

ITEM NUMBER: 5a

21/03707/FUL	Demolition of existing garages and provision of 8 no. modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking.	
Site Address:	Garage Site, Aragon Close, Hemel Hempstead, Hertfordshire	
Applicant/Agent:	Mr David Barrett	Mr Tom Pike
Case Officer:	Daniel Terry	
Parish/Ward:		Woodhall Farm
Referral to Committee:	The application has been submitted on behalf of Dacorum Borough Council and there is local objection to the application	

1. RECOMMENDATION

1.1 That planning permission be **GRANTED**, subject to conditions.

2. SUMMARY

2.1 The application site is within the built-up part of Hemel Hempstead wherein development is generally acceptable in principle, in accordance with Policies CS1 and CS4 of the Core Strategy.

2.2 The proposal would have an acceptable appearance and provides a visual enhancement through the loss of the garages, opening up of the site and the proposed soft landscaping, in accordance with Policies CS11 and CS12 of the Core Strategy.

2.3 The proposals would not result in unreasonable impacts to neighbouring amenity, nor would there be any significant risk to highway safety and as such the proposal would accord with Policy CS12 of the Core Strategy.

2.4 Other matters such as in relation to Contaminated Land, crime prevention and impacts on ecology can be mitigated and managed through the imposition of planning conditions.

3. SITE DESCRIPTION

3.1 The application site lies to the east of Aragon Close and to the west of Shenley Road in the Woodhall Farm area of Hemel Hempstead and comprises of 34 single garages arranged in two rows. The site is otherwise entirely hardsurfaced at present.

3.2 There are some slight changes in land levels sloping down from north to south and a number of trees, some of which are on the site boundary to the east and others that lay just outside of the site itself.

4. PROPOSAL

4.1 Full planning permission is sought for the demolition of the existing garages on site and the provision of 8 modular units. From the plans, each unit would measure 7.9m in length and 3.8m in width, with a flat roof and height of 3.3m. The units would be constructed off-site and then brought to the site and craned into position. The units would be sited in one row with nominal gaps provided in-between and defensible spaces to the front.

4.2 The modular units are proposed as 'move on' accommodation for former rough sleepers who may have been in supported living but who are looking to gain some independence and to obtain their own address, for example. The occupants of the units would be limited

to a 2-year occupancy and during this time will be given the skills and knowledge of how to sustain a tenancy.

- 4.3 Bins would be located to the west (left hand side) of the site and behind a proposed cycle store with space for 8 bicycles. The remainder of the site to the front, where it adjoins an existing footpath, would be soft landscaped and include the provision of 6 new trees.
- 4.4 A single parking space would be provided to the front (south-west) of the site, accessed from Aragon Close and adjacent to an existing bin store serving the residents of Aragon Close.

5. PLANNING HISTORY

Planning Applications (If Any): None

Appeals (If Any): None

6. CONSTRAINTS

CIL Zone: CIL3
Parish: Hemel Hempstead Non-Parish
RAF Halton and Chenies Zone: Green (15.2m)
Residential Area in Town Village (Hemel Hempstead)
Residential Character Area: HCA33
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 (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

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

CS17 - New Housing
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Area Based Policies SPG (2004)
Accessibility Zones for the Application of Car Parking Standards (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

- 9.1 The main issues to consider are:
- The policy and principle justification for the proposal;
 - The quality of design and impact on visual amenity;
 - The impact on residential amenity;
 - The impact on highway safety and car parking; and
 - Other material considerations.

Principle of Development

- 9.2 The application site lies within the built-up part of Hemel Hempstead wherein policy CS4 of the Core Strategy states development will generally be acceptable in principle. Policy CS1 of the Core Strategy sets out that Hemel Hempstead will be the focus for homes, jobs and strategic services. Any new development should, inter alia, support relevant town-wide needs.
- 9.3 The proposal is for 8 modular units or 'pods' which would each be capable of housing an individual person. The nature of this form of accommodation is to help former rough sleepers transition from being in supported accommodation (such as at The Elms) into semi-independent living arrangements, before eventually moving on to full independence. The submission therefore sets out that the occupiers of these 8 units would be limited to 2 years before they would need to move on and into other living accommodation and during this time they will be given the skills and knowledge required for independent living, including but not limited to, sustaining a residential tenancy.
- 9.4 The submission includes a statement (RSAP Modular Homes Management Plan) provided by Dacorum Borough Council's Housing Team, in association with DENS (HCC housing related support service), which sets out the need for this form of accommodation in the Borough. This indicates that the most recent street count showed 3 rough sleepers, 140 households in temporary accommodation (of which 78 are single persons) and an additional 44 individuals in hostel accommodation, being provided by DENS.
- 9.5 This therefore indicates a demonstrable need for such accommodation to help ease the homelessness and temporary accommodation needs in the Borough. Specifically in this case, the scheme would provide 'move on' accommodation, which would assist former rough sleepers moving from supported living to independent living.
- 9.6 The proposed units are located around 90m away from bus stops on Shenley Road or 100m away on Redbourn Road to the south and according to the Arriva website, regular bus routes serve this area (every 15 minutes). The site is also located around 1.2km away

from The Elms, a site currently run by DENS and referred to in this report. This would therefore ensure that the 'move on' accommodation is located relatively close to the existing facility which has twofold benefits – this allows DENS (or DBC) to effectively oversee and manage the site, but also ensures that any occupiers remain in the local area with access to support if required.

- 9.7 It is therefore considered that the development is acceptable in principle and the potential benefits of the scheme should be recognised. In weighing the proposal in the overall planning balance it is necessary to weigh these benefits against any potential harm, which is discussed below in this report.

Quality of Design / Impact on Visual Amenity

- 9.8 Policies CS11 and CS12 of the Core Strategy state that development should respect the typical density intended in an area and enhance spaces between buildings and general character; preserve attractive streetscapes and enhance any positive linkages between character areas; avoid large areas dominated by car parking; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges; integrate with the streetscape character; and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.
- 9.9 The Area Based Policies (2004) identifies the site as falling within the Woodhall Farm (HCA33) character area. This is described as a large estate constructed mainly in the 1970s situated on the north eastern edge of the town abutting open countryside. It features a variety of housing types and densities, laid out around a looped local distributor road which serves smaller local collector roads and culs-de-sac. The Character Appraisal provides a number of Development Principles that should be adhered to. Critically for this development, it states that there are no special requirements in relation to design, type and size; density should normally be provided in the medium range (30 to 35 dwellings/ha (net)); front gardens and forecourts should be provided and maintained unenclosed; proposals for new development should include new public landscaping to supplement existing preservation and enhance the visual appearance of the area; and consideration should be given to the preservation and creation of attractive serial views.
- 9.10 The existing garages are not considered to make a positive contribution to the character of the streetscene, which includes Aragon Close itself but also when viewed from Shenley Road to the east. The rows of garage buildings are single storey in height and provide a functional need. The loss of these garage buildings is not therefore considered harmful in visual terms.
- 9.11 The proposed modular units would be arranged in one row with all entrances facing southwards. Some limited space would be provided behind the units but in spatial terms, the proposal would effectively 'open up' the site, allowing for some soft landscaping where the site is otherwise entirely hardsurfaced at present. The height and overall size of these units would not be dissimilar to the existing garage buildings on site and so visually there would be no significant changes, besides the additional soft landscaping mentioned above. The units would serve a functional purpose and have been designed by Hill. Although they are simplistic in appearance, this is a cost-effective solution to provide accommodation that is being funded by the Council. By the very nature of the accommodation being provided, these units do not therefore need to be elaborate or oversized. Concerns have been raised with the provision of these units and potential overdevelopment, however as set out above, the proposal would see less physical built form occupy the site, compared with the existing garages.

- 9.12 The proposal is therefore considered to make a more efficient use of the site by providing much needed accommodation. The site measures to be approximately 0.08 hectares in size meaning for these 8 dwellings the density is just over 100 dwellings per hectare. Whilst this is particularly high, it must be noted that the modular units are all one-bedroomed with bed spaces for single occupancy only. Therefore, there would only be a maximum of 8 persons occupying the site at any one time, which is considerably less than would be the case for 8 family dwellings or flats for example. In other words when measured in terms of density of the number of habitable rooms per hectare the scheme cannot be considered to be of such a density to warrant refusal.
- 9.13 It is said that there are a number of fly tipping and anti-social behaviour issues occurring at present and the proposal would therefore seek to address this, by opening up the site and reducing the number of discreet locations. It has also been suggested that CCTV could be utilised to further deter crime and details of this should be secured by condition.
- 9.14 The proposed soft landscaping is considered acceptable and would provide an enhancement and each unit would benefit from a small defensible space to the front. This landscaping should also be secured by condition. It is therefore considered that the proposal would have an acceptable visual appearance and would not result in any material harm to the character and appearance of the streetscene or local area and the proposal therefore accords with policies CS11 and CS12 of the Core Strategy, and the proposal is also considered to accord with the principles set out in the NPPF.

Impact on Residential Amenity

- 9.15 Policy CS12 of the Core Strategy states that development should provide a safe and satisfactory means of access for all users; and avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Paragraph 130 of the NPPF adds that proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.16 Given the design and scale of these modular units, it is not considered that the physical built form would unduly impact neighbouring properties in terms of any loss of light or loss of outlook from their windows, particularly when the siting of these units would increase the spaciousness of the site as set out above in this report. This includes moving the built form away from the boundary with properties in Parr Crescent by approximately 1.5m and increasing the separation distance from the flatted development to the south by around 7.4m. Similarly, it is not considered that the proposal would result in any increased overlooking, as views of the rear windows of properties in Parr Crescent and views of the flats to the south, are already possible simply by standing on the site or standing on the footpath to the south. This would not therefore result in any increased overlooking. It is noted that the land level here is higher than the land level nearer to the flats, however as the proposal is entirely single storey and not dissimilar from the existing garage buildings, it is not considered that there would be any greater harm to residents. A 1.8m high fence would be erected along the northern boundary of the site where it adjoins properties in Parr Crescent and this can be secured by condition.
- 9.17 There will inevitably be some increase in noise and foot traffic as a result of the intensification of the site and provision of housing, however this is a relatively high-density area in which residential uses are prevalent. That being said, these 8 units would only be occupied by single persons and there wouldn't therefore be any children occupying the site. In addition, as set out in the submission, the Council has a zero-tolerance approach to any form of anti-social behaviour and contact details have been provided which neighbours can be provided as an Informative on the decision notice, should any issues arise. Furthermore, as

set out above in this report, the site could also incorporate appropriate CCTV to further deter crime.

- 9.18 Each modular unit is 24sqm in size which is below the Government's Nationally Described Space Standards requiring 37sqm. However, the very nature of the accommodation being provided on a temporary basis, means that the same standards would not be required. Therefore, on the basis that this proposal is to provide 'move on' accommodation for a period of no more than 2 years for each occupier, it would be considered acceptable in this instance. The proposal is therefore considered to comply with policy CS12 of the Core Strategy and accords with the NPPF in this regard.

Impact on Highway Safety and Parking

- 9.19 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users.
- 9.20 A construction management plan has been submitted with the application setting out how the development can be carried out with minimal disruption to the local highway network. This has been reviewed by the Highway Authority and no concerns have been raised. A number of planning informatives have been suggested which should be included on the decision notice.
- 9.21 With regard to parking, the scheme is essentially proposed as car-free, although one parking space is shown on the landscape plan. It has been suggested that the likely occupants of these modular units would not own or use a car and that this single parking space would instead be for the benefit of any visitors to the site (or DBC/DENS staff). The Highway Authority also supports car-free schemes as these tend to promote more sustainable modes of transport. As set out above in this report, the occupants would have access to a regular bus service within 100m of the site. The submission also sets out that of the 34 garages, 8 are void and 26 are rented. The Council would serve notice on the tenants of those garages giving them an opportunity to empty any contents. Although it is unknown how many of these garages are being used for cars, the garages do not comply with the Council's more recent parking standards, which require spaces to measure at least 3m by 6m internally. Instead the existing garages have a depth of 5.2m and a width of between 2.4m and 2.5m each.
- 9.22 Furthermore, the proposal also includes the provision of a cycle store building with capacity for 8 bicycles, being one per unit. This again would help to promote the use of more sustainable modes of transport and would be an acceptable alternative to car parking provision, in the view of the Highway Authority.
- 9.23 Therefore the Highway Authority raise no objection to the proposal, although some highway informatives have been suggested. The Construction Management Plan will need to be secured by condition to ensure that the development proceeds in accordance with the details submitted. The proposal would not pose a significant risk to highway safety, nor is it considered that the impact on the local highway network would be severe. As such the development is considered acceptable in this regard.

Other Material Planning Considerations

- 9.24 The Council's Conservation and Design Officer was consulted and notes that, given the valuable prospective function, the design of the modular units should not be challenged. It was also clarified that a Design and Access Statement had been submitted, but upon review, the officer confirmed it did not alter their view of the scheme. The Conservation and Design Officer does not therefore object to the proposal.

- 9.25 The Environment and Community Protection (ECP) team have been consulted and acknowledge the Geo-Environmental Report submitted, however consider that it does not provide a sufficient preliminary environmental risk assessment. It is therefore considered necessary to impose the standard Contaminated Land planning conditions in this instance.
- 9.26 Affinity Water as the prospective water supplier had reviewed the application and have no comments to make.
- 9.27 An Arboricultural report has been submitted in support of the application. This confirms that 9 trees were assessed, with 1 high quality, 1 moderate quality and the remaining 7 trees low quality (category C). A total of five trees lie within, or on the boundary of, the application site, with the remaining 4 trees being located outside of the application site. These trees falling outside of the site include the two higher quality trees. The tree protection plan submitted confirms that the root protection areas of all trees would be afforded suitable protection and this can be secured by condition. The proposal would also be supplemented by the provision of 6 new trees to be planted and is considered to make a positive contribution to the character of the site and the streetscene. These new trees can be secured as part of the landscaping scheme.
- 9.28 With regard to ecology at the site, the existing buildings are considered to provide limited scope for any protected species by virtue of the limited soft landscaped areas and the possible frequent use of a small number of the garages. Conversely there would be biodiversity net gains by introducing soft landscaping which includes the provision of new tree planting, but also through the proposed wildflower area. A Landscape and Ecological Management Plan has been submitted and this should be secured by condition. It is therefore considered that the proposal would cause very limited harm to existing ecology, but would make a modest enhancement to the site overall.
- 9.29 Waste would be stored to the left hand side of the modular units (west), adjacent to the electricity sub-station and behind the proposed cycle store. To the left of the proposed car parking space is an existing shared bin store area used by residents of Aragon Close. As set out above, it may be necessary to provide CCTV coverage of this area in the interests of crime prevention and this can be secured by condition.
- 9.30 The site lies within Flood Zone 1 of the Environment Agency's Flood Map which indicates that the site is at low risk of surface water flooding. The existing site comprises of a number of garages and is otherwise entirely hardsurfaced. Therefore the proposal for 8 modular units along with a modest contribution in terms of soft landscaping and new tree planting, would further assist in managing surface water flood risk. There are no apparent reasons why the use of soakaways could not be achieved in this instance. With regard to the disposal of foul, this has been suggested as being connected to the mains sewer. The relevant consent would be required from the operator, however there is no reason why this could not be secured at the appropriate stage.
- 9.31 The application is supported by a Carbon Emissions Reduction Statement and a Water Efficiency calculator. Both of these documents suggest compliance with the relevant parts of Building Regulations. Whilst compliance with Building Regulations is not a material planning consideration, this does suggest that the modular units will be suitably energy efficient, a matter which is a consideration in planning. The proposal includes the provision of air source heat pumps to each modular unit and, in addition to this, the proposal does incorporate 6 new trees as already mentioned and this would therefore mostly comply with policy CS29, which requires one new tree per dwelling created. Given the nature of the accommodation provided, 6 new trees is considered acceptable in this instance. The construction of the units off-site and their craning onto the site would also assist in reducing the amount of waste created on site.

Response to Neighbour Comments

9.32 These points have mostly been addressed above. A concern was raised in relation to the boundary with properties in Parr Crescent. The submitted landscaping plan is annotated to show 'BT04' along this northern boundary, which indicates that a 1.8m high close-boarded fence would be erected. This is considered sufficient to ensure an acceptable relationship between the properties.

9.33 Concerns have been raised in relation to a loss of view by replacing the garages with modular units. However a loss of view is not a material planning consideration. The report has set out above that the proposal would not result in a loss of outlook as the site would be more open in appearance than it is at present.

10. CONCLUSION

10.1 To conclude, the proposal would provide important 'move on' accommodation for former rough sleepers in the Borough, for which there is an identified need. The proposal would be acceptable in visual terms and would effectively open up the site, creating a greater sense of spaciousness compared with the existing garage buildings. These are benefits to be attributed significant positive weight in the overall planning balance.

10.2 The report has set out that there would not be any unreasonable levels of harm to neighbouring amenity and that the site would be managed by DBC in association with their partner DENS. Therefore any anti-social behaviour would be managed with a zero-tolerance approach. Each of the modular units would serve a functional purpose and benefit from a small amount of defensible space to the front. This matter is therefore attributed neutral weight in the overall planning balance.

10.3 The scheme would not result in any significant risk to highway safety and the impact on the local highway network would be acceptable in planning terms. This matter is therefore attributed neutral weight in the planning balance.

10.4 In accordance with paragraph 11 of the NPPF, it is therefore concluded that the adverse harm would not significantly and demonstrably outweigh the benefits of the scheme, when applying the policies in the Framework, and therefore the application should be supported.

11. RECOMMENDATION

11.1 That planning permission/listed building consent be **GRANTED**, subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

- 2. The development hereby permitted shall be constructed in accordance with the materials specified on approved drawing no. 0000-HF-000-00-DR-BC-0006 REV C03.**

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

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

109-48-PA-001 REV A (Site Location Plan);
109-48-PA-002 REV A (Proposed Site Plan);
109-48-PA-003 REV A (Ground Floor Plan);
109-48-PA-007 (Block A Elevations);
CHM-D-02 REV D04 (Front Elevation);
CHM-D-03 REV D05 (Rear Elevation);
CHM-D-04 REV D04 (Side Elevation);
0000-HF-000-00-DR-BC-0002 REV C10 (GA Elevations);
0000-HF-000-00-DR-BC-0001 REV C05 (GA Plans);
0000-HF-000-00-DR-BC-0006 REV C03 (3D Visuals – For materials condition only);
AFF_20695_01_Hemel Hempstead Solo Haus_FSS_01 (Fire Strategy Statement);
Carbon Emissions Reduction Statement;
RSAP Modular Homes Management Plan;
Transport Statement by Ridge (September 2021);
Planning, Design and Access Statement (September 2021);
Landscape Maintenance & Management Specification.

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

4. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

- (ii) **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and to comply with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework.

5. **Any contamination, other than that reported by virtue of Condition 4 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and to comply with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework.

6. **The development hereby permitted shall be carried out in accordance with the hard and soft landscaping scheme submitted and hereby approved: D3091-FAB-00-XX-RP-L-0001 PL02 (report by fabrik) and drawing nos D3091-FAB-00-XX-DR-L-2000 PL03 and D3091-FAB-00-XX-DR-L-3000 PL04 received by the local planning authority on 26th September 2021 and 5th October 2021 respectively. For the avoidance of doubt this includes that the boundary treatments shown on the plans shall be built out prior to occupation of the units.**

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

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

7. **Prior to first occupation of the development hereby approved, the cycle store as shown on drawing no. 109-48-PA-006 REV A and hereby approved shall be constructed and retained thereafter in accordance with the approved details.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 106 (d) of the National Planning Policy Framework (2021).

8. **Prior to first occupation of the development, details of the proposed CCTV to be used at the site to include the siting and coverage area shall be submitted to the Local Planning Authority. A statement detailing how the CCTV will be monitored/managed off-site or remotely shall also be submitted. The approved details shall then be**

implemented prior to first occupation of the development and the CCTV shall be retained for the lifespan of the development.

Reason: In the interests of crime prevention in accordance with policy CS12 of the Core Strategy (2013) and to comply with paragraphs 92(b) and 130 (f) of the National Planning Policy Framework (2021).

- 9. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement by fabrik (September 2021). The trees marked for retention on the approved plans shall be protected during the construction process and no equipment, machinery or materials shall be stored within these areas. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

INFORMATIVES:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. If any issues arise then local residents can contact the Council's Anti-Social Behaviour team via:

Phone on 01442 228000
Email asb@dacorum.gov.uk or via the Council's online reporting tool which is accessible via our website:
<https://www.dacorum.gov.uk/home/community-living/community-safety-dacorum/anti-social-behaviour>
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

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

5. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is on land which has been previously developed and as such the possibility of ground contamination cannot be ruled out at this stage.</p> <p>It is recognised that a Geo-Environmental Report (Enzygo (ref CRM.1027.094.GE.R.001.B) has been submitted in support of this application but a review of that report has concluded that it does not provide a sufficient preliminary environmental risk assessment for the following reasons:</p> <ul style="list-style-type: none"> • There is no evidence of a site walkover being carried out prior to the ground investigation. • The review of the site history identified the site to have been field until its current use, however, the historic mapping held by DBC show that the subject site is clearly within the curtilage of the former fireworks factory land. In fact communication between the ECP Team and the applicant dated 4th August 2021 highlighted the location of the application site on land that was part of the fireworks/ammunition factory site and highlighted that as a result of that residual contamination, specifically asbestos, would need to be considered. <p>With regards to the intrusive site investigation part of the submitted report, it is acknowledged that soil sampling and analysis has been undertaken that accounts for the application site having occupied land associated with the former fireworks/ammunition factory.</p>

However, the absence of a site plan showing the proposed site layout overlain with the site investigation locations, an apparent inconsistency between the first and second rows within Table 8.5.1 and no consideration of potential uncertainties or gaps in information means that it is recommended that the following planning conditions should be included if permission is granted.

In order to address parts 1(a) and 1(b) of the recommended conditions, in the event that conditional permission is granted, it is suggested that the above referenced report is updated prior to any submission. Or alternatively, an updated report could be resubmitted for further review in advance of any planning decision being reached.

Contaminated Land Conditions:

Condition 1:

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits

	<p>to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p><u>Condition 2:</u> Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p><u>Informative:</u> The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>Please let me know if you have any questions.</p> <p>Victoria Persen (Graduate Environmental Health Technical Officer)</p>
Affinity Water - Three Valleys Water PLC	<p>We have reviewed the development and do not have any comments to make.</p> <p>Dylan Natrass Environmental Projects Officer Environmental Planning</p>

	Water Resources and Environment
Hertfordshire Highways (HCC) (First Response)	<p>GARAGE SITE ARAGON CLOSE HEMEL HEMPSTEAD HP2 7LG Full Application</p> <p><u>Proposal</u> Demolition of existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking</p> <p><u>Decision</u> Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Construction Management Plan / Statement No development shall commence until a Construction Management Plan (or Construction Method Statement)* has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:</p> <ol style="list-style-type: none"> a. Construction vehicle numbers, type, routing; b. Access arrangements to the site; c. Traffic management requirements d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); e. Siting and details of wheel washing facilities; f. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times; h. Provision of sufficient on-site parking prior to commencement of construction activities; i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements; <p><u>Reason:</u> In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan</p>

(adopted 2018).

Highway Informatives

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

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

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

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

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

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments

The application is for the demolition of the existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking at the Garage

	<p>Site, Aragon Close, Hemel Hempstead. Aragon Close is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>Vehicle Access and parking The garage area and adjacent parking area for the nearby flats is not part of the adopted highway network. The parking area joins the highway network via Aragon Close. The new dwellings will not have an access road, instead the site will be car - free apart from a parking space for other use. Therefore, there is no proposed change to the highway network. The car free development is considered acceptable by HCC Highways as it encourages the use of sustainable transport. However, the local planning authority is the parking authority and therefore any parking standards need to be agreed by them. The development does offer secure cycle for the dwellings.</p> <p>Sustainability The dwellings will be located 320 metres from the closet bus stop which has links to the local train station.</p> <p>Refuse / Waste Collection Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Service Access The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.</p> <p><u>Conclusion</u> HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives.</p> <p>George Fermer</p>
<p>Hertfordshire Highways (HCC) (Second Response)</p>	<p>Application type Full Application</p> <p>Proposal Demolition of existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking</p>

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Highway Informatives

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

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

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

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

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

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

	<p>Comments</p> <p>The application is for the demolition of the existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking at the Garage Site, Aragon Close, Hemel Hempstead. Aragon Close is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>Vehicle Access and parking</p> <p>The garage area and adjacent parking area for the nearby flats is not part of the adopted highway network. The parking area joins the highway network via Aragon Close. The new dwellings will not have an access road, instead the site will be car - free apart from a parking space for other use. Therefore, there is no proposed change to the highway network. The car free development is considered acceptable by HCC Highways as it encourages the use of sustainable transport. However, the local planning authority is the parking authority and therefore any parking standards need to be agreed by them. The development does offer secure cycle for the dwellings.</p> <p>Sustainability</p> <p>The dwellings will be located 320 metres from the closet bus stop which has links to the local train station.</p> <p>Refuse / Waste Collection</p> <p>Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Service Access</p> <p>The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'.</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives.</p> <p>Signed George Fermer</p>
Conservation & Design (DBC)	I may be missing something but the Application Form refers to a Design & Access Statement - which I'm unable to locate only a short 'Design

	<p>Details' file appears, although the Modular Homes Management Plan appears to cover most of this ground.</p> <p>The buildings are what they are, and given their valuable prospective function it would seem churlish to challenge or question their design.</p> <p>Dr James Moir BA, DipSurv, IHBC, FIPM Lead Conservation and Design Officer</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
78	6	0	6	0

Neighbour Responses

Address	Comments
7 Parr Crescent Hemel Hempstead Hertfordshire HP2 7LJ	Garage walls are boundary to parr crescent properties, unclear how this will effect the current property for safety and privacy of home owners. Disruption, noise and air pollution impact on families, young children.
26 Aragon Close Hemel Hempstead Hertfordshire HP2 7LG	We don't need more flats or houses I have my mobility scooter and the garage is the only place it will fit.
6 Aragon Close Hemel Hempstead Hertfordshire HP2 7LG	<p>Concerns regarding planning application at Aragon Close</p> <p>On the whole I back the aims of Solo Haus with their innovative modular homes to fight homelessness and provide genuine solutions for former rough sleepers. I am pleased that DBC is actively tackling this issue and supporting the work that DENS already do in our community.</p> <p>That being said, I have concerns regarding the selected site as well as some of the statements made in the supporting documents for the proposal.</p> <p>Impact of loss of garages</p> <p>1.1 Current garage utilisation</p> <p>In the Design & Access Statement, Section 1.1.4, it addresses the potential site and describes the garage block stating:</p>

"many are not in use and are starting to fall into a state of disrepair".

I disagree with this statement and, in fact, section 3.1.1 of the same document supports my feelings:

"[the site] currently comprises 34no garages, of which 26no (76%) are rented and 8no (24%) are void".

With 76% of garages in use, it would be true to say the majority of garages are being utilised by local residents and therefore the statement made in the opening section of the Design & Access Statement is false and misleading.

Regarding the state of repair this is the responsibility of Dacorum Borough Council (DBC) - the same entity which is planning to maintain the new proposed site. Despite best intentions set out in the RSAP Modular Homes Management Plan, I have concerns that this will not be adhered to.

Section 1.1.4 of the Design & Access Statement goes on to state:

"The area is also the subject of antisocial behaviour with fly-tipping and vandalism reported".

While I agree that fly-tipping is certainly an issue, it is the issue surrounding the bin stores and not the garages themselves. The plans for the new site are only going to increase the capacity of the bin stores and therefore I have concerns this could increase fly-tipping alongside it. What will DBC do to tackle this issue? I would like to see improved lighting in this area regardless of whether the proposal goes ahead.

With regards to anti-social behaviour there have been 3 reports in the last 6 months (<https://www.streetcheck.co.uk/crime/hp27lg>) within HP2 7LG which is relatively low when compared to other local postcodes, e.g. HP2 7PW is a similar dwelling with flats and garages that saw 7 reports of anti-social behaviour in the last 6 months. There is no evidence to say the garages have been the cause of this in either situation.

The narrative of the Design & Access Statement seeks to vilify the garage block while disregarding the value they hold for local residents - particularly those in the flats with limited space.

1.2 Displacement of cars

I have read the transport statement and I am pleased to see it has looked in depth at the impact demolishing the garages would have on parking in the immediate vicinity.

However, it has largely focussed on the 10 garages owned by residents of Aragon Close. Residents in the flats will be more likely to use a garage for storage given the lack of internal space, however, there are 16 garages in use by non-Aragon Close residents. We have no

concrete evidence as to what their main use is but I don't think it would be unreasonable to consider these other garage users could be more likely to use the space for car storage. The worst case scenario is that there are 16 cars that will be displaced with the demolition of the garages. The owners may not reside in Aragon Close but probability dictates they will be from the local area and to have rented a garage suggests there is no appropriate, secure parking available to them. The transport statement fails to address the relocation of the other garage users and the impact on the local area, I have deep concerns regarding this.

1.3 Loss of safe storage space

I would like to reiterate No25 Aragon Close's concerns regarding the secure storage of their mobility scooter. Simply offering a different garage in a block further away would not resolve this situation given their mobility issues. In the Transport Statement included in the proposal, Section 2.1.9 states:

'...applications for development should... Address the needs of people with disabilities and reduced mobility in relation to all modes of transport'.

The current application hasn't appropriately recognised this need and would require an appropriate solution to this.

Earlier this year (2021) DBC actioned the removal of children's toys from the communal gardens (secure and gated gardens) and stated they would need to be stored elsewhere. Families rely on the storage space of the garages for larger items such as children's bikes and larger toys which there really is no room for in the flats. Items are not allowed to be stored in the internal communal areas as they may cause a fire risk and 2/3 of residents will not have access to loft space so options are really limited.

2.0 Concerns regarding design of new homes

It is difficult to see some of the plans but it does appear that the boundary fence to the south of the site is knee high. I would be concerned for residents on the ground floor of the flats in particular as their windows will look directly into the new homes. Specifically, the new homes will look directly into their bedrooms which I think can easily be considered a loss of privacy. Additionally the new homes only have roller blinds proposed in the front window so could easily have their whole living space overlooked not just by residents of the flats but passers-by as well.

3.0 Misleading and confusing statements in proposal documents

The Transport Statement cites the Grovehill Future Neighbourhood Plan, 2017 in support of the proposal specifically using Principle 8 in support of the plans:

"Principle 8, 2.6.3. The Neighbourhood Plan encourages effective use of land and includes policy relating to the re-use of underused garage

	<p>sites, buildings considered 'brownfield land', ensuring that the sites do not impact on any environmentally rich areas and the removal of underused underpasses."</p> <p>It states that the Neighbourhood Plan "relates to the use and development of land in the non-parished area of Grovehill and also covers areas of Woodhall Farm (including the proposal Site)".</p> <p>Having looked into the Neighbourhood Plan (https://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-neighbourhood-plan---examination-version-(pdf).pdf?sfvrsn=0) It doesn't involve the proposal site and it speaks specifically about garage blocks in the Grovehill area, it should not be used in relation to this case.</p> <p>Please see map relating to approved area of the Grovehill Future Neighbourhood Plan, 2017: http://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-designated-neighbourhood-plan-area---approved-map.pdf?sfvrsn=0</p>
<p>5 Aragon Close Hemel Hempstead Hertfordshire HP2 7LG</p>	<p>The proposed homes will be directly outside my home and me and my sons room will have no privacy and no light and will be overshadowed by the new homes. The noise and disturbance from new homes. The view from our windows will be replaced with houses/people.</p>
<p>7A Parr Crescent Hemel Hempstead Hertfordshire HP2 7LJ</p>	<p>Causes disruption to the boundary line of our property resulting in less security. Building more houses makes the area look and feel more over crowded we should have more green space. Your adding more light pollution.</p>
<p>1 Mercury Walk Hemel Hempstead Hertfordshire HP2 5PH</p>	<p>As a resident of Hemel Hempstead all my life I wish to object to our council building modular homes for the homeless on our garage areas.</p> <p>The area you have chosen to build these homes in Woodhall Farm, Aragon Close, Parr Crescent is far far too small. The area has family homes on one side and family flats on the other and you are trying to squash these homes inbetween. The area is family friendly with schools near by.</p> <p>You are not adding any parking because you say homeless people do not have cars but their visitors and friends do and there are not enough car spaces as there is. You do not talk about controlling anti social behaviour with people hanging around and coming and going all night long. This is a family area. who will keep the area neat and tidy and clean?</p> <p>The main objection from residents will be noise and privacy (window to window privacy).</p> <p>I know that homeless people need accommodation but trying to squash new homes in such small areas is not the way.</p>

