

ITEM NUMBER: 5a

21/03989/FUL	Demolition of 31 residential garages and construction of 4 no. dwelling houses	
Site Address:	Garage Court, Dione Road, Hemel Hempstead, Hertfordshire	
Applicant/Agent:	Mr Ian Johnson	Mr Ian Morrison
Case Officer:	Martin Stickley	
Parish/Ward:	Hemel Hempstead (No Parish)	Highfield
Referral to Committee:	The application is referred for the consideration of the Development Control Committee as the site is owned by the Borough Council.	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The application site is located within the residential area of Hemel Hempstead. It is not an allocated housing site and is a 'windfall site'. Dacorum's Core Strategy directs residential development to the towns and established residential areas (see Policy CS4 of the Dacorum Borough Core Strategy (2013)).

2.2 This application is a re-submission of a previously approved scheme (see 20/03819/FUL) with a slightly re-configured layout. This is because Dacorum Borough Council (DBC) have been unable to purchase all of the land required (see 'garage and access retained' on Drawing 0100). The amended scheme has resulted in some minor changes to the proposal, including: the re-positioning of Plots 3 and 4, alterations to the car parking layout and the loss of some landscaping.

2.3 Four new dwellings are proposed to be located on land currently occupied by terraces of domestic garages, which originally served existing nearby residential properties. Over time, the garages have become either disused or underused, and this application offers the opportunity to create high quality affordable housing in their place, improving the local environment and security through new landscaping and increased natural surveillance.

2.4 The redevelopment of this site provides the Council, as a provider of housing, with the opportunity to complement the existing housing stock in the area and to meet its own objective of providing affordable housing. The Council's affordable housing studies have identified a strong need for new, family-sized homes for local people. As such, and given that the development would be located in a sustainable location (being near to local facilities and public transport linkages), the proposal is in accordance with Policies CS1, CS4, CS17 and saved Policy 10 of the Dacorum Borough Local Plan (2004).

3. SITE DESCRIPTION

3.1 The application site relates to several blocks of garages situated at Dione Road within the urban boundary of Hemel Hempstead and the residential area of Highfield (HCA20). The access road is between Nos. 99 and 101 Saturn Way. The site is an irregular shaped plot (L-shaped) with an area of approximately 0.21ha. The site is relatively flat but there is a slight decrease in level in the western section of the site, towards Hyperion Court. Beyond the northern boundary lies the Nicky Line, which is enclosed by a dense belt of trees that provides a significant green corridor. This area, to the north, is designated 'open land'.

3.2 The Highfield residential area is a large New Town neighbourhood comprised mainly of housing from the typical 1960's. However, there are also subsequent developments from later periods, for example, a similar garage redevelopment at Mimas Road around 75m to the west (approved in 2009). The area is characterised by its regular, angular spatial layout, which features a high incidence of amenity greens and landscaping. Design is varied throughout the Highfield area but parts do have distinct identity and character. In terms of the Heights (known as the 'Planets' area), the character is somewhat traditional with plain gabled, pitched roofing with typical stock brickwork.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of 31 garages and the construction of four residential units (2 x 2-bedroom and 2 x 3-bedroom) with associated parking areas and gardens. The shape of the site limits the spatial layout and consequently the houses have been split into two blocks (pairs) of semi-detached houses. This application forms part of a Planning Performance Agreement (PPA) that encompasses seven garage sites.

5. PLANNING HISTORY

20/03819/FUL

Demolition of 31 residential garages and construction of 4 no. dwelling houses

Granted (22/02/21)

6. CONSTRAINTS

Ancient Woodland: Ancient & Semi-Natural Woodland

CIL Zone: CIL3

Former Land Use (Risk Zone):

Open Land: Highfield

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Green (15.2m)

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

Residential Character Area: HCA20

Smoke Control Order

Parking Standards: New 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

National Policy Guidance (2021)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Dacorum's Core Strategy (2006-2031)

NP1- Supporting Development

CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17- New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS26 - Green Infrastructure
CS29- Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (Saved Policies) (1999-2011)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Policy 111 - Height of Buildings
Policy 129 - Storage and Recycling of Waste on Development Sites
Appendix 1 - Sustainability Checklist
Appendix 3 – Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents

Area Based Policies: HCA20 (Highfield) (May 2004)
Manual for Streets (2010)
Planning Obligations (April 2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Affordable Housing (January 2013)
Parking Standards (November 2020)

9. CONSIDERATIONS

Main Issues

9.1 The key considerations relating to this application include:

- The principle of development;
- The quality of residential development and living conditions of existing and future residents;
- Highway safety and car parking; and
- Any other material planning considerations.

The Principle of Development

9.2 The application site is located within the residential area of Hemel Hempstead. It is not an allocated housing site and is a 'windfall site'. Dacorum's Core Strategy directs residential development to the towns and established residential areas (see Policy CS4). The Area Based Policy HCA20 (Highfield) highlights that there is scope for the redevelopment of garage blocks, however, only if alternative provision is made for displaced vehicle parking.

9.3 The proposal would contribute to the Borough's housing stock (in accordance with Policy CS17). As such, and given that the development would be located in a sustainable location, the proposal is in accordance with Policies CS1, CS4 and CS17. Saved Policy 10 of the Local Plan, encourages the effective and efficient use of urban land. Considering this, there is no compelling objection to the principle of the proposed development.

Quality of Residential Development / Living Conditions

9.4 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that development should avoid visual intrusion, loss of light and loss of privacy to neighbours. Paragraph 130 (f) of the National Planning Policy Framework (henceforth referred to as the 'Framework') requires development to create safe, inclusive and accessible places that promote health and well-being and a high standard of amenity for existing and future users.

9.5 HCA20 identifies a number of development principles for the area. These include:

“Design: Should respect the characteristics and architectural themes of nearby and surrounding development. Alternative designs may be acceptable in cases where a clear distinction in design can be drawn from nearby and surrounding development, for example on sites clearly separated from other dwellings. Such alternative designs are unlikely to be acceptable on infill plots for single dwellings.

Type: All types of dwelling are acceptable.

Height: In most cases, should not exceed two storeys. Three-storey development may be permitted where adjacent to buildings of a similar or greater height, dependent on its impact on the character and appearance of the area.

Size: Small to medium sized dwellings are acceptable.

Layout: Development proposals are strongly encouraged to make use of the existing layout structure as a basis for new layouts. The feature of dwellings grouped around landscaped amenity greens is encouraged. Prevalent building lines should be followed. Spacing in the medium range (2 m to 5 m) is expected.”

Layout / Residential Amenity / Living Conditions

9.6 The proposed layout is considered acceptable. The gardens are adequately sized, varying from around 12.8m x 8m for Plots 1 and 2 and 12m x 5m for Plots 3 and 4. It should also be noted that Plots 1 and 2 have small side gardens. Regarding private amenity space, the proposal therefore complies with saved Appendix 3 of the Local Plan. The proposed spatial layout has regard for the existing units fronting on to Saturn Way and Hyperion Court in terms of avoiding amenity issues such as adverse privacy, sunlight and daylight implications. There is one first-floor flank window on Plot 4 that would give rise to overlooking. An obscure glazing condition would be imposed if this application is approved to counter this. No other windows would result in significant overlooking issues.

9.7 Plots 3 and 4 would be situated behind the rear gardens of 101 and 103 Saturn Way. This is a similar relationship to the approved scheme, which was sited behind the gardens of Nos. 105 and 107. The flank wall of Plot 4 would be clearly visible from the gardens and rear windows of these neighbouring properties. The proposed buildings have been set in from the site's boundary to provide a separation distance of approximately 21.5m. In terms of scale, the proposed buildings are not excessively tall or bulky. As such, there would be limited implications in terms of visual intrusion on these neighbouring properties.

9.8 The proposed new dwellings would not infringe upon the 25-degree line taken from any of the nearest ground-floor windows on neighbouring properties. It is considered that the roof form, height and siting of the new buildings would ensure that the development would not adversely affect daylight and sunlight from reaching neighbouring properties. The scheme complies with the Building Research Establishments 'Site layout planning for daylight and sunlight: a guide to good practice'.

9.9 The buildings are located to the north of Saturn Way. It is therefore unlikely that there would be severe loss of sunlight to these neighbouring gardens. Turning to the neighbours on Hyperion Court, the proposed structures would be some 50m away. The land level drops slightly as you move towards these neighbours, but the distance between the buildings would provide an acceptable buffer, mitigating impacts on residential amenity.

9.10 In terms of demolition and construction, if this application is approved, these are aspects that would be controlled by Environmental Health. Various informatives shall be added regarding construction hours, etc.

Quality of Design

9.11 The immediate area (i.e. Saturn Way and Hyperion Court) consists of 1960's housing with modest architectural detailing. The area is not located within an area of any special planning control in terms of design. Amendments to the architectural detailing have been introduced during the planning process such as façade treatment along the party walls. Additional elements, such as chimneys, have been included to add visual interest to the elevations and help the development assimilate with existing design features in the area. Overall, it is considered that the design approach respects the appropriate vernacular scale and design of the Highfield character area.

9.12 The proposed external materials comprise red brick, roof tiles, aluminium windows, timber doors and timber effect cladding. The drawings highlight that some of the materials are still to be confirmed e.g. the roof tiles. Therefore, it is necessary to condition details of materials if the application is approved.

9.13 The proposal would provide a high quality living environment for future occupiers and would not result in significant adverse impacts on the neighbouring properties. The quality of residential development and the impact on the living conditions is considered acceptable in accordance with the aforementioned policies.

Impact on Trees

9.14 There are a number of trees within close proximity to the site that must be considered. The submitted Arboricultural Report (ref: S231-J1-IA-1) identifies that no trees of significant landscape value or amenity would be detrimentally affected by the development. Dacorum's Trees and Woodlands Department have reviewed this document and raised no objections to the proposed works.

9.15 The drawings found in the Appendices of the Arboricultural Report illustrate the root protection areas of the trees and measures to protect them during the preparation, demolition, construction and

landscaping phases (see S231-J1-P1 Rev 2, S231-J1-P2 Rev 2 and S231-J1-P3 Rev 2). These details would be conditioned if the application is approved.

9.16 Due to the location of the trees, it is unlikely that the proposed properties would be significantly overshadowed or suffer from unacceptable levels of daylight. Taking the above into account, it is concluded that there would be a limited impact on existing vegetation in accordance with saved Policy 99. Four new trees would be provided (see Proposed Site Plan) in accordance with Policy CS29. These trees would be secured by a landscaping condition.

Parking and Highway Safety

9.17 Policy CS12 seeks to ensure developments have sufficient parking provision. The Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport, local car ownership levels and the overall need to reduce the use of high emission vehicles. The Parking Standards Supplementary Planning Document (SPD) provides policy guidance for the amount of parking provision required for new developments. It highlights the following (per residential unit) in this area:

2 bedroom dwellings – 1.5 allocated spaces or 1.2 unallocated spaces
3 bedroom dwellings – 2.25 allocated spaces or 1.8 unallocated spaces

9.18 The proposed layout provides eight allocated spaces (two per unit) and two visitor spaces (total of ten). This meets the parking standards for allocated spaces and provides two additional spaces for visitor parking. The proposal is therefore deemed acceptable in this regard.

9.19 The SPD requires the provision of electric vehicle charging points. As these are not illustrated on the drawings, details will be conditioned if the application is approved.

9.20 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety. Paragraph 111 of the Framework states, 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

9.21 Hertfordshire County Council as the Highway Authority have assessed the highway impacts and raised no objection to the proposals. They consider the existing access and proposed layout appropriate in terms of highway safety and manoeuvrability for larger vehicles e.g. fire tender and refuse vehicles.

9.22 In summary, the proposed parking and access arrangements are considered acceptable and policy compliant.

Other Considerations

Loss of Garages

9.23 HCA20 states that the redevelopment of garage blocks will only be acceptable if alternative provision is made for displaced vehicle parking. The widths of the existing garages are generally unsuitable for modern vehicles except motorcycles. Therefore, the only vehicles displaced would be those informally parked in the garage court area.

9.24 It appears a number of the residents at Hyperion Court park their cars at the ends of their gardens. These properties benefit from pedestrian access rights on to the garage block but do not have vehicular access rights. The area of hard standing to the rear of these properties would be retained but it is likely that it would be needed for the manoeuvring of vehicles.

9.25 Dacorum's Verge Hardening Team were contacted to determine whether there is scope to provide parking areas in the vicinity. They investigated this and highlighted concerns from Trees and Woodlands, who stated that providing parking bays in the surrounding area could affect root protection zones of existing trees. Other suggestions for parking areas were dismissed, as some of the bays would be very close to the corners of junctions, and could ultimately result in highway safety issues when exiting onto the carriageway.

9.26 It is considered that if any vehicles are displaced by the proposals, there would only be a limited number. There are no parking restrictions on many of the surrounding streets and although residents have highlighted parking difficulties, it is considered that on balance the redevelopment of the site and the provision of four affordable units would outweigh a slight increase in on-street parking. It must also be noted and emphasised that planning permission was granted for the removal of these garages only 10 months ago.

Landscaping

9.27 The proposed site plan details planting at the fronts of the properties, which should help to soften the visual impact and create an attractive development. The boundary treatment (1.8m timber fencing) and surfacing materials (block paving and bound gravel) are considered acceptable. Full details of landscaping would be requested by condition if the application is approved.

Ecology

9.28 An Ecological Survey and Bat Report has been submitted to the Local Planning Authority as part of the application submission. No significant concerns are raised by the conclusions of the reports. They have highlighted that no further surveys are required but recommended that the late discovery protocol be followed should bats be discovered. This would be added as an informative if the application is approved. An informative relating to nesting birds shall also be added.

9.29 The report also highlights that any lighting as part of the development does not increase and negatively affect local bat populations, particularly along the woodland edge and the Disused Railway (Nickey) Line. Details of any external lighting would therefore be secured as part of the landscaping condition.

Refuse

9.30 Developers are expected to provide adequate space and facilities for the separation, storage, collection and recycling of waste (see Dacorum's 'Refuse Storage Guidance Note').

9.31 The site plan indicates where bin storage for the properties is located. These areas are proposed to the sides/rear of the properties and would be visually obscured from the surrounding area. The refuse collection point is located to the southeast of the site. No concerns are raised regards this.

Community Infrastructure Levy

9.32 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. The Charging Schedule clarifies that the site is in Zone 2 within which a current charge of £197.24 per square metre is applicable to this development. This will increase to £196.06 as of 1 January 2022.

9.33 Depending on the tenure of any affordable housing units, these may be exempt from the payment of CIL. It is recommended that any exemption requirements are discussed with the CIL

team prior to the submission of the proposals and that relevant paperwork is completed expediently upon any issue of planning permission.

Contamination

9.34 The Environmental and Community Protection Team have confirmed that they have no objection to the proposed development. However, it is judged that the recommendation for an intrusive land contamination investigation is made. It is recommended that two conditions be included in the event that permission is granted.

Drainage

9.35 The drainage strategy comprises of unlined permeable paving for car parking areas with an outflow into the proposed network. It is noted that surface water drainage calculations have been provided to support to scheme and ensure sufficient storage has been provided for the 1 in 100 year plus climate change event. Based on the information, the Lead Local Flood Authority have confirmed that the site can be adequately drained, raising no objection subject to the inclusion of a final drainage scheme condition.

Response to Neighbour Comments

9.36 Only two objections have been received. The concerns raised have been discussed previously in this report. However, there are several other points raised that will be discussed in turn below.

Structural Damage

9.37 A resident on Saturn Way has raised concerns that, if approved, the construction of the proposed properties would require heavy construction vehicles. These may cause vibration and subsequent damage to their property. Furthermore, concerns are raised over potential damage should a construction vehicle make contact with their house. Considering the limited scale of the development, it is not felt reasonable to include a construction management plan condition. If any damages are caused by the Council, they, or their contractor, would be liable to repair/pay for the damages caused.

Rear Access

9.38 Another resident, on Hyperion Court, has objected due to the loss of parking at the rear of their property. They have highlighted the importance of having rear access to their property. It should be noted that all of the existing properties will retain their rear access. As shown on the proposed site plan, a new and improved pathway (bound-gravel) will be provided.

Crime / Anti-Social Behaviour

9.39 One residents raised concerns over crime and anti-social behaviour in the garages. The existing area does not benefit from a great level of natural surveillance and is poorly lit. It is considered that the provision of new housing would introduce natural surveillance to this area. In turn, this should help to deter/decrease crime and anti-social behaviour.

10. CONCLUSION

10.1 The site is located within the residential area of Hemel Hempstead. Under Policies CS1, CS4, CS17 and Saved Policy 10, there is support for residential development in such locations. In particular, saved Policy 10 encourages effective and efficient reuse of urban land. The principle of development is therefore acceptable.

10.2 The scheme was previously approved albeit with a slightly different layout. No concerns are raised with regards to the amended layout, nor the scale and design of the proposed dwellings. No significant adverse impacts are identified with regards to residential amenity. The impact on trees would be limited.

10.3 The redevelopment of this garage site would provide the Council, as a provider of housing, with the opportunity to complement the existing housing stock in the area and to meet its own objective of providing affordable housing. Therefore, the proposal is considered policy compliant.

11. RECOMMENDATION

11.1 It is recommended that planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

2. **No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted the Flood Risk Assessment and Drainage Strategy reference M03001-04_FR05 dated December 2020 prepared by McCloy Consulting. The scheme shall also include:**

1. **Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.**
2. **Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
3. **Implement drainage strategy to include permeable paving and attenuation tank.**
4. **Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.**
5. **Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.**
6. **Exceedance routes and details of any informal flooding areas for all events over the 1 in 30 year rainfall event.**
7. **Maintenance and management plan for the SuDS features.**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 169 of the National Planning Policy Framework (2021).

3. **(a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: RSK Preliminary Risk Assessment 1921152-08(00) May 2020) indicates a reasonable likelihood of harmful contamination and so 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.**

(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.

(c) 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 (b) 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019). The details are required before commencement to ensure that the construction of the development does not result in pollution to the environment.

- 4. Any contamination, other than that reported by virtue of Condition 3 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 183 and 185 of the National Planning Policy Framework (2021). The details are required before commencement to ensure that the construction of the development does not result in pollution to the environment.

- 5. No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials**

should be kept on site and arrangements made with the Planning Officer for inspection.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

- 6. Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

- 7. No construction of the superstructure shall take place until full details of external lighting and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**
- any external lighting; and**
 - soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
 - minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.).**

The 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 three 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).

- 8. The window at first-floor level in the southern flank of Plot 4 shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

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 130 (f) of the National Planning Policy Framework (2021).

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

**DBC-IW-DIO-00-DR-A-0010
DBC-IW-DIO-00-DR-A-0100 (Revision P3)
DBC-IW-DIO-XX-DR-A-2203**

DBC-IW-DIO-XX-DR-A-2204
S231-J1-IA-1
S231-J1-P1-v2
S231-J1-P2-v2
S231-J1-P3-v2

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

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. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.
3. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
4. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
5. This should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.
6. As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage in a block earmarked for disposal will be offered an alternative garage. The Garage Management Team will wherever possible, offer a garage to rent in another garage site owned by Dacorum Borough Council in the vicinity of the development site.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Trees & Woodlands	I've provided comments for this site previously (20/03819/FUL), which was granted. I'm not entirely sure why comments are required again as it seems little has changed although they would be similar.
Hertfordshire Ecology	See previous comments on 20/03819/FUL.
Environmental And	With reference to the above planning application, please be advised

<p>Community Protection (DBC)</p>	<p>Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for dust.</p> <p>Construction Hours of Working - (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>Thank you for forwarding this application. We have reviewed the development and do not have any comments to make.</p>
<p>Thames Water</p>	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing 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.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such</p>

	<p>we have no objection, however care needs to be taken when designing 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 network.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
Hertfordshire Highways (HCC)	<p>This response is an interim response owing to some concerns regarding permeable block paving being used within the highway network. The site is located down Dione Road where garages are currently located. The highway network extends to just before the "New semi-mature tree" on drawing number DBC-IW-DIO-00-DR-A-0100. Within this drawing it shows part of the highway network as permeable block paving which is not currently adopted by HCC. An amended plan would put this right by illustrating the highway boundary and not suggesting works within the adopted highway network. Once this has been completed then HCC Highways can provide a recommendation.</p> <p><u>Further comments</u></p> <p>From the plans it looks like it should be all good now.</p>
Lead Local Flood Authority (HCC)	Please see comments on original scheme (20/03819/FUL).
Environmental And Community Protection	Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be

(DBC)

necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.

This is considered necessary because the application site is on land which has been previously developed and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted. Please note condition 1 acknowledges existence of an adequate phase 1 report.

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

	<p>completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Condition 2:</p> <p>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>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative:</p> <p>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>Forestry Commission Office Santon Downham Brandon</p>	<p>Thank you for consulting the Forestry Commission on the Planning Application. As a Non Ministerial Government Department we provide no opinion supporting or objecting to a application. Rather we are including information on the potential impact that the proposed</p>

IP27 OTJ	<p>development would have on the adjacent ancient woodland (Yew Tree Wood). Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed.</p> <p>It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 175 amended July 2018).</p> <p>The Preliminary Ecological Assessment for the proposed development includes on page 20, section 7.3, the Government policy of a 15 metre buffer to protect the ancient woodland. The proposed design indicates that plots 1, 3 and 4 are outside the buffer zone, but plot 2 is within the buffer zone. It is hoped that this is taken as a material consideration when the Council makes its decision.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
36	2	0	2	0

Neighbour Responses

Address	Comments
11 Hyperion Court Hemel Hempstead Hertfordshire HP2 5PB	<p>Currently, Hyperion court has approximately 5 parking spaces out front and several out back where the garages are. Removing the space around the garages would in fact remove very necessary and important space for the residents of this area. I myself struggle with arthritic hands, have had carpal tunnel done on both hands and have asthma - it is very important to have access to my home through my back gate where I park my car as I struggle to carry many heavy things over a distance. Myself and my daughter suffer from mental health issues including but not limited to anxiety and depression. This is exasperated by the lack of privacy in our garden already as neighbours can easily see in from their windows, adding more housing close by further reduces privacy of the area. The plans do not show a detailed outline of what is being done for current residents to keep their space out back and be able to park. The neighbouring road of Saturn way is already hazardous due to curb parking along the already thin and winding street, and adding more cars to this will only cause further issues. Furthermore, the area of Dione road is frequently used by cars and trucks to turn around including the bin trucks - this could also cause issue to them and thus issue to the residents of Hyperion court. Also the addition of houses would increase the noise pollution for the area, could increase anti social behaviour and overcrowd and already overcrowded area. Housing has already been constructed down the</p>

	<p>road where garages originally were so it seems unnecessary to build further housing which never gets filled due to high rent prices and thus the impact on the environment from building would not be countered by economic income of people living in the newly constructed housing. The back area of Hyperion court (Dione road) has a lovely woodland area which houses many animals, the construction would not only disturb the wildlife (another environmental impact which is negative) but would create a visual intrusion.</p>
<p>101 Saturn Way Hemel Hempstead Hertfordshire HP2 5PD</p>	<p>With the road width of Dione Road being approx 4 M and the kerb width being approx 0.5 M to the outside wall of my property, I am concerned about potential structural damage to the property with the vibration of heavy vehicles constantly using this narrow road during construction. As the width of heavy commercial vehicles is approx 2.5 M there will not be too much room for error as the angle for entry when reversing from Saturn Way is very tight. In addition, I am very concered to the damage should heavy vehicle make contact with my house. Should this happen and even greater concern would be the safety of the occupants as the site of the house in question is the main living area.</p> <p>Due to the above concerns, I advise I object to the proposed development of Dione Road</p>