. The site is located in Flood Zone 1, the lowest risk flood zone.

## **4. PROPOSAL**

4.1 Outline permission 4/01749/16/OUT was granted in September 2016 for UP TO 600 dwellings (C3), land for primary school (D1), land for local centre uses (A1,A3,A4,A5,D1,D2), land for up to 7,500 square metres of employment uses (B1,B2,B8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off Three Cherry Trees Lane, new priority junction off Three Cherry Trees Lane, new vehicular access to Spencer's Park Phase 1 and an emergency access to the employment land off Cherry Tree Lane.

4.2 All matters were reserved apart from access. The site was split across the two authorities of Dacorum Borough Council and St. Albans City and District Council. Condition 4 allows the site to come forward in phases, details of which have recently been approved.

4.3 Approval is now sought in respect of the reserved matters (RM) comprising appearance, layout, scale and landscaping in relation to Phase 2 West (an area entirely within the administrative area of Dacorum).

4.4 The proposed RM scheme is for 276 dwellings, comprising of a mix of 2, 3 and 4-bedroom houses, and 1 and 2 bedroom flats. The new homes will comprise a range of tenures to suit a variety of needs, including private sale, shared ownership and affordable rent properties. The distribution of the affordable dwellings reflects the requirements set out in approved Outline planning permission comprising 35% affordable provision in this phase.

4.5 Most pre-commencement conditions remain to be discharged and will form separate applications.

## **5. REFERRAL TO COMMITTEE**

5.1 The application is referred to the Development Management Committee under s.2.3.2 (4) of Part 3 of the Council's Constitution as the application is a large scale major development which is linked to an existing planning obligation under s.106 of the Town and Country Planning Act 1990 (as substituted by s.12 of the Planning and Compensation Act 1991).

## **5. PLANNING HISTORY**

Planning Applications (If Any):

20/03238/DRC - Details as Required by Condition 22 (Archaeological Written Scheme of Investigation - Parts 1 and 6 only) attached to Planning Permission 4/02539/16/MOA (Outline planning application to include up to 600 dwellings (c3), land for primary school (d1), land for local centre uses (a1,a3,a4,a5,d1,d2), land for up to 7,500 square metres of employment uses (b1,b2,b8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off three cherry trees lane, new priority junction off three cherry trees lane, new vehicular access to spencer's park phase 1 and an emergency access to the employment land off cherry tree lane.

*GRA - 3rd December 2020*

20/03249/FUL - Relocation of existing 5 bar gate on Hudnall Lane to create wider vehicle entrance bay

*GRA - 6th April 2021*

20/03982/NMA - Non Material Amendment to Planning Permission 4/02539/16/MOA (Outline planning application to include up to 600 dwellings (c3), land for primary school (d1), land for local centre uses (a1,a3,a4,a5,d1,d2), land for up to 7,500 square metres of employment uses (b1,b2,b8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off three cherry trees lane, new priority junction off three cherry trees lane, new vehicular access to spencer's park phase 1 and an emergency access to the employment land off cherry tree lane. Detailed approval is sought for access arrangement only, with all other matters reserved)

*GRA - 20th January 2021*

21/01350/DRC - Details as required by condition 4 (phasing plan) attached to planning permission 4/02539/16/MOA (Outline planning application to include up to 600 dwellings (c3), land for primary school (d1), land for local centre uses (a1,a3,a4,a5,d1,d2), land for up to 7,500 square metres of employment uses (b1,b2,b8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off three cherry trees lane, new priority junction off three cherry trees lane, new vehicular access to spencer's park phase 1 and an emergency access to the employment land off cherry tree lane. Detailed approval is sought for access arrangement only, with all other matters reserved).

*GRA - 25th May 2021*

21/01713/DRC - Details required by condition 14 (Surface water drainage strategy) attached to planning permission 4/02539/MOA (Amended by 20/03982/NMA) (Outline planning application to include up to 600 dwellings (c3), land for primary school (d1), land for local centre uses (a1,a3,a4,a5,d1,d2), land for up to 7,500 square metres of employment uses (b1,b2,b8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off three cherry trees lane, new priority junction off three cherry trees lane, new vehicular access to spencer's park phase 1 and an emergency access to the employment land off cherry tree lane. Detailed approval is sought for access arrangement only, with all other matters reserved)

*PCO -*

4/01385/19/NMA - Non material amendment to planning permission 4/01477/09/moa (residential development of 357 dwellings (outline) with associated amenity space, vehicular access, pedestrian access from nicky line and emergency access. Community facilities including local  
*GRA - 27th June 2019*

4/02539/16/MOA - Outline planning application to include up to 600 dwellings (c3), land for primary school (d1), land for local centre uses (a1,a3,a4,a5,d1,d2), land for up to 7,500 square metres of employment uses (b1,b2,b8), landscaping, open space and play areas, associated infrastructure, drainage and ancillary works, new roundabout access off three cherry trees lane, new priority junction off three cherry trees lane, new vehicular access to spencer's park phase 1 and an emergency access to the employment land off cherry tree lane. Detailed approval is sought for access arrangement only, with all other matters reserved  
*GRA - 30th April 2019*

4/01477/09/MOA - Residential development of 357 dwellings (outline) with associated amenity space, vehicular access, pedestrian access from nicky line and emergency access. Community facilities including local park, social/community building and small retail building (ame  
*GRA - 29th October 2012*

4/01892/08/MOA - Residential development of 372 dwellings with associated amenity space and vehicular access. Community facilities including local park, social/community building and small retail building  
*WDN - 9th December 2008*

Appeals (If Any):

## **6. CONSTRAINTS**

Area Action Plan Boundary: East Hemel Hempstead AAP

Area of Archaeological Significance: 63

CIL Zone: CIL3

CIL Zone: CIL4

Former Land Use (Risk Zone):

HSE Consultation Zone: Haz. Subst. Buffer

Oil Pipe Buffer: 100

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Green (15.2m)

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

Smoke Control Order

Parking Standards: New Zone 3

EA Source Protection Zone: 3

Town: Hemel Hempstead

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (February 2019)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

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

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
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  
CS19 - Affordable Housing  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS27 – Quality of the Historic Environment  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions

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

Policy 10 - Optimising the Use of Urban Land  
Policy 13 - Planning Conditions and Planning Obligations  
Policy 51 – Development and Transport Impacts  
Policy 54 – Highway Design  
Policy 63 - Cyclists  
Policy 76 – Leisure space in New Residential Developments  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 100 – Tree and Woodland Planting  
Policy 108 – High Quality Agricultural Land  
Policy 111 – Height of Buildings  
Policy 118 – Important Archaeological Remains  
Appendix 3 - Layout and Design of Residential Areas  
Appendix 5 - Parking Provision (layout guidelines)

Supplementary Planning Guidance/Documents:

Environmental Guidelines SPD (May 2004)  
Strategic Design Guide SPD (February 2021)  
Parking Standards SPD (Nov 2020)  
Affordable Housing SPD (September 2013)  
Affordable Housing SPD - Clarification Note (August 2019)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

Water Conservation SPD (July 2005)  
Energy Efficiency and Conservation SPD (July 2005)  
Sustainable Development Advice Note (December 2016)  
Policy Statement Sustainable Drainage (February 2015)  
Refuse Storage Guidance Note (Feb 2015)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

- Background history
- Pre-app discussion and engagement
- Policy and principle
- Residential mix
- Impact on street scene and character of area
- Landscaping and open space
- Impact on highway safety and car parking
- Impact on residential amenity
- Sustainable design and construction
- Other material planning considerations
- The planning balance
- Response to neighbour comments
- Community infrastructure levy (CIL)

### Background history

9.2 The application site was previously allocated for employment uses under the County Structure Plan 1991-2011 (adopted in 1998).

9.3 The Dacorum Borough Local Plan 1991-2011 retained this allocation (E4) in April 2004 with the Spencer's Park Phase 1 site to the north allocated for housing.

9.4 Despite the employment allocation, the site has long been identified as a potential housing site. The Core Strategy 2013 identified the potential for around 1000 dwellings here (including 350 on Phase 1) and reference was made to this potential throughout the Core Strategy (including Hemel Hempstead Place Strategy). Moreover, the housing programme assumed a contribution from Phase 2 and the AMRs acknowledged its contribution towards the Council's 5-year housing supply figure.

9.5 It was not formally allocated either through the Core Strategy or subsequent DPD. The intention was that the East Hemel Area Action Plan (referred to in the CS) would define further detailed requirements. Despite limited progress being made on this document, due to uncertainties surrounding the St. Albans plan-making programme, it is clear that the policy approach has for nearly a decade been that residential development should come forward on this land.

9.6 The policy position, whilst not formally allocating the site, implicitly accepts that residential development would take place on Spencer's Park Phase 2.

### Pre-application engagement and community involvement

9.7 NPPF advises that early discussion between applicants, the local planning authority and the local community is important and that applications that demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

9.8 The proposals the subject of this RM application have been subject to extensive pre-application engagement with officers at Dacorum Borough, St. Albans City and District Councils and Hertfordshire County Council, the latter covering Highways and Lead Local Flood Authorities. There has been extensive input from the two district authorities from a design and landscape perspective over a period of some 10 months. The input has played an important role in ensuring the layout and design of the scheme is to the highest standards and creates a sustainable community.

9.9 The emerging masterplan scheme was presented to the Dacorum Community Review Panel in November 2020. The feedback was largely positive but with some concerns around the role the land adjoining Phase 1 could play in contributing to the heart at the centre of the two phases, concerns around the relationship of construction vehicle routing in relation to existing traffic needing to be carefully considered, the need for further consideration regarding phasing in relation to infrastructure such as education needing to be available early on, and a desire that a greater aspiration for the environmental sustainability strategy was required such as integrating biodiversity.

9.10 The CRP comments have been used to inform and update the design and layout of the development, including incorporation of biodiversity measures across the site.

9.11 The applicants also sought to engage the public in December 2020 by holding two virtual webinar sessions, virtual stakeholder briefings, a community consultation newsletter, a dedicated website and a social media advertising campaign. Key issues for residents concerned impacts on traffic and parking in the area, the provision of non-residential uses and the impact on existing community facilities.

9.12 Details of the public consultation and stakeholder engagement are contained within the submitted Statement of Community Involvement.

### Policy and Principle

9.13 The principle of residential development on this site has been established by virtue of the grant of outline permission in April 2019 (4/02539/16/MOA). This agreed the principle of up to 600 dwellings plus the points of vehicular access. All other matters were reserved.

9.14 The outline proposals included land for a primary school, employment area, local centre uses and other uses as set out on the approved Parameters Plan. The former three are not in the phase being considered here. It also set out approximate housing densities and the general structure of movement corridors, open space and SUDS. It should be noted that there are significant on site constraints that dictate the general layout.

9.15 As part of the permission, a Framework Parameter Masterplan, Dacorum, was approved which fixed certain principles including the location of development parcels, density and building height, location of open space and provision of play space as well as the primary, and secondary accesses into the site and key routes. This RM application has been designed to comply with this Drawing No. TP003, and officers are satisfied that it does.

### Residential mix

9.16 Policy CS18 states that new housing will provide a range of housing types, tenures and sizes, housing for special needs and affordable housing in accordance with Policy CS19, the mix in any specific case being guided by SHMAs, housing needs surveys and site-specific circumstances. Saved Policy 18 states that the development of a range of dwellings (size and type) will be encouraged and units for small households needing 1 or 2 bedrooms will be sought by requiring the provision of some 1 and 2 bedroom units on large housing sites. The Outline PP did not set any parameters for the mix of housing which hence is for agreement here.



9.17 Phase 2 West is entirely residential and does not propose any commercial or education floorspace, which will form part of later phases. The proposals do however include community uses comprising open space provision, children’s play areas and a multi-use games area (MUGA).

9.18 The proposals will deliver 276 dwellings, comprising a mix of unit sizes and tenures as follows:

<b>Dwelling Size</b>	<b>AF Rent</b>	<b>SO</b>	<b>Private</b>	<b>TOTAL</b>
1-bed flat / FOG	15	5	28	<b>48</b>
2-bed flat / FOG	20	6	39	<b>65</b>
2-bed house	13	8	27	<b>48</b>
3-bed house	25	5	68	<b>98</b>
4-bed house	-	-	17	<b>17</b>
<b>TOTAL</b>	<b>73</b>	<b>24</b>	<b>179</b>	<b>276</b>

9.19 The proposals include 35% affordable housing, comprising mainly affordable rent with some shared ownership. There is a high proportion of 1 and 2 bed dwellings (58%) and in addition 10% of the dwellings have been designed to be accessible and adaptable for wheelchair use if required. The proposals are considered acceptable with the mix ensuring a sustainable and balanced community and all dwellings exceeding National Minimum Space Standards.

9.20 The proposals accord with the above policies.

Impact on Street scene and Surrounding Area

9.21 The NPPF places emphasis on achieving good quality design. New development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

9.22 Policies CS10, 11, 12 and 13 of the CS are overarching policies applicable to all development which seek a high quality of design in all development proposals. It sets out a number of considerations at the settlement, neighbourhood, and site levels, and also in terms of the public realm. These policies are supported by the Strategic Design Guide SPD which was adopted in February 2021.

*Layout*

9.23 Policy CS10 of the Dacorum Core Strategy sets out a number of broad settlement level considerations. These include respecting defined countryside borders, reinforcing soft edges to towns and villages, delivering landmark buildings at movement gateways, preserving and enhancing green gateways and protecting and enhancing wildlife.

9.24 There are a number of constraints that have dictated the general layout. The key ones comprise the extensive drainage and underground power easements along the western edge of the site, and the strong field boundary to the east, marked by a mature hedgerow and line of trees with root protection areas for retained category A and B trees.

9.25 The layout has sought to respond to key opportunities including the retention of the line of trees and hedgerow along the eastern boundary, the relationship with the existing Spencer’s Park Phase 1 dwellings and open space to the north, sustainable travel connections in particular to the Nickey Line, the approved vehicular access location off Three Cherry Trees Lane and general connectivity to the wider area including Land East of Hemel Hempstead. The detailed layout for Phase 2 West has also been designed to link to Phase 2 East, with the design principles established to be carried

across to this later phase, to ensure a comprehensive masterplan and delivery of a place that reads as a whole.

9.26 From the above, a series of key spatial typologies has emerged for the site as follows:

#### Green Spine

- The Gateway – 3 and 4 storey flatted development at the entrance to the site off Three Cherry Trees Lane providing a strong landmark gateway feature, and featuring extensive landscaping.
- The Green Spine – mainly detached houses fronting a linear park of retained trees and open space, including SUDs, and providing a movement corridor for pedestrians and cyclists, and featuring gable fronted typologies.

#### The Avenue

- The Avenue – a rectilinear pattern of houses fronting a key vehicular route through the site giving access to side roads and based around a planned wide avenue road with street planting, shared pedestrian / cycleway and SUDs catchment rain gardens.
- The Oval – A formal crescent of semi-detached homes fronting an open space defined largely by the existing oval shaped area of public open space within Spencer's Park Phase 1 area and completing the interface with that phase.
- The Green Courts – An area of mainly 2 and 3 storey apartment blocks focused around an informal landscaped MUGA and set within landscaped open space.

#### Local Streets

- The Lanes – An area of smaller, more informal street houses and terraces in a series of linear streets situated between the Avenue and the Green Spine and focused around a home zone concept of shared surfaces with informal planting giving pedestrian priority.

9.27 .The layout is considered to provide good variation in built form across the site which is both clear and legible whilst also prioritising ease of pedestrian and cycle movement through the site and providing good opportunity for introducing soft landscaping and street planting into the streets together with significant public open space that will establish a green setting to the wider development.

9.28 The proposals are considered to accord with Policy CS10.

#### *Scale and density*

9.29 Policy CS11 seeks to ensure that development respects the typical density intended in an area and enhances spaces between buildings and general character. Saved Policy 10 encourages the effective use of urban land, although not at the expense of the character of the area and other environmental standards in the Plan. Saved Policy 21 states that densities should generally be in the range of 30 to 50 dph but that higher densities will be encouraged in locations where services and workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centres. It goes on to say that for sites at the edge of an urban area, special attention will be paid to the effect of development density on open countryside and views.

9.30 It should be noted that in considering the outline application, consideration will have been given to the above. In this respect, the approved Parameter Plan permits a maximum height of up to 4 storeys and a maximum density of 60+ dph in certain locations, such as the southern and northern boundaries. These locations are not considered to adversely impact on open countryside views. Furthermore, given the close proximity to existing and proposed employment land and noting the proposals to improve pedestrian and cycle connections, and public transport connections that will link with the future creation of Hemel Garden Communities to the east, the site is considered to be in a sustainable location that can justify increased densities.

9.31 The proposals are considered to accord with these basic parameters with the southern Gateway providing a series of 3 and 4 storey apartment blocks at the upper density limit whilst also helping to provide marker buildings at the entrance to the site and an appropriate response to Three Cherry Trees Lane and proposed open space. The Green Courts area towards the north west of the site will also provide an area of slightly higher density with 3 storey apartment blocks whilst the houses facing the Oval would be 2 ½ storey with 3 storey corner units.

9.32 The remainder of the site will provide a mix of 2 and some 3 storey houses at lower density with the middle section of the site having a density of 32-40 dph and the Green Spine a density of 25-32 dph.

9.33 The proposals are considered an appropriate response in height and density and would not be considered to cause harm to the street scene or surrounding area, noting that Three Cherry Trees Lane otherwise serves an industrial area. The proposals would accord with Policy CS11 and saved Policy 21.

#### *Appearance and typologies*

9.34 Policy CS12 requires that development should integrate with the streetscape character and respect adjoining properties in terms of layout, site coverage, scale, height, bulk, and amenity space.

9.35 The outline permission did not stipulate any particular design code ethos or design parameters and therefore the detailed design, character and appearance of the development has evolved as part of the work of the applicant's architectural team as informed by pre-application discussions.

9.36 As noted above, the layout is based around a number of different character areas and in response to this, and following Dacorum's Strategic Design Guide, a series of different spatial typologies has been created for the different house types to help define these character areas.

9.37 The detailed house types have evolved from local new town and wider precedent forms, which are shown to be unified by a base material of brick, with occasional infill panels of cladding, a variety of window sizes and proportions, and a mixture of roof forms. Each of the three main masterplan zones has adopted a specific architectural approach with some aspects such as materiality, door and window framing, remaining constant.

1. The Green Spine area is characterised by a regular rhythm of 2 storey gable fronted detached forms (3 storey to corner plots) suited to the sinuosity of the zone, with the concept of large windows developed into a distinctive asymmetric pattern of picture windows and small opening lights with an overall vertical emphasis. A variety of brick and tile materials is proposed here to emphasise the informality of the zone.
2. The Avenue has a more formally organised balance of composed detached and semi-detached houses with occasional short terraces, and corners emphasised with more elaborate door treatment, masonry sills. The roof form is characterised by a mix of eaves and gables at key points. The arrangement of windows is regular and overall has a squarer sense of proportion.

3. The Local Streets comprise longer groups of two storey houses with a cottage influence, simple facades, hipped grey tile roofs and the use of horizontal boarding. Overall the proportion is more horizontal, related to the vernacular precedent.

9.38 It is worth noting that solar panels will be a feature of this development, but have been arranged where possible to sit to the rear of any gabled roof to minimise visual impact from the street. It is understood that the positions and exact design have not been finalised, therefore it would be recommended that details be sought by condition.

9.39 The details of design and appearance to the various house typologies is considered acceptable and to a high standard. The applicants made a number of detailed changes following the most recent officer feedback on the pre-application material of March 2021. These have focused on changes relating to the dwelling type / spatial typology enrichment as follows:

1. Enrichment of Oval – elevations developed from “typical” windows to large framed “picture window” aesthetic. Shared surface treatment also upgraded from tarmac to block paving.
2. Enhancement of the Lanes area - Rather than amend the roofscape, whose relative simplicity is important to character, the architects focussed on introducing large size (1.8 x 1.35m) windows extensively across the spatial typology. A more refined clipped eaves detail was introduced, along with a string course and projecting brick detail below areas of boarding. Finally a more harmonious brick tone was selected, and shared surfaces upgraded and articulated with a tumbled block to non-carriageway areas.
3. Gable details – these were refined across the whole Gateway and Avenue areas to harmonise better between spatial typology areas.

9.40 Whilst the architectural detailing is fairly simple and unembellished, characterised by clipped eaves, slim-line door frames and plain rooflines, the contemporary approach is not considered to be materially harmful given the interest provided by the use of gabled forms, in particular along the Green Spine that will help articulate the roofscape and noting also that windows are to be set back into their reveals which will help provide relief and interest to the facades.

9.41 The interest provided by facing materials and brick detailing will be particularly important to ensuring a high quality appearance to the development and public realm. The distribution of various types of facing brick throughout the development has been submitted and is generally considered acceptable, and appears well related to the different spatial typology areas. However, details of the actual brick materials will still be required in accordance with Condition 5 of the outline permission for approval. Similarly with regards to the roof materials, the distribution of tile types has been submitted and an indicative palette provided. However, there may need to be some adjustment of the tile colours as recommended by the Design and Conservation Officer to help minimise the visual impact of solar panels.

9.42 The Principle Urban Design Officer has raised no objections on design grounds noting that the development offers a high level of design quality, a sensitive approach to townscape and improved connectivity. She recommends that building materials should be subject to conditions along with hard landscaping to maintain the design intent of proposed typologies and character areas, together with details of external thresholds and balconies.

9.43 Hard landscaping materials are shown on the Hard Landscape plan and Detailed Area Plans but samples / details of the actual materials would need to be submitted. Condition 5 of the outline approval seeks details of all materials which would include hard surfacing. Thresholds and balconies detailed in this RM application are considered acceptable as shown on the individual flat block and

house type elevations to be metal powder coated. Subject to details of solar panels the proposals are considered to accord with Policy CS12 of the Core Strategy.

### Landscaping and Open Space

9.44 CS12 of Core Strategy (2013) states that development should seek to retain important trees or replace them with suitable species if their loss is justified and plant trees and shrubs to help assimilate development and softly screen settlement edges. Core Strategy Policy CS29 states new development should seek to incorporate at least one new tree per dwelling for climate mitigation purposes.

9.45 Core Strategy Policy CS13 seeks to ensure that new development provides natural surveillance over areas of public realm, promotes pedestrian friendly, shared spaces in appropriate places, and incorporate coherent palette of sustainable surface materials, planting and street furniture and soft landscaping. Saved Local Plan (2004) Policy 99 seeks to retain and protect visually important trees and requires accurate tree surveys and details of proposed underground works and tree protection measures. Saved Policy 100 encourages the provision of trees, woodland and hedge planting in appropriate locations particularly as part of development landscaping schemes. All tree planting should, wherever possible, be with appropriate native broad-leaved species.

### *Trees and Landscaping*

9.46 The submitted Arboriculture Impact Assessment indicates that there are no TPOs on or immediately adjacent the site and it is not within a Conservation Area. There are no ancient woodlands, wood pasture, parkland or veteran trees on or in close proximity to the site. However seven individual trees, three tree groups, a section from a further three tree groups and one hedgerow are to be removed to enable the development. However these losses have been kept to a minimum.

9.47 The proposals have been developed to respect and retain the existing tree structure as far as possible. The central Green Spine of existing trees will be retained as a strong green network. The proposal seeks to plant 374 trees which will provide both compensation for the trees that are to be lost to enable the site to be developed for housing and appropriate softening to help integrate the built development into the surroundings whilst ensuring a pleasant future living environment.

9.48 The landscaping plans illustrate planting of street trees throughout the application site which will comprise a variety of indigenous trees. The tree planting would accord with the climate policy requirement for the provision of 1 tree per dwelling. These trees will be planted within different parts of the site in order to both help legibility, and also to help to define the different character areas that are being created. In addition, the soft landscaping scheme includes various types of shrub, hedge, grass and ground cover planting to the various parts of the development to help soften the public realms, including to the dwelling frontages, the rain garden verges to the Avenue, and to the open spaces and SUDs features.

9.49 The Councils Trees and Woodlands Officer has raised no objections to the proposal noting that it would appear no existing trees will be detrimentally affected by the development and confirms the submitted 5 year Maintenance Schedule for hard and soft landscaping to be acceptable.

9.50 The proposed planting is confined largely to the public realm areas and dwelling frontages which will complement the scheme and is appropriate for a development of this size and scale and the proposed quality of public realm landscaping is welcomed. However, officers have raised concerns that the private rear garden areas by contrast will appear relatively bereft of structural planting elements. The applicants have argued that they do not generally provide landscaping to the private domains and that the occupants will provide planting over time. However, we do not feel it is

right to rely solely on the occupants providing the landscaping here which could not necessarily be relied upon to be of an appropriate scale or siting.

9.51 There are key vistas from various points within the street scenes notably looking across corner plots to the rear garden areas which would be considered to benefit from structural tree planting (and which could include fruit and other trees that would benefit the occupants and wildlife). This has been discussed with the applicants, who are strongly opposed to providing tree planting within the private gardens. However, it has been agreed that a compromise would be to strengthen the street planting at corner plots to help gap up obvious exposed vistas through to the interior built parts of the site that would be visible from the street scene.

9.52 Subject to a condition seeking further details on this, and to compliance with the tree protection measures in the Arboricultural Impact Assessment and Method Statement, the proposals would be considered to accord with Policies CS12 and 13, and saved Policies 99 and 100.

### *Public Open Space*

9.53 The reserved matters proposals include the delivery of a significant amount of public open space. This will deliver a range of open spaces on the application site which provide opportunity for sport, recreation and leisure.

9.54 The proposed scheme follows the approach to the delivery of play space approved as part of the OPP. With reference to the Fields in Trust guidance, for developments of 200-500 units there is provision for 3 x Local Areas for Play (LAP), 1 x Local Equipped Area of Play (LEAP), and 1 x informal Multi-Functional Games and Open Space area. The masterplan shows a LAP situated near residential blocks with lack of access to private back gardens. The LEAP would be adjacent to the green spine of existing trees and an informal MUGA is located in the north-western corner of the site, well overlooked by the apartment blocks in this location.

9.55 The scheme will deliver a total of 8,373 m<sup>2</sup> of public open space, predominately comprising the central green spine which is considered accessible, as well as 2,041 m<sup>2</sup> of formal and informal play space located across the application site.

9.56 The Oval which is located at the southern boundary of the Spencer's Park Phase 1 development will provide an area of public open space. This area of open space will be improved and accessible to both existing and future residents. The proposed dwellings have been designed to front the Oval and complete the interface with Phase 1.

9.57 The Green Courts apartments blocks located to the north-western side of the site will benefit from landscape open space and also an informal games area (MUGA). The orientation of the apartment blocks seeks to improve pedestrian permeability and connectivity to the wider area.

9.58 Regarding the Gateway area, a new LEAP is proposed and will be well integrated within the landscape capitalising on its location adjacent to the existing tree belt and new SUDs wildlife pond. The LEAP will be separated from the shared pedestrian footpath and cycleway by a mixed native species and hedgerows.

9.59 The layout of the masterplan ensures the creation of a significant amount of public open space across the site which provides a variety of functions and helps to establish a green setting for the wider development and will encourage active use of the open space, as well as helping to secure biodiversity improvements.

9.60 Whilst the Parks and Opens Spaces Officer has said the Oval seems to be a well thought out space, he criticised the LEAP on grounds that there is nothing for the older age groups such as a

pump track or skate park and also that the open spaces are very narrow and cramped at the edge of the site having to cater for a variety of functions in one small space. This is accepted. However, the basic layout was agreed at outline stage. It is worth noting that there will be another LEAP on Phase 2 East where perhaps there is greater opportunity for a bigger area with pump track.

9.61 On balance, we consider the provision acceptable and in accordance with saved Policy 76 and Appendix 6.

#### *Boundary treatments*

9.62 The Boundary Treatment Plan shows the extent of boundary treatments including brick walls provide to all rear gardens facing the public realm. The western boundary and rear court boundary to apartments along Three Cherry Lane will feature close board fencing and brickwork. The need to achieve a high level of security abutting land to the west will be met with robust palisade fencing, against which is placed close-boarded timber fencing with trellis over to provide an appropriate rear garden condition. This will also provide sound attenuation benefits as set out in the Noise report for Plots 113 to 119. The private rear gardens throughout will have timber privacy fencing.

9.63 Detailed discussion has taken place with regards to the boundary to the rear court of the apartments at the western end of Three Cherry Trees Lane close to the upgraded bus stop. In order to combine security with a sense of visual permeability, the boundary will comprise a 1m brick wall with railings above this between brickwork piers to an overall height of 1.8 m, with the frontage softened by natural hedge planting. This is considered an acceptable compromise between the need for security and the need to maintain a continuity of frontage appearance between the woodland to the west and the broad landscaped margin to the east.

9.64 The proposals are considered acceptable and are considered to comply with Policy CS12.

#### Impact on Highway Safety and Parking

9.65 Core Strategy Policy CS8 states all new development should contribute a well-connected and accessible transport system which priorities movement by sustainable modes of travel, i.e. walking and cycling, over private car use. Development should ensure create safe and continuous footpath and cycle networks.

9.66 Policy CS12 of the Core Strategy requires a satisfactory means of access and sufficient parking provision for new development. The Council has recently adopted a new Parking Standards SPD Nov 2020 which were adopted after the approval of the outline permission which is now a material consideration.

#### *Access and circulation*

9.67 Details of the main access into the site from Three Cherry Trees Lane were approved as part of the outline permission. The access comprises a four arm roundabout, the details of which are subject to approval under an s278 agreement with HCC Highways. The proposals include a combined foot/cycleway along the frontage of the site with Three Cherry Trees Lane, entering into the site and then continuing via a "Tiger Crossing" northwards along the eastern side of the spine road through the site.

9.68 Connectivity across the site and with adjoining areas is a key part of the proposals which was extensively discussed during the pre-application process. Pedestrian and cycle permeability is comprehensive across the site and includes a segregated shared cycle/footpath 4 m wide running north south and east west along the Green Spine and The Avenue and providing links with Spencer's Park Phase 1 to the north, the Nickey Line to the north east, Spencer's Park Phase 2 East to the east, as well as Three Cherry Trees Lane to the south.

9.69 The main Avenue also provides an appropriate width for bus services, allowing for both north south connections with Phase 1 and easterly connections with East Hemel Hempstead proposals. New and upgraded bus stops along Three Cherry Trees Lane would be provided secured by the s106 agreement.

9.70 The proposed road network allows for private vehicles to access all dwellings, but through routes are only offered in appropriate areas of the layout.

9.71 A street hierarchy is proposed that includes a main boulevard running north-south through the site, with a series of secondary roads stemming from this which connect into the residential parcels. Shared surface streets provide access into the residential lanes and side streets with shared private drives and individual drives below this. The street layout and hierarchy has been discussed with HCC and agreed as acceptable. However, it is proposed that HCC will adopt only The Avenue which will accommodate buses.

9.72 The Highway Authority has reviewed the information submitted with the application and combined its comments with comments in regards to Conditions 18 (details of roads, footways, drainage, access arrangements, visibility, parking, cycle parking, servicing, loading and turning areas) and 21 (details of swept paths). It has advised that it is content with the details submitted which are consistent with pre-application workshops, and that HCC's SUDS and Watercourses Team (LLFA) has indicated that it finds the drainage arrangement broadly acceptable, subject to discharge of Condition 14 (SUDs).

9.73 HCC Highways note that there is no mention of EV charging and that the LPA may want to consider this.

#### *Car Parking*

9.74 As part of the outline planning permission, the illustrative masterplan showed parking that equated to a ratio of 1.5 spaces per dwelling. In granting permission, this was accepted by the Council, albeit it was agreed that the exact number of spaces would be determined at reserved matters stage, once the exact number and mix of different dwelling types and sizes was established. This was based on the old Appendix 5 standards which suggested overall that new development is expected to provide on average 1.5 spaces per dwelling.

9.75 Recently, Appendix 5 has been superseded by the Parking Standards SPD. On-site parking provision should now accord with parking standards as set down in the SPD. The parking standard is as follows for Zone 3, all allocated:

	<b>No. Units</b>	<b>SPD Standard</b>	<b>Appendix 5 Standard</b>	<b>Provision</b>
1 bed FOG / Flat	48	60	60	48
2 bed Flat / FOG	65	97.5	97.5	65
2 bed House	48	72	72	62
3 bed House	98	220.5	220.5	196
4 bed House	17	51	51	51
Visitor	20% of total dwellings where more than 50% of	56	0	56



	spaces allocated			
<b>Total</b>	<b>276</b>	<b>557</b>	<b>501</b>	<b>478</b>

9.76 HCC Highways note that car parking is below standard, but above that of the outline permission and in the interests of promoting sustainability is willing to accept this but acknowledges that Dacorum Borough Council will determine this aspect. It is standard advice from the Highway Authority that the amount of parking provision is a matter for the LPA.

9.77 The provision of 478 spaces equates to 1.73 spaces / dwelling overall which is below that of the SPD that would require 2 spaces / dwelling but above that agreed as part of the O/L Parameter plan of 1.5 spaces.

9.78 It is worth noting that the SPD standards have increased in relation to the old Appendix 5 standards only in relation to the visitor component, the basic standard remaining the same for allocated parking but reduced for unallocated parking. Against the previous standards, on which basis the O/L application was assessed, the proposal would only be short by 22 spaces.

9.79 The proposed parking ratio of 1.73 spaces per dwelling seeks to establish an appropriate compromise between the agreed 1.5 spaces per dwelling and the SPD. It is noted that the visitor component is compliant with the SPD. We would consider the provision to be there or thereabouts with respect to the houses, and the marginal reductions acceptable, although note the flats are proportionately much more sub-standard at 1 to 1 provision. During the pre-application discussions, officers were open to accepting reductions on the basis not only of the agreed reductions at outline stage but also on the basis that the site and development is sustainably located and the proposed development would incorporate measures to help make it more sustainable. It is noted in this respect that the SPD does allow reductions if robustly justified.

9.80 The applicants have noted in their submission that the Parking Standards SPD provides a blanket Accessibility Zone 3 designation to all land within the Borough that is outside of the immediate Hemel Hempstead town centre boundary but that this approach doesn't necessarily take into account the sustainability of different locations. The applicants argue that the site is in a sustainable location and as part of the Outline permission there was a commitment to enhancing the sustainability of the site. The following points are noted:

- a) The site is in close proximity to the largest employment area in the County which should reduce the need for residents to rely on private cars as much. The area will see significant growth through developments such as Maylands Gateway and Prologis developments along with other growth such as Herts IQ. With 42% of people living and working in Hemel Hempstead, locating new homes adjacent to such a significant employment opportunity provides a good basis for creating a sustainable community.
- b) The scheme will provide enhanced connectivity to existing and proposed pedestrian and cycle routes along key desire lines, including the Nickey Line to the north and the proposed Quietway along Cherry Tree Lane to the east. The proposals include an extensive network of 4.5 m wide segregated footpath / cycleways through the site which should encourage a higher modal share by non-car based transport.
- c) The site has also been designed to accommodate a new two way bus route to run through this phase and the later Spencer's Park Phase 2 East stage of the development, also enabling connections to land at East Hemel Hempstead Garden Communities and then into the wider Hemel Hempstead area in future. In the initial phase the bus stop on Three Cherry Trees Lane immediately adjacent to the site will be upgraded and the route along the Avenue will be

delivered from end of August 2021 through March 2022 and will provide key pedestrian, cycle and public transport linkages early in the process.

- d) The scheme will link into future sustainable travel initiatives being brought forward in respect of the wider Hemel Gardens Community proposals. This will bring substantial benefits in terms of active travel and sustainable travel and will have some benefits to the residents of Spencer's Park including future changes like the Quietway Network and improvements to the Nickey Line and A414.
- e) The proposal will be in close walking proximity of existing and proposed services and facilities. There is a local convenience store in close walking distance in the already completed Phase 1 of Spencer's Park. Furthermore, there will be an employment area, school, shops and community facilities provided as part of the later phases of the Spencer' Park development which will further reduce reliance on car travel / ownership in future.
- f) The s106 secures a contribution of £600k towards sustainable transport including bus services and this will enable passenger transport services to be improved and contribute towards residents using public transport for journeys where they cannot walk or cycle instead of using the car.
- g) In addition, it should be noted that a Travel Plan is required under condition 20 of the outline permission to which Countryside is committed and will enable modal shift by residents for journeys which can be undertaken by sustainable modes of transport. As part of the Travel Plan incentives will be offered to encourage residents to try bus services in order to embed behaviour early in new residents.

9.81 Based on the above, it is considered that the site is sustainably located and that with the enhancements to sustainable transport, therefore justifies car parking provision below the SPD standards in this case and complies with Policy CS8, CS12 and the SPD. Condition 18 of the outline permission requires compliance with the details so approved

#### *Electric vehicle charging*

9.82 The SPD requires provision of one active EV charging point per new house, and at least 50% of all parking spaces to have active charging points for parking associated with apartments. The Planning Statement notes that the proposals will provide one active EV charge point per house and 50% active / 50% passive EV charge points for flatted communal car parks. An advantage of passive provision is that the future owner / management company can install a brand that best suites the car to be charged.

9.83 The details are considered acceptable as part of the car parking provision. However, it would be recommended that details of the provision and appearance of the infrastructure (in particular within the communal car parks serving the flats) should be provided and secured by condition.

#### *Cycle parking*

9.84 Secure cycle parking is required at the rate of 1 space / dwelling in accordance with the SPD. As none of the dwellings have garages, storage sheds are required. For the houses, this will comprise safe and secure cycle stores within the rear gardens or to the side of all dwellings. For the apartment blocks, secure communal cycle stores are proposed within the ground floor of the relevant block. Visitor cycle parking is also proposed across the site on street but integrated into the landscape. There are one or two concerns around the location of cycle stores for some of the mid terraced units which are inconveniently located and may deter use due to security concerns, and would also likely result in the occupants erecting a further shed within the garden. We have asked for

the layout to be reviewed and subject to this being satisfactorily resolved, the cycle storage arrangements would be considered acceptable.

#### *Refuse strategy*

9.85 In accordance with the Refuse Storage Guidance Note, appropriate refuse storage facilities are required for each dwelling and the overall layout needs to ensure refuse vehicles and their operatives can gain suitable access in accordance with maximum drag distances. Each house is to be provided with a private bin store to the rear or side of the dwelling, avoiding the need for additional structures within the streetscene. Collection is proposed to be from the street outside each house except for 10 houses on the Green Spine and 5 in the NW corner of the site which have shared bin-day collection points located nearby and within drag distance of the refuse lorry.

9.86 For the apartments communal bin stores will be provided at ground floor level. One of the apartment blocks (Flat Block 3) will have an external bin store, details of which have been submitted with this application. All the bin stores are considered appropriately located in terms of drag distance and access for collection. Swept path analysis has been undertaken on the basis of a vehicle which is 12.1 m in length and 2.5 m body width which is longer than the DBC vehicle (11 m) and the same width. The details submitted are considered acceptable and satisfy Highways in terms of the swept path assessment for the refuse lorry.

9.87 The concerns raised by the Waste Services Manager in terms of drag distances for someone who becomes incapacitated are noted, but in the absence of details of plots affected, the proposals are considered to accord with the standards in the guidance note.

#### *Design and layout of parking*

9.88 The parking has been designed so that vehicles do not dominate the street scene or cause inconvenience to pedestrians and cyclists. This has been achieved by providing on plot parking for the dwellings and well screened parking courts for the apartment blocks. On plot parking has been designed in all cases to be located to the sides of dwellings and behind the building line to minimise its visual impact. Visitor parking is provided on street and takes the form of parallel or perpendicular bays integrated into the streetscene through landscaping.

9.90 The above notwithstanding, officers did raise some concerns around the layout and dominance of the car parking courts in the southern Gateway area and the need to break these up with some additional planting, in particular in relation to the parking court on the frontage of the Gateway flats which projects forward into the street scene, and in relation to the parking court to the rear of the flats where it was noted that the proposed substation would appear as an intrusive feature and would benefit from screen planting that would also assist in breaking up the long run of parking bays here and integrating better into the surrounding area.

9.91 The applicants have reviewed and amended the plans to address the above concerns to officers' satisfaction. One of the allocated parking bays adjacent to the sub-station has been relocated and replaced with landscaping / tree planting. The parking court on the frontage to Three Cherry Trees Lane in front of Block 6 has also been reconfigured so that it intrudes less into the street scene, providing more opportunity for landscaping to the front of the parking court. One of the visitor bays is relocated to the Green Spine Road, opposite Plot 196, so overall the number of parking spaces remains as before. This minor change is not considered to impact on highway safety according to the applicants' consultants. The proposals are considered to accord with Appendix 5 of the Dacorum Local Plan states that the *"Achievement of parking provision at the expense of the environment and good design will not be acceptable. Large unbroken expanses of parking or excessive hard surfacing areas at building frontages are undesirable. All parking must be adequately screened and landscaped."*

9.92 In regards to the houses, there is the potential given the tandem and triple arrangement of parking spaces that people may be tempted to park on street or on pavement / verge. This is recognised as a potential issue, notably along the Green Spine where parking could be particularly intrusive and there is a need to avoid casual parking detracting from the landscape. To this end, the treatment either side of the shared private driveways has been designed in order to dissuade errant parking through the following measures: the driveways will be only 4 m wide giving limited opportunity to park on street without blocking other vehicles; upstand kerbs are proposed to front garden planted areas that will make bumping up the kerb undesirable, and the landscape edge to the open space will take the form of a swale with mixed planting and occasional other natural features that will restrict the desirability of parking and alighting from vehicles in this area. These proposals are considered to be acceptable subject to details by condition and an appropriate compliance requirement.

9.93 The proposed parking arrangements are considered acceptable in design and street scene terms and would accord with Policy CS12 and Appendix 5 guidelines.

#### Impact on Residential Amenity

9.94 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space.

9.95 The potential impact of the proposed development on the surrounding properties has been carefully considered from the early stages of the pre-application process. The need to effectively minimise the impact of the proposals on the amenity of the neighbouring properties was identified by officers at an early stage in the pre-application process, and was also raised at the public consultation event.

9.96 Given the distance from neighbouring residential properties, the proposed development through its design, scale and finish will not adversely impact upon the visual amenity of the immediate street scene or the residential amenity of neighbouring occupants.

#### *Private Amenity Space*

9.97 Saved Appendix 3 of the Dacorum Local Plan 2004 states that all 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 of 11.5 metres. For two storey flatted schemes an area equal to the footprint of the building plus additional space for each floor above this should be provided.

9.98 The proposed scheme provides private amenity space to all dwellings, including private balconies and terraces for the apartments and balconies for the flat over garage units. All dwellings have access to private gardens and are designed in regard to the Appendix 3 - 11.5 metre depth

9.99 All of the apartments will have access to good sized, useable private amenity space in the form of balconies and terraces, as detailed below:

- 1 beds: minimum – 5 m<sup>2</sup>
  - 1B2P-A: 5.3 m<sup>2</sup>
  - 1B2P-B: 5 m<sup>2</sup>
  - 1B2P-C: 6 m<sup>2</sup>

- 2 beds: minimum – 6 m<sup>2</sup> for 2b3p, 7 m<sup>2</sup> for 2b4p;
  - 2B3P-A: 6 m<sup>2</sup>
  - 2B3P-B: 6 m<sup>2</sup>
  - 2B4P-A: 7 m<sup>2</sup>
  - 2B4P-B: 13.5 m<sup>2</sup>
  - 2B4P-C: 9.4 + 5.3 m<sup>2</sup>
  - 2B4P-D: 7.2 m<sup>2</sup>

9.100 The apartment blocks will also have access to the areas of communal amenity space across the application site. In total, the scheme will deliver 8,373 m<sup>2</sup> of public open space, predominantly comprising the central green spine that has been designed to be easily accessible and useable to all residents, as well as 2,041 m<sup>2</sup> of formal and informal playspace located across the site that is suitable for a range of ages

9.101 The apartment blocks to the north will have access to 1,949 m<sup>2</sup> of communal space in the form of informal wildflower meadow and lawn area with seating, the more formal doorstep playspace, buffer planting and lawn space adjacent to the apartment blocks. They will also have access to The Oval, which comprises formal open space largely defined by the existing oval shaped area of public open space at the southern boundary of the Spencer's Park Phase 1 development. In addition there is the MUGA.

9.102 The southern gateway apartment blocks will have access to circa. 3,765 m<sup>2</sup> of communal amenity space and landscaping to the frontage, as well as communal garden with playspace to the rear. They will also have access to the Green Spine open space and the LEAP therein.

9.103 On balance, with the generous balconies, this provision is considered to acceptably compensate for any sub-standard communal provision to each flat block.

### *Privacy*

9.104 In terms of privacy, Saved Appendix 3 of the Dacorum Local Plan (2004) states that a minimum distance of 23 metres should be maintained between the main rear wall of a dwelling and the main wall (front or rear) of another to ensure privacy is met.

9.105 The proposed scheme provides a minimum privacy distance of 23 metres between facing properties across the scheme and in many cases the privacy distance is far greater than 23 metres. However, it is identified in the masterplan that in 12 or so instances involving some 28 or so dwellings the 23 metre back to back distance is marginally not met, ranging from 20-22 metres in conflict with Saved Appendix 3.

9.106 With regards to the instances identified to the north of the site, in all but a couple of cases these are considered acceptable and not materially harmful to future occupants' residential amenities. However, the relationship of Plots 4 and 5 with Plot 34 is much less than ideal and not fully mitigated by the very marginal oblique angles of overlooking, nor by the difference in levels.

9.107 Furthermore, with regards to those identified near the southern part of the site, the relationship of Plots 180 / 189, 243 / 172, and Plots 241 / 173 and 240 / 173 where the reduction is circa 1 m or less, would on balance be considered acceptable and not materially harmful. However, in a number of cases between 20 and 22 m distance, there is not a clear design or layout case to suggest that overlooking would be adequately mitigated.

9.108 In the circumstances, whilst not objecting to the layout, Officers would nevertheless recommend that some form of further mitigation should be provided to demonstrate that there will be

an acceptable future relationship between these dwellings such as the provision of appropriate screen planting and / or taller fencing / trellis or similar. This has been discussed with the applicants and it has been agreed that final details should be agreed as a condition of approval.

9.109 Subject to the above being acceptable, the proposals would accord with Policy CS12, noting that the level changes between dwellings in the northern part with the retaining walls will help ensure a sense of separation is achieved between the dwellings.

#### *Internal living space*

9.110 All proposed dwellings are close to or meet the Nationally Described Space Standards (DCLG 2015). All of the units across the site have been designed to be dual aspect, however it is identified that a limited number of the 1-bed FOG units will be single aspect. There are no north facing single aspect units, and the FOGs have been located within close proximity and overlook areas of communal open space to maximise the quality of outlook. Given the Council has no current adopted policy on minimum internal space provision in new development, the proposed provision is welcomed.

#### Sustainable Design and Construction

9.111 The NPPF states that the planning system should support the transition to a low carbon future and in determining applications (Para. 154) ensure that new development complies with development plan policies on local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. Para. 163 seeks to ensure that new development does not increase flood risk elsewhere and that major development should incorporate sustainable drainage systems (Para. 165).

9.112 All new development should be consistent with the principles of sustainable design as set out in Policies CS29, CS30 and CS31 and saved Policy 129 of the Local Plan, together with Supplementary Planning Documents for Energy Efficiency and Conservation, and Water Conservation.

9.113 Policy CS29 is particularly relevant together with the Sustainable Development Checklist and advice note. The proposals should seek to follow the 3 step energy hierarchy of Figure 16 in the Core Strategy. Applications should be accompanied by a Sustainability Statement as required by Para 18.22 of the Core Strategy and Policy CS29. In addition, the criteria within Policy CS29 should be met and should be demonstrated via a Sustainable Design and Construction Statement.

9.114 The application is supported by a CS29 Sustainability checklist, a SUDS statement, together with an Energy Statement and a Drainage Statement which are considered acceptable. There are no specific requirements for decentralised energy supply in current policy. However, emerging policy includes requirements for a proportion of renewable energy in residential schemes. The proposed layout and building orientation has been designed with consideration to solar panels whilst the use of flatted forms and terraces will ensure good prospects of energy conservation.

9.115 As well as energy conservation and renewable energy generation, the proposals will include a comprehensive SUDs strategy, tree planting, biodiversity net gain enhancement, and will incorporate and promote sustainable travel measures, prioritising pedestrians and cyclists and providing green connections across the site and allowing for future bus services.

#### *MMC*

9.116 It should be noted that Spencer's Park Phase 2 is being showcased by Homes England as one of the largest MMC (Modern Methods of Construction) programmes in the country. All 176 proposed houses at Spencer's Park Phase 2 West will be delivered in the Sigma® II closed-panel

building system, manufactured by Stewart Milne Timber Systems, in Witney, Oxfordshire. This is an offsite pre-assembly method which will help reduce 'unregulated' energy consumption in the building process ensuring the scheme is even more energy efficient. The Sigma® II Build System is also designed to achieve superior levels of fabric performance, suitable for projects which are seeking to achieve the very highest fabric efficiency standards that will lead to enhanced 'regulated' energy efficiency in ongoing use of the buildings.

9.117 Whilst the panels will be delivered using articulated haulage vehicles, use of MMC should ensure a faster build, less disruption, fewer lorry movements overall, less noise and less pollution in the surrounding area. The outline permission pre-commencement condition 19 requires a Construction Traffic Management Plan to be approved which will ensure safeguards over lorry movements. It is understood that Stewart Milne Timber Systems have previously enquired about a regional spoke manufacturing facility in Hertfordshire, through the Herts LEP, or alternatively the potential of one in Essex, but nothing is planned for either currently. Countryside are believed to be looking at their options for Phase 2 East and the 10% volumetric product proposed and how it is delivered as part of their MMC research.

### *Energy strategy*

9.118 As part of the outline permission a commitment was made in the completed C-Plan sustainability toolkit to build to Code Level 4 of the Code for Sustainable Homes, equivalent to the then Buildings Regulations requirement. DBC no longer subscribes to C-Plan and since January 2021 the Government confirmed its intention that Part L 2021 of the Building Regulations will apply a 31% emissions reductions target over Part L 2013 for residential development in accordance with the Future Homes Standards.

9.119 Whilst not in legislation yet, the applicants embrace the target 31% CO<sub>2</sub> emissions reductions over the current Part L and the development has been designed to achieve this which is supported. The Energy Statement actually concludes that in most cases the 31% reduction will be exceeded.

9.120 The primary source of energy relies on high efficiency gas boilers. However, the Energy Strategy uses Solar PV as the primary means of reducing emissions, along with the improved fabric efficiency and WWHR (Waste water heat recovery). ASHPs (Air-source heat pumps) will be required on 11 units which have been determined to be unsuitable for solar PV.

9.121 It is proposed that ongoing monitoring will take place through periodic inspection of energy use statistics with cooperative residents and in the event that regulated energy use is not as expected, remedial action will be taken to ensure minimum standards are reached through snagging improvements or upgrade measures. This is welcome and is anticipatory of policy within the Regulation 18 Local Plan.

9.122 The proposal accords with Policy CS29. A compliance condition would be recommended in respect of the submitted Checklist and Energy Statement.

### *Flood risk and SUDS*

9.123 The site falls within Flood Zone 1, an area considered to be at the lowest risk of flooding from all sources and most suitable for residential development. Based on the FRA (Flood Risk Assessment) submitted with the outline application, the flood risk to the development is considered to be low overall.

9.124 The updated Drainage Strategy submitted with the RM application details the proposed measures to minimise flood risk from surface water runoff from the development. The strategy relies on SUDs features that form part of the 'blue' network for the site. The SUDs features include a range of cascading storage features as follows:

**Ponds** - Most of the attenuation storage proposed within the scheme will be derived from open SUDs features, including strategic ponds within the development which will cater for this and future phases of the development.

**Swales** - Additional open features within the scheme will include cascading throttled swales along the eastern boundary of the phase within the green spine, and a southern swale profile to gather any exceedance low risk flooding.

**Raingardens** - A series of rain gardens integrated into the highway network will provide a direct source of treatment and water-based enhancement to the streetscape, through kerb edged landscaping alongside The Avenue.

**Permeable Paving** - Permeable paving within paving areas and driveways will provide further treatment enhancements to the residential vehicular areas of the scheme at source. Tanking of these cells will also mitigate the risks of localised contaminants entering the underlying soils.

**Brown Roof Systems** - Brown roof systems within apartments further the at source treatment for the runoff from the development to maximise the opportunities for biodiversity and treatment within the scheme.

9.125 The ponds and swales have been carefully designed to ensure they are attractive, gently shelving features that are not a danger to persons ensuring that there will not be a requirement to introduce intrusive barriers and notices. The SUDs features will form an integral part of the landscaping of the site, as part of the highway design and streetscene that will reinforce the green connections across the site. The proposals will also provide wildlife / habitat benefits to the development that will contribute to overall biodiversity net gain.

9.126 The flood risk has been modelled to demonstrate that there are no impacts from on-site surface water flooding at the 1:100 year plus 40% climate change event. The SUDs proposals have been agreed with the LLFA in consort with HCC Highways during the pre-application negotiations. It should be noted that some of the dwellings in this RM application rely on drainage into an offsite swale to the north east of the site in Phase 2 East. However, whilst the Drainage Statement has been submitted for completeness with this RM application, it should be noted that full technical approval will still be required under Condition 14 (currently under consideration) before commencement of development.

9.127 The Environment Agency raises no objection.

9.128 The proposed development is considered to accord with the principles outlined in the NPPF, together with Policy CS31 and the approved FRA. The final details to be approved under Condition 14 include the appropriate compliance requirements.

### Other Material Planning Considerations

#### *Affordable Housing*

9.129 Core Strategy Policy CS19 seeks affordable housing at 35% of the total number of units. As set out in the Council's Affordable Housing SPD (2013) the Council's expected tenure split is 75% affordable rent and 25% shared ownership.

9.130 The proposed scheme provides for 276 dwellings, comprising of 2, 3 and 4 bedroom houses, and 1 and 2 bedroom flats. 97 units will be classed as affordable housing which accords with the 35% requirement of which the majority will be affordable rent, with 24 shared ownership in



accordance with the expected tenure split. The geographic distribution of the affordable dwellings is considered acceptable and will not result in any large concentrations.

9.131 The affordable housing is secured in the s106 legal agreement attached to the outline consent. The affordable dwellings are located evenly across the site and will be indistinguishable from the market dwellings. In accordance with the validation requirements, and Schedule 3 Part 2 of the s106 agreement, an Affordable Housing Plan has been submitted with this RM application.

9.132 DBC Strategic Housing has been consulted and require consideration of accessible units in any future schemes as outlined below:

- 1 bedroom properties- all ground floor 1 bedroom properties need to be adaptable for wheelchair access. If there are going to be lifts installed in the flats, level access showers/ wet rooms need to be feasible.
- 2 bedroom flats- same as above.
- 2 bedroom houses- at least 20% of houses need to be suitable for wheelchair access, stairlift/ through floor lift. Level access shower/ wet room.
- 3 bedroom houses- 25% 3 bedroom houses need to be suitable for wheelchair access, stairlift/ through floor lift. Level access shower/ wet room.

9.133 The applicant has been made aware of these requirements and has agreed it will be taken on board as part of the Phase 2 East pre-application discussions.

9.134 In this scheme a total of 10% of the units have been designed to be compliant with Part M4(2) of the Building Regulations as accessible and adaptable for wheelchair use. The units comprise the ground floor apartments which would include the affordable units. Taking account of the points above, it is considered that the provision of affordable housing is in accordance with Core Strategy Policy CS19 and is being secured by s106.

#### *Noise*

9.135 The Environmental Health Officer was consulted and noted the dominant sources of noise affecting the development site are activities at the industrial area on Three Cherry Trees Lane and road traffic.

9.136 The majority of the site will achieve noise guideline levels without the need for mitigation. However, the results show that a 1.8m high close boarded fence will be required along the western boundary of the gardens at plots 113 to 119 to reduce noise levels from the Three Cherry Trees Lane and the industrial area. All areas in the northern parts of site will not require mitigation and all windows in these parts of the site can be opened for ventilation purposes. In order for noise sensitive rooms in the southern part of the site, closest to and facing the noise sources, to achieve noise guideline levels, enhanced glazing will be required. Further away from the southern edge of the site, standard thermal double glazing will be required. An alternative means of ventilation such as trickle vents, or similar, would be required to allow the windows to remain closed.

9.137 The overheating assessment indicates that most dwellings can mitigate the risk of an overheating condition with the use of opening windows. However, mitigation would be required for dwellings fronting Three Cherry Lane. With the implementation of an internalised cooling strategy for the effected dwellings, these properties will not suffer from undue overheating whilst maintaining internal noise levels in line with expected standards.

9.138 With regard to facade sound insulation it is considered that this can be conditioned and reference made to the specification detail within the report.

9.139 With regard to amenity spaces the noise impact assessment states that balconies of the apartments facing Three Cherry Trees Lane would exceed the upper noise guideline level. However, it should be noted that residents have been provided with an alternative external amenity area. This area is likely to meet the external noise guideline levels, as this area is located behind the apartment blocks and screened from Three Cherry Trees Lane. However, it is recommended that the balconies will still need to include solid balustrading to the Gateway flats facing the road.

9.140 Subject to conditions as recommended by the Environmental Health Officer, the proposals will provide an acceptable living environment from the point of view of noise and ventilation and would comply with Policies CS12 and CS32.

#### *Air Quality*

9.141 The site does not fall within an Air Quality Management Area.

9.142 Chapter 6 of the 'Environmental Statement Volume 1: Main Text' submitted with the outline application reports the likely significant effects of the Proposed development in terms of air quality in the context of the site and surrounding area. In particular, it considers the likely significant effects of dust and fine particulate matter associated with the construction phase of the Proposed Development and road traffic emissions associated with the operational phase of the Proposed Development.

9.143 The Environmental Scoping Report (Volume 2 Technical Appendix) submitted to the Council in January 2016 with the outline application, included a description of the scope of works to be considered in the air quality assessment, as follows:

9.144 A qualitative assessment in order to consider the potential effects associated with the construction phase of the Proposed Development; and Air dispersion modelling in order to assess the potential effects associated with the operation of the Proposed Development.

9.145 The significance of the overall effects of the Proposed Development has been assessed in accordance with the EPUK/IAQM guidance. Taking all of this into account, the overall cumulative effect of the Proposed Development and the nearby committed/proposed developments is considered to be not significant.

9.146 The Environmental Health Officer has not raised any concerns regarding air quality.

#### *Ecology and Biodiversity Net Gain*

9.147 The NPPF (2019) emphasises the need to contribute to and enhance the natural and local environment, including by protecting and enhancing valued landscapes and minimising impacts on and providing net gains for biodiversity. In line with the NPPF, at the local level, Core Strategy Policy CS29 states that new development should minimise impacts on biodiversity and incorporate positive measures to support wildlife. New development should also incorporate at least one new tree per dwelling for climate mitigation purposes.

9.148 Core Strategy Policy CS25 requires new development to help conserve and enhance Dacorum's natural landscape. Policy CS26 expects new development to contribute towards the conservation and restoration of habitats and species, the strengthening of biodiversity corridors and the creation of better public access and links through green space.

9.149 Condition 7(k) of the outline permission requires the submission of details of the proposed biodiversity enhancement measures with any RM application.

9.150 The updated Ecology Appraisal and survey work undertaken and submitted with this RM application, indicate that no significant changes to habitat conditions on-site, or within the zone of influence of the site, have occurred in the intervening period since the previous set of ecological surveys were undertaken as part of the outline planning application process. Therefore, it is considered that significant changes to the protected and notable species populations supported by the site are highly unlikely, and overall, the conclusions of the previous assessment in regard to likely impacts and associated mitigation requirements will remain valid.

9.151 Given the site is largely an open agricultural field, the proposals will result in a significant net enhancement to biodiversity through both the retention of significant amounts of vegetation as well as additional planting and habitat creation. Planted woodland along the existing mature woodland will provide additional habitats for invertebrates, mammals, and birds, and is intended to benefit Local Biodiversity Action Plan (LBAP) species including butterflies and hazel dormouse. Created grasslands aim to achieve good condition using appropriate seed mixes and habitat management and will also benefit LBAP priority species/groups such as butterflies. Bat and bird boxes will be located across the site and hedgehog runs will be provided within fencing.

9.152 The proposals will therefore result in net biodiversity gain. Hertfordshire Ecology has been consulted on the proposals and any comments received will be reported at the meeting.

#### *Archaeology*

9.153 The Historic Environment Officer has advised that the site is immediately adjacent to Spencers Park Phase 1, where archaeological investigations have revealed high quality archaeological remains (heritage assets) representing Late Iron Age and Romano-British domestic, industrial, ritual and agricultural activities, dating from the mid-1st century to the late 2nd century, and of regional and potentially, national significance. It is also close to the M1 where widening works identified significant archaeological remains.

9.154 Pre-application archaeological investigations were carried out in 2015 and 2016 and the reports on this work were included with the outline application which indicated the potential for archaeological remains from the Bronze to the medieval periods and later.

9.155 Further archaeological trial trenching is currently underway and due for completion by 25<sup>th</sup> June 2021. Preliminary information confirms evidence of Late Bronze / Early Iron Age settlement.

9.156 The Historic Environment Officer has recommended the addition of conditions covering submission of a WSI (Written Scheme of Investigation) and completion of site investigation and post investigation archaeological assessment, etc. However, given the outline permission includes these same conditions, it is not considered necessary to add them to the reserved matters approval.

#### *Crime Prevention*

9.157 The masterplan has been designed to ensure passive surveillance over all areas of public realm and the parking courts associated with the apartment blocks. The perimeter blocks form the core component of the layout will provide security to rear gardens.

9.158 The apartment blocks have also been designed to provide active ground floor frontages with living rooms and ground floor doors, on both facades, to ensure overlooking in cases where public realm sits on both sides of the block. Private amenity space for the ground floor is still provided and clearly demarcated and defensible.

9.159 Throughout the scheme, houses on key corners have been designed to address both street frontages including generous glazing to the flank wall. A brick wall treatment to garden boundaries is

provided to ensure security. Palisade fencing against which is placed close-boarded timber fencing with trellis along the western boundary of scheme will also provide security.

9.160 The Crime Prevention and Design Advisor has been consulted and raised no objections to the scheme however noted that all the dwellings should be built to meet the Secured by Design physical security standard. The applicant has agreed this which would be recommended to be secured by condition.

#### *HSE Consultation Zone*

9.161 HSE's Planning Advice Web App determines HSE's advice for a consultation by generating the advice for each development type separately and then using this to determine HSE's advice for the consultation as a whole. Therefore because this proposal is made up of different development types, it is necessary to look individually at each development type that falls within the HSE consultation distance.

9.162 The proposed development at Spencer's Park Phase 2 West consists of a large housing development, with approximately 276 dwelling units located within the outer zone. It was considered in the outline permission that HSE "does not advise against" (DAA), on safety grounds, the grant of permission in this case. On this basis there is no reason to consider the development unacceptable on health and safety grounds.

#### *EIA*

9.163 An EIA (Environmental Impact Assessment) was submitted with the outline application. The EIA identified likely significant environmental effects of the proposed development and, if required, ways that any significant adverse effects on the environment could be avoided, reduced or mitigated.

9.164 The current RM application is supported by a Statement of Compliance that details how the proposals accord with the previous findings and the suggested mitigation measures set out within the EIA. The Statement of Compliance assesses what material change in circumstance if any have occurred since the EIA was prepared in 2016. Overall, the Statement notes that whilst some of the baseline data has been updated there have been no material changes that necessitate the submission of further environmental information. Furthermore, whilst there have been minor changes to the development, the likely significant environmental effects are not materially different as a result of the changes.

9.165 Accordingly, the conclusions of the EIA stand, viz: whilst there will be a loss of agricultural land, there will be an increase in habitat diversity. Whilst there will be a change in character of the landscape, the overall design strategy and landscape proposals will contribute positively to the visual setting and amenity which will assimilate the development into the landscape. There will also be beneficial effects in terms of local housing supply, education, open space, recreation and leisure facilities, as well as employment.

#### The Planning Balance

9.166 The Council is currently unable to demonstrate a five-year supply of deliverable housing sites. Therefore, it should take the 'tilted balance' in favour of granting planning permission (Paragraph 11 (d) of the Framework will apply).

9.167 General policies not related to housing supply will continue to have the full weight of S38(6) of the Planning and Compulsory Purchase Act 2004, and planning decisions are to be made "*in accordance with the plan, unless material considerations indicate otherwise.*"

9.168 The tilted balance requires that any applications are determined against the Framework. The balance is consequently tilted in favour of the presumption in favour of sustainable development except where:

- The application of policies in the Framework that protect areas or assets of particular importance provides clear reason for refusing the development; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole.

9.169 The application of the tilted balance does not imply that planning permission should be granted in all cases. The presumption in favour of sustainable development is not an unconstrained approach. For example, the NPPF gives full weight to the Green Belt, Chilterns AONB and other historic and environmental assets. Applications that do not constitute sustainable development should normally be refused. Adverse impacts are to be assessed against the full scope of guidance in NPPF.

9.170 The benefits of the scheme should clearly be shown to outweigh the negatives for any scheme to be considered as sustainable development.

9.171 There are significant benefits associated with the proposal in terms of the provision of 276 dwellings together with 97 affordable homes; the provision of a wide mix of accommodation types and sizes, helping to create a well-balanced community, delivery of high quality, well-designed and sustainable homes which include EV charging and internal living space to National Described standards, provision of generous areas of public open space, children's play, and extensive high quality landscaping, provision of an integrated network of SUDs that will minimise flood risk, significant ecological enhancements and biodiversity net gain, a network of well-planned sustainable transport infrastructure including segregated foot and cycleways connecting with the wider area, and road infrastructure that will accommodate future bus services, the provision of financial and non-financial contributions in accordance with the s106 completed under the outline application, together with support for local trades and employment during the construction of the site itself and significant benefits to the local economy through ongoing support of local shops, and other services.

9.172 In terms of negatives, these are relatively very few. There would be a loss of BMV (Best and most versatile) agricultural land from the site (7.93 ha from Phase 2 East and West) and there would arguably be a loss of open landscape character. However, it should be noted that there are no rights of way that cross or adjoin the land. Furthermore, with regards to the loss of agricultural land, it must be noted that the site was previously allocated for employment uses under the County Structure Plan 1991-2011 (adopted in 1998) and then subsequently implicitly accepted that residential development would take place, therefore the loss of agricultural land, at least on paper, has been accepted for over a decade. There would also be potential additional traffic generation on local roads. However, the proposals include a new roundabout junction on Three Cherry Trees Lane that will deal with the immediate access and agrees requirements of the site. There will also be off-site improvements to the Swallowdale Road and Three Cherry Trees Lane junction and contributions towards improvement of the Breakspear Way / A414 / Green Lane junction including introduction of signalised junction. In addition, sustainable transport proposals, including contributions to upgrade of the Nickey Line, will reduce the modal share of journeys taken by private car.

9.173 In officers' view, the above identified harm would not be significant and would be more that outweighed by the overall benefits of the proposal. As a result sustainable development would be achieved through this development. When assessed against the policies in the Framework taken as a whole the benefits would significantly and demonstrably outweigh the adverse effects of the proposal. Any conflict with the development plan (loss of agricultural land and landscape character)

is considered to be outweighed by other considerations including the Framework and as such sustainable development would be achieved in line with Para. 11 of the NPPF.

### Response to Neighbour Comments

9.174 One letter has been received raising concerns around the existing unofficial HGV parking and traffic overflow on Three Cherry Trees Lane being displaced into more unsuitable areas.

9.175 Whilst this potential is acknowledged as part of the highway works to form the entry roundabout off Three Cherry Trees Lane, it should be noted that vehicles park only along a small section of the site frontage to the east of the Boundary Way junction and where the double yellow lines finish. The proposed roundabout works will not occur in this area. Furthermore, details of traffic management will be required in accordance with the s106 requirements as sought by the Highway Authority and also under Condition 19 of the outline permission which seeks amongst other aspects, details of traffic management requirements. The roundabout works will of course be in the highway and under the s278 agreement with the County Council would likely be a matter on which the highway authority would wish to be satisfied. Therefore, it is considered that there will be sufficient control.

### Community Infrastructure Levy (CIL) and Planning Obligations

9.176 Policy CS35 requires all new developments to provide the on-site, local and strategic infrastructure arising from development. The applicant has signed an s106 agreement at the outline planning stage that secures a number of financial and non-financial contributions from the development. These are not matters for consideration under this RM application. However, for information the following are secured:

- 35% Affordable Housing
- Site for Primary School
- Primary Education Contribution
- Secondary Education Contribution
- Library Services Contribution
- Youth Services Contribution
- Childcare Services Contribution
- Nickey Line Improvements Contribution
- Fire Hydrants
- Sustainable Transport Contribution
- S278 agreement for Highways Works
- Off-Site Highways Works Contribution
- Junction Works Contribution
- Travel Plan
- Construction Traffic Management Plan
- Travel Plan Evaluation and Support Contribution
- Outdoor Space & Transfer Arrangements
- Management Company for Development
- Phasing
- Healthcare Contribution

9.177 The Council has adopted a CIL Charging Schedule and the development would be liable for the payment of CIL. It should be noted however that the site is CIL rated zero.

## **10. CONCLUSION**

10.1 The proposed plans and details submitted to satisfy the reserved matters to outline planning permission 4/01749/16/OUT (comprising the appearance, layout and scale of the development, and

landscaping of the site) in relation to Spencer's Park Phase 2 West are considered acceptable for approval. The details accord with the relevant policies of the Development Plan and associated SPD design guidance and other requirements.

10.2 In terms of the overall planning balance, and applying the 'tilted balance' which presumes in favour of sustainable development where a 5 year supply of deliverable housing land is not available, sustainable development would be achieved through this development, with the benefits significantly and demonstrably outweighing the adverse effects of the proposal.

## **11. RECOMMENDATION**

11.1 That planning permission be **GRANTED**.

### **Condition(s) and Reason(s):**

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

CPL-SPH\_HTA-A\_DR\_0001  
CPL-SPH\_HTA-A\_DR\_0002  
CPL-SPH\_HTA-A\_DR\_0100 A  
CPL-SPH\_HTA-A\_DR\_0110 A  
CPL-SPH\_HTA-A\_DR\_0111 A  
CPL-SPH\_HTA-A\_DR\_0112 A  
CPL-SPH\_HTA-A\_DR\_0113 A  
CPL-SPH\_HTA-A\_DR\_0120 A  
CPL-SPH\_HTA-A\_DR\_0121 A  
CPL-SPH\_HTA-A\_DR\_0122 A  
CPL-SPH\_HTA-A\_DR\_0123 A  
CPL-SPH\_HTA-A\_DR\_0124 A  
CPL-SPH\_HTA-A\_DR\_0125 A  
CPL-SPH\_HTA-A\_DR\_0126 A  
CPL-SPH\_HTA-A\_DR\_0127 A

CPL-SPH\_HTA-A\_DR\_0130  
CPL-SPH\_HTA-A\_DR\_0131  
CPL-SPH\_HTA-A\_DR\_0132 A  
CPL-SPH\_HTA-A\_DR\_0133 A  
CPL-SPH\_HTA-A\_DR\_0135  
CPL-SPH\_HTA-A\_DR\_0136  
CPL-SPH\_HTA-A\_DR\_0137 A  
CPL-SPH\_HTA-A\_DR\_0138 A

CPL-SPH\_HTA-A\_DR\_0200 C  
CPL-SPH\_HTA-A\_DR\_0201 B  
CPL-SPH\_HTA-A\_DR\_0202 B  
CPL-SPH\_HTA-A\_DR\_0203 C  
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CPL-SPH\_HTA-A\_DR\_0210 B

CPL-SPH\_HTA-A\_DR\_0300 C  
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CPL-SPH\_HTA-A\_DR\_0301\_1 A

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CPL-SPH\_HTA-A\_DR\_0320 D  
CPL-SPH\_HTA-A\_DR\_0321 D  
CPL-SPH\_HTA-A\_DR\_0322 C  
CPL-SPH\_HTA-A\_DR\_0323 C  
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CPL-SPH\_HTA-A\_DR\_0326 C  
CPL-SPH\_HTA-A\_DR\_0330 C  
CPL-SPH\_HTA-A\_DR\_0331 C  
CPL-SPH\_HTA-A\_DR\_0332 B  
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CPL-SPH\_HTA-A\_DR\_0342 B  
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CPL-SPH\_HTA-A\_DR\_0344 C  
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CPL-SPH\_HTA-A\_DR\_0370 C  
CPL-SPH\_HTA-A\_DR\_0371 C  
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CPL-SPH\_HTA-A\_DR\_0412 B  
CPL-SPH\_HTA-A\_DR\_0413 B  
CPL-SPH\_HTA-A\_DR\_0414 C  
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CPL-SPH\_HTA-A\_DR\_0416 B  
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CPL-SPH\_HTA-A\_DR\_0502 C  
CPL-SPH\_HTA-A\_DR\_0510 C  
CPL-SPH\_HTA-A\_DR\_0511 C  
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CPL-SPH\_HTA-A\_DR\_0513 B  
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CPL-SPH\_HTA-A\_DR\_0515 C  
CPL-SPH\_HTA-A\_DR\_0516 B  
CPL-SPH\_HTA-A\_DR\_0517 B  
CPL-SPH\_HTA-A\_DR\_0518 B  
CPL-SPH\_HTA-A\_DR\_0519 B  
CPL-SPH\_HTA-A\_DR\_0520 B  
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CPL-SPH\_HTA-A\_DR\_0553 B  
CPL-SPH\_HTA-A\_DR\_0554 B  
CPL-SPH\_HTA-A\_DR\_0560 B  
CPL-SPH\_HTA-A\_DR\_0561 B  
CPL-SPH\_HTA-A\_DR\_0562 B  
CPL-SPH\_HTA-A\_DR\_0563 B  
CPL-SPH\_HTA-A\_DR\_0564 B  
CPL-SPH\_HTA-A\_DR\_0600 B  
CPL-SPH\_HTA-A\_DR\_0601 B  
CPL-SPH\_HTA-A\_DR\_0610 B  
CPL-SPH\_HTA-A\_DR\_0611 C  
CPL-SPH\_HTA-A\_DR\_0612 B  
CPL-SPH\_HTA-A\_DR\_0620 B  
CPL-SPH\_HTA-A\_DR\_0621 B  
CPL-SPH\_HTA-A\_DR\_0700 B  
CPL-SPH\_HTA-A\_DR\_0701 B  
CPL-SPH\_HTA-A\_DR\_0702 B

CPL-SPH\_HTA-A\_DR\_0710 C  
CPL-SPH\_HTA-A\_DR\_0711 C

CPL-SPH\_HTA-A\_CGI\_0005  
CPL-SPH\_HTA-A\_CGI\_0010  
CPL-SPH\_HTA-A\_CGI\_0011  
CPL-SPH\_HTA-A\_CGI\_0012  
CPL-SPH\_HTA-A\_CGI\_0013  
CPL-SPH\_HTA-A\_CGI\_0014  
CPL-SPH\_HTA-A\_CGI\_0015  
CPL-SPH\_HTA-A\_CGI\_0016  
CPL-SPH\_HTA-A\_CGI\_0017  
CPL-SPH\_HTA-A\_CGI\_0018  
CPL-SPH\_HTA-A\_CGI\_0019

CPL-SPH\_HTA-A\_CGI\_0080  
CPL-SPH\_HTA-A\_CGI\_0081

CPL-SPH\_HTA-A\_DR\_1000  
CPL-SPH\_HTA-A\_DR\_1001  
CPL-SPH\_HTA-A\_DR\_1002  
CPL-SPH\_HTA-A\_DR\_1003  
CPL-SPH\_HTA-A\_DR\_1010 A

CPL\_SPH\_SC\_100 11

O00011-BCE-S02-XX-DR-C-8001-PL1  
O00011-BCE-S02-XX-DR-C-8002-PL1  
O00011-BCE-S02-XX-DR-C-8003-PL1  
O00011-BCE-S02-XX-DR-C-8020-PL1  
O00011-BCE-S02-XX-DR-C-8021-PL1  
O00011-BCE-S02-XX-DR-C-8022-PL1  
O00011-BCE-S02-XX-DR-C-8023-PL1  
O00011-BCE-S02-XX-DR-C-8024-PL1  
O00011-BCE-S02-XX-DR-C-8025-PL1  
O00011-BCE-S02-XX-DR-C-8026-PL1  
O00011-BCE-S02-XX-DR-C-8027-PL1  
O00011-BCE-S02-XX-DR-C-8028-PL1  
O00011-BCE-S02-XX-DR-C-8029-PL1  
O00011-BCE-S02-XX-DR-C-8030-PL1  
O00011-BCE-S02-XX-DR-C-8031-PL1  
O00011-BCE-S02-XX-DR-C-8036-PL1  
O00011-BCE-S02-XX-DR-C-8037-PL1

O00011-BCE-S02-XX-DR-C-8041-PL1  
O00011-BCE-S02-XX-DR-C-8042-PL1  
O00011-BCE-S02-XX-DR-C-8043-PL1  
O00011-BCE-S02-XX-DR-C-8044-PL1  
O00011-BCE-S02-XX-DR-C-8045-PL1  
O00011-BCE-S02-XX-DR-C-8046-PL1  
O00011-BCE-S02-XX-DR-C-8047-PL1

Soft Landscape Schedule - CPL-SPH\_HTA-L\_SC-2910  
Hard Landscape Outline Specification - CPL-SPH\_HTA-L\_SP-1700  
Maintenance Strategy and Schedule - CPL-SPH\_HTA-L\_S3\_SC\_1701

## Plot Schedule - CPL-SPH\_HTA\_A\_SC

131121F/AT/B01 K  
131121F/AT/C01 L  
131121F/AT/D01 L  
131121F/AT/E02 F  
131121F/AT/G01 E  
131121F/AT/G02 C  
131121F/AT/G03 C  
131121F/AT/G04 B

19025-AWA-ZZ-00-DR-ES-9607-P06  
19025-AWA-ZZ-00-DR-ES-9608-P06  
19025-AWA-ZZ-00-DR-ES-9609-P05  
19025-AWA-ZZ-00-DR-ES-9610-P02-UKPN  
78-32-PRELIM-200831-CD-LI-C

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

2. **Notwithstanding any details submitted, no above ground works shall take place until plans and details of the solar panels, including typical cross sections to show their proposed installation in relation to the roofs of the dwellings / flat blocks hereby permitted, together with a roof plan to show their proposed final positioning on each dwelling / flat block, with details of the roof tiles proposed, shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved.**

Reason: To ensure a satisfactory visual appearance to the development and to ensure that the solar panels are suitably assimilated into the roofscape in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

3. **Notwithstanding any details submitted, no part of the development shall be occupied until plans and details of the EV (electric vehicle) charging infrastructure to be installed, including a plan(s) showing the siting and distribution of above ground EV infrastructure, shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved and the relevant EV charge point made available and operational for each dwelling before its first occupation.**

Reason: To ensure a satisfactory visual appearance to the development and to ensure that EV charging is available to each dwelling in accordance with the Parking Standards SPD November 2020 and Policy CS12 of the Dacorum Core Strategy September 2013.

4. **Notwithstanding any details submitted, no part of the development shall be occupied until an amended layout plan (and other plans as necessary) relating to the cycle storage arrangements for the mid-terraced units, notably Plots 55, 56, 81, 169 and 196, shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved and the relevant cycle store made available to each dwelling before its first occupation.**

Reason: To ensure convenient and secure cycle storage is made available to each dwelling in accordance with the Parking Standards SPD November 2020 and Policy CS12 of the Dacorum Core Strategy September 2013.

5. **Notwithstanding any details submitted, no above ground works shall take place until plans and details (including cross section drawings) of the proposals to dissuade vehicles from parking on the verges and gardens either side of the shared driveways alongside the Green Spine, shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved before first occupation of the relevant dwelling(s) served by the shared driveway.**

Reason: To avoid casual parking detracting from the landscape and in the interests of the visual appearance of the development in accordance with Policy CS11 and 12 of the Dacorum Core Strategy September 2013.

6. **The development shall not be occupied until details of the crime prevention measures to be incorporated into the development in order to meet Secured by Design part 2 certification shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the measures approved.**

Reason: To ensure a secure and safe form of development for the residents in accordance with Policies CS11 and 12 of the Dacorum Core Strategy September 2013. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%. SBD housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.

7. **Notwithstanding any details submitted, no above ground works shall take place until plans and details of additional tree planting to be provided within the public realm adjacent to or within the rear gardens of the following dwelling plots shall have been submitted to and approved in writing by the local planning authority.**

**Plots 1, 17, 23, 37, 69, 83, 104, 167, 185, 192**

**The details as approved shall be implemented respectively before each of the above dwellings is first occupied.**

Reason: To ensure a satisfactory visual appearance to the development and to help soften and break up key vistas through to the unsoftened interior built parts of the site that would be visible from the street scene in accordance with Policy CS12 and 13 of the Dacorum Core Strategy September 2013, saved Policy 100 of the Dacorum Borough Local Plan 1991-2011 and Paragraph 127 (f) of the National Planning Policy Framework (2019).

8. **Notwithstanding any details submitted, no part of the development shall be occupied until plans and details of measures to help mitigate the impact of mutual overlooking in respect of the following dwelling plots shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved respectively before each of the below dwellings is first occupied.**

**Plots 4, 5 and 34, Plots 180 and 190, Plots 181, 182 and 188, Plots 234, 235, 236 and 176, and Plots 237, 238, 239 and 174 / 175**

Reason: In the interests of the residential amenities of the occupants of the dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019). Note: The form of mitigation will be for discussion and agreement but could include appropriate screen planting and / or taller fencing / trellis / obscure or high level glazing and / or alternative room layout.

9. Prior to construction of the development a Construction Method Statement (CMS) for the ground works, demolition and construction phases of the development site shall be submitted to and approved in writing by the local planning authority. Details shall include, but not be limited to, the following information. The approved details shall be implemented throughout the project period.

#### **General Information**

- i. Demolition, construction and phasing programme.
- ii. Contractors access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- iii. Construction hours shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.
- iv. Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- v. Prior notice and agreement procedures for works outside agreed noise limits and hours
- vi. Community engagement - The steps that will be taken to notify and update residents and businesses that may be affected by the construction of the proposed development and Complaints procedures, including complaints response procedures.

#### **Noise and Vibration information**

- vii. Baseline noise assessment - undertaken for a least 24-hours under representative conditions to determine the pre-existing ambient noise environment.
- viii. Noise predictions and the significance of noise effects - Predictions should be included for each phase of the construction, vehicle movements and an assessment of the significance of noise effects must be included based on the guidance in BS 5228:2009+A1:2014 Annex E
- ix. Vibration Predictions and the significance of vibration effects - Predictions should be included for each phase of demolition, and construction, and an assessment of the significance of vibration effects must be included e.g. as per BS 5228:2009+A1:2014.
- x. Noise and vibration monitoring - Permanent real time web enabled and/or periodic noise and vibration monitoring must be undertaken for the duration of the demolition and construction phases which may result in a significant impact. The location, number of monitoring stations and the measurement data must be agreed with the LPA prior to the start of construction.
- xi. Prohibition of the burning of waste on site during demolition/construction

#### **Air Quality Information**

- xii. Demonstrate compliance with the guidance found in Guidance on the assessment of dust from demolition and construction produced by the IAQM.
- xiii. The dust management strategy must include a risk assessment of dust generation for each phase of the demolition and construction. The assessment and identified controls must include the principles of prevention, suppression and containment and follow the format detailed in the guidance above. The outcome of

**the assessment must be fully implemented for the duration of the construction and demolition phase of the proposed development and include dust monitoring where appropriate.**

**xiv. Where the outcome of the risk assessment indicates that monitoring is necessary, a monitoring protocol including information on monitoring locations, frequency of data collection and how the data will be reported to the Local Planning Authority;**

**xv. Details of dust generating operations and the subsequent management and mitigation of dust demonstrating full best practicable means compliance and covering construction activities, materials storage, on and off site haul routes, operational control, demolition, and exhaust emissions; and where a breach of the dust trigger level may occur a response procedure should be detailed including measures to prevent repeat incidence.**

Reason: To protect the amenities of the locality, having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 180 of the National Planning Policy Framework (2019).

- 10. The building glazing and ventilation scheme hereby permitted shall be installed in strict accordance with the building unit specification details provided in Section 5 and Tables 8 and 9 the Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021. The scheme shall thereafter be retained as approved.**

Reason: In the interests of the residential amenities of the occupiers having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 180 of the National Planning Policy Framework (2019).

- 11. A. Dwellings 113 to 119, as shown on Drawing LO10821- 104 in Appendix C in the Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021 shall include acoustic barriers, of a minimum height of 1.8m, installed along the western boundaries of properties. The barriers shall be imperforate (solid) and have a minimum mass per unit area of at least 10kg/m<sup>2</sup> and shall be wind and weather resistant to standards agreed with the LPA. The dwellings shall not be occupied until details of the design of the barriers shall have been submitted to and approved in writing by the local planning authority, and the barriers installed as approved.**

**B. Balconies of the apartments facing Three Cherry Trees Lane shall be screened against road traffic and industrial noise to achieve LAeq16hr not exceeding 55dB(A) or at least the lowest level practicable. This may be achieved by use of solid balustrades or alternative design. The apartments shall not be occupied until details of the design of the balustrades shall have been submitted to and approved in writing by the local planning authority, and the balustrades installed as approved.**

Reason: In the interests of the residential amenities of the occupiers having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 180 of the National Planning Policy Framework (2019).

- 12. Prior to the commencement of development (including provision of underground services) the trees shown for retention on the approved Tree Protection Plan, Drg. No. LO10821-001 Rev A, contained within the Arboricultural Impact Assessment and Method Statement LO10821 Report No. 001 prepared by Wardell Armstrong, shall be protected during the whole period of site demolition, excavation and construction in accordance with details in the report.**

**No equipment, machinery or materials for the development shall be taken onto the site until the tree protection is in place.**

**There shall be no excavation, changes in levels, storage of materials or access within the RPA of retained trees unless previously specified and agreed.**

Reason: In order to ensure that damage does not occur to the trees during demolition works and building operations in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011 and Paragraph 170 of the National Planning Policy Framework (2019).

13. **The development hereby permitted shall be carried out in accordance with the submitted and approved Sustainable Development Checklist and Energy Statement.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 150 and 153 of the National Planning Policy Framework (2019).

14. **The window(s) at \*\*\*\* level in the \*\*\*\* elevation of the following dwellings hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

**Plots ...**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

**Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Archaeology Unit (HCC)	<p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>As previously notified, the site is immediately adjacent to Spencers Park Phase 1, where archaeological investigations have revealed high quality archaeological remains (heritage assets) representing Late Iron Age and Romano-British domestic, industrial, ritual and agricultural activities, dating from the mid 1st century to the late 2nd century, and of</p>

regional and potentially, national significance. It is also close to the M1, where archaeological investigations carried out during road widening in the 1990s and in 2006 identified significant archaeological remains of Bronze Age, Iron Age, Roman and medieval date.

Pre-application archaeological investigations comprising a geophysical survey and an archaeological trial trench evaluation were carried out at the site in October 2015 and April 2016, respectively. Reports on those works were submitted to the Planning Authority with the application for outline planning permission for Spencers Park Phase 2 (16/02539/MOA).

The results of the 2016 evaluation suggested that there is the potential for archaeological remains (heritage assets) to be present on the site, ranging in date from the Bronze Age to the medieval and later periods.

We therefore recommended, with regard to 16/02539/MOA, that an appropriate mitigation strategy would be required, comprising further evaluation of the site via trial trenches, followed by targeted areas of open area excavation, and a programme of post-excavation analysis, leading to publication of the results, and the deposition of the archive from the site.

This programme of further archaeological trial trenching is currently underway and should be completed by 25th June 2021. The preliminary information available confirms that there is evidence for occupation activity of probable Late Bronze Age/Early Iron Age date present at the site, on which the development will have a significant impact.

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 therefore recommend that the following provisions be made, should you be minded to grant consent:

1. A programme of archaeological open area excavation of specified areas of the proposed development site, prior to the commencement of any development.
2. The preservation of any archaeological remains in situ, if warranted; by amendment(s) to the design of the development if this is feasible.
3. The archaeological monitoring and recording of the ground works of the development as appropriate (and also including a contingency for the preservation or further investigation of any remains then encountered)



4. The analysis of the results of the archaeological work with provisions for subsequent production of report and an archive, and the publication of the results, as appropriate;

5. Such other provisions as may be necessary to protect the archaeological interests of the site.

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

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

[www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

#### Condition A

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

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

#### Condition B

- i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.
- ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved

	<p>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>Environmental And Community Protection (DBC)</p>	<p>The Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021 concludes;</p> <p>The dominant sources of noise affecting the development site are activities at the industrial area on Three Cherry Trees Lane and road traffic.</p> <p>The majority of the site will achieve noise guideline levels without the need for mitigation. However, the results show that a 1.8m high close boarded fence will be required along the western boundary of the gardens at dwellings 113 to 119 to reduce noise levels from the Three Cherry Trees Lane and the industrial area.</p> <p>Mitigation will be required for noise sensitive rooms in the southern part of the site</p> <p>All areas in the northern parts of site will not require mitigation and all windows in these parts of the site can be opened for ventilation purposes.</p> <p>In order for noise sensitive rooms in the southern part of the site, closest to and facing the noise sources, to achieve noise guideline levels, enhanced glazing will be required. Further away from the southern edge of the site, standard thermal double glazing will be required. An alternative means of ventilation such as trickle vents, or similar, would be required to allow the windows to remain closed.</p> <p>The overheating assessment indicates that most dwellings can mitigate the risk of an overheating condition with the use of opening windows. However, mitigation would be required for dwellings fronting Three Cherry Lane. With the implementation of an internalised cooling strategy for the effected dwellings, these properties will not suffer from undue overheating whilst maintaining internal noise levels in line with expected standards.</p> <p>With regard to facade sound insulation it is considered that this can be conditioned and reference made to the specification detail within the report and I detail a condition below.</p> <p>With regard to amenity spaces the report states.</p> <p>Balconies of the apartments facing Three Cherry Trees Lane would</p>

exceed the upper noise guideline level. However, it should be noted that residents have been provided with an alternative external amenity area. This area is likely to meet the external noise guideline levels, as this area is located behind the apartment blocks and screened from Three Cherry Trees Lane.

ProPG states where there may be an impact on external living areas, the impact would be reduced by access to alternative external living areas:

"Where, despite following a good acoustic design process, significant advert noise impacts remain on any private external amenity space (e.g. garden or balcony) then that impact may be partially off-set if the residents are provided, through the design of the development or the planning process, with access to: A relatively quiet, protected, nearby, external amenity space for sole use by a limited group of residents as part of the amenity of their dwelling;

However ProPG also states;

"If external amenity spaces are an intrinsic part of the overall design, the acoustic environment of those spaces should be considered so that they can be enjoyed as intended".

"The acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50 - 55 dB LAeq,16hr."

It is therefore considered that as the balconies for these units are the primary amenity space, they should achieve the PropPG guideline levels or at least the lowest level practicable and this may be achieved by including solid balustrades or alternative winter garden design.

Regarding the construction phase a Construction Management Plan is recommended to include noise, vibration and dust controls.

Proposed Conditions.

#### Building Sound Insulation & Amenity Space Design

1. The building glazing and ventilation scheme hereby permitted shall be installed in strict accordance with the building unit specification details provided in Section 5 and Tables 8 and 9 the Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021. The scheme shall thereafter be retained as approved.

2. Dwellings 113 to 119, as shown on Drawing LO10821- 104 in Appendix C in the above report shall include acoustic barriers, of a minimum height of 1.8m, installed along the western boundaries of

properties. The barriers shall be imperforate (solid) and have a minimum mass per unit area of at least 10kg/m<sup>2</sup>. The barriers shall be wind and weather resistant to standards agreed with the LPA. The exact design of the screen will be agreed with and approved by LPA.

3. Balconies of the apartments facing Three Cherry Trees Lane shall be screened against road traffic and industrial noise to achieve LAeq16hr not exceeding 55dB(A) or at least the lowest level practicable. This may be achieved by use of solid balustrades or alternative design. The exact design of the screen will be agreed with and approved by LPA.

#### Construction Noise Management Statement

Prior to construction of the development a Construction Method Statement (CMS) for the ground works, demolition and construction phases of the development site shall be submitted to and approved in writing by the LPA. Details shall include, but not limited to, the following information. Approved details shall be implemented throughout the project period.

#### General Information

- i. Demolition, construction and phasing programme.
- ii. Contractors access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- iii. Construction hours shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.
- iv. Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- v. Prior notice and agreement procedures for works outside agreed noise limits and hours
- vi. Community engagement - The steps that will be taken to notify and update residents and businesses that may be affected by the construction of the proposed development and Complaints procedures, including complaints response procedures.

#### Noise and Vibration information

- vii. Baseline noise assessment - undertaken for a least 24-hours under representative conditions to determine the pre-existing ambient noise environment.
- viii. Noise predictions and the significance of noise effects - Predictions should be included for each phase of the construction, vehicle movements and an assessment of the significance of noise effects must be included based on the guidance in BS 5228:2009+A1:2014

	<p>Annex E</p> <p>ix. Vibration Predictions and the significance of vibration effects - Predictions should be included for each phase of demolition, and construction, and an assessment of the significance of vibration effects must be included e.g. as per BS 5228:2009+A1:2014.</p> <p>x. Noise and vibration monitoring - Permanent real time web enabled and/or periodic noise and vibration monitoring must be undertaken for the duration of the demolition and construction phases which may result in a significant impact. The location, number of monitoring stations and the measurement data must be agreed with the LPA prior to the start of construction.</p> <p>xi. Prohibition of the burning of waste on site during demolition/construction</p> <p>Air Quality Information</p> <p>xii. Demonstrate compliance with the guidance found in Guidance on the assessment of dust from demolition and construction produced by the IAQM.</p> <p>xiii. The dust management strategy must include a risk assessment of dust generation for each phase of the demolition and construction. The assessment and identified controls must include the principles of prevention, suppression and containment and follow the format detailed in the guidance above. The outcome of the assessment must be fully implemented for the duration of the construction and demolition phase of the proposed development and include dust monitoring where appropriate.</p> <p>xiv. Where the outcome of the risk assessment indicates that monitoring is necessary, a monitoring protocol including information on monitoring locations, frequency of data collection and how the data will be reported to the Local Planning Authority;</p> <p>xv. Details of dust generating operations and the subsequent management and mitigation of dust demonstrating full best practicable means compliance and covering construction activities, materials storage, on and off site haul routes, operational control, demolition, and exhaust emissions; and where a breach of the dust trigger level may occur a response procedure should be detailed including measures to prevent repeat incidence.</p>
British Pipeline Agency	<p>Thank you for your correspondence regarding the above noted planning application.</p> <p>Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA wishes to make no comments on the application.</p> <p>However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.</p>

<p>Parks &amp; Open Spaces (DBC)</p>	<p>I have had a look through(The landscape architect language, seems to be worse than the normal guff, they write. I mean what is a playable swale edge?). The materials for the play equipment are sympathetic to their surroundings, I think Robinia wood equipment, would be the best material to use due to it being a hard wood, that retains its natural oils and the nature of the wood provides interesting shapes that aren't linear. As ever, there is nothing for kids between the ages of 12 up, no mention of skate ramps, pump tracks or any other alternative, that I saw.</p> <p>The open spaces themselves are pretty narrow spaces on the boundary of the site. These narrow spaces, are meant to function as informal play areas, travel routes and an enhanced bio-diversity corridor. It seems from the drawings etc to have a very cramped feeling to it, not very open for an open space. It feels like they are trying to cram everything into one linear space. Informal play-tick, Pond-tick, Play area-tick, Bio-diversity-tick etc.</p> <p>The oval open space seems to be better thought out and feels less cramped, than the linear open space. Personally I think it would have been better to create one large open space, that could have created a much better community feel, more (to use landscape architect language)of an open space community hub, where a Friends group, or community group could organise, open air cinema evenings, community picnics, music etc. A central space that everyone could gravitate towards, rather than an afterthought of how much housing can we cram in before we have to think about the open space?</p> <p>The planting schemes are a nice mix of your bog standard estate planting, mixed with wildflowers, marginal planting and perennials. If this was adopted by DBC for CSG to maintain, it would need an enhanced service, as our normal standard wouldn't be good enough.</p> <p>The Swales would also need to be discussed in depth if we were to adopt these as well.</p>
<p>Thames Water</p>	<p>Waste Comments</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>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, however care needs to be taken when designing</p>

new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application regarding SURFACE WATER. Thames Water request that the following condition be added to any planning permission.

"No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### Water Comments

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.

#### Supplementary Comments

Waste- In order to provide a comprehensive comment on the surface water discharge, Thames Water would require the point of the surface

	<p>water discharge.</p> <p>The comments for the foul water are referring to foul discharge via gravity.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>With regards to transport the Transport Consultant for Spencers Park Phase II have prepared a Transport Statement (TS) to support a Reserved Matters Application for Phase 2</p> <p>West only and wishes also to discharge conditions 18 and 21. Not currently part of this RMA are the Highways Conditions: 19 - Construction Traffic Management Plan; 20 - Travel Plan and 25 - Permitted Accesses. A further RMA will be submitted for Spencers Park Phase II east and these remaining conditions. HCC's SuDS and Watercourses Team have also sought further information to discharge condition 14 separate to this RMA.</p> <p>Condition 18 - Prior to the commencement of the development, or any phase(s) of the development (pursuant to Condition 4), hereby permitted full details in the form of scaled plans and written specifications for the development or specified phase(s) of development shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <ul style="list-style-type: none"> <li>i. Roads, footways, foul and on-site water drainage.</li> <li>ii. Existing and proposed access arrangements including visibility splays.</li> <li>iii. Parking provision in accordance with adopted standard.</li> <li>iv. Cycle parking provision in accordance with adopted standard.</li> <li>v. Servicing areas, loading areas and turning areas for all vehicles.</li> </ul> <p>Thereafter, the development, or the specified phase(s) of the development (whichever is the sooner) shall only be carried out in accordance with the approved details.</p> <p>Condition 21 - Prior to commencement of the development, or any phase(s) of the development, (pursuant to Condition 4), swept path assessments for the development or specified phase(s) of development shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:</p> <ul style="list-style-type: none"> <li>a) Large car accessing car parking spaces to demonstrate that they can be safely entered and departed from. This should be demonstrated for the car parking spaces that are in corners</li> </ul>



and for one midway in a row. This will be necessary for any public, school, residential or employment car parks;

b) Swept path assessment for a fire tender manoeuvring within the site to demonstrate that a fire tender can safely manoeuvre within to access all units;

c) Swept path assessment for a public transport bus to demonstrate that, should a bus route be diverted through the site, the internal network can accommodate a bus;

d) Swept path assessment for a refuse vehicle to demonstrate that refuse collection and servicing can take place within the development site;

e) Swept path assessments for servicing and delivery vehicles for the school and commercial land uses to demonstrate that servicing and deliveries can be accommodated within the development site and within the respective land use sites.

Thereafter, the development, or the specified phase(s) of the development (whichever is the sooner) shall only be carried out in accordance with the approved details.

#### Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of the partial discharge of the reserved matters application with respect to Spencers Park Phase II West and Conditions 18 and 21. Not currently part of this RMA are the Highways Conditions: 19 - Construction Traffic Management Plan; 20 - Travel Plan and 25 - Permitted Accesses; and the Flood Risk Management Condition 14 - SuDs. A further RMA will be required to be submitted for Spencers Park Phase II east and these remaining conditions will also require subsequent discharge when appropriate.

#### COMMENTS

HCC Highways have reviewed the March 21 Transport Statement by Vectos, drawings supporting the RMA and application for conditions 18 and 21 discharge and subsequent visibility drawings supplied. With regards to Condition 18i - Roads, footways, foul and on-site water drainage HCC Highways are content with the appearance of roads, footways and cycle ways which are consistent with

pre-application workshops and the HCC's SuDS and Watercourses Team have indicated that they find the drainage arrangement broadly also, however they sought further information to discharge condition 14 (SuDs) separate to this application.

The provision of an urban clearway may be necessary to prevent car parking along the spine road of the development

With regards to Condition 18ii - Existing and proposed access arrangements including visibility splays. HCC Highways have reviewed the accessing arrangements and have determined them satisfactory and Vectos have supplied information on visibility which HCC Highways also acceptable and will achieve the appropriate vehicle speeds within the development and establish a sense of place rather than movement.

The spine road / avenue has been designed based on a 20 mph speed limit in accordance with Manual for Streets and this is the road which will be adopted and visibility is appropriate to this.

The mews/lanes, which won't be adopted, have been designed on the principles of Manual for Streets and to work around the swept paths (which you have hopefully received). On some of these lanes particularly where they provide through movement then to reduce the speed and attractiveness of the route then the visibility has been reduced as part of the street design along with narrowing's on the street to limit the attractiveness of the street for through movement. The visibility on the mews street/lane towards the south of the site and this approach is consistent with guidance within Manual for Streets at para 7.8.2 and the image example of Poundbury (Figure 7.20 in MfS).

With regards to Condition 18iii. Parking provision in accordance with adopted standard HCC note that 1.73 parking spaces per dwelling are to be provided which is slightly above what was accepted at the Outline Planning stage however this is slightly below the required DBC standard of 2.00 parking spaces per dwelling. Whilst HCC Highways are willing to accept this slight variation in standard in the interest of promoting sustainable travel it is acknowledged that Dacorum Borough Council will consider the car parking standards.

With regards to Condition 18iv. Cycle parking provision in accordance

	<p>with adopted standard.</p> <p>It is noted that the cycle parking is to the DBC standard and after a review of HTA-A_DR_0121 Revit is considered suitably located.</p> <p>However HCC notes that there is no mention of electric vehicle charging and the LPA may want to consider this.</p> <p>With regards to Condition 18v. Servicing areas, loading areas and turning areas for all vehicles.</p> <p>After a review of the drawings which also satisfy Condition 21 HCC Highways are satisfied with the servicing areas, loading areas and turning areas for all vehicles within the development.</p> <p>With regards to Condition 21 - Swept Paths, as above, HCC Highways are satisfied with the servicing areas, loading areas, turning areas, roads and junctions within the development can accommodate the appropriate vehicle.</p>
Trees & Woodlands	<p>16/06/21</p> <p>I have studied the aftercare schedule and can confirm this is suitable. Subsequently, I have no further concerns.</p> <p>1/06/21</p> <p>It would appear no existing trees will be detrimentally affected by the development. The proposed planting, with specific regard to trees, will complement the scheme and is appropriate for a development of this size. However, I can identify no information relating to aftercare, i.e. inspection (trees and stakes), watering, formative pruning, mulching, replacement in the event of failure.</p> <p>I therefore require the applicant to submit a suitable aftercare programme covering a period no less than 5 years.</p>
Waste Services (DBC)	<p>From a waste perspective my initial observations are that the width of the waste vehicle we use is 3m wide not 2.5m as used in the swept path.</p> <p>The distance that the bins are from the collection vehicle where the residents have to take their bins so that they are within the collection crews limits is not acceptable, it could be the case that one or more of those residents may not be physically able to do this.</p> <p>Each house will require space for 3 x 240ltr bins and a food caddy and space outside their boundary to present 2 x 240ltr wheeled bins and a food caddy on collection day.</p>

	<p>Flats will require 1 x 1100ltr container for residual waste per 6 flats, 1 x 1100ltr container per 6 flats for comingled recycling and 1 x 140ltr wheeled bin for food waste per 6 flats.</p> <p>There should be no steps between the storage area and the collection vehicle which is a 26t rigid freighter any slopes should be kept to a minimum and within the waste strategy requirements.</p> <p>Any commercial waste should stored separate to any other waste and each commercial premises should have provision for at least 1 x 1100ltr container for residual waste and 1 x 1100ltr container for comingled recycling.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>The proposal design is of an appropriate urban grain and architectural character relating to the adjacent Spencers Park Phase 1 as well as existing residential areas to the North of Red Bourne Road. Roofscapes, building widths and heights relate to local residential context of small scale pitched roof residential. Larger 3/4 storey blocks along the Gateway edge of the masterplan have been sufficiently broken down via varying roof heights, areas of flat pitch and expressed gables which break down the massing adequately into smaller blocks appropriate to the local context.</p> <p>Development is adequately broken down into character areas and spatial typologies appropriate for a large masterplan (Gateway, Principal Avenue, Green Courts and the Lanes) which will add interest and identity to the developments streets. These have been translated well into throughout the developments massing and elevation treatment of the residential blocks which have different toned roofing tiles and fanade bricks specified in the example palettes. This will be key in creating differentiation between the streets, and ensuring that the masterplan can integrate into the existing varied fabric of Hemel Hempstead.</p> <p>Elevations are well considered and proportioned providing variation in brickwork patterns, window reveals and statement entrances. Dormers are well proportioned and in scale to the roof and fanade, project references local detailing found in Dacorum such as timber boarding and patterned brick.</p> <p>The proposal will deliver significant benefits to the area in terms of increased connectivity and new green</p>

	<p>infrastructure, creating new walking and cycling contentions between Three Cherry Tree's Lane, Spencers Park Phase 1 and creation of a Spine Road leading to East Hemel. Proposal also provide segregated shared cycle footpaths along the avenue and green spine which will context the development to the Nicky Line and proposed quiet way along Cherry Tree Lane.</p> <p>Scheme landscape has been well designed retaining a significant amount of existing trees and providing a integrated SUDS network which will address both surface water and biodiversity.</p> <p>Recommendation:</p> <p>No objection to this proposal - development offers a high level of design quality, a sensitive approach to townscape and improved connectivity. Building Materials and should be subject to conditions along with hard landscaping to maintain the design intent of proposed typologies and character areas.</p> <p>Typical details per character type should be provided for external thresholds and balconies to ensure a high level of design quality is delivered on this site.</p>
<p>Strategic Planning &amp; Regeneration (DBC)</p>	<p>DBC Housing</p> <p>The units should be built to Building Regulations M4 (3) wheelchair accessible dwellings standard.</p> <p>I am happy with the distribution of the properties across the size and type, the affordable housing is spread around the development rather than being in one specific area which can make it more challenging to build sustainable communities.</p> <p>We currently have a significant problem with lack of accessible properties and increasing demand. It is becoming more challenging in identifying suitable properties within our aging stock and this is for all sized properties. We have households who have now been waiting in some cases several years for an adapted property. The need for adaptable properties is rising and we expect will continue to rise. We therefore require consideration of accessible units being built into any future scheme - outline below (David may have further comments)</p> <ul style="list-style-type: none"> <li>o 1 bedroom properties- all ground floor 1 bedroom properties need to be adaptable for wheelchair access. If there are going to be lifts</li> </ul>

	<p>installed in the flats, level access showers/ wet rooms need to be feasible.</p> <ul style="list-style-type: none"> <li>o 2 bedroom flats- same as above.</li> <li>o 2 bedroom houses- at least 20% of houses need to be suitable for wheelchair access, stairlift/ through floor lift. Level access shower/ wet room.</li> <li>o 3 bedroom houses- 25% 3 bedroom houses need to be suitable for wheelchair access, stairlift/ through floor lift. Level access shower/ wet room.</li> </ul> <p>Other comments:</p> <p>Whilst demand for 4 bedroom adapted properties is lower, those that require this property type typically need a family size home with through floor lift, It would be really beneficial to consider suitable 4 bed unit for affordable rent.</p>
Hertfordshire Property Services (HCC)	<p>Thank you for your recent re-consultation. I can confirm that we are aware of an existing S106 agreement dated 24/04/2019. The Growth &amp; Infrastructure Unit on behalf of education, childcare, library and youth services has no further comments to make on this variation although you may receive separate communications from the Highways Team.</p>
Crime Prevention Design Advisor	<p>I have no objection to the reserved matters application . I can see that security has been considered as detailed in the DAS page 201 , Designing Out Crime , however owing to the location I would ask that all the dwellings are built to meet the Secured by Design physical security standard.</p>
Planning Liason Officer	<p>We have no objection to the reserved matters application, provided that it does not adversely impact the developer's ability to meet the requirement places on the outline application (4/02539/16/MOA). We look forward to be consulted on the discharge of these conditions in due course.</p>
Lead Local Flood Authority (HCC)	<p>We have reviewed the information submitted in support of the application and would advise that appropriate space has been secured; the site does have appropriate space allocated within the layout for the drainage to be provided on site.</p> <p>Please note, for the avoidance of doubt regarding our comments, these are made without prejudice to the details submitted for discharging the drainage condition 14.</p>

	<p>As LLFA we request to be consulted when the applicant applies to discharge Condition 14.</p> <p>To note, the applicant will need to provide all aspects as detailed in each of the points within condition 14 for the discharge of condition for each phase.</p> <p>The applicant will need to demonstrate that the site can be feasibly discharged in line with the approved drainage strategy and all appropriate standards as detailed within the drainage condition. Specifically, if there is any aspect of the drainage dependent on an aspect to be included in a certain phase all should be included for approval.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>I am able to confirm that having reviewed the submitted documentation relevant to land contamination issues, no new issues have been identified and as such it remains reasonable to continue to rely on the presence of Condition 17 of the permission granted for 4/02539/16/MOA.</p>
<p>St Albans City &amp; District Council - Planning</p>	<p>By way of background, this is a site with the benefit of outline planning permission that straddles both Dacorum and Borough and St Albans District's administrative areas. The equivalent SADC reference for the outline permission is 5/2016/2845.</p> <p>This application for reserved matters approval represents the first of a number of applications to cover the entire site. This first application relates to land in Dacorum's administrative area, however, future applications will include the land within St Albans City and District's administrative area. With this in mind, the applicant has undertaken extensive pre application discussions with both Councils as well as Hertfordshire County Council as Highways Authority and Local Lead Flood Authority, and as a statutory consultee. Officers at SADC are therefore very familiar with the reserved matter proposals and how they have evolved since the grant of outline permission.</p> <p>The comments on this letter are limited to any relevant procedural points, and to issues which will flow across the masterplan as a whole and influence later reserved matters applications. Detailed Development Management considerations are left for Dacorum Borough Council to determine as they see fit.</p> <p>SADC notes that the proposals have evolved since the grant of outline planning permission, and that</p>

	<p>there are some differences between the approved parameter plans and the now submitted site wide masterplans for the site. This includes some changes to density in parts of the site (but no change to overall quantum), and a change to the location of some supporting uses. Our officers have carefully considered this in the round, taking into account the overall scale of the proposals. It is their planning judgement that the masterplan submitted with this application for reserved matters approval is within the scope of the outline planning permission as defined by the decision notices.</p> <p>SADC officers are supportive of the masterplan layout, and consider that it provides the framework for a high quality residential development which is well connected to the surrounding area, and which encourages movement by sustainable modes of transport. We are particularly pleased to see the thought given to connections to the Nickey Line which provides an important walking and cycling link between Harpenden, Redbourn and Hemel Hempstead. The approach to landscaping is generally well thought through, with the scope to provide high quality recreation and play spaces for the new residents.</p> <p>SADC officer are supportive of the dwelling types and are pleased to see a range of different materials and brick colours, to provide differentiation between the various character areas. As a point of detail, there remains some concern in relation to the potential visual impact of the proposed solar panels. It is felt that full details of roof and panel materials should be sought by condition of any approval, to ensure that any impacts are suitably mitigated.</p> <p>SADC is excited to be involved in this proposed development which makes use of Modern Methods of Construction as part of a Homes England pilot. The Council is especially pleased to note the energy savings that can be achieved via this building method, which is directly supportive of our Corporate Plan and objectives in respect of tackling climate change.</p> <p>In conclusion, SADC makes no objection and indeed is supportive of this application for reserved matters approval. Officer are very happy to participate in discussions with DBC and/or the applicant if this would assist.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**



## Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
400	2	2	0	0

## Neighbour Responses

Address	Comments
Home House Cherry Tree Lane Hemel Hempstead HP2 7HS	<p>Three Cherry Trees Lane - in particular, the northern side of the section of road between the junction with Boundary Way and the junction with Buncefield Lane/Cherry Tree Lane (which marks the southern perimeter of this development) - is currently used 24 hours a day, 7 days a week, as an unofficial parking lot for HGVs, vans, and other trade vehicles - presumably who are en route to/from sites on the Maylands Industrial Estate. Such unofficial parking is, presumably, illegal (it would appear this stretch of road is supposed to have double yellow lines across its entire length - albeit they are only painted on and off periodically - but nothing is enforced.</p> <p>The complete lack of any form of amenities (e.g. bins) mean that the verge on the northern side of the road is one of the most disgusting sites of litter, disposed faeces, trade and industrial waste, and fly tipping.</p> <p>The reason these vehicles congregate here seems to be because there is a complete lack of service-station / lorry park-type facilities in the Maylands area, despite the enormous volumes of HGV traffic coming in and out of this area.</p> <p>The works associated with this planning application will, seemingly, displace all of these vehicles / make their ability to park on this stretch of road impractical. However, nothing in the planning application / associated disclosures appears to have given any consideration to where these vehicles will go to instead / how they will be accommodated into the infrastructure of the local area.</p> <p>Cherry Tree Lane is already used as a rat-run by vans and trade vehicles trying to get from the M1 to Redbourn Road without using trunk roads, and it is of significant concern that without mitigating actions being effected as part of the development plans for this application, the displaced traffic will use Cherry Tree Lane - which is wholly unsuitable for anything other than light residential / access only traffic - as a new place for unofficial parking.</p> <p>In summary: the development plans should provide commentary on how they expect the HGV/van traffic to be displaced, and what mitigations they plan to put in place to ensure this displacement does not negatively impact the surrounding residential areas.</p>
Dacorum	Borough
	From a waste perspective my initial observations are that the width of

<p>Council, Cupid Green Depot Redbourn Road Hemel Hempstead hp2 7ba</p>	<p>the waste vehicle we use is 3m wide not 2.5m as used in the swept path.</p> <p>The distance that the bins are from the collection vehicle where the residents have to take their bins so that they are within the collection crews limits is not acceptable, it could be the case that one or more of those residents may not be physically able to do this.</p> <p>Each house will require space for 3 x 240ltr bins and a food caddy and space outside their boundary to present 2 x 240ltr wheeled bins and a food caddy on collection day.</p> <p>Flats will require 1 x 1100ltr container for residual waste per 6 flats, 1 x 1100ltr container per 6 flats for comingled recycling and 1 x 140ltr wheeled bin for food waste per 6 flats.</p> <p>There should be no steps between the storage area and the collection vehicle which is a 26t rigid freighter any slopes should be kept to a minimum and within the waste strategy requirements.</p> <p>Any commercial waste should stored separate to any other waste and each commercial premises should have provision for at least 1 x 1100ltr container for residual waste and 1 x 1100ltr container for comingled recycling.</p>
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