

**4/03252/15/MFA - CONSTRUCTION OF A 4-7 STOREY DEVELOPMENT OF 1 AND 2 BED FLATS, ASSOCIATED AMENITY SPACES, COMMERCIAL/OFFICE SPACES WITH RESIDENTIAL AND COMMERCIAL CAR PARKING.  
WOOD HOUSE, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 7DE.  
APPLICANT: Dacorum Borough Council - Mr Stuart.**

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[Case Officer - Tineke Rennie]

## **Summary**

The application is recommended for approval. The site is located within the 'Heart of Maylands' and is in general accordance with the aspirations for this area as set out in the Heart of Maylands Development Brief. The proposed residential and office use is considered to positively contribute to the regeneration and function of the General Employment Area together with the wider housing requirements of the Borough. The proposal would result in a high quality scheme that responds to the surrounding development whilst providing a good standard of accommodation for future occupants.

## **Site Description**

The site is located at the centre of the Maylands Business Park, a well-established employment centre and one of the largest business parks in the Eastern Region. The Business Park was formed as part of the Hemel Hempstead New Town settlement and has a significant role in the provision of employment generating uses with the town.

Within the centre of the Maylands Business Park is an area defined as the Heart of Maylands. This area is identified within the Maylands Master Plan and detailed in the Heart of Maylands Development Brief as having a central role in supporting the wider Maylands Business Park. It is to do this as a regeneration area that will become a strong functional centre for the businesses and employees working in the area. Aspirations are for the provision of a mix of uses including shops, cafes, restaurants, business services, community facilities, open spaces and access to public transport within a high quality environment.

Located adjacent to the junction of Wood Lane End and Maylands Avenue, the site forms part of the Heart of Maylands area, defined by predominantly industrial and office use with local convenience shops including a small cafe, local betting shop and auto centre located to the south of Wood Lane End.

At present both the application site and the former call centre site to the south east of the junction are vacant; demolition of the previous buildings has taken place to make way for redevelopment. The southeast site (JGL/HPCHA) has permission for a mixed use scheme (ref. 4/00676/14/MFA) creating a local centre with retail and community type uses at ground floor opening out onto a public square. Apartments above will be affordable in tenure.

Further to the south east along Wood Lane End the sites have a consented scheme in outline for redevelopment as predominantly residential with a flexible office component (4/0689/14/MOA). On the opposite side of Wood Lane End is the Dixon Support Centre; this building has a presence of approximately 8/9 storey due to the podium arrangement of the lower levels of the building. The building forms a clear landmark to the surrounding area.

Approximately 100m to the west is predominantly residential extending to the town centre of Hemel Hempstead. A pocket of residential development exists further east of the Heart of Maylands.

The application itself is bounded to the west by small scale light industrial and office premises together with a cafe fronting Marks Road. To the north is Knoll House occupied by DDC foods. The site functions as a light industrial use with ancillary offices and storage; this building

together with the application site is identified as Site 3 in the Heart of Maylands Development Brief.

The site previously contained a two storey light industrial and office building. The site is generally level with its main vehicle entrance on Wood Lane End, approximately 30m from the signalised junction with Maylands Avenue.

## **Proposal**

The proposal is for redevelopment of the site to provide 550m<sup>2</sup> of office space and 79 residential flats within a development of four to seven storeys. The office accommodation is to be provided at ground floor with frontage along Maylands Avenue and Wood Lane End; residential accommodation is to be spread over ground to sixth floor.

The 79 residential flats are all to be affordable housing and can be broken down into the following:

- 39 shared ownership flats comprising 18 x 1-Bed and 21 x 2-Bed flats;
- 40 social rented flats comprising 22 x 1-Bed and 18 - 2-Bed.

The office accommodation is to be used to support local start-up businesses that would eventually move into external premises within the Borough. Business support, advice and guidance will be provided to the tenants to support their business through the early years. The centre will be managed as a satellite to the already established Maylands Business Centre. A receptionist will provide a tenant service to the occupants.

The offices will have independent access from Wood Lane End and will be separated from the residential component of the scheme. Ancillary office facilities including bin store, plant room, kitchenette and showers are proposed to the rear of the offices.

The form of the development is to comprise of a prominent seven storey element at the apex fronting the junction of Maylands Avenue and Wood Lane End. The height steps down along Wood Lane End and Maylands Avenue to five storeys and is further reduced to four storeys at the northernmost section fronting Maylands Avenue. The rear wing within the centre of the site has a total height of four storeys.

A mix of shared and private amenity space is to be provided. An external shared area with play facilities is to be provided at ground level (145m<sup>2</sup>) with a further 354m<sup>2</sup> proposed at fourth floor roof level and 70m<sup>2</sup> adjoining the flats at sixth floor level. Private amenity space for shared ownership flats is proposed for one flat at 4th floor level and three flats at 5th floor level.

Vehicle access to the site will be retained as existing from the entrance on Wood Lane End. Pedestrian access will be provided from two points; a gated entrance to the north of the site and an entrance parallel to the vehicle entrance on Wood Lane End.

A total of 83 parking spaces are proposed for the residential component of the scheme. This amounts to one space per unit with an additional four spaces for visitors. Parking for the office use will be positioned adjacent to the vehicle entrance and the Wood Lane End frontage. It will be separated from the residential use of the site by an automatic barrier and will provide nine parking spaces.

## **Referral to Committee**

The application is referred to the Development Control Committee as the application site is Council owned land and the Council is the applicant for the development.

## **Planning History**

4/01404/91/FUL CHANGE OF USE FROM LIGHT INDUSTRIAL(B1) TO STORAGE &  
DISTRIBUTION (B8)  
Granted  
07/11/1991

## **Policies**

### National Policy Guidance

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

### Adopted Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS2 - Selection of Development Sites  
CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS14 - Economic Development  
CS15 - Office, Research, Industry, Storage and Distribution  
CS17 - New Housing  
CS18 - Mix of Housing  
CS19 - Affordable Housing  
CS27 - Quality of the Historic Environment  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Water and Soil Quality  
CS34 - Maylands Business Park  
CS35 - Infrastructure and Developer Contributions

### Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 18, 21, 31, 37, 58, 129  
Appendices 3, 4, 5, 6,

### Supplementary Planning Guidance / Documents

Heart of Maylands Development Brief  
Environmental Guidelines (May 2004)  
Water Conservation & Sustainable Drainage (June 2005)  
Accessibility Zones for the Application of car Parking Standards (July 2002)  
Planning Obligations (April 2011)  
Affordable Housing (Jan 2013)

### Advice Notes and Appraisals

## **Summary of Representations**

### Comments received from local residents:

None.

### Comments received from Council's Regulatory Services:

The site is located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site.

The following information has been submitted with the planning application;

- GroundSure Enviroinsight Report; 5 January 2014
- GroundSure RadonCheck Report; 5 January 2014

The information submitted does not constitute a satisfactory contaminated land investigation. This should initially comprise a Phase I Desk Study (incorporating an historic map and environmental database search, review of previous site investigations, site walkover, conceptual site model and preliminary risk assessment). The outcome of the Phase I Desk Study will determine whether a Phase II intrusive investigation is required. In line with the NPPF, the investigation must be undertaken by a competent person. The assessment must be specific to the proposed residential development.

I recommend that the contamination condition be applied to this development should permission be granted, to ensure the contaminated land investigation is undertaken. For advice on how to comply with this condition, the applicant should be directed to the Council's website ([www.dacorum.gov.uk/default.aspx?page=2247](http://www.dacorum.gov.uk/default.aspx?page=2247)).

### Comments received from Strategic Housing:

The site proposes 100% of the units to be delivered as affordable housing and therefore meets the affordable housing policy requirements

### Comments received from Thames Water:

Comments received on 10th February 2016 following revisions to the scheme:

#### Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in

respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

#### Supplementary Comments

We have no objections to the proposals on the basis that surface water will be fully drained to Sustainable drainage system and there won't be any surface water discharge to public sewer, as stated in the submitted application form (dated 25/09/2015).

Through the centre of the proposed development and there are easements and wayleaves running throughout the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

The Map issued previously has yellow dashed lines show the easements and wayleaves and the proposed development area is identified by a red outlined box.

#### Comments received from the Crime Prevention Officer:

I am writing in regarding planning application 4/03252/15/MFA at Wood House, Maylands Avenue, Hemel Hempstead, HP2 7DE for construction of a 4-6 storey development of 75 x 1 and 2 bed flats, associated amenity spaces, commercial/office spaces with residential and commercial car parking.

#### Comments

1. Gate access to site on north east boundary off Maylands Avenue: There is a gate shown giving pedestrian access from Maylands Avenue from the north east corner of the site on the proposed site plan. Whilst this makes good sense for the residents, it should not be used by others, and therefore I would recommend a full height gate with automatic closure and access control extended to this gate. This will aid security for the site, and for residents' vehicles on site.
  
1. Automatic barrier: I am pleased to see that an automatic barrier has been fitted providing separation between the 13 commercial parking spaces and the residential parking spaces. There is no detail, but this barrier must have skirt fitted under the barrier arm and have full access control fitted. This will provide better separation between the two parking areas.
  
1. Security: Whilst layout safety and security are dealt with within the DAS as regards natural surveillance, there is no detail regarding physical security for the dwellings.
  - a. Security – ADQ and SBD:
 

As of 1<sup>st</sup> October 2011, Approved Document Q (ADQ) has come in that requires under Building Regulations dwellings are built to “Prevent Unauthorised Access”. This applies to any “dwelling and any part of a building from which access can be gained to a flat within the building”. Performance requirements apply to easily accessible doors and windows that provide access in any of the following circumstances:

    - I. Into a dwelling from outside
    - I. Into parts of a building containing flats from outside
    - I. Into a flat from the common parts of the building

Achieving the Secured by Design award meets the requirements of Approved Document Q (ADQ), and there is no charge for applying for the Secured by Design award. I would ask that this information is passed by way of informative to the applicant.

- a. Secured by Design part 2 physical security: If the development were to be built the physical security of Secured by Design part 2, which is the police approved minimum security standard and also achieves ADQ. This would involve:
  - All exterior doors to have been certificated by an approved certification body to BS PAS 24:2012, or STS 201 issue 4:2012, or STS 202 BR2, or LPS 1175 SR 2, or LPS 2081 SR B. This includes any communal doors from underground / undercroft parking areas.
  - All individual flat front entrance doors to have been certificated by an approved certification body to BS Pas 24:2012 (internal specification).
  - Ground level (easily accessible) exterior windows to have been certificated by an approved certification body to BS Pas 24:2012. All glazing in the exterior doors, and ground floor (easily accessible) windows next to doors to include laminated glass as one of the panes of glass.
  - Access control standard for flats is: 4 to 10, audible – more than 10 flats sharing a communal entrance then audible and visual access control at the pedestrian entrances to the block. Such access control must NOT have a Tradesman's Button fitted as this assists offenders to gain entry during the day to break into the flats. As this proposed development has 75 flats there will be the

requirement for access control as well as on the landings and some CCTV coverage.

These standards are entry level security and meet the Secured by Design part 2 physical security standard. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75% and achieve ADQ. I would encourage the applicants to seek Secured by Design certification to this standard when it is built.

I hope the above is of use to you in your deliberations and will help the development achieve that aims of the National Planning Policy Framework (NPPF).

- 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

& the National Planning Practice Guidance (NPPG)

- 010 – re Sec 17 of the Crime and Disorder Act 1984 – to prevent crime & disorder.
- 011 – re taking proportionate security measures being a central consideration to the planning and delivery of new developments.

& Dacorum Core Strategy policies:

- CS12 – re safe access, layout and security
- CS13 – re pedestrian friendly, shared spaces in appropriate places

However, in the meantime, if you or the applicants have any queries about crime prevention design in relation to the proposals then please feel free to contact me.

#### Comments received from Environmental Health:

Advises that any permission which the Planning Authority may give shall include the conditions:

It is advised that the sound insulation between the units is capable of 50db attenuation. To ensure no disturbance of adjoining residents or commercial developments.

#### Comments received from Highways:

#### **Amendment**

Amended and/or additional plans/information has been submitted for the above proposal.

#### **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 subject to the following conditions:

1 Travel Plan Two months prior to the occupation of the development, details of the proposed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Reason: to promote a sustainable development in accordance with Local Plan policies and highway authority requirements.

2 Construction Management Plan Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of: a) Construction vehicle numbers, type, routing; b) Traffic management requirements; c) Construction and storage compounds (including areas designated for car parking); d) Siting and details of wheel washing facilities; e) Cleaning of site entrances, site tracks and the adjacent public highway; f) Timing of construction activities to avoid school pick up/drop off times; g) Provision of sufficient on-site parking prior to commencement of construction activities; h) Post construction

restoration/reinstatement of the working areas and temporary access to the public highway. Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

I recommend inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Construction standards for new/ amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the constructed of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 03001234047

AN2) 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 website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) 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 website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Description of the proposal The views of the highway authority have been sought on an application for the construction of a 4-6 storey development of 1- and 2-bed flats, associated amenity spaces, commercial/ office spaces with residential and commercial car parking.

The highway authority was consulted by DBC on 8 February an amended scheme. The changes relate mainly to an additional storey to the development that fronts the junction with Maylands and Wood End Lane; internal re-configuration in terms of flat orientation; entrances to the flats; and position of stair cases. Of significance to HCC Highways is that the number of flats would increase from 75 to 79. Car parking would also be re-configured to accommodate turning space for emergency vehicles. The total number of parking spaces would be reduced from 85 to 83 to accommodate this. The effect would be to provide one space per residential unit with a reduction to 4 visitor spaces overall. Commercial parking would remain as 9 spaces.

Site description The site is located in the Maylands area of Hemel Hempstead, approximately 2.5km to the east of the town centre. It is situated on Wood Lane within 750m of the A414 and within a 4 minute drive of junction 8 of the M1.

The site formerly housed an office/ warehouse building providing a total Gross Floor Area (GFA) of 2,432sqm, split between 1,915sqm GFA of warehousing and 887sqm office. Wood House was demolished in the first quarter of 2014 to make way for the redevelopment of the site.

The Maylands Avenue is a strategic distributor route, broadly running north-south between the roundabout junction with the A414 Breakspear Way to the south and the roundabout with Swallowdale Lane to the north. Maylands Avenue is subject to a 30mph speed limit. Lit footways are provided along both sides of Maylands Avenue and the road forms part of a route used by buses travelling through the area.



The site is accessed from Wood Lane End which is a local distributor road running east-west, over a distance of approximately 1.2km between Leverstock Green Road and Buncefield Lane. It crosses the A4147 Maylands Avenue at a signal-controlled junction at the south eastern corner of the site. An environmental weight limit zone operates on the section of Wood Lane End west from the junction with Mark Road (approximately 50m to the west of the site). This restricts use of this section by vehicles with a weight of 7.5T or more.

Analysis Policy review - The Transport Statement make appropriate reference to national planning policy (the NPPF), local planning policy (the DBC Local Plan and Core Strategy) and countywide highways and transport policy as set out in the HCC Local Transport Plan. Local transport aspirations as described in the Hemel Hempstead Urban Transport Plan are assessed in relation to the site.

Transport Assessment - The proposals entail the redevelopment of the site to provide a total of 79 flats, and office space with a GFA of approximately 660sqm. All of the proposed flats would be shared ownership/ social rented units. The existing access arrangements from Wood Lane End will be retained as part of the redevelopment scheme. A total of 70 residential car parking spaces and 13 car parking spaces for use by the office element would be provided.

Trip generation - The Transport Statement reports that the industry-standard TRICS (Trip Rate Information Computer System) survey database (version 7.2.2) has been interrogated to derive trip rates for the former office/warehouse building and for the proposed scheme. I concur with the conclusions that that the former office/ warehouse use would have been expected to generate in the order of 34-37 vehicular trips during the peak hours and that the proposed residential/ office development is likely to generate 31-39 trips at the same times. The database was also used to carry out a multimodal trip generation forecast. I am content with the findings that approximately 50% of trips generated by the site during the peak hours could be expected to be car driver trips with approximately 12% being passengers. Around 30% could be expected to be pedestrian journeys whilst public transport trips are estimated to account for 7% of trips and cycling 8%.

Impact on highway network - Based on the summaries of traffic generated by the former and proposed use the predicted change to traffic generation produced by the proposed redevelopment scheme is between -3 and +2 trips on the network during the peak hours. The variation in trip generation resulting from the redevelopment proposals are considered insignificant and would not have a 'severe' impact on the local highway network.

Highway safety - The Transport Statement includes an analysis of the last 3 year's collision records. These do not indicate any significant cluster sites or specific road safety issues in the vicinity of the proposed development.

Vehicle access - Vehicular access to the Wood House site is provided by a gated access point along Wood Lane End. The site access road provides a carriageway width of approximately 6.5m. A visibility splay of 2.4m x 43m is achieved to the east of the existing site access junction, which extends into the Wood Lane End/ A4147 Maylands Avenue signalised junction, whilst a visibility splay in excess of 2.4m x 100m is achieved to the west.

The response to the first part of question 7 in the application form says that no change to vehicular access is proposed.

Pedestrian access - Pedestrian access to the former building was formerly provided in the south-eastern corner of the site, linking into the existing footway provision within the vicinity of the site.

The response to the second part of question 7 in the application form says that a change to pedestrian access is proposed. New access points would be provided at either end of the proposed building, providing access from the existing pedestrian footways running alongside Wood Lane End and Maylands Avenue. A central pedestrian access would also be provided, linking into the footway in the vicinity of the Wood Lane End/ Maylands Avenue junction.

Refuse and service delivery - Service and emergency vehicles would continue to access the site via the existing well-engineered access from Wood Lane End.

The car parking arrangement originally submitted has been re-configured to accommodate turning space for emergency vehicles.

Parking - The response to the second part of question 7 in the application form says that there are currently no parking spaces on the site and that 95 would be provided by the development. This would consist of 82 residential spaces and 13 for use by the office element.

As part of the 8 February amended scheme parking was re-configured to accommodate turning space for emergency vehicles and the total number of parking spaces would be reduced from 85 to 83 to accommodate this. The effect would be to provide one space per residential unit with a reduction to 4 visitor spaces overall. Commercial parking would remain as 9 spaces.

Parking standards for the area are set out within the current DBC Local Plan. The site is located in Accessibility Zone 3, therefore a maximum parking standard of 1.25 spaces per one bedroom unit and 1.5 spaces per 2 bedroom unit is applicable, which would equate to a maximum total of 102.5 spaces for the proposed residential element of the scheme. The acceptability of the level of parking proposed is for the Local Planning Authority to determine.

Access to the parking spaces provided for the residential element of the scheme would be controlled by automatic barrier.

Cycle parking provision - It is proposed that secure, covered cycle storage with a capacity for 80 bicycles would be provided in the new building. The DBC Local Plan sets out residential cycle parking standards of 'one space per unit if no garage or shed is provided' and a standard of 'one space per 500sqm GFA plus one space per 10 full time staff' applicable for office uses. The provision of 80 secure sheltered cycle parking spaces on the site is in excess of the minimum standards.

#### Accessibility

Passenger transport Bus As identified in the Transport Assessment, there are 4 bus stops less than 100m away from the site – their locations are accurately shown on Figure 5.1 on page 16. All have shelters, two have easy access kerbing, two do not. Bus services are as stated in the Transport Statement, although the H13 no longer runs. The bus services available include a mix of interurban routes (301/ 320) which provide access to surrounding towns, a long distance route (758) providing access to London and the ML1/2 and PB1/ PB2 which are designed to cater for the needs of Maylands businesses linking the area to the town centre and rail station. The future of the ML1/ ML2 is currently uncertain and subject to discussions between Dacorum Borough Council, HCC and Maylands businesses.

If developer contributions are being sought from this site, these could be used towards providing easy access kerbing for those stops that currently do not have this and/ or the provision of real time screens. Easy access kerbing costs in the region of £8,000 per stop, in shelter screens also approx £8,000.

Rail Hemel Hempstead station is approximately 3.2 miles away. Trains are run by London Midland and Southern and journey time into London Euston is between 27 and 33 minutes. Walking and cycling The proposed redevelopment site is situated within an existing urban area and as such is in a location which provides good connectivity within an established network of footways and footpaths providing pedestrian access across the urban area.

Cycle routes in the area, in addition to the highway network, provide the opportunity for cycle journeys to be undertaken within the immediate local area and through to surrounding localities. The borough council is working with HCC to improve walking and cycling routes in the Maylands estate starting with Maylands Avenue.

Travel Plan A Travel Plan has been submitted in support of this application. It has been assessed by our Business Travel Planning team who was happy with the content and format but identified the need for improvement in these areas: - Multi-modal counts should be undertaken to SAMS standards, to ensure consistency. Qualitative travel surveys should also be considered, to understand the reasons for residents' behaviours and travel patterns - Undertake baseline surveys at the earliest appropriate opportunity, in order to develop travel

plan targets and measures - Longer term actions to be included in action plan, to maintain momentum of the travel plan post-publication.

Construction No discussion of the construction phase of the scheme is given in the submission. This should be covered by a Construction Management Plan submitted by planning condition.

Planning Obligations/ Community Infrastructure Levy (CIL) It is the policy of the County and Borough Councils to seek planning obligations to mitigate the effects of development. HCC's requirements in respect of highways and transport are set out in section 11 of the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)'. This can be read and downloaded from <http://www.hertsdirect.org/your-council/hcc/resandperf/hertsprop/planningobs/>. If developer contributions are being sought from this site these should be used towards providing easy access kerbing for those stops that currently do not have this and/ or the provision of real time screens. Easy access kerbing costs £8,000 per stop, in-shelter screens also cost £8,000.

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning-related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition." (paragraph 203, page 47) Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83). In addition, paragraph 29 of Section 4 of the NFFP states "The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel". Paragraph 31 says "Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development".

The development plan background supports the provision of planning contributions. Policy CS35 of the Dacorum Borough Council's Core Strategy (adopted September 2013) covers the requirement for development to provide or contribute towards infrastructure and services. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

The cumulative impact of development on local service provision is also an important consideration. As set out in paragraph 10.2 of the Toolkit, the use of formulae and standard charges is a means of addressing the likely cumulative impact of development in a fair and equitable way. The County Council's approach to the pooling of financial contributions to address cumulative impact is set out in paragraphs 7.5, 11.7 and 16.4 of the Toolkit.

(ii) Directly related to the development;

Financial contributions so derived would only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants. The Toolkit first strand planning obligation contribution would be used towards providing easy access kerbing for those stops that currently do not have this and/ or the provision of real time screens.

(iii) Fairly and reasonable related in scale and kind to the development.

The users and staff of new motel would have an additional impact upon local highways and transport infrastructure and services. The second strand pooled contribution was calculated following the rationale explained in paragraphs 11.9 to 11.12 of the Toolkit by taking account of the number and size of bedrooms in the proposed scheme and the accessibility as calculated for the parking zone guidance provided by the Local Planning Authority. For Dacorum this is summarised in the map on page 7 of the document Accessibility Zones For The Application of

Car Parking Standards (as at [http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/supplementary-planning-documents-\(spds\)/accessibility-zones-for-the-application-of-car-parking-standards](http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/supplementary-planning-documents-(spds)/accessibility-zones-for-the-application-of-car-parking-standards)).

Comments received from Hertfordshire County Council Waste Authority:

I am writing in response to the above planning application insofar as it raises issues in connection with waste matters. Should the district council be mindful of permitting this application, a number of detailed matters should be given careful consideration.

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its *National Planning Policy for Waste (October 2014)* which sets out the following:

*'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

*the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*

*new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*

*the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the borough council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

[http://www.wrap.org.uk/construction/tools\\_and\\_guidance/site\\_waste\\_management\\_planning/index.html](http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html)

It is encouraging to see in the Sustainability report that a Site Waste Management Plan will be implemented in order to minimise construction waste. The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the borough council.

It also important to note that the site sits next to one of the county's Employment Area of Search, ELAS 006 - Maylands (West), as designated in the Waste Site Allocations DPD Document (adopted July 2014). The county council considers that the 60 ELAS in Hertfordshire may be compatible with waste management uses and as such, waste management uses may come forward within the ELAS during the plan period. There would potentially be an issue of compatibility between waste management promoted at the ELAS and this residential proposal immediately adjacent

#### Comments received from Strategic Planning:

The site forms a key part of the Heart of Maylands area, where the Council is seeking to create a new local centre. The proposal is also part of the Council's wider New Build Housing Programme which actively seeks to deliver affordable housing opportunities in the Borough.

The wider SPAR team commented on an earlier iteration of the proposal in the summer of 2014. These set out initial comments on the location. They emphasised that the new building should have massing and be of high quality given this prominent corner site and set out likely contributions towards the environment of the Maylands Business Park (MBP). We will forward these on to you separately for reference and for completeness.

The land is located in the Maylands Avenue General Employment Area (GEA) – which is allocated for business uses (i.e. B1 uses) in saved Local Plan Policy 31.

The Maylands Development Brief (September 2007) identifies a number of character areas in the business park. There is a specific character area relating to 'The Heart of Maylands' (section 2.3 in the document) which this site falls within. It states that the Heart will become the functional centre of Maylands, providing shops, cafes, restaurants, business services, community facilities, open space and access to public transport.

The Heart of Maylands Development Brief (October 2010) elaborates on this character area:

<http://www.dacorum.gov.uk/docs/default-source/planning-development/spar-11.11.10-heartofmaylandsfinalbrief-october10.pdf?Status=Master&sfvrsn=0>

The Development Brief below sets out background information on the area and presents aspirations for future development in the Heart of Maylands. It provides advice on land uses, layouts, design and landscaping, access and movement and requirements for the delivery of sites in the Heart. Section 4 in the development brief puts forward a vision for the Heart and then sets out key principles for development. Section 5 contains an indicative design concept, based on the key principles, whilst section 6 deals with delivery. It provides a useful guide in terms of development management considerations in the area, including this proposal. Figure 1.2 in the brief shows the location of the six sites within the Heart area. The application site comprises of the southern half of Site 3 (former Schroff site) as defined in the Brief. SPAR's earlier comments referred to the unattractiveness of the original buildings on the site to the quality of the MBP. These have now been demolished and an opportunity therefore exists to

enhance this part of the MBP.

The Core Strategy has taken forward the concept for the Heart through the Hemel Hempstead Place Strategy (see under the East HH vision and local vision, Figure 18 (EHH Character Zones and Development Opportunities), Policy CS34: Maylands Business Park and Figure 22 (EHHAAP Vision Diagram). The retail section of the Core Strategy also refers to the creation of a new local centre in this location (para. 13.3). It is also specifically identified as a Local Centre in the retail hierarchy (Table 5).

However, as the Pre-Submission Site Allocations DPD excludes the Maylands area (para. 6.12), it does not identify this location as an allocation (this is deferred to potential later work on the East HH Area Action Plan). Table 2 in the document does note that the Heart of Maylands will deliver around 475 homes and acknowledges that this will be delivered via a number of phases given that the land is in multiple ownerships. We continue to assume that this location will make a significant contribution to housing supply in order to deliver on the Core Strategy housing target.

Two applications have now been approved for parcels within the south eastern part of the Heart of Maylands:

- Phase 1: 4/00676/14/MFA, for mixed use development on Sites 1 and 2a.
- Phase 2: 4/00689/OUT, for housing and possibly some offices on Sites 2b and 2c.

These provide a relevant policy and design context for this current application.

We welcome the general approach of the proposal and its contributions towards delivering the level of housing anticipated for this broad location through work on the Core Strategy housing programme. We consider that the planning application should reflect the principles set out in the development brief. The scheme would constitute another important step towards establishing the type of local centre proposed in the development brief. We note that other applications have been approved for other phases of the Heart and these are likely to influence determination of certain aspects of this proposal.

We particularly welcome the potential delivery of a 100% affordable housing scheme (as opposed to 35% normally sought under Policy CS19) in meeting housing need in the Borough. The proposed housing mix appears acceptable in terms of Core Strategy Policy CS18 (mix of housing). The chief concerns revolve around the high density nature of the scheme (c.150 dph) and ensuring this achieves a good standard of design and level of amenities.

The proposal will deliver on mixed residential (75 flats) and commercial (660 sqm of A2 use) uses and active frontages at ground floor within the blocks as, sought in the Brief. The scheme envisages large and tall buildings (from 4-7 storeys), this is acceptable in principle (see paragraphs 4.3.15, 4.3.18 and 5.3.1), but it is important to achieve a high quality design and sufficient parking. We note the stepping down of heights towards the Wood Lane End frontage which seems a logical approach. The development brief certainly refers to the tallest buildings around the junction with Maylands Avenue. This was the position taken on the opposing Sites 1 and 2a under application 4/00676/14.

Parking is to be provided to the rear which accords with the general approach of the Brief. We note that 82 residential spaces are to be provided against a standard of 102 (DBLP Appendix 5). This equates to c. 1 space per unit. This seems reasonable overall given a minimum of 1:1 ratio is achieved, the promotion of a Green Travel Plan by the applicant, the availability of the 13 commercial spaces to residents outside of normal working hours, its eventual location within a fully-fledged (albeit small) local centre, and potential to live and work within the MBP. However, the views of the Highway Authority should be sought. We welcome the provision of a significant number of cycle spaces (88).

DBLP Appendix 3 sets out the amenity space standards for residential development. In theory, space should be provided equivalent to the footprint of the building increasing with its height. A small, traditional form of amenity area is to be provided to the rear, but other space is to be secured through roof gardens and courtyard areas (and to a lesser extent through balcony space). This approach to amenity space is becoming more popular (especially in higher density schemes such as this) and we would not necessarily rule out this approach providing it provides genuinely useable space for occupants.

Comments received from Hertfordshire Historic Environment Team:

The following advice is based on the policies contained in the National Planning Policy Framework.

The proposed development site lies within Area of Archaeological Significance No 38. The site is close to the large Romano-British religious complex and related features at Wood Lane End, part of which has been excavated. The remains are a Scheduled Monument [Historic Environment Record no 94, HER 6824]. More recently, archaeological investigations to the south of the Wood Lane End complex identified a probable prehistoric ditch [HER 11824], and archaeological investigations on the north side of Wood Lane End, west of Buncefield Lane, identified Roman ditches [HER 9204], evidence of Late Bronze Age/Early Iron Age occupation [HER 9203], and medieval ridge and furrow cultivation [HER 9205]. There has therefore been some form of settlement in this area from at least the Later Bronze Age.

A recent archaeological evaluation (May 2015) at Land at Maylands Court and Wood Lane End, close to the current application site, proved negative, but the site had been truncated to a depth of more than 2 metres during previous development, and there was a considerable depth of made ground present. The current site is on higher ground, and may not have been subject to similar groundworks.

I believe that the position and details of the proposed development are such, that it should be regarded as likely to have an impact on significant below ground heritage assets, and that this impact should be mitigated in accordance with P141 of the National Planning Policy Framework (NPPF). I recommend, therefore, that provisions be made for a programme of archaeological works, should you be minded to grant consent:

1. A programme of archaeological evaluation (in the form of trial trenches) of the proposed development site, further to the demolition of the current building on the site to slab level, but prior to the commencement of the development.
1. And such appropriate mitigation measures indicated as necessary by the evaluation.

These may include:

- a) the preservation of any archaeological remains *in situ*, if warranted;
- b) the appropriate archaeological excavation of any remains before any development commences on the site;
- c) the archaeological monitoring and recording of the ground works of the development, including ground reduction, foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered);

- d) the analysis of the results of the archaeological work, with provisions for the subsequent production of report and an archive, and the publication of the results, as appropriate;
- e) such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 141, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and the recently issued Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

#### Condition A

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

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

#### Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, I will be able to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

#### Comments received from the Lead Local Flood Risk Authority:

In the absence of an acceptable surface water drainage assessment, we object to this application and recommend refusal of planning permission until a satisfactory surface water drainage assessment has been submitted.



The surface water drainage assessment carried out by Waterco reference W19181-160107 dated January 2016 submitted with this application does not comply with the requirements set out in the Planning Practice Guide (as revised 6 April 2015) to the National Planning Policy Framework. The submitted surface water drainage assessment does not therefore; provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

### **Reason**

In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the surface water drainage assessment;

1. Demonstration of a feasible drainage proposal based on either infiltration or with a discharge to a local surface water sewer, to include either
  - Confirmation from Thames Water that they have sufficient capacity for the development to connect into their network.
  - Site specific infiltration tests to confirm the permeability of the site for infiltration options in accordance with BRE Digest 365.

### **Overcoming our objection**

We acknowledge that consideration has been given for the use of soakaways, if it is proposed then infiltration tests in accordance with BRE Digest 365 will need to be undertaken at this stage to demonstrate that the ground can provide sufficient permeability rates to cater for the infiltration of surface water for all rainfall events up to and including the 1 in 100 year + climate change. Also as the site is a Groundwater Protection Zone, 3 treatments stages for any car park and roads should be provided to ensure the water quality is managed where infiltration is proposed.

We note that if infiltration is not feasible, the existing connection to Thames surface water will be utilised. It is stated that permission from Thames Water has not yet been sought to connect to the existing surface water sewer network to discharge surface water and that it would be obtained once the final design has been provided. However as this is for a full planning application, we require that the following should be provided upfront prior to the approval of planning permission upfront to ensure that the proposed scheme is feasible.

### **Informative to the LPA**

The applicant will need to satisfy the LPA that the proposed drainage scheme can be adopted and maintained for its lifetime by providing a maintenance plan, detailing key operations and management.

The applicant can overcome our objection by submitting a surface water drainage assessment which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of a surface water drainage assessment will not in itself result in the removal of an objection.

Further comments were received on 17th February 2016:

In response to the additional information provided by Waterco dated 09 January 2016 this satisfactorily addresses the points raised in our previous response dated 25<sup>th</sup> January 2016. We can confirm that we the Lead Local Flood Authority are now in a position to remove our objection on flood risk grounds.

We note two options have been proposed for drainage. Option 1 proposes infiltration with the use of permeable paving and soakaways; however infiltration tests have yet to be carried out. Therefore an alternative option 2 has been proposed based on attenuation and discharge into surface water sewers with discharge restricted to 5l/s and approximately 173m<sup>3</sup> attenuation volumes required for the whole site. We acknowledge that Thames Water have been contacted and have no concerns with the connection at 5l/s.

As the proposed scheme has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend the following planning condition to the LPA should planning permission be granted:

### **LLFA position**

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures detailed in the FRA carried out by Waterco reference W19181-160107 dated January 2016 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

### **Condition 1**

1. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Providing 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.

### **Reason**

1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

### **Condition 2**

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 30% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Infiltration tests should be conducted to BRE Digest 365 Standards if infiltration is proposed.

2. Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations.

### **Reason**

To prevent the increased risk of flooding, both on and off site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### **Informative to the LPA**

The LPA will need to be satisfied that the proposed drainage strategy will be maintained and managed for the lifetime of the development.

### Comments received from Hertfordshire Fire and Rescue Services:

We have examined the drawing and note that the provision for Hydrants/ Access does not appear to be adequate to comply with BS9999:2008.

### **ACCESS AND FACILITIES**

1. Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), section B5, sub-section 16.
2. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 18 tonnes.
3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Diagram 50 in section B5 of The Building Regulations 2000 Approved Document B (ADB).

### **WATER SUPPLIES**

4. Water supplies should be provided in accordance with BS 9999.
5. This authority would consider the following hydrant provision adequate:
  - Not more than 60m from an entry to any building on the site.
  - Not more than 120m apart for residential developments or 90m apart for commercial developments.
  - Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
  - Not less than 6m from the building or risk so that they remain usable during a fire.
  - Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
  - Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.
6. In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.

### Comments received from Hertfordshire Ecology:

We have no biological (habitats, sites or species) records for the application site or nearby vicinity.

I have seen the *Preliminary Ecological Appraisal* by Arbtech Consulting (dated April 2015) submitted with this application. The site is predominantly and existing large industrial warehouse/unit with associated hardstanding (car parking) and very little semi-natural habitat present. No habitats or species of any significance will be affected by these proposals. Notwithstanding, I advise the following **Informatives** are added to any permission granted:

o **Protected Species** - *It is an offence to take or disturb the breeding or resting location of protected species, which include (although not exclusively) all Bats, wild Birds, Reptiles (Common lizard, Slow-worm, Grass snake), and Roman snails. Precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately and advice sought as to how to proceed. This may be obtained from: Natural England: 0300 060 3900; or a suitably qualified ecological consultant.*

o For **birds**, *the removal of trees & shrubs should be avoided during the breeding season (March to September inclusive). If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the last chick has fledged.*

o Any **external lighting scheme** *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.*

o **Soft landscaping** - *new trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.*

o **Biodiversity enhancements** *could be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, refuge habitats (e.g. log piles, hibernacula) for reptiles at the site boundaries, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.*

## **Considerations**

### Policy and Principle

The site is located in the Maylands Avenue General Employment Area (GEA) which is allocated for business uses (i.e. B1 uses) in saved Local Plan Policy 31. This GEA is designated as a 'Core Office Location' in the table in this policy. Adopted Core Strategy Policy CS15 seeks to protect GEAs for B-class uses. It also requires new B class development to contribute to environmental improvements within the GEA.

The Maylands Master Plan (September 2007) identifies a number of character areas in the Maylands business park including 'The Heart of Maylands' (section 2.3 in the document) which this site falls within. It states that the Heart will become the functional centre of Maylands, providing shops, cafes, restaurants, business services, community facilities, open space and access to public transport.

More detailed guidance is contained in the 'Heart of Maylands Development Brief', which was

adopted by the Council as a planning policy statement in October 2010. Figure 1.2 in the brief shows the location of the six sites within the Heart area. The application site comprises of the southern half of Site 3 (former Schroff site). The Development Brief sets out background information on the area and presents aspirations for future development in the Heart of Maylands. It provides advice on land uses, layouts, design and landscaping, access and movement and requirements for the delivery of sites in the Heart. Section 4 in the development brief puts forward a vision for the Heart and then sets out key principles for development. Section 5 contains an indicative design concept, based on the key principles, whilst section 6 deals with delivery. It provides a useful guide in terms of development management considerations in the area, including this proposal.

The Core Strategy has taken forward the concept for the Heart through the Hemel Hempstead Place Strategy; Policy CS34 (Maylands Business Park) which seeks to deliver a local centre in the Heart of Maylands to support residents and workers. Figure 18 in the Core Strategy states that the Heart of Maylands:

“...offers the opportunity to form a functional local centre, with financial and commercial services, restaurants, cafes, leisure uses and a public square. Around 250 homes should be provided here...”

The retail section of the Core Strategy also refers to the creation of a new local centre in this location (para. 13.3). It is also specifically identified as a Local Centre in the retail hierarchy (Table 5).

New housing will play a role in creating a new local centre at the Heart of Maylands. A key objective of the Development Brief is the need for regeneration to help secure the future of the wider Maylands Business Park. It is recognised that the delivery of housing would assist in achieving regeneration in the short to medium term by supporting new retail and local service development for both the business community and nearby residents. Once established, this development would contribute to the vitality and vibrancy of the area that in turn would attract new businesses to the area.

Prevailing market conditions at the time are likely to dictate the demand for either residential or business development. This is acknowledged within the Brief together with the need to apply a degree of flexibility. For example should market conditions improve, a shift towards office provision would be expected.

Whilst a greater element of office use would ideally be sought at the site consistent with the strategic employment function of the area, Strategic Planning and Regeneration have acknowledged that the current market for speculative development is still depressed. An absence of residential development within the scheme would lead to an indefinite delay in stimulating demand for retail and service uses in the area.

Whilst the Pre-submission Site Allocations DPD excludes the Maylands area due to further work on the East Hemel Hempstead Area Action Plan, Table 2 in the document does note that the Heart of Maylands will deliver around 475 homes and acknowledges that this will be delivered via a number of phases given that the land is in multiple ownerships. Strategic Planning and Regeneration have advised that there is an assumption that this location will make a significant contribution to housing supply in order to deliver the Core Strategy housing target.

The proposal is also part of the Council's wider New Build Housing Programme which actively seeks to deliver affordable housing opportunities in the Borough. The contribution that the proposal makes towards delivering the level of housing anticipated for this broad location is therefore welcomed.

The proposal includes an element of office use at the street frontage which contributes to the employment character and business function of the area. Glazed active frontages along Maylands Avenue and Wood Lane End provide a commercial appearance to the development that is keeping with the surrounding uses such as the Dixons building located opposite.

Strategic Planning and Regeneration consider that the scheme would constitute another important step towards establishing the type of local centre proposed in the development brief, subject to reflecting the development principles set out in the brief. The two applications that have been approved for parcels within the south eastern part of the Heart of Maylands also provide a relevant policy and design context for this current application:

- Phase 1: 4/00676/14/MFA, for mixed use development on Sites 1 and 2a.
- Phase 2: 4/00689/OUT, for housing and possibly some offices on Sites 2b and 2c.

### Layout and Design of Development

The proposed layout is in general accordance with the development brief.

The aspiration that taller buildings should be located at the centre of the Heart with lower buildings towards the eastern and western edges on Wood End Lane has been met both on an area wide basis and within the site. The highest 7 storey element is positioned at the junction of Maylands Avenue and Wood Lane End. The development then staggers down in a logical approach to the north and west.

The proposal initially sought a maximum height of 6 storeys at the junction. However given the aspirations for the Heart and the scale and massing of the Dixons building located opposite, it was considered that an additional storey could be supported at this location. It is also noted that the consented scheme for the south-east quadrant of the Heart (ref.4/00676/14/MFA) has seven storeys at the junction stepping down to six with the remaining development parallel to Maylands Avenue maintained at four storeys. The proposed scheme follows this general approach in terms of height and massing, stepping down to meet the more modest scale of development to the north and west.

The position of the footprint broadly follows the indicative block layout for the site as shown in the Brief. The northern half of the site is under separate ownership and it is not known when, if at all, this site would be brought forward for redevelopment. As such the rear block has been positioned centrally within the site to provide a set back from the neighbouring light industrial use to the north in the interests of protecting the amenities of future occupiers.

A further constraint to the proposed layout are the easements running from Wood Lane End across the site to the north; to a large extent this has dictated the layout in terms of building footprint and parking provision. Parking is located predominantly to the rear of the site minimising the visual impact on the Heart, consistent with the requirements of the development brief. The vehicle access is from a highly visible access point on Wood Lane End.

The primary elevation fronts onto the junction of Maylands Avenue and Wood Lane End. An active frontage is provided at ground floor along the length of Maylands Avenue and along approximately two-thirds of the Wood Lane End frontage serving the offices; the full height glazing is broken up by vertical features and set back slightly beneath a first floor overhang. This allows for a wide pavement area serving the frontage thereby creating interaction between building and the street, an aspiration of the development brief.

Concern was initially raised about the relationship of the rear wing with the rear elevation of the wing fronting Wood Lane End in terms of overlooking between the windows of the

residential flats. This is particularly given the orientation and single aspect nature of some of the units. The application was subsequently revised to include measures that would prevent direct overlooking; the most notable is the angled orientation of the windows on the southern elevation of the rear wing. Alterations to the positioning of the building footprint were considered but not pursued due to the constraints of the site.

The Development Brief expects a landmark building to be created on the Maylands Avenue/Wood Lane End junction with well designed, high quality facades facing onto the crossroads. The proposed development is considered to achieve this through the prominent seven storey element at the apex of the site. The design is based on a modern approach with an industrial appearance that is in keeping with the surroundings. A vertical emphasis is introduced through the use of columns and a variety of cladding materials which adds interest to the facade. Further interest is also provided through the use of relief incorporating slight setback and projections. Materials proposed include dark cladding such as black timber and rusty warm colour of corten steel in reference to the palette of red and yellow brick of surrounding buildings. White render is also proposed.

### Residential Development

The Heart of Maylands Brief provides a figure of 270 units across the brief area. However, it is relevant to note that the Council's land availability calculations assume nearly 500 homes on the Maylands Business Park. This includes an element from the 'Area of Residential Opportunity' in the NW corner of the business park (shown on Core Strategy Figure 22), but this land is not currently available for housing development.

The proposal puts forward 79 dwellings in the form of 1 and 2 bed apartments. The site area is 0.49ha therefore the density of dwellings is equivalent to 161 dwellings per hectare (DPH).

Clearly this is a much higher density than what would be considered acceptable elsewhere within the Borough and outside the expected range of 30 to 50 dwellings per hectare outlined under saved Policy 21 of the Local Plan. However the principle of the development is in line with the aspirations for the area as detailed in the Maylands Masterplan and Heart of Maylands Brief. The creation of a local centre is intended to bring vibrancy and vitality to the area; a critical mass of residential units shall further reinforce this through both increasing activity in the area and most importantly extending the activity beyond business hours.

It is therefore accepted that a high density of residential units is necessary to this development. Key to the proposal is whether the development achieves a good standard of design and level of amenities that affords this level of density. Development that falls below standard on matters relating to residential amenity and parking is an indication that the density is too great. Each of these matters is addressed further below.

The proposed housing mix is acceptable in terms of Core Strategy Policy CS18 (mix of housing) through the provision of a range of one and two bed flats of both social rented and shared ownership tenure.

Core Strategy Policy CS19 - affordable housing requires 35% to be affordable and a minimum 75% of the affordable units should be for rent. The proposals are for 100 percent affordable housing with half of these homes as social rented and half as shared ownership. This level shall be secured through the Legal Agreement.

### Residential Amenity

The proposed units range in size from 48m<sup>2</sup> to 76m<sup>2</sup>. Policy does not provide minimum size standards for residential development; however consideration must be given to the quality of accommodation and amenity provided for future occupants. As outlined above, concern was

initially raised in connection with the outlook for occupants, particularly in relation to the units on the southern side of the rear wing and those located directly opposite on the northern side of the wing fronting Wood Lane End. For single aspect units the only outlook would be to the units located directly opposite.

The application has been revised to overcome these concerns through re-arranging the internal layout including the stairs so that more of the units have dual aspect. Windows to the south elevation of the rear wing are angled. The glazed areas facing the southeast will be in opaque glazing to overcome privacy impacts for residents of units with inward facing elevations. The southwest orientated windows will be in clear glazing to allow some outlook for occupants and also to capture sunlight from this direction.

Large areas of glazing at floor to ceiling height have been proposed throughout the scheme to maximise natural daylight. Domed rooflights have also been introduced for some of the north-facing single aspect units.

### *Communal and Private Amenity Area*

In terms of provision of private amenity space, 20 of the units have access to balconies or private outdoor amenity area and 32 have Juliet balconies. In addition three communal outdoor amenity areas are proposed: one at site level with play facilities (145m<sup>2</sup>); an area at roof level to the fourth floor (354m<sup>2</sup>); and a further area at sixth floor roof level (70m<sup>2</sup>).

Appendix 3 of the saved Local Plan requires multiple occupancy development to provide a private communal area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height. Whilst some private communal area has been provided to the rear the amount clearly falls short of this requirement. However it is made up to some extent by provision at roof level on the fourth and sixth floors.

The proposed amenity space secured through roof gardens, courtyard areas and to a lesser extent through balcony space is becoming more accepted as an appropriate form of provision, particularly in high density schemes such as this. The dwellings are 1 and 2 bedrooms apartments and are located within an employment centre. Whilst there undoubtedly would be some families within children within the development the level is likely to be less than the normal distribution.

A further key consideration is the quality and usability of the proposed amenity space. The play area at site level whilst adjacent to the car parking area also adjoins the rear wing and would benefit from natural surveillance from the surrounding residential units. It would also provide a focal point to the development as people enter and exit the site and has the potential to contribute to social interaction amongst residents. The communal areas to the upper floors contain seating areas and planting to provide an aesthetically pleasant environment. Details of the landscaping, screening and safety enclosure would be required for approval to ensure the quality of these spaces is maintained in perpetuity.

It is acknowledged within the Heart of Maylands Development Brief that a lower level of on-site provision of open space may be permitted within the most prominent part of the Heart such as the application site. Furthermore, a large public square has been approved as part of the development of the southeast site (ref. 4/00676/14/MFA) which is shown as the focal area of public space for the Heart of Maylands.

In terms of the wider surrounding area the nearest equipped area of play is located at Green End Lane, which is 0.5miles away, which equates to less than a 10 minute walk. This exceeds the policy level in terms of travel distance. However, for the reasons given above and bearing in mind the future development aspirations for the Heart, it is considered that the proposed



private and communal amenity space is acceptable.

A concern with introducing residential units to employment areas is the potential impact of noise activity on the future residents and also the reverse. Once residential uses are established within such areas complaints can be made by residents against commercial activities (reverse sensitivity).

In light of this Environmental Health has recommended that sound insulation is provided. They have advised that "the sound insulation between the units is capable of 50db attenuation. To ensure no disturbance of adjoining residents or commercial developments."

Should the committee be minded to grant this application, a condition will be attached requiring this level of sound attenuation between the proposed units.

### Access and Parking

The existing access arrangement from Wood Lane End will be retained as part of the redevelopment scheme. Given that there are no alterations to the junction and sufficient visibility splays continue to be provided no objection has been raised by Highways in respect to access.

A total of 83 residential car parking spaces (one space per residential unit and four visitor spaces) and 9 car parking spaces for use by the office element will be provided on site. The policy requirement under saved Appendix 5 of the Local Plan for parking provision (Accessibility Zone 3) is represented as follows:

- One-bedroom dwelling - maximum 1.25 spaces; and
- Two-bedroom dwelling - maximum 1.5 spaces.

The above policy requirements would yield a maximum parking provision for the residential units across the site of 108.5 spaces with 40 one-bedroom flats and 39 two-bedroom flats. It is noted that the Transport Assessment refers to 102 spaces which is the maximum based on the original application for 75 residential units.

An assessment set out in the Transport Assessment considers car ownership numbers for non-owner occupied flats and the 2011 Census data on local car ownership levels for social rented housing. Based on this assessment they have submitted that demand for 52 on-site parking spaces will be created as a result of the development. Whilst the revised scheme is for an additional 4 residential units, the provision remains well in excess of the assessed demand for the site.

The parking standards set out within the Local Plan for office development are one space per 30m<sup>2</sup>. As the site is situated within an Accessibility Zone 3 area 50 - 75 percent of the standard is applicable, resulting in a requirement of between 11 and 16.5 spaces for the proposals. The proposal is for nine parking spaces; this provision falls slightly short of the maximum parking standards for office development as set out in Appendix 5.

The submitted Transport Assessment asserts that the site is located within a sustainable urban location with links to local amenities and sustainable transport modes. Four bus stops are situated within a walking distance of less than 100m from the application site. In particular, the site is within a GEA with easy access to employment. The benefits of this level of accessibility is emphasised within the Heart of Maylands Development Brief which seeks to provide a mix of business and new homes, thereby helping to reduce the need to travel elsewhere by car. It is also noted that a public car park is located opposite on Wood End Lane in proximity to the junction with Mark Road.

Given the long term aspirations for the Heart to reduce the need to travel and the accessibility of the site, the level of parking provision is considered to be sufficient to meet the needs of both the commercial and residential occupiers of the development.

In terms of proposed cycle parking, the following standards under saved Appendix 5 of the Local Plan are applicable:

Residential (Class C3) - 1 long-term space per unit if no garage or shed provided;  
Office (Class B1) - 1 short-term space per 500m<sup>2</sup> gross floor area plus 1 long-term space per 10 full time staff.

Secure, covered cycle storage with a capacity for 80 cycles separated for both the residential and office component is to be provided within the building. Highways have confirmed that the provision is in excess of the minimum standards.

A Travel Plan has been submitted as part of the application which was assessed by Highways. The content and format was acceptable however some minor areas of improvement were identified. A condition will be imposed ensuring that a revised Travel Plan based on these comments is submitted for approval.

### Landscaping

A Preliminary Ecological Appraisal (PEA) has been submitted with this application, which concludes that the proposed development poses no significant risk to ecological receptors. Hertfordshire Ecology has reviewed the proposals and concluded that they have no biological records for the site or nearby vicinity. Furthermore, no habitats or species of any significance will be affected by the proposals.

Detailed landscaping proposals have not been submitted at this stage however indicative layouts have been provided for the car parking and amenity areas. Trees and Woodlands have provided comments on the proposed layout and have raised a concern that the trees proposed in the narrow spaces between intermittent parking spaces would need more space in which to develop. They have also suggested that some of the trees/shrubs would need to be carefully chosen given their proximity to buildings, car park barriers and parking areas. This concern has been discussed with the applicant and they have confirmed that the issue can be addressed as part of the detailed design.

The Heart of Maylands Development Brief seeks tree-lined streets and landscaped parking areas. A landscaping condition shall be attached to secure the provision of suitable landscaping, in accordance with the requirements of the Brief.

### Archaeology

The site lies within an Area of Archaeological Significance. The County Council Historic advisor notes that a recent archaeological evaluation (May 2015) at Land at Maylands Court and Wood Lane End, proved negative. However, previous investigations had found a considerable depth of made ground present. The current site is also on higher ground and may not have been subject to similar ground works. It was concluded that the position and details of the proposed development are such that it should be likely to have an impact on significant below ground heritage assets. Provisions should therefore be made for a programme of archaeological works in accordance with paragraph 141, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and the recently issued Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

Two appropriately worded conditions have been recommended that would be sufficient to provide for the level of investigation that is warranted by the proposal and would be attached to a planning permission.

### Flood Risk and Drainage

Adopted Core Strategy Policy CS29 requires new development to comply with the highest standards of sustainable design and construction. In relation to flood risk and drainage, an adequate means of water supply, surface water and foul drainage should be provided.

The proposed development will result in approximately 87% of the site in hardstanding with soft permeable landscaped areas occupying the remaining 13% of the site.

At present the surface water drainage currently drains to the public surface water sewer within Wood End Lane at an unrestricted rate. In accordance with the hierarchy of drainage options set out in the NPPG, the proposal seeks infiltration through the use of SuDs features comprising soakaways, permeable paving and/or cellular attenuation tanks as a first option for surface water drainage on the site. Should soakaways not be found to be feasible, attenuation will be required on site in order to restrict surface discharge to the Thames Water sewer within Wood End Lane to 5l/s. Thames Water have confirmed that the principle to discharge to the sewer is acceptable.

The Lead Local Flood Authority raises no objection to the proposal. They note that infiltration tests are yet to be carried out, however they are satisfied that Thames Water raise no objection to the second option of discharging to their sewer, should infiltration prove to be unfeasible. As details of the final scheme are yet to be finalised they have recommended two conditions to secure the principles of the proposed scheme.

### Fire and Rescue Services

Hertfordshire Fire and Rescue Services initially raised a concern that provision had not been made for access for emergency vehicles within the site. The parking and access layout was subsequently revised to include a hammer head at the western end of the rear block. As a result, the parking space provision was reduced by a total of four spaces and the outdoor amenity area reconfigured but retains the same area of 145m<sup>2</sup>.

The need for emergency vehicle access to the site is considered to outweigh any slight reduction in parking. Furthermore the resulting provision of off-street parking for the development is considered to be acceptable for the reasons given above.

Details of the provision and location of the fire hydrants has not been provided at this stage. Given that this level of detail is not yet known but would be looked at during the course of Building Regulation approval, a condition will require details to be submitted and approved prior to the commencement of development.

### Contamination and Ground Stability

The site is located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site; the contamination condition is recommended to be imposed to ensure that the contaminated land investigation is undertaken.

The site is located proximate to a relatively recent slump in Oatridge Gardens and old pits associated with the former brickworks on Wood End Lane. A GroundSure Enviroinsight Report has been submitted as part of the application which did not identify any shallow mining within the vicinity of the site. However it is acknowledged that the former chalk mining activity which

took place approximately 150 years ago is unlikely to be identified in contemporary data or unless a specialist investigation is undertaken.

It is noted that the former industrial building would have existed on this site since 1938 and therefore the risks to the proposed development are low. However a condition will be imposed should the committee be minded to grant planning permission requiring the applicant to undertake ground investigation that specifically considers the historic mining of the area and addresses any potential issues prior to the commencement of development.

### Impact on Neighbours

There are no residential properties that adjoin the site that would experience any impact on their amenities as a result of the proposals. Both residential and office use are low impact uses that would not cause any harm to the amenities of the neighbouring Class B1 uses. Furthermore, the rear wing to the development has been set back from the northern boundary thereby avoiding any reverse sensitivity issues.

### CIL and Planning Obligations

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 3 within which a charge of £100 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

The Council has adopted its Supplementary Planning Document on Affordable Housing (2013). This document supports the Core Strategy Policy CS19: Affordable Housing. Also relevant is the "Planning Obligations Guidance - Toolkit for Hertfordshire" produced by Hertfordshire County Council.

There will be a need for an s106 planning obligation to cover affordable housing provision as set out in the SPD. Financial contributions will also be sought in respect of Regulation 122 of the CIL Regulations 2010 where they would be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants. The planning obligation has been requested by Highways to be used towards providing easy access kerbing for those bus stops located within 100m of the site that currently do not have this and the provision of real time screens. The contributions sought will ensure that additional needs brought on by the development are met.

The legal agreement will need to be completed and submitted as part of any planning application to ensure that there is a mechanism to secure the matters sought by the SPD and CIL Regulation 122.

The following heads of terms have been agreed through negotiation:

<b>HEAD OF TERM</b>	<b>AMOUNT</b>
Affordable Housing	100%
Bus stop easy access kerbing	£8, 000
Bus stop in-shelter screens	£8,000

### Sustainability

A Sustainability Statement and Energy Statement has been prepared by Eco Energy and Environmental Ltd in response to the questions included in the C-Plan carbon impact assessment on-line tool used in the assessment of planning applications.

The application proposes to employ the principles laid out in 'Building for Life 12' (BfL12), which sets out industry standard for well-designed homes neighbourhoods. The BfL12 is led by CABE at the Design Council, Design for Homes and Home Builders Federation.

The proposal is considered to be consistent with the requirements of Policy CS29 Sustainable Design and Construction. Measures to achieve the highest standards of design and construction include re-use of the existing material on the site (concrete); import of recycled and secondary aggregate; the use of sustainably sourced timber on site; the use of water efficient fittings, flow restriction and efficient water heating systems within the flats; installation of a rainwater collection system; undertaking a 'fabric first' approach to energy conservation to achieve an improvement of over 5% in the Dwelling Emissions Rate and Building Emissions rate over the Building Regulations Target Emissions Rate; and implementation of a waste construction management plan. The development will also be capable of connection to a future district heating system when available.

In terms of promoting sustainable transport, electric car sharing points are proposed within both the residential and office car parking areas. The provision of 80 secure, sheltered cycle parking spaces on site is in excess of the minimum standards.

The proposal is therefore considered to be in accordance with CS28, CS29 and CS31 of the Adopted Core Strategy.

## RECOMMENDATIONS

1. That the application be **DELEGATED** to the Group Manager, Development Management and Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

- Affordable Housing 100%
- Bus stop easy access kerbing £8,000
- Bus stop in-shelter screens £8,000

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 **Notwithstanding the details hereby approved, no development above ground shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority.**

**These details shall include:**

- **Roof material finishes**

- **External Wall finishes**
- **Fenestration Details and Materials**
- **Balcony materials**
- **Canopy and entrance feature materials and finishes**
- **Rainwater goods**

**Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to accord with adopted Core Strategy Policy CS12.

- 3 Within three months of the date of the granting of this planning permission details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **trees to be retained and measures for their protection during construction works;**
- **proposed finished levels or contours;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);**
- **retained historic landscape features and proposals for restoration, where relevant.**

**The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

- 4 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five 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 species, size and maturity to be approved by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with adopted Core Strategy Policy CS12.

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape**

**areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

- 6 The development shall not be occupied until the access, car parking and turning areas for the development has been constructed, surfaced and permanently marked out in accordance with the details approved under Condition 3 this application. All parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.**

Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents and businesses in accordance with CS12 of the Adopted Core Strategy.

- 7 Two months prior to the occupation of the development, details of the proposed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: to promote a sustainable development in accordance with adopted Core Strategy Policy CS8 and highway authority requirements.

- 8 No part of the development hereby permitted shall be occupied prior to implementation of the Travel Plan referred to in Condition 7 above. The approved Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied.**

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with CS8 of the Adopted Core Strategy.

- 9 Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

**The Construction Traffic Management Plan shall include details of:**

- a) Construction vehicle numbers, type, routing;**
- b) Traffic management requirements;**
- c) Construction and storage compounds (including areas designated for car parking);**

- d) Siting and details of wheel washing facilities;
- e) Cleaning of site entrances, site tracks and the adjacent public highway;
- f) Timing of construction activities to avoid school pick up/drop off times;
- g) Provision of sufficient on-site parking prior to commencement of construction activities;
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

10 **The proposed development shall be carried out in accordance with the measures detailed in the FRA carried out by Waterco reference W19181-160107 dated January 2016 submitted with this application. The measures shall achieve the following:**

- **Limit the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.**
- **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.**

**Reason**

1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with adopted Core Strategy Policies CS29 and CS31.
2. To reduce the risk of flooding to the proposed development and future occupants.

11 **No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 30% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

**The scheme shall also include:**

1. **Infiltration tests should be conducted to BRE Digest 365 Standards if infiltration is proposed.**

**Provision of a fully detailed drainage plan showing pipe diameters, pipe runs,**



outlet points and location of SuDS features and supporting calculations.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason**

To prevent the increased risk of flooding, both on and off site and to accord with adopted Core Strategy Policies CS29 and CS31.

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

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

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with CS27 of the Adopted Core Strategy.

13 **Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition 12. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 12 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with CS27 of the Adopted Core Strategy.

14 **The development hereby permitted shall be carried out in accordance with the approved sustainability statement and energy statement submitted by Eco**

## **Energy and Environmental Limited.**

Reason: To ensure the sustainable development of the site in accordance with Policies CS28, CS29 and CS31 of the Dacorum Core Strategy.

- 15 **No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.**

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 16 **A scheme for protecting the proposed residential units from noise from the surrounding existing activity, including commercial activity and traffic noise shall be submitted to and approved by the local planning authority; the submitted information shall demonstrate how the internal areas of the residential units shall comply with BS8233 and to achieve reasonable conditions for sleep and daytime amenity. All works which form part of the scheme shall be completed before any part of the development is occupied.**

Reason: In the interests of the amenity of adjoining residents in accordance with CS12 of the Adopted Core Strategy.

INFORMATIVE:

It is advised that the sound insulation between the units is capable of 50db attenuation.

- 17 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition:**

**A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.**

**A Phase II Report consists of an intrusive site investigation and risk**

**assessment. The report should make recommendations for further investigation and assessment where required.**

**A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 18 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 17 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

**For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

- 19 **No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority for the provision of a fire hydrant(s) to serve the development. The development shall not be occupied until the approved scheme of fire hydrant(s) has been installed.**

Reason: To ensure water supplies are provided to adequately serve the site in accordance with BS 9999.

- 20 **Construction of the development hereby approved shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

Reason: To ensure the sustainable construction in the development of the site in accordance with Policies CS29 of the Dacorum Core Strategy.

INFORMATIVE:

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

[http://www.wrap.org.uk/construction/tools\\_and\\_guidance/site\\_waste\\_management\\_planning/index.html](http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html)

- 21 **No development shall take place until a detailed land stability risk assessment report has been submitted to and approved in writing by the local planning authority.**

Reason: To ensure that any potential land instability within the site is identified and addressed in accordance with National Planning Practice Guidance.

- 22 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

**L4131 14G Proposed Site Plan;  
L4131 15G Ground Floor Plan;  
L4131 16G Proposed Upper (1-3) Floor Plans;  
L4131 17G Proposed Fourth Floor Plan;  
L4131 18G Proposed Fifth Floor Plan;  
L4131 26 Proposed Sixth Floor and Roof Plan;  
L4131 19F Proposed Front Elevations;  
L4131 20E Proposed Rear Elevations 01;  
L4131 21E Proposed Rear Elevations 02.**

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

#### Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

#### INFORMATIVES:

##### Highways:

AN1) Construction standards for new/ amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the constructed of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway

Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 03001234047

AN2) 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 website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) 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 website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Thames Water:

#### Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in

prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Through the centre of the proposed development and there are easements and wayleaves running throughout the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

The Map issued previously has yellow dashed lines show the easements and wayleaves and the proposed development area is identified by a red outlined box.

#### Hertfordshire Ecology:

o **Protected Species** - It is an offence to take or disturb the breeding or resting location of protected species, which include (although not exclusively) all Bats, wild Birds, Reptiles (Common lizard, Slow-worm, Grass snake), and Roman snails. Precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately and advice sought as to how to proceed. This may be obtained from: Natural England: 0300 060 3900; or a suitably qualified ecological consultant.

o For **birds**, the removal of trees & shrubs should be avoided during the breeding season (March to September inclusive). If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the last chick has fledged.

o Any **external lighting scheme** 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.

o **Soft landscaping** - new trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.

o **Biodiversity enhancements** could be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, refuge habitats (e.g. log piles, hibernacula) for reptiles at the site boundaries, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.

## Crime Prevention:

Achieving the Secured by Design award meets the requirements of Approved Document Q (ADQ), and there is no charge for applying for the Secured by Design award. I would ask that this information is passed by way of informative to the applicant.

- a. Secured by Design part 2 physical security: If the development were to be built the physical security of Secured by Design part 2, which is the police approved minimum security standard and also achieves ADQ. This would involve:
  - All exterior doors to have been certificated by an approved certification body to BS PAS 24:2012, or STS 201 issue 4:2012, or STS 202 BR2, or LPS 1175 SR 2, or LPS 2081 SR B. This includes any communal doors from underground / undercroft parking areas.
  - All individual flat front entrance doors to have been certificated by an approved certification body to BS Pas 24:2012 (internal specification).
  - Ground level (easily accessible) exterior windows to have been certificated by an approved certification body to BS Pas 24:2012. All glazing in the exterior doors, and ground floor (easily accessible) windows next to doors to include laminated glass as one of the panes of glass.
  - Access control standard for flats is: 4 to 10, audible – more than 10 flats sharing a communal entrance then audible and visual access control at the pedestrian entrances to the block. Such access control must NOT have a Tradesman's Button fitted as this assists offenders to gain entry during the day to break into the flats. As this proposed development has 75 flats there will be the requirement for access control as well as on the landings and some CCTV coverage.

These standards are entry level security and meet the Secured by Design part 2 physical security standard. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75% and achieve ADQ. I would encourage the applicants to seek Secured by Design certification to this standard when it is built.