

**4/01796/16/FUL - EXTENSION OF MAYLANDS BUSINESS CENTRE WITH THE ADDITION OF A NEW SINGLE-STOREY BUILDING, REPLACING BUNGALOW DEMOLISHED FURTHER TO 4/03183/15/DEM.
THE BUNGALOW, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA.
APPLICANT: Dacorum Borough Council.**

[Case Officer - Matt Heron]

Summary

The proposal would support the growth of small businesses within a designated Employment Area and the loss of a single dwellinghouse is acceptable in policy terms. As such, the principle of the development is acceptable and the proposal represents sustainable development, in accordance with policy NP1 and the 'golden thread' of national policy.

The proposal has also been assessed in terms of its impacts on the character of the area, the living conditions of the occupants of neighbouring properties, highways and parking matters and on other relevant material planning considerations. It has been concluded that the proposal is acceptable in terms of the above and is therefore in accordance with identified local and national policy.

Site Description

The application site is located on the southern side of Redbourn Road, from which access is taken, within the designated Employment Area. Immediately adjacent to the site, to the east, is Maylands Business Centre (MBC) – a Dacorum Borough Council led business development centre providing business premises for small to medium sized developing businesses within the local area.

Facing the site, to the north, lie a row of single storey and two storey detached and semi-detached residential units. These buildings are constructed in a variety of architectural styles from a diverse palette of materials. To the west of the site, beyond another access to commercial/industrial units within the Employment Area to the rear of the site, are two more detached residential properties.

The site itself is comprised of a single storey, detached, residential property constructed of facing red brickwork under a hipped roof. This building is currently unoccupied and has been partially demolished following approval under application ref. 4/03183/15/DEM.

Proposal

The application seeks permission for the construction of a single storey building, replacing the existing bungalow which is already partly demolished under the above mentioned approval. The proposal would afford five units for businesses and, with regards to the Town and Country Planning (Use Classes) Order 1987 (as amended),

the primary use would be Use Class B1(c) (light industrial). There may also be other ancillary uses, such as B1(a) (offices), B1(b) (research and developments of products and processes) and B8 (storage).

The new building would be constructed in an 'L-shape', with a maximum height of approximately 6m and a total gross internal floor area of approximately 536m². The building would be constructed of vertical grey cladding and brickwork similar to that found at the adjacent MBC under a shallow grey clad pitched roof.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council has an interest in land at the application site.

Relevant History

4/03183/15/DEM - The building to be demolished is a council owned bungalow. The bungalow is being demolished to extend the Maylands Business Centre, creating 5 new units for the centre. Traditional demolition using plant and machinery. Site to be developed into an extension of the current Maylands Business Centre. Approved 20/10/2015.

Policies

National Policy Guidance

National Planning Policy Framework (the Framework)
National Planning Practice Guidance (NPPG)

Adopted Core Strategy

NP1 – Supporting Development
CS1 – Distribution of Development
CS4 – The Towns and Large Villages
CS8 – Sustainable Transport
CS9 – Management of Roads
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS14 – Economic Development
CS15 – Offices, Research, Industry, Storage and Distribution
CS26 – Green Infrastructure
CS29 – Sustainable Design and Construction
CS32 – Air, Soil and Water Quality
CS34 – Maylands Business Park
CS35 – Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policy 10 – Optimising the use of Urban Land

Policy 15 – Retention of Housing

Policy 31 – General Employment Areas

Policy 57 – Provision and Management of Parking

Policy 58 – Private Parking Provision

Policy 99 – Preservation of Trees, Hedgerows and Woodlands

Policy 113 – Exterior Lighting

Policy 129 – Storage and Recycling of Waste on Development Sites

Appendix 5 – Parking Provision

Summary of Representations

Comments received from consultees:

Hertfordshire Biological Records Centre – No objection, subject to relevant conditions.

Hertfordshire and Middlesex Wildlife Trust – No objection received.

Thames Water – No objection received.

Affinity Water – No objection received.

Dacorum Trees and Woodland – No objection received.

Dacorum Environmental Health – No objection subject to relevant conditions.

Hertfordshire County Council Transport, Programmes and Strategy – No objection received.

Hertfordshire County Council Contributions - seek the provision of hydrants required to serve the proposed buildings

Dacorum Refuse and Recycling – No objection received.

Comments received from local residents:

The application has been advertised by means of neighbour notification letters and site notice. Five letters of objection have been received from addresses in Redbourn Road. Comments are summarised as:

- Harm to living conditions of occupants of neighbouring units, in terms of

- overbearing, loss of light and noise and disturbance.
- Loss of vegetation would harm character of the area.
 - Harm to living conditions in terms of light pollution.
 - Loss of residential unit.
 - Nature of the development would significantly harm character of the streetscene.
 - Harm to biodiversity, including protected species.
 - Increased traffic and congestion.
 - Loss of neighbouring privacy.
 - Proposed building is of a poor design.

Key Considerations:

The main planning considerations in the determination of this application are:

1. The principle of the development
2. The quality of the design and the impact on the character of the area
3. The potential impact on the living conditions of the occupants of surrounding neighbouring dwellings
4. Highways and parking
5. Sustainability
6. Other Material Planning Considerations
 - (i) Contaminated Land
 - (ii) Protected Species
 - (iii) Refuse and Recycling
 - (iv) CIL and other Contributions

1. The principle of the development

Construction of new building within a designated Employment Area

Policy CS1 states that Hemel Hempstead will be the focus of jobs with the emphasis upon maintaining a balanced distribution of employment growth, with growth and rejuvenation in the Maylands Business Park.

Policy CS4 outlines that development will be guided towards Towns, such as Hemel Hempstead, and that within designated Employment Areas appropriate employment generating development is encouraged. Policy CS14 reiterates this, stating that most employment generating development will be located in designated Employment Areas

in accordance with policy CS1.

Policy CS15 outlines that development proposals which include provision for small businesses will be encouraged. This policy goes on to state that, within designated Employment Areas, new office and employment (B-class) uses will be supported provided that they meet certain criteria. One of which is that they are in accordance with the specific uses permissible in each designated Employment Area.

Policy 31 states that within Maylands Business Park, proposed developments for storage and distribution will be encouraged, though the scale and nature of development within these Areas will be assessed with regards to; the character of the Employment Area, other planned development, the character of surrounding areas, the accessibility of the location and other highways impacts.

Overall, the emphasis of the strategy and objectives in the employment sections of local policy is on husbanding reserves of employment land to ensure that there continues to be enough land and floorspace in the Borough, in the right locations and of the right quality, to provide jobs for local people and that the Borough maintains a diversity of employment uses which accommodates for the requirements of local businesses, particularly small businesses, and firms seeking to locate in the area.

Given that the application site is located within a designated Employment Area within Hemel Hempstead and the proposal would provide the existing MBC with five new employment units for small businesses, it is considered that the proposal, subject to being acceptable with regards to other considerations mentioned within Policy 31, would not contravene the above mentioned overarching strategy for employment land and uses in the Borough, and is acceptable in accordance with policies CS1, CS4, CS14, CS15 and 31.

Furthermore, Policy CS34 specifically relates to Maylands Business Park and states that new development within this designated Employment Area must contribute fully to the achievement of use, movement and design principles and should meet relevant opportunities for character zones within the Employment Area.

In 2007, the Council adopted the Maylands Master Plan as a planning policy statement, to be used in determining planning applications and reviewing the Local Plan. The application site is shown in this master plan as located within the 'Engine Room' character zone. Section 2.5 in the master plan states that a range of industrial and commercial uses will be encouraged in the 'Engine Room'. Figure 18 within the Core Strategy also states that the 'Engine Room' should continue to offer a mix of industrial and commercial uses, as well as more flexible business uses.

Taking into account the scale and nature of the proposal, it is considered that the proposed development would comply with the specific uses permissible within the 'Engine Room' of the Employment Area, in accordance with Policy CS35.

Notwithstanding the above, it is noted that Figure 22 within the Core Strategy outlines that the application site lies within an 'Area of Residential Opportunity'. However, this figure is simply indicative of possible future land uses as the Borough seeks to maintain its five year supply of housing land. As such, it does not represent a land allocation and no weight has been afforded to this Figure in the determination of this application.

Overall, it is considered that the proposed development, which would aid the growth of small businesses within an allocated Employment Area in Hemel Hempstead, complies with identified local employment policy in this regard. However, given that the building would have a primary B1(c) (light industrial) use, it is considered reasonable to impose conditions ensuring that the premises is used solely for this primary use (which would allow ancillary uses, such as B1(a) (offices), B1(b) (research and developments of products and processes) and B8 (storage)) and removing permitted development rights for Schedule 2, Part 3, Class PA (conversion to residential) to ensure the building remains in an appropriate use for this location.

Loss of a Residential Building

The application site currently consists of a partially demolished single storey residential unit. Policy 15 states that the loss of housing land and dwellings will not be supported, except within designated Employment Areas for permissible uses.

As the dwelling is located within Maylands Business Park, the development is for small businesses (a use specifically encouraged in this location) and as prior approval has been given by the Local Planning Authority to demolish the unit, it is considered that the proposal is in accordance with Policy 15 and is acceptable in this regard.

2. The quality of the design and the impact on the character of the area

Core Strategy Policies CS11 and CS12 state that development within settlements should respect the typical density in the area and integrate with the streetscape character. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

Scale, Bulk, Mass and Design

The proposed development is located within a designated Employment Area, on the southern side of Redbourn Road. Immediately adjacent to the site, to the east, lies a large building constructed of grey cladding and facing brickwork under a grey clad roof which forms part of the existing MBC. To the rear of the site, moving further into the Employment Area, are other large scale buildings for commercial/industrial purposes.

The majority of the southern section of Redbourn road immediately adjacent to the site is comprised of such buildings. The only exception is to the west of the site, as here there are two detached residential units. The northern part of Redbourn road facing the application site is solely comprised of residential dwellings.

The proposed building would have a maximum height of approximately 6m and would be set back from the access road by approximately 16m. The building would leave a gap of approximately 3.1m to the western boundary, a gap of approximately 1.3m to the southern boundary, a minimum gap of approximately 1.5m to the eastern boundary and a minimum gap of 1m to the northern boundary.

The nearest built form to the west would be approximately 9m from the proposed building and the nearest built form to the east would be approximately 15m away from the site. There is no built form immediately to the south of the site.

Taking all of the above into account, with regards to the overall scale, bulk, mass, and positioning of the proposal, it is considered that the development would not result in a visually dominant or intrusive feature within the immediate streetscene. Furthermore, with regards to the spacing that would be left about the building and the proximity of surrounding built form, it is considered that sufficient space would be left about the proposal to ensure that the development would not appear cramped or overdevelopment upon its plot.

Turning to the individual design of the proposal, the building would be constructed of 'Goosewing Grey' wall cladding and brickwork to match buildings within the adjacent MBC under a 'Goosewing Grey' clad roof. It is considered that these materials are sympathetic to the character of the area and, subject to a condition ensuring their use, would preserve the harmony of the surrounding built form. The building has been designed to be a modern facility, maximising natural light, ventilation and functional circulation space and, given its location within a designated Employment Area, would not result in significant harm to the character of the immediate streetscene and the visual interests of its surroundings.

Landscaping

It is proposed to remove vegetation at the application site as shown on drawing no. 15023_PL_003 Rev. 3 and it is noted that concerns have been raised with regards to the loss of this existing landscaping. However, on discussion with Dacorum Trees and Woodland Department, it is not considered that this vegetation is of significant amenity value to the area and is therefore not of sufficient quality to protect. Furthermore, as this vegetation is not within a Conservation Area and is within the ownership of the applicant, it may be removed without prior consent from the Local Planning Authority.

Taking the above into account, though regrettable that this vegetation would be lost, it is not considered reasonable to refuse this application on these grounds alone. It is,

however, recommended that a condition is imposed requesting the submission of a Landscaping Plan prior to first occupation of the building identifying the species type and mix for replacement vegetation at the site, as well as providing further details of hardstanding and boundary treatments. This would ensure that the development is off a high standard and that the visual impact of built form is softened.

Having regard to all of the above, and subject to the imposition of identified conditions, and a further condition requesting full details of alterations to cycle parking and bin stores, the proposal would be visually acceptable. As such, the proposal complies with identified local and national policy in this regard.

3. The potential impact on the living conditions of the occupants of surrounding neighbouring dwellings

Policy CS12 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

The proposed building would be positioned in excess of 35m away from properties to the north of the site. As such, it is not considered that the build, form and location of the proposal would result in harm to these units, in terms of overbearing and loss of light.

Turning to the residential unit to the west, 'The Lodge', the proposed building would project approximately 7m beyond the principal elevation of this dwelling and would extend approximately 17m beyond the rear of this property. However, the proposal would be positioned approximately 8.5m away from 'The Lodge' and there are no habitable first floor windows within the eastern elevation of this unit. Taking this into account, and with regard to the overall scale of the proposed building, though it would be visible from the rear amenity space which benefits 'The Lodge', it is not considered that the proposal would result in significant and demonstrable harm to the living conditions of the occupiers of this dwelling, in terms of overbearing and loss of light.

In terms of overlooking, as there are no windows proposed within the western elevation of the building, and as the proposed car park would be in excess of 35m from units to the north of the site, it is considered that the development would preserve the privacy of surrounding units.

Noise and Disturbance

With regards to noise and disturbance, the proposed development would provide space for small light industrial businesses, would be located on an existing Employment Area and the existing tenancy agreement for units at the Maylands Business Centre prohibits any work which could cause noise and disturbance to neighbouring units between the hours of 11pm to 7am. Examples of small businesses

occupying existing buildings at the MBC include; catering services, cleaning services, healthcare specialists, and a recruitment agency.

Taking the above into account, and on discussion with Dacorum Environmental Health Officers, it is not considered that the proposed use would result in harm in this regard, over and above the existing situation, to the extent that would warrant a refusal. It is, however, considered reasonable to impose conditions; requiring a full noise assessment (including an assessment of any plant machinery to be inserted), restricting any external loudspeaker systems and ensuring that there is sufficient insulation and anti-vibration measures incorporated within the building. It is also noted that Dacorum Environmental Health has requested a condition requiring details of any piling during construction. However, given that there is Environmental Health legislation ensuring that developments are constructed in accordance with appropriate noise standards, this condition is not considered necessary.

Furthermore, it is noted that specific concerns have been raised in terms of noise and disturbance from the proposed car park. Given the distance from this element of the proposal to surrounding units, it is not considered that the movement of people and associated noise resulting from the car park would result in significant impacts in this regard and it would not be reasonable to refuse the application on these grounds alone.

Lighting

Turning to impacts from lighting, the applicant has confirmed that all external lighting will meet the appropriate standards of relevant legislation. On discussion with Dacorum Environmental Health Department, this is considered acceptable. However, to ensure that the proposal has no significant impact on the living conditions of the occupants of surrounding dwellings in this regard, it is recommended that a condition is imposed requesting the submission of the exact specification of all external lighting prior to the first occupation of the building. Subject to the imposition of this condition, the proposal would be in accordance with Policy 113 and acceptable in this regard.

Taking all of the above into account, subject to the imposition of identified conditions, the proposal would not significantly harm the living conditions of the occupants of surrounding residential units, in terms of overbearing, overlooking, loss of light and noise and disturbance. The proposal therefore complies with relevant local policy and national policy in this regard.

4. Highways and parking

Policy CS12 seeks to ensure developments have sufficient parking provision. Paragraph 39 of the Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the

overall need to reduce the use of high emission vehicles. Saved Policies CS8, 57 and 58 (and associated Appendix 5) of the Local Plan promote an assessment based upon maximum parking standards. This is not consistent with Policy CS12 and the Framework and, accordingly, more weight is given to the 'case by case' approach to parking provision prescribed in national policy and CS12

The proposal would provide 14 new spaces to be used in association with the proposed building. This is considered sufficient with regards to the nature and scale of the development. Furthermore, the development would also afford secure cycle parking (details requested through condition). Taking the above into account, it is considered that parking provision would be acceptable.

Taking into account highway safety, it is considered that vehicular movements in association with the proposal could be accommodated on the existing highways network. The applicant has also submitted a Construction Management Plan, a traffic schedule and a plan demonstrating that site operatives, managers and other visitors will park at the nearby Gorvehill/Woodhall Adventure Playground. These details are considered acceptable. Furthermore, a submitted statement outlines that the site is in a sustainable location, offering a range of modes of transport to and from the site, and confirms that all vehicles, when possible, will use the main MBC access and the vehicular access to the bungalow will be closed off as soon as possible permanently.

Taking the above into account, and as Hertfordshire County Council Transport, Programmes and Strategy are not in objection to the proposed development, it is considered that the proposal is acceptable in terms of impacts on highway safety. It is, however, considered reasonable to impose a condition ensuring that the development is in accordance with details within the submitted Transport Statement.

5. Sustainability

Policy NP1 states that Council will apply a presumption in favour of sustainable development when considering proposals. This is consistent with the 'golden thread' running through the Framework as outlined in paragraph 14. The Framework states that there are three aspects to sustainable development; social, economic and environmental. These roles should not be undertaken in isolation, because they are mutually dependant (paras. 7-8).

Environmental

The proposed development would be located within Maylands Business Park and, as such, the infrastructure has been developed to provide good transport links for the Employment Area. There are also services and facilities, including public transport services, available within close proximity of the site.

Furthermore, the applicant has submitted a statement confirming; roof and wall

cladding panels have been given an A+ rating by the Building Research Establishment under their Life Cycle Analysis assessment, cladding panels comply with ISO 14001 illustrating that they contain responsibly sourced materials, construction waste will be recycled where possible and that the thermal performance of the external envelope will meet maximum u-values and will minimise the need for heating internally.

Taking the above into account, it is considered that the proposal would be environmentally sustainable and is in accordance with Policy CS29.

Social

It is noted that the proposal would result in the loss of a dwellinghouse. However, as discussed above, this unit has been partially demolished following the approval of a prior approval application. As such, and given that the Council can demonstrate a five year supply of housing land, it is not considered that this development is unsustainable in terms of social matters. Limited weight is therefore attached to the loss of 1 unit from the Borough's housing stock. _

Economic

Maylands Business Park is the largest designated Employment Area within the Borough and is of significant economic value to the area. The proposal would provide five units for businesses to use and would specifically aid in the growth of small businesses within the Borough.

Sustainable economic growth is one of the key aspects of the current planning system. Paragraph 19 of the NPPF states:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'

Paragraph 20 of the NPPF then goes on to state:

'To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.'

Taking all of the above into account, the proposal is considered to be economically sustainable which weighs significantly in favour of the grant of permission.

Conclusion on Sustainability

Though the proposal would result in the loss of a dwellinghouse, the development would aid in the economic growth of the Borough and is sustainable in terms of environmental matters. Furthermore, the Council can demonstrate a five year supply of housing land. Overall, the proposal represents sustainable development, for which a presumption in favour applies in accordance with para. 14 of the Framework.

6. Other Material Planning Considerations

(i) Contaminated Land

Policy CS32 seeks to maintain soil quality standards and ensure any contaminated land is appropriately remediated.

Dacorum Environmental Health Department have been consulted and consider that, as the site is located within the vicinity of potentially contaminative former land uses, a standard contamination condition should be imposed. This condition would require an initial investigation and risk assessment and is phased so if no risk is identified at the desk top study stage then there is no need to proceed further and the condition can be 'discharged'.

This condition is considered reasonable and would ensure that any contaminated land at the site is appropriately dealt with.

(ii) Protected Species

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS26 states that proposals should contribute to the conservation of habitats and species.

During the course of the demolition of the existing bungalow, though there is the potential for bat roosts within the roof of this building, no protected species have been located. Furthermore, no other protected species, including nesting birds, have been identified at the application site.

Though it is acknowledged that vegetation at the site does contribute, to a limited extent, to the wider ecological network, Hertfordshire County Council Ecology (HCCE) has been consulted and consider that the site, as a whole, is of very little ecological value.

Taking all of the above into account, it is not considered that the proposal would result in significant harm to biodiversity, including protected species, within the immediate and wider surrounding area and a refusal on these grounds alone would not be reasonable. It is, however, considered reasonable to ensure that vegetation to be planted at the site, considered under the above mentioned conditioned Landscaping

Plan, is of an appropriate species to provide foraging habitats for local wildlife.

(iii) Refuse and Recycling

Saved Policy 129 seeks to ensure that developments have adequate storage for refuse and recycling. Three Eurobin containers would be appropriately stored on site and a submitted swept path analysis demonstrates that larger refuse freighters could enter, manoeuvre within and then exit the site. As such, the proposal is acceptable in this regard.

(iv) CIL and other Contributions

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 development is for commercial floorspace only and, though liable for CIL, is exempt from charging due to the nature of the proposal. .

Furthermore, Policy CS35 outlines that developments will, where reasonable, be expected to make contributions to support local infrastructure. It is noted that fire hydrant provision has been requested by Hertfordshire County Council Fire and Rescue (HCCFR). However, it is considered that this may be dealt with by means of imposing a relevant condition stating that, prior to first occupation/operation of the building, the applicant must submit a scheme detailing appropriate fire hydrant provision. This Grampian style condition would be reasonable and necessary and would ensure that concerns raised by HCCFR are appropriately dealt with.

Conclusion

The proposal would support the growth of small businesses within a designated Employment Area. As such, the principle of the development is acceptable and the proposal represents sustainable development, in accordance with policy NP1 and the 'golden thread' of national policy.

The proposal has also been assessed in terms of its impacts on the character of the area, the living conditions of the occupants of neighbouring properties, highways and parking matters and on other relevant material planning considerations. It has been concluded that the proposal is acceptable in terms of the above and is therefore in accordance with identified local and national policy.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

- 2 **The development hereby permitted shall not be carried out other than in accordance with the following approved plans/documents:
15023_PL_002 Rev. 1 & 15023_PL_001 Rev. 1 & 15023_PL_006 Rev. 5 & 15023_PL_007 Rev. 4 & 15023_PL_004 Rev. 5 & 15023_PL_003 Rev. 3 & 15023_PL_005 Rev. 2 & -210 & 15023_PL_008 Rev. 1 & Materials specification document entitle 'Maylands Business Centre Extension, External Materials Image Board, June 2016' & Construction Phase Pedestrian and Site Traffic Plan & C1194 Traffic Schedule & Parking Instructions for Site Operatives/Management and Visitors & statement within e-mail received and dated 5 August 2016 confirming that, when possible, all vehicles will use the main Maylands Business Centre access and the vehicular access to the bungalow will be closed off permanently as soon as possible.**

Reason: For the avoidance of doubt, in the interests of proper planning, to ensure a satisfactory appearance to the development and to ensure that the proposal is acceptable in terms of highway safety, in accordance with Policies CS8, CS11 and CS12 of the Dacorum Core Strategy 2013.

- 3 **Prior to first occupation of the building hereby approved full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-**

- a) means of enclosure;
- b) existing and proposed finished levels and finished floor levels.
- c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;
- d) details for all external hard surface within the site, including roads, drainage detail and car parking areas;
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife, including details of bat and bird boxes;
- f) management and maintenance details.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 4 **All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or**

diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 5 Prior to the first occupation of the development hereby permitted full details, on a suitably scaled plan, of the alterations to the existing cycle store and bin store, as illustrated on approved plan no. 15023_PL_003 Rev. 3, must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained in accordance with approved details.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 6 Prior to first occupation of the development hereby approved, full details of the specification of external lighting must be submitted to and approved in writing by the Local Planning Authority. Subsequently the lighting associated with this development shall be in accordance with these approved details.**

Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013 and Policy 113 of the Dacorum Local Plan 2004.

- 7 Prior to first occupation of the development hereby approved, a scheme must be submitted to, and agreed by the Council in consultation with Hertfordshire County Council, for the provision of a fire hydrants. No units shall be occupied until the hydrant serving the approved building has been provided to the satisfaction of the Council. The fire hydrants must thereafter be retained in associated with the approved development.**

Reason: To provide for a safe means of access for fire and emergency vehicles in accordance with policy CS12 of the Dacorum Core Strategy 2013.

- 8 The development hereby approved shall be used for light industrial (Use Class B1(c)) only.**

Reason: To ensure that the development remains in an acceptable use, in accordance with Policies CS1, CS4, CS14, CS15, CS35 and CS35 of the

- 9 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 3, Class PA shall take place.**
Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding residential amenity, in accordance with Policy CS12 of the Dacorum Core Strategy 2013.
- 10 **Prior to the first occupation of the development hereby approved, a full noise assessment in accordance with PPG24 to include details of any proposed noise mitigation works, must be undertaken and submitted to and approved in writing by the Local Planning Authority. Any noise control measures identified to preserve the living conditions of the occupiers of surrounding residential units shall also be completed before any part of the development is occupied and retained thereafter.**
Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.
- 11 **Prior to the first occupation of the development hereby approved, a noise assessment must be carried out in accordance with BS4142 to establish whether the machinery that is to be installed or operated in connection with carrying out this permission is likely to give rise to complaints at any adjoining or nearby noise sensitive premises. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise from the machinery does not, at any time, increase the ambient equivalent continuous noise level. Furthermore, if at any time new plant machinery is installed following first occupation of the units, full details of proposed machinery must be submitted to and approved in writing by the Local Planning Authority.**
Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.
- 12 **Any machinery to be used on the premises shall be enclosed with sound insulating materials and installed using appropriate anti vibration mountings in a way that minimises the transmission of structure borne sound and vibration in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**
Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.

- 13 **No external loudspeaker systems shall be installed at the site in association with the development hereby approved.**

Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.

- 14 **No development shall commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.**

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme must be submitted and approved in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (iii) a survey of the extent, scale and nature of contamination;**
- (ii) an assessment of the potential risks to:**
 - **human health,**
 - **property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
 - **adjoining land,**
 - **groundwaters and surface waters,**
 - **ecological systems,**
 - **archeological sites and ancient monuments;**
- **an appraisal of remedial options, and proposal of the preferred option(s).**

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

(b) Submission of Remediation Scheme

If contaminated land is identified through condition (a), a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification/validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the adopted Core Strategy.

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town

and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives

1. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
2. In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works should be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.
3. Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, Produced in partnership by the Greater London Authority and London Councils.
4. Prior to works commencing the applicant is recommended to carry out a survey to identify the presence of any asbestos on the site, either bonded with cement or unbonded. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded asbestos is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW should be contacted and the asbestos shall be removed by a licensed contractor.
5. Waste materials generated as a result of the proposed demolition and/or construction operations should be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.
6. The applicant is advised to contact the Hertfordshire Highways at The Rotunda, Old London Road, Hertford, SG13 7XP, tel: 01992 526900, with regard to the carrying out of any works on footway, carriageway, verge or other land forming part of the highway.