

ITEM 5.07

**4/01454/15/OUT - CONSTRUCTION OF TWO DWELLINGS.
HIGH DRIVE, AYLESBURY ROAD, TRING, HP234DJ.
APPLICANT: MR. ED WHETHAM.**

[Case Officer - Patrick Doyle]

Summary

The application is for outline permission for two dwellings with all matters reserved. The key consideration is therefore can two dwellings be accommodated on the application site in principle with details considered at reserved matters staged. The scheme was originally for 3 detached dwellings, the proposal was later amended to 2 dwellings after discussions with the applicant.

The application is recommended for approval

Site Description

The site consists of the large rear garden area of High Drive and its outbuildings, accessed from Chiltern Villas off Aylesbury Road. High Drive is a bungalow in a poor state of repair, the site has not been occupied for considerable amount of time.

The site has a mature setting bound by trees on the east boundary shared with St Francis de Sales School. Tall hedge like collection of vegetation on the west boundary and the site interspersed with other trees and vegetation the site is covered by a Tree Preservation Order.

The character of the area is predominantly residential with a mix of two storey and some single storey houses, principally in Edwardian and post war styles.

Proposal

This is an outline application for two dwellings with all matters reserved including sustainability, materials, appearance, means of access & parking, landscaping, site coverage, layout, height, waste storage facilities and scale. The development is to include the demolition of existing outbuildings on site.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Tring Town Council.

It should be noted Tring Town Council objected to the original scheme. A consultation request was sent 28th May but Tring Town Council opted not to place the amended application on their agenda for their meeting on 8th June, this appears to be out of a misunderstanding regarding the outline nature of the application. Given the standing objection to the scheme the application is brought to committee for determination

Planning History

None recent

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
CS3 - Managing Selected Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New 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

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 15, 18, 19, 21, 22, 23, 58, 99
Appendices 3, 5 & 7

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area TCA 1: Ayelbury Road
Accessibility Zones for the Application of car Parking Standards (July 2002)
Planning Obligations (April 2011)
Affordable Housing (Jan 2013)

Advice Notes and Appraisals

Refuse Storage Guidance Note

Summary of Representations

Town Council

The Council recommended refusal of this application on the grounds: 1)

Overdevelopment of the site 2 or 3 bedroom dwellings would be more appropriate. 2) Road safety turning into Longfield Road & Aylesbury Road is dangerous because restricted vision of traffic entering Longfield Road from Aylesbury Road and for cars turning left onto Longfield Road and left again onto Aylesbury Road takes them onto the opposite carriage way. 3) The site is relatively large and is of ecological value. Any development should protect this aspect of the site. The application gives insufficient details of the measures taken to mitigate any impact of the development.

Tring did not respond to the consultation request sent 28/5/2015 regarding the change of description to two dwellings.

Hertfordshire Highways

I can confirm that we would be happy to commit to the use of the turning head to all vehicles in perpetuity, with this enforced perhaps by a planning condition. We recognise that the availability and use of the turning head would be an important mitigating factor.

Trees and Woodlands

(Awaiting final comments)

Hertfordshire Biological Records Centre

(Awaiting final comments)

Hertfordshire Fire & Rescue

This Authority would expect to view drawings with the following provisions for access and water supply:

ACCESS AND FACILITIES

- Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB), section B5, sub-section 16.
- Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes.
- 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 Table 20 in section B5.

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.

Contaminated Land Officer

The site is located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site. I recommend that the contamination condition be applied to this development should permission be granted. 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).

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.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

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.

Response to Neighbour Notification

(All responses received were in response to the original 3 dwelling proposal, no comments have been received with respect to the amended scheme of 2

dwelling)

1 Chiltern Villas - Obj

I live in #1 Chiltern Villas and concur with all of the points articulated clearly by my neighbour at #4 Chiltern Villas which were posted on the Tring Council Website re: this planning application. I would add the following:

I was frankly disappointed that, despite receiving a verbal commitment from the Applicant at a residents consultation meeting at #8 Chiltern Villas on March 24th, this formal application provides no written commitment from the Applicant to commit to resurface and maintain the access way between High Drive and Longfield Road ("the access way") to an reasonable standard. It is quite clear to all who live here that this access way is currently sub-standard and has been so stated in the application documentation. Furthermore the reference in the planning documentation (the Application itself and the Transport Report) that this proposed development would cause a minor increase in vehicle movement is an understatement. Currently, when all spaces are filled there are approximately 10 vehicles parked outside Chiltern Villas/Gordon Villas residences. The addition of a further 6 constitutes a 60% increase in this vehicle movement up and down this access way which, is not insignificant and will undoubtedly increase the risk to safety and wear and tear of the access way. Secondly, I know that many residents have expressed concern about the challenge already for cars to reverse out of this access way onto Longfield Road. Not only does the driver have to anticipate traffic coming down to Aylesbury Road from Longfield Road (as well as looking out for pedestrians walking down the parallel pathway) but also the driver has to anticipate traffic turning into Longfield Road from Aylesbury Road itself from both directions. Furthermore, I would share my experience that it can be just as risky to road safety to exit in a forward direction if attempting to enter Aylesbury Road from this access in the direction of Tring town because the turning circle required can require the driver to enter the opposite lane of Aylesbury Road facing oncoming traffic coming from Tring which is very dangerous.

Whilst I do not have an major objection to the principle of building three houses in this proposed plot I would very much welcome as part of this application the requirement and commitment from the applicant to convert and maintain this access way to an more acceptable standard as well as coming up with a safer solution for entering onto Longfield Road from this access way. Surely the addition of a 4th bedroom to this design will generate enough profit on the venture even after committing to this enhancement to the access way.

2 Chiltern Villas - Obj

I object to the proposed development on the following grounds:

1. Over-development. The current neighbourhood density is 15 per ha and the proposed development is 19 per ha, a 25% increase. A site visit would show that 3x 4-bedroom houses would not fit in the space allocated it would look cramped for the area.
2. Overlooking / loss of privacy. The proposed new houses would overlook all the gardens on Chiltern Villas, substantially increasing overlooking. Accepting this outline planning permission would result in a substantial increase in overlooking and loss of privacy.

3. Adequacy of parking. The proposed development of 3x 4-bedroom houses allows for parking of 2 cars per house within the development area. A family in a 4-bed house could well have more than 2 cars which would mean that the extra cars would be parked on Longfield Road leading further parking congestion on the road.

I urge the rejection of the proposal and outline plan as it stands. I sympathize with and understand that the current owner of the land wishes to sell and that housing development is the only economically viable use of that land. It is the scale of the development and its impact to which I object. I ask that the outline plan be revised to reduce the density (e.g. 3x smaller houses or 2x 4 bedroom houses) and that these houses be in keeping with the design of the road (e.g. in line with the existing row of houses that constitute Chiltern Villas and Gordon Villas

4 Chiltern Villas - Obj

As a near by resident and consultee of this application i hereby object on the basis of access via the existing private driveway, which passes Chiltern and Gordon Villas. Not only is the road not wide enough, it is currently in need of repair and would not withstand a further increase of traffic, both residential or construction, without significant aggregate and survey. Furthermore additional cars, would increase the likely hood of cars not being able to pass upon entrance or exit as there is no passing place. There is no mention of the plans to improve this surface of this access in the application, including widening or re-surfacing material that would be used. I would wish to see detailed, documented proposals for the resurfacing of this road access, with material which is sympathetic to the surrounding outlook (i.e. not tarmac). Furthermore i would wish to see legally binding agreement that residents of Chiltern and Gordon Villas continue to have the right of access and right to park out side their address. The road is not wide enough for construction traffic and there is a strong likely hood that damage would be caused to service pipes and local property as part of this development. Although i have no objection to the property in principle, not enough thought or planning has been made with regard to access and the impact and safety of residents of Chiltern and Gordon Villas, Longfield Road and Aylesbury Road. Turning from the existing private road on to Aylesbury road is not possible in one manouver if turing towards Tring town centre, so the turning point really is not an answer to this and raises further questions regarding safety.

8 Chiltern Villas - Obj

I would like to object on the following grounds:

1. *Over-development.* The neighbourhood density is 15 per ha; the proposal is 19 per ha; this is over 25% greater. A brief site visit easily shows that 3 3-4 bedroom houses will never 'fit' into the space provided.
2. The proposal cannot meet the relevant standards on the size of gardens.
3. *Overlooking.* The proposed new houses would overlook all the gardens on Chiltern Villas, substantially increasing overlooking. There is no reasonable way of fitting in the houses without this type of design and so accepting this outline planning permission would imply an increase in overlooking that is substantial in my opinion.
3. One of the outbuildings, it is has been said, is potentially of historic importance. I believe I was told that this building was the hunting lodge of a former king, taken from the forest and re-built in Tring - this may be inaccurate, but the historical significance

should be explored before any decision is made to demolish the lodge.

4a. *Road Safety - inaccurate assumption.* The application states that there is no turning circle at present. This is false. I live on the road at number 8 and turn every day in order to exit on to Longfield Road driving forwards. So the assertion that the introduction of a turning circle will improve safety is not completely true.

4b. *Road Safety - unsafe even if exiting going forwards.* There is no way one can exit Chiltern Villas without driving onto the wrong side of Longfield Road. This is a dangerous manoeuvre as (i) traffic may be turning off Aylesbury Road into Longfield Road (into your lane as you are, momentarily at least, on the wrong side of the road), (ii) you need to execute a 2-3 point turn in the junction and (iii) you are inevitably not paying sufficient attention to pedestrians who may be about to cross your path on the pavement, usually going to the allotments. On this last point, I narrowly missed a young family with children only a few weeks ago; the wall on Chiltern Villas 1a blocks your view until the last moment.

Unfortunately commercial arrangements have been put in place which mean that the only sensible development of the site (a series of houses in-line with the existing row) is not being tabled. I urge that this proposal is rejected.

7 Aylesbury Road - Object

We would like to object to this development proposals on the following below bullet points.

- This proposal surely cannot meet the relevant garden size standards
- The development would incur increasing over looking on Chiltern Villas, there seems to be no reasonable way to build these house without this.
- I believe the neighboured density is 15 per ha, but the proposal is 19 per ha, so this would be 25% greater, so not sure how 3 x 3-4 bedroom houses will fit into the proposed space.
- Road safety must be the forefront of this development, but we cannot see how this will be met, the access to the junction at the bottom of the unmade road onto the main road is perilous at best. You cannot turn left without encroaching the other side of the road, and with the proposed development this obviously comes with much more traffic trying to attempt this manoeuvre, a fatal accident waiting to happen we feel.
- The existing unmade road has had a history of underground utility service problems and there is no way this road will cope with the development building traffic and extra house hold traffic. I believe that the sewage pipes are Victorian under this road, and we can foresee what will happen when brick, cement, and scaffold Lorries drive up this road on a near daily basis.
- We feel that the idea of this unmade road being used as an access for the development and future household traffic is ludicrous.
- We hope you can take these objections on board and come to the correct decision, and that is to reject the application.

26 Longfield Road - Comment

In principal we support the utilisation of the site as it would represent an improvement on the current derelict property. However after careful consideration we object to the outline proposal on the following basis:

Privacy and overlooking

The development has the potential to significantly affect our privacy
We welcome the engagement by the developer around impact to surrounding properties and the assurance that there will be no rear facing attic windows in the proposed plot three.

We do have significant concerns that the draft drawings for plot three (not on DBC's website, but shown to me by the developer) show two bedroom windows on the first floor of the rear elevation of plot three. In particular the one nearest to our property would significantly affect the privacy of our main living areas.

Our clear preference would be that any detailed application would only have opaque (e.g. bathroom) windows on the first floor where there is the potential for a view into our living areas.

If this can be accommodated then we would be more supportive. Unfortunately it would appear that this may be difficult to achieve due to the density of the development which is significantly higher than surrounding areas.

Overdevelopment and traffic safety

Access to the development would be from the unmade road that joins the junction with Aylesbury Road and Longfield Road. This is a difficult junction that affects road safety for drivers and pedestrians especially dog walkers and families such as ours that regularly cross to the allotments. The extra traffic movements from three plots plus the eventual redevelopment of the bungalow into one or more further plots will only add to the danger at this junction.

Summary

We strongly suggest that the site is only suitable for two plots not three and that would help resolve some of the objections regarding overlooking and traffic movements.

Considerations

Policy and Principle

Core Strategy policy CS4 encourages appropriate residential development in Towns and Large Villages. The principle of a new dwelling in this location is acceptable and should be considered primarily against Core Strategy policies CS11: Quality of Neighbourhood Design, CS12: Quality of Site Design and saved DBLP appendices 3 - Site Layout for Residential Development & 7 - Small Scale House Extensions.

Effects on appearance of building

The design, height and scale are reserved matters of the application and will be assessed at the reserved matters stage should permission be granted. There is adequate land to ensure two additional dwellings would not lead to a cramped form of development, with scale and height and design to be agreed at reserved matters stage.

The outbuildings to be demolished have little architectural merit and their loss is

considered acceptable.

It is considered the development could achieve acceptability in accordance with Core Strategy policies CS11, CS12 and saved DBLP appendices 3 & 7.

Impact on Street Scene

The appearance and effect upon the street scene will be dealt with at reserved matters stage. Two dwelling subject to reserved matters could potentially integrate into the existing street scene satisfactorily. There is sufficient land to accommodate two low key dwellings which would be located in a position which would unduly impact upon the appearance or character of the locality.

The proposals will add to the bulk and amount of development in the street scene. Nonetheless the new dwelling will be behind High Drive and be rarely visible from the public realm. There is scope for the relationship with the neighbouring properties to have sufficient space either side of it to avoid undue massing and cramped appearance and spacing between the dwellings visually from the front and variation in the relationship to avoid an overly awkward relationship, respecting the character of the street scene sufficiently.

High Drive is an already uncharacteristic plot in its size for the area and its occupation by a bungalow, the prevailing character of the area is Edwardian family homes with some post war infill. A design could be achieved which would integrate with this character.

The loss of dishevelled outbuilding have no negative impact upon the character of the area.

Satisfactory garden areas could be achieved.

It is considered the proposal can preserve attractive streetscapes in accordance with CS11 and integrate with the streetscape character in accordance with CS12.

Impact on Highway Safety

The site is accessed by a private lane located just off Ayelsbury Road. The private lane serves 8 other dwellings and the lane is commonly referred to as Chiltern Villas. The lane slopes up towards the entrance to High Drive, is a quite poor state of repair and is an undulating stone and dirt lane way.

The Lane is only wide for single file traffic and it not possible to come and go in a forward gear, although there is scope for some properties to manoeuvre within their own private front drive to ensure they can exit in a forward gear.

Chiltern Villas adjoins an awkward junction Aylesbury Road and Longfield Road. Currently the majority of vehicular movements have to leave the Chiltern Villas by reversing out onto Longfield Road.

A turning head is to be provided to the benefit of all users of Chiltern Villas and Gordon Villas by way of a deed of grant should the development occur, which would allow

vehicles to turn more safely and leave Chiltern Villas in a forward gear. This is considered a substantial mitigating factor which would improve highway safety beyond the harm an additional two dwellings may cause in terms of intensification of use of the existing poor arrangement. Highways have also agreed the turning head would be an acceptable solution to mitigate the impact of development the turning head would improve highway safety.

There is adequate space on the site to achieve the turning circle for the benefit of other users of Chiltern Villas and for users of the proposed dwellings to turn within the site to come and go safely in a forward gear. Like wise there is sufficient space for emergency vehicles to be able to turn on site, however the detail of which will be subject to condition at reserved matters stage.

There is adequate room on site for an acceptable level of car parking to be achieved on site commensurate with the size of dwellings, details of which will be required by condition, therefore preventing on street parking demand which might compromise highway safety.

Noting resident concerns about highway safety, research into the accident record for the area indicates two accidents have occurred in the last five years one within 190m of the junction and the other 280m.

The lane is to be resurfaced to improve access for all users and ensure an access capable of accommodating emergency vehicles. The details of which will be required at reserved matters stage.

It is therefore considered in principle the site is capable of meeting the Core strategy policies CS8, CS12, saved DBLP policy 58 and appendix 5.

Impact on Neighbours

Subject to reserved matters a scheme could potentially be put together which does not unduly compromise neighbouring amenity. A residential use is compatible with this residential area. Certainly there is potential for bungalow style development and/or sensitively locating windows and use of obscure glass to avoid visual intrusion of neighbouring dwellings.

Ecology

An ecology report has been submitted which recommends that a bat survey is completed prior to demolition of the outbuildings as they offer some scope as a bat habitat. Should bats or other protected species be found then appropriate mitigation strategy shall be put in place. A condition would be attached to this permission should it be granted to that effect.

The remainder of the site is considered to be an unlikely habitat for protected species.

The proposals could therefore be capable of meeting statutory requirements with regards to consideration of protected species.

Sustainability

The development is proposed within the Town of Tring in accessible location with bus stop close by.

The design of the buildings is a reserved matter however it shall be conditioned so as it accords with Core Strategy CS29 and meets code level 4 of sustainable homes or equivalent. This will ensure sustainable development occurs on site. Likewise permeable materials shall be used in the hardstanding areas to ensure sustainable drainage and mitigate any localised flooding that can be caused by excessive areas of hardstanding.

Landscaping & Trees

Appropriate tree protection measures and landscaping will be required by condition so as the development will accord with CS11, CS12 and saved DBLP policy 99.

Other Material Planning Considerations

The Government has issued a written ministerial statement on 28 November 2014 (House of Commons Written Statement - reference HCWS50) which sets out proposed changes to national policy with regard to Section 106 planning obligations, and has resulted in an amendment to the National Planning Practice Guidance (NPPG), paragraph 012 of Planning Obligations notes the following:

'There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development.'

The NPPG goes on to state that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. Although floorspace has not been confirmed it is very unlikely a 1000 sq m of development would prove acceptable at this site.

This ministerial guidance and note within the NPPG are considered to represent significant weight as material considerations to be balanced against the requirements of Policy CS35 of the Core Strategy, saved Policy 13 of the Local Plan and Planning Obligations Supplementary Planning Document which aim to secure planning obligations to offset the impact of new residential development upon local services and infrastructure. The commitment of the Government to revise the s106 process indicates that the existing policies of the Development Plan are out-of-date with the current Government guidance. In line with Policy NP1 of the Core Strategy, it is therefore proposed to apply more weight to the revised guidance in the NPPG.

It is noted that the proposal falls beneath the threshold of ten dwellings and would also have a gross floor space of less than 1000m² and would therefore fall beneath the threshold where the exemption from Section 106 affordable housing contributions and tariff style contributions applies. On this basis it is not justified to seek Section 106 contributions for this proposal.

However there is a serious under provision of fire hydrants as identified in the response from the Hertfordshire Fire and Rescue service. Any future development could potentially be at risk of not being adequately served by Fire Hydrants putting occupiers and neighbouring properties at risk. A condition requiring the provision of fire

hydrants is attached should permission be granted.

Permitted Development Rights

As many of the reserved matters are an unknown quantity, it is considered necessary to remove the permitted development rights at this stage as it is not possible to do so at reserved matters stage. Therefore, the permitted development rights contained within Schedule 2 Part 1 Classes A, B, C & E will be removed to allow the council to reasonably protect potentially adverse visual impact on the surrounding area and on the amenity of the occupiers of neighbouring properties and their future occupiers though uncontrolled development, in accordance with CS11 & CS12 and saved DBLP appendices 3 & 7.

Conclusions

The principle of development is considered acceptable in this location. The size and location of the site give some scope for a scheme to be worked up which would have an acceptable impact upon the locality, neighbouring properties and future occupiers of the proposed dwellings, with potential highway issues mitigated by conditions leading to improved safety offered by the turning head and resurfacing of the road serving Chiltern Villas and access to the site.

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 either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.**

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2 This is an outline application with all matters reserved including design, appearance, means of access, landscaping, layout and scale.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 3 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 4 No development shall take place until full 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 and boundary treatments;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of trees and plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;
- Waste/Recycling storage areas

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

Reason: To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the locality in accordance with the aims of Policies CS8, CS11, CS12 & CS29 of the Core Strategy.

- 5 **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 in the interests of the visual amenities of the Conservation Area in accordance with the aims of saved policy 99 of the DBC Local Plan 1991 - 2011 and policies CS11, CS12 and CS29 the DBC Core Strategy.

- 6 **Prior to the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system and shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with the aims of Policies CS12 and CS31 of the DBC Core Strategy.

- 7 **The development hereby permitted shall not be occupied until details of proposed parking arrangements have been submitted, approved and shall not be used thereafter for any purpose other than the parking of vehicles associated with the approved dwelling houses.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with the aims of saved policies Policies 54 & 58 and saved appendix 5 of the Dacorum Borough Local Plan 1991 - 2011 and Policies CS8 & CS12 of the DBC Core Strategy.

- 8 **No part of the development shall begin until details of visibility splays on both sides of all the proposed access (to residential element of the site at High Drive) shall have been submitted to and agreed in writing by the Local Planning Authority. The areas contained within the splays shall be kept free of any obstruction to visibility between a height of 0.6 m and 2.0 m above the carriageway.**

Reason: In the interests of highway safety in accordance with the aims of saved policies 54 & 58 and saved appendix 5 of the DBC Local Plan 1991 - 2011 and Policies CS8 & CS12 of the DBC Core Strategy.

- 9 **Details of the tree protection measures side shall be submitted and agreed in writing with the local planning authority prior to commencement of development.**

Reason: In order to ensure that damage does not occur to the trees during building operations in accordance with Core strategy policies CS11, Cs12 and Saved DBLP policy 99.

- 10 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A, B, C & E

Reason: To enable the Local Planning Authority to control future development which may give rise to adverse visual impact on the surrounding area and on the amenity of the occupiers of neighbouring properties and their future occupiers through uncontrolled development, in accordance with CS11 & CS12 and saved DBLP appendices 3 & 7.

- 11 **The details to be submitted for approval in writing by the local planning authority shall include details of the proposed slab, finished floor and ridge levels of the dwellings in relation to the existing and proposed levels of the site and the surrounding land. The dwellings shall be constructed in accordance with the levels that have been approved in writing by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and in the interests of the visual and residential amenities of the locality and satisfactory integration with the street scene in accordance with the aims of Policies CS11 & CS12 of the DBC Core Strategy.

- 12 **Notwithstanding any details submitted as part of the planning application, prior to the commencement of the development hereby permitted, plans and details showing how the development will be designed and constructed sustainable and to meet code level 4 or equivalent of the code for sustainable homes shall be submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To ensure the sustainable development of the site in accordance with the aims of policy CS12 and CS29 of the DC Core Strategy.

- 13 **Schedule 5 of the *Wildlife & Countryside Act 1981 (as amended)* and Schedule 2 of the *Conservation of Habitats and Species Regulations 2010 (as amended)*, require due regard is paid to protected species, the proposed site has structures which are a possible habitat for bats. No bat survey has been submitted for consideration, prior to commencement the council a bat survey shall be conducted and submitted to the local authority, if protected species are found a mitigation strategy shall be agreed with the local planning authority and implemented prior to the demolition of the outbuildings.**

Reason: To observe statutory requirement to consider potential impact upon protected species and accord with Core Strategy policy CS29 (i) assessing and minimising impacts on biodiversity and incorporate positive measures to support wildlife.

- 14 **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 in accordance with Core Strategy policy CS32

- 15 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 14 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 in accordance with Core Strategy policy CS32.

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

- 16 **Details of the resurfacing of the Chiltern Villas access road shall be provided and agreed in writing with the local planning authority prior to commencement of development. The access road shall be resurfaced as agreed prior to the commencement of development upon the dwellinghouses.**

The development hereby permitted shall not commence until a deed of grant has been registered against the title of the property and a copy provided to the District Planning Authority which ensures that the hammerhead to be constructed on the access road to the development may be used as a turning area in perpetuity and without hindrance by

the owners and occupiers of Chiltern Villas.

Details of the hammerhead and its construction shall be submitted and approved by the local authority before the development commences. The hammerhead shall be implemented and be in operational use and lawfully available to other users of Chiltern Villas before any part of the residential development is commenced. The Hammerhead thereafter shall be maintained for such purposes.

Reason: To ensure an appropriate means of access to the site for construction traffic and emergency vehicles and so as not to compromise highway safety. Also to mitigate impacts of development on the highway for all users of Chiltern Villas and proposed dwelling in accordance with Core Strategy policy CS8 & CS12 and saved DBLP policies 54 & 55.

- 17 **Detailed proposals for the fire hydrants serving the development as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and in accordance with the approved details thereafter implemented prior to occupation of any building forming part of the development.**

Reason: To enable appropriate development to occur, ensure a safe, sustainable form of development which provides for its own infrastructure for fire emergencies in accordance with core strategy policies CS1, CS4, CS12 & CS29.

- 18 **The outline permission hereby permitted is granted with respect to site location plan (scale 1:1250) PD01 Rev P1 all other submissions were for illustrative purposes only. Plans detailing the dimensions, height, scale, layout, materials of the dwellings and any associated outbuildings and access to them shall be submitted at the reserved matters stage and be approved by the local planning authority before development commences.**

Reason: For the avoidance of doubt and in the interests of proper planning and to ensure a satisfactory form of development in accordance with core strategy policies CS1, CS4, CS11 & CS12 and Saved DBLP appendices 3 & 7.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.