

**4/02931/16/FUL - CONSTRUCTION OF NEW DWELLING..**  
**28 MERLING CROFT, NORTHCHURCH, BERKHAMSTED, HP4 3XB.**  
**APPLICANT: ANGELA BYRNE.**

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[Case Officer - Tineke Rennie]

### **Summary**

The application is recommended for approval. The proposal is for a small one-bed end of terrace dwelling that would provide a good standard of accommodation for a small household. The proposed development would be in keeping with the character and appearance of the surrounding area by way of scale, design and by maintaining sufficient space around it. The proposals are consistent with adopted Core Strategy Policies CS4, CS17, CS12 and saved Local Plan Policy 18.

### **Site Description**

The site is a modest two bedroom two storey end of terrace dwelling located on the eastern side of Merling Croft. The terrace of which it forms a part runs perpendicular to Merling Croft and fronts a small amenity green. The dwelling benefits from a garage and off-street parking space located to the rear; the double garage is shared with No. 26 and is attached to the dwelling at No. 30.

No. 28 is set back slightly from No. 26 and features a steeply pitched roof with single dormers set low within the eaves of the front elevation and rear elevation respectively; a mono-pitch front porch and a conservatory to the rear. A 2.0m high facing brickwork wall aligns the side boundary of the garden adjacent to Merling Croft.

Merling Croft is cul de sac forming part of a modern estate constructed in the 1980's. The dwellings are generally modest and semi-detached or small terraces linked by garages.

### **Proposal**

The proposal is to construct a one bed two storey dwelling adjacent to No. 28. The dwelling would be set back from no. 28 in a staggered layout following the site boundary. Single dormers are proposed to the front and rear together with a front porch to match No. 28.

The existing conservatory to the rear of No. 28 is to be replaced with a single storey rear extension and the garage demolished to provide additional amenity space. Two parking spaces are proposed in a tandem layout to the rear of the proposed dwelling.

### **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Northchurch Parish Council.

### **Planning History**

None.

### **Policies**

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

Adopted Core Strategy

Policy NP1 - Supporting Development  
Policy CS1 - Distribution of Development  
Policy CS4 - The Towns and Large Villages  
Policy CS12 - Quality of Site Design  
Policy CS29 - Sustainable Design and Construction  
Policy CS31 - Water Management  
Policy CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policy 58 - Private Parking Provision

Appendix 3 – The Design and Layout of Residential Areas

Appendix 5 - Parking Provision

Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of Car Parking Standards (July 2002)

Area Based Policies: Residential Character Areas BCA 20: Springwood

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

**Summary of Representations**

Northchurch Parish Council

NPC: Northchurch Parish Council OBJECTS to the planning application on: the existing conservatory on No 28 appears to have changed into a brick extension with a roof light. In the absence of any dimensions shown one can only assume it is on the footprint of the present conservatory. The garage appears to have been removed and the front edge brought back, presumably to allow for two cars to park. This garage is one of a pair which shares a party wall. The new build extends beyond No 28 at the rear. The angle of 45 degrees shown on the drawing (first floor plan) is not acceptable as it starts at the centre of the window of No 28 and should be shown from the side of the window nearest the new build. This would give an angle of about 60 degrees which is not allowed by the current regulation. This estate was designed as a whole in 1983 and as such received a commendation from the Berkhamsted Citizens Association for its design. No new builds have been carried out here since, although some small extensions and change of use of the garages have occurred. This new house will be very near the inside edge of the pavement which no other buildings do in this area.

Northchurch Parish Council is also concerned about the design and visual impact is the material used for the development “like for like”.

Hertfordshire Highways

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.

Hertfordshire County Council as Highway Authority considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways and does not object to the development, subject to the informative notes below.

**INFORMATIVES**

1. Obstruction of public highway land: 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

#### COMMENTS

This application is for CONSTRUCTION OF NEW DWELLING attached to 28 Merling Croft, extending the terrace.

#### PARKING

Two tandem parking spaces exist to the rear of the existing garden. These will remain. It is for the LPA to determine appropriate levels of parking.

#### ACCESS

No changes are required to the existing vx0 and no works are required in the highway. Merling Croft is an unclassified local access road, subject to a 30mph speed limit with low pedestrian traffic and no accidents in the last 3 years.

#### CONCLUSION

HCC as highway authority considers that the proposals would not have an unreasonable impact upon highway safety or capacity, subject to the conditions and informative notes above Strategic Planning and Regeneration:

#### The Application

28 Merling Croft forms the end of a stepped terrace in Northchurch, Berkhamsted. The proposal is for a one bedroom house that would be a continuation of the existing terrace built within the existing garden plot. The new dwelling is separated from the adjacent properties by a road, a drive and a garden.

#### The Policies

According to Core Strategy (2006-2031) **POLICY CS1: Distribution of Development** whilst Hemel Hempstead is identified as the *focus* for homes the market towns, of which Berkhamsted is one, may also “accommodate new development for housing.....”

The site lies within a designated Residential Area under **POLICY CS4: The Towns and Large Villages**. This aims to guide development to appropriate areas within settlements, therefore, in residential areas appropriate residential development is encouraged.

Within the saved DBLP (1991-2011) a number of policies (and linked Appendices) are applicable to this application.

Saved DBLP Policy 18 The Size of New Dwellings (see also Core Strategy Policy CS18 Mix of Housing) encourages the provision of smaller housing units as proposed by this application. It states:

“The development of a range of dwellings in size and type will be encouraged. Regard will be

paid to:

(a) The need to provide accommodation for new, small households:.....  
.....Units for small households meeting 1 or 2 bedrooms will be sought”

In terms of parking, according to saved Appendix 5 of the DBLP provision for a 1 bed dwelling should be 1.25 spaces. No provision has been suggested although there are a number of parking bays within close proximity. The case office needs to assess the appropriateness of this level of parking provision (or lack of).

Development in the Borough is further guided by the Local Plan Supplementary Planning Guidance Area Based Policies. This application is located within the BCA20 Springwood character area under the Development in Residential Areas SPG. The area guide under the Policy Statement and Scope for Residential Development states:

“Infilling: will not normally be permitted.” However given the requirement to increase appropriate housing which is being encouraged by the Council through policies highlighted above then the weight of this statement in the Development in Residential Areas SPG should be less.

The existing plot is 200 sq. metres with one dwelling. This equates to a housing density of 50 dwellings per hectare. This actually lies outside the housing density parameter (30 dwellings/ha) set out in the Development Principles for BCA20. An additional dwelling would increase the housing density to 100 dwellings/ha. The case officer needs to consider whether this is an acceptable increase in density.

The site lies within an Area of Archaeological Significance (site 21 Berkhamsted). Policy 118 Important Archaeological Remains applies in this situation and the County Archaeological Group will need to be consulted.

#### Conclusion

The broad principle of the development is generally encouraged in policy terms. In addition, the provision of housing in Northchurch is encouraged especially in designated Residential Areas, including the provision of smaller units. The case officer also needs to assess other normal DM considerations including design (Policy CS12g) and effects on neighbouring properties (Policy CS12). In addition we have highlighted issues related to parking and housing density.

#### Historic Environment Advisor:

Please note that the following advice is based on the policies contained in National Planning Policy Framework (NPPF).

The proposed development site is in Area of Archaeological Significance number 21. This denotes the historic core of the medieval town of Berkhamsted and also a number of important prehistoric, Roman and mediaeval sites. The proposed development site is less than 40 metres from evidence of Roman occupation, recorded during observation of footings for a new house fronting onto Roman Akeman Street (142 High Street). The largest of the three features recorded contained Roman pottery, and brick and tile, and the builders' spoilheap yielded a further 49 Roman potsherds, two early medieval sherds, a glass rim, and iron slag [Historic Environment Record No 11776]..

The site is therefore likely to have the potential to contain currently unknown archaeological heritage assets of Roman date, in particular.

I believe that the position of the proposed development is such that it should be regarded as

likely to have an impact on heritage assets of archaeological interest. I recommend therefore that the following provisions be made, should you be minded to grant consent:

1. The archaeological investigation, via 'strip, map and record' to the archaeological horizon, of the footprint of the new dwelling and of any other areas of ground reduction required.
1. A contingency for the preservation or further investigation of any remains then encountered.
1. The archaeological monitoring of groundworks of the development, such as the excavation of foundations and service trenches, etc., and landscaping, as appropriate (and also including a contingency for the further investigation and recording of any remains then encountered).
1. The analysis of the results of the archaeological work, with provisions for the subsequent production of a report and an archive, and the publication of the results, as appropriate.
1. 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 in the 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 relating to these reserved matters 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) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis 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, this office will be able to advise further on the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.

I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.

#### Building Control:

Thank you for your email I have taken a look at the application below are my comments

- I have no issues with fire Access
- I only issue to date, that could be passed onto the architect is with disabled access to the ground floor WC

#### Thames Water:

##### Waste Comments

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

#### Response to Neighbour Notification / Site Notice

##### *Comments received from residents of 22 Merling Croft:*

We do not agree with the proposals as we consider this a gross over-development of this small but picturesque estate. Surely there is not enough amenity space. There is conflicting detail on the drawings in relations to the existing garage. Only one car can park in front of the existing garage, but two are shown on the proposed plan by shortening the garage, this is a garage with a shared party wall / roof so how is this possible? The property currently has a conservatory at the rear, on the new layouts it shows a ground floor extension, is this covered on a separate application? Will the revised garden for the current number 28 comply with minimum garden requirements?

In recent years the bungalow on the High street was developed into 5 terraced houses, some of these houses have had ground floor extensions added to the rear, this has resulted in a goldfish bowl effect for some Merling Croft residents. Similarly the Old Grey Mare pub was developed into 11 flats.

This estate was very thoughtfully planned by the original architects, this new one bedroom house will ruin the aesthetic look of Merling Croft and the original architects vision by squeezing it onto the current plot of number 28.

##### *Comments received from the residents of 18 Merling Croft:*

The building of an identical house on the end of the linked terrace will spoil the visual impact of this well-designed estate which was commended by the Berkhamsted Citizens Association when it was built. No other buildings are as near to the inside edge of the pavement and

there have been no new builds since 1983.

*Comments received from the residents of 36 Merling Croft:*

This application is an over development in a well-designed estate. The plans show 2No parking spaces 'in line', these are the existing spaces for No28 so we assume the new house will have to park in an already overcrowded narrow road as it is not practical to have 2 properties parking in line. There is no mention on the plans of the attached garage belonging to No26. Merling Croft is a small narrow road servicing 30No properties & is a busy walk through for the elderly from Springwood. We are disappointed that we were not notified by letter of this application as we overlook the site.

*Comments received from the residents of 38 Merling Croft:*

Regarding the above application I object strongly to this proposed building. This is a small cul-de-sac and is a narrow road servicing 30 dwellings with a high proportion of over 80s in age and many homes with two cars so gets very congested and it is worrying to think of an ambulance or fire engine finding access difficult or impossible.

The building at number 28 Merling Croft would over develop the area.

*Comments received from the residents of 1 Merling Croft:*

Merling Croft is a picturesque cul-de-sac which previously won an award for its architectural design. The site was sympathetically built with a pleasant mix of building and open space. This proposed development would cause significant adverse impact on the neighbourhood, particularly those houses at the end of the cul-de-sac which overlook the site subject to this application for the following reasons:

The application brings the proposed property right up to the boundary line with the front door almost opening onto the pavement, resulting in a unpleasant visual appearance, reducing the open aspect of the neighbourhood, changing its character and is an excessive overdevelopment of a small garden.

The close already suffers with over parking, especially in the area of the proposed development. Although this application does provide some parking provision, it should be noted that this is at the rear of the property and requires one car to block the other in to make up the two places. It would be likely that any resident of the proposed new development, would try and park on the road to avoid blocking their second vehicle in and/or for the purposes of convenience, adding to the existing congestion.

A well used footpath links the top of the cul-de-sac to the High Street. From this footpath, you can enjoy views up towards Northchurch Common. If this proposed development was to go ahead, these views would be lost from the footpath and some of the neighbouring properties as well as obscuring the view of the trees opposite the proposed site.

- The proposed development significantly reduces the garden/open space of the existing property and only provides for a tiny garden on the site of the new house. Consideration should be given to reduce garden grabbing developments such as this to avoid setting any unwelcome precedents in the area.

*Comments received from the residents of 30 Merling Croft:*

I have received your Consultation Letter of 8th November, and wish to object as I do not see this new dwelling is appropriate to our estate, which was designed as a whole. The new dwelling makes no extra provision for off-road parking of cars (the garage is knocked

down, but this does not increase the space available), and there is already a lot of congestion from the existing residents and cars that are parked during the day.

On the plans submitted, there are no dimensions and it is difficult to gauge how big the new building will actually be, and there is no commitment as to the materials to be used so that it blends into the other buildings.

Like myself, there is a large number of elderly residents who may require emergency vehicular access, and as the construction is so close to the road, it is difficult to see how access can be guaranteed at all times.

## **Considerations**

### Policy and principle

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Similarly, Policy CS4 of the Core Strategy directs residential development to the towns and within established residential areas, where the application site is located. Policy CS17 seeks to promote residential development to address a need for additional housing within the Borough. The provision of a mix of housing providing a choice of homes is supported in principle under Policy CS18 of the Core Strategy. Saved DBLP Policy 18 Size of New Dwellings also encourages the provision of smaller housing units as proposed by this application. It states that "regard will be paid to the need to provide accommodation for new, small households." It is recognised that appropriate accommodation is needed for newly formed households and elderly households. The immediate area is inhabited by a number of elderly residents and as such is characterised by smaller sized dwellings and flats.

The proposed development would result in a density of 100 dwellings per hectare (based on two on a plot of 200m<sup>2</sup>). This would be well above the expected range of 30 to 50 dwellings per hectare outlined under saved Policy 21 of the Local Plan. However it is noted that density measured by dwellings per hectare is not particularly helpful when considering an infill dwelling. Site coverage, type of dwelling, the surrounding context and the relationship with adjoining properties are more fundamental considerations. In this instance the proposed dwelling is very small (50m<sup>2</sup>) on a plot of 100m<sup>2</sup> and therefore site coverage (50 percent) is not inconsistent with the immediate area comprising small scale sized dwellings and blocks of flats. The Area Based Policies Supplementary Planning Guidance (Development in Residential Areas) states that numerical density is one factor to be considered and balanced against other in area policies. Consideration should also be given to making the most efficient use of land whilst also ensuring that the proposed development does not adversely affect the amenities and existing character of the area.

The principle of residential development providing a new one bed dwelling in this location is considered to be acceptable on the basis that it would not have an adverse impact on the character and amenities of the area. An acceptable standard of accommodation is also provided for future residents. These factors are discussed further below.

### Impact on site layout, appearance of building and street scene

The proposed dwelling has been designed to be similar in appearance to the adjoining dwelling at No. 28 and others within the immediate street scene. It replicates the width, eaves height, low single dormer and front porch of No. 28 albeit the roof height is lower. It would be set back from No. 28 in response to the curved boundary of the site and would appear subservient to the adjoining two-bed dwelling.

The Character Area Appraisal BCA 20 - Springwood notes that buildings are informally grouped with no regularity of spacing or building lines. The open frontage would be maintained together with a sense of space between the dwelling and the boundary with Merling Croft; this

would be 1.1m at the closest point but opening out and extending to 6.0m to the rear so that the development would not appear cramped within the street scene.

The proposed development would maintain the predominant form of development in the area in terms of size, scale and design features. The area is characterised by a range of small to medium sized dwellings with some of the larger buildings housing flats. The proposed dwelling would be at the smaller end of the scale but consistent with No. 28. Overall the proposed dwelling is considered to be sympathetic to the terrace of which it would form a part and in keeping with the wider street scene.

The proposed dwelling would not have a conventional rear garden however it would benefit from private amenity space surrounding the property predominantly to the side but also to the rear. The existing 2.0m high facing brickwork would be maintained along the length of the garden ensuring that the amenity space is private and well screened from public view. Merling Croft is a quiet cul de sac with very low volumes of traffic. As such well screened private amenity space would be provided that would be more than adequate for a one-bed dwelling of this size.

The proposals seek to replace the existing conservatory to No. 28 with a single storey rear extension on the same approximate footprint. The garage to the rear is to be demolished providing an extended rear garden to this dwelling. The total depth of the garden would be approximately 7.0m with the newly created area slightly reduced in width. It is noted that this falls short of the 11.5m depth guideline in Appendix 7 however a dwelling of this size is likely to be inhabited by a very small household with less need for a large garden. The Inspector noted in an appeal decision dated November 2013 for a three-bedroom dwelling at Ivycote, St Albans Hill, Hemel Hempstead, that a garden that falls short of the 11.5m standard can still provide an adequate and useful garden for occupiers. It is considered that sufficient private outdoor amenity space would be available for future occupants, commensurate to a dwelling of this size.

#### Impact on Highway Safety/Parking

Highways have considered the proposals and raised no objection on the basis that there would not be an increased impact on the safety and operation of the adjoining highways.

Two off-street parking spaces have been proposed which is considered to be acceptable for two dwellings of this size. The parking spaces are in a tandem layout which is not practical given the dwellings could potentially be in separate ownership. It was observed that there is sufficient on-street capacity available for an additional dwelling; most dwellings have off-street parking.

#### Impact on Neighbours

The proposed dwelling would be an end of terrace property and as such would have minimal impact on the amenities of nearby properties. The retained garage to No. 26 would remain to the rear and there are no windows on the flank elevation of No. 30. A ground floor window exists in the flank elevation of the flats Nos. 11 - 15 Merling Croft located opposite to the northeast however the distance separation between the front window of the proposed dwelling and this window is over 26m. There are no other windows in proximity to the site that would experience any impacts on privacy.

Concern was raised by the Parish Council that the 45 degree line had been inaccurately shown on the first floor rear window of No. 28. The angle has been correctly taken from the centre of the window consistent with the BRE guidelines. Furthermore as a first floor window it would receive sufficient daylight at this level. The application demonstrates that the proposals would not result in an unacceptable loss of light to No. 28.

### Sustainability

The application has been supported by a sustainability checklist as appropriate and is considered to satisfy the criteria of CS29.

### Archaeology

The proposed development site is in Area of Archaeological Significance number 21. The proposed development site is less than 40 metres from evidence of Roman occupation, recorded during observation of footings for a new house fronting onto Roman Akeman Street (142 High Street). The site is likely to have the potential to contain currently unknown archaeological heritage assets of Roman date, in particular. As such it has been recommended that the standard conditions are imposed requiring a written scheme of investigation to be submitted and approved prior to commencement of development.

### CIL

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 1 within which a charge of £250 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.

### Other Material Planning Considerations

Overall a good standard of accommodation would be provided for residents of both the existing and proposed dwelling. The floor area of the proposed dwelling is 50m<sup>2</sup> with room sizes broken down as follows:

- Living room - 17.8m<sup>2</sup>
- Kitchen - 5.4m<sup>2</sup>
- Bedroom - 9.8m<sup>2</sup>
- Study - 3.5m<sup>2</sup>
- Bathroom - 3.0m<sup>2</sup>

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

### RECOMMENDATION -

- 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 **No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

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

- 3 **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;
- 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;

**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 in accordance with adopted Core Strategy Policy CS12.

- 4 **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 and to accord with adopted Core Strategy Policy CS27.

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

ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis 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.

Reason: For the avoidance of doubt

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

**Site Location Plan;  
DBC/16/7/2A.**

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

Article 35 Statement

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) (Amendment No. 2) Order 2015.

HIGHWAYS INFORMATIVES:

1. Obstruction of public highway land: 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

THAMES WATER:

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a

public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

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. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### 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.