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# DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 12 APRIL 2018 AT 7.00 PM  
COUNCIL CHAMBER, THE FORUM**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

#### Membership

Councillor Guest (Chairman)  
Councillor Birnie  
Councillor Clark  
Councillor Conway  
Councillor Maddern  
Councillor Matthews  
Councillor Riddick

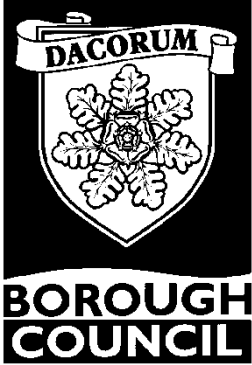
Councillor Ritchie  
Councillor Whitman  
Councillor C Wyatt-Lowe (Vice-Chairman)  
Councillor Fisher  
Councillor Tindall  
Councillor P Hearn  
Councillor Bateman

For further information, please contact Katie Mogan or Member Support

## **AGENDA**

### **8. ADDENDUM**

# Agenda Item 8



**DEVELOPMENT MANAGEMENT COMMITTEE**  
**Thursday 12 April 2018 at 7.00 PM**

## ADDENDUM SHEET

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### Item 5a

**4/00473/18/MFA DEVELOPMENT OF AN EDUCATIONAL BUILDING, WITH ASSOCIATED LANDSCAPING, BOUNDARY TREATMENTS, PARKING AND ACCESS ARRANGEMENTS INCLUDING WIDENED ACCESS TO DACORUM WAY AND INFRASTRUCTURE**

**WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD**

Several items of correspondence have been received following publication of the report, on behalf of the applicant as well as in response to consultation requests on the application. These are reported below.

### **Further submissions on behalf of applicant**

Some of the abnormal items which have increased the cost of the proposed building above the first phase of the new college, these are as follows:

- Extra over cost for steel frame structure due to shape and layout of building;
- Extra over cost to excavate surface water tank installed during the first phase of the new college, and install tank in different location;
- Extra over cost due to level changes noting shape of building as designed to avoid foundations within the 50m borehole radius buffer;
- Extra over cost for additional retaining walls due to difference in levels (topography) across this part of the site;
- Additional roof light due to change in building orientation / layout to provide adequate natural light within classrooms and central part of building.

Advice has been received to confirm that the first phase of the College was funded through a LEP grant (similar amount as would be provided for the current application) and College reserves alone.

### **Further representations**

Dacorum Trees and Woodlands

No issues to report regarding trees.

The submitted Arb Impact Assessment is accurate and concise. It conforms with British Standard 5837:2012.

The assessment identifies 31 trees and 2 tree groups, with none of the specimens being of high quality. It is intended to remove 6 trees in total, a mix of moderate and low quality trees.

Proposed tree protection measures are acceptable, with a recommendation in section 3.4.2 to use 'non-trench' foundations within the root protection areas of T17 and T19. This recommendation is valid and so detail of an alternative foundation design in this location should be submitted for assessment.

#### Dacorum Environmental and Community Protection

Condition 13 in report which concerns air quality shall be removed. Due to the nature of the proposals and the impact on the local highway network the development would not trigger the requirement for submission of an Air Quality Report.

#### Hertfordshire Lead Local Flood Authority

Following a review of the Flood Risk and Drainage Strategy Statement carried out by GHD reference 12500267-GHD-RP-C-2005 Rev P02 dated February 2018 in support of the above application, we can confirm that we the Lead Local Flood Authority (LLFA) have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

The site currently discharges unrestricted into Thames surface water sewer located to the west of the site. We acknowledge that infiltration is not being proposed due to the proximity of Affinity Water Boreholes and to avoid the potential contamination of groundwater.

We acknowledge that Phase 1 of the campus development has been completed and Phase 2 planning application is under development. As part of Phase 1, an attenuation tank was installed to cater for the site with discharge into Thames surface water sewer at an agreed rate of 19.34l/s.

As part of Phase 2, this tank is to be relocated with a new outfall into Thames surface water sewer at 19.34l/s. We acknowledge that approval from Thames has been sought and provided to support the scheme. The relocated tank will continue to cater for the Phase 1 building and the Phase 2 car park/service access. The car park/service access areas will be constructed of lined porous tarmac to provide addition storage and treatment of surface water run-off. Roof water from the Phase 2 building will directed to rainwater harvesting tank with overflow to shallow detention basin with discharge into the River Gade at 5l/s. Micro-Drainage modelling has been provided to ensure that the site can cater for the 1 in 100 plus 40% for climate change. We

therefore recommend the following conditions to the LPA should planning permission be granted.

LLFA position

#### Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved the Flood Risk and Drainage Strategy Statement carried out by GHD reference 12500267-GHD-RP-C-2005 Rev P02 dated February 2018 and the following mitigation measures:

1. Undertaking appropriate drainage strategy based on attenuation and discharge into River Gade at 5l/s
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
3. Implementing drainage strategy including green roof, permeable paving and detention basin as indicated on the Preliminary Drainage layout Plot B reference 12500267-GHD-DR-C-5602 Rev P02.

#### Condition 2

No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted the Flood Risk and Drainage Strategy Statement carried out by GHD reference 12500267-GHD-RP-C-2005 Rev P02 dated February 2018.

The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

#### Condition 3

Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

## Reason

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

## Hertfordshire Minerals and Waste

I write with regard to the Site Waste Management Plan submitted as part of application 4/00473/18/MFA and provide comments on behalf of the Waste Planning Authority.

The document contains the necessary details and commitments required to guide the management of waste and promote the efficient use of materials for a development of this scale.

The SWMP clearly sets out the responsibilities of project officers and the objectives and benefits of using/implementing a SWMP. The document applies a good understanding of waste generation and appropriately sets out the different waste forecasts for the demolition, excavation and construction phases. The forecasts include an appropriate range of waste types which should allow appropriate waste management procedures to be devised from the outset of the project. The SWMP is set out so that it can be updated as the project progresses.

Lists of contracted waste-carriers responsible for removing waste from site and the facilities where waste is to be processed/managed after its removal should be included in the two tabs labelled number 4. I acknowledge that at this early stage of the project, these details may not be known and this cannot be a requirement of the SWMP from the outset, but details should be included as early as possible to give clarity to those involved in waste management at the site.

Additionally, it would be useful for the SWMP to commit the relevant team member to updating the SWMP at (specified) regular intervals to ensure the SWMP remains up to date and to maximise the understanding of waste management as projects progress.

As a reminder, the completed SWMP should be handed to the WPA following completion of the development.

## Hertfordshire Fire and Rescue

In order for us to make a more detailed response we would require a clear concise plan that identifies the proposed areas for fire service vehicles to negotiate the planned car parks without the need to reverse more than 20m. Drawings with sweep angles for fire appliances on them would suffice.

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

## Access and facilities

1. Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB), section B5, sub-section 16.
2. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 18 tonnes.
3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

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

## Historic England

On the basis of information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

## **Conditions**

### Flood risk and drainage

Following advice from Hertfordshire Lead Local Flood Authority above, three conditions shall be added to the recommendation. These shall relate to development being carried out in accordance with submitted Drainage Strategy and mitigation measures; submission of final drainage scheme for approval and; management and maintenance plan for SuDS features and drainage network to be submitted for approval. The provisions of Policy CS32 of the Core Strategy apply.

### Fire access

The requirements of the fire authority set out above have been included under conditions previously recommended by Hertfordshire Highways and are covered under Condition 11 in the report.

### Site Waste Management Plan

As noted above, the submitted Site Waste Management Plan is acceptable and as such Condition 5 on the report recommendation shall be removed and the document referred to in the approved plans condition.

### Protection of trees

Condition 5 shall be replaced with a condition requiring details of foundation design within root protection areas of T17 and T19 identified in the Arboricultural Impact Assessment shall be included to accord with the aims of Policy CS12 of the Core Strategy and saved Policy 99 of the Local Plan.

### Construction Management Plan

The submitted Construction Management Plan has been reviewed by the highway authority and this shall also be added to the list of approved plans and Condition 10 in the report requiring its submission removed.

### Air quality

Dacorum's Environmental and Community Protection team were consulted on the application and made a recommendation that a condition be added requiring submission of an Air Quality Assessment. The reason for requiring this detail by condition was to ensure the amenities of neighbouring premises are protected from increasing air quality arising from the development, noting the size and number of additional parking spaces. However the proposed education building would result in a reduction in overall car parking spaces (through transfer of the adjacent site subject to an application for planning permission 4/00472/18/MOA) and construction over the existing car park. It is also noted that the submitted Travel Plan approved under the previous application for the first phase of the education building was accepted and would be carried through to this development as advised by the highway authority. Taking these factors into consideration it is not considered necessary or reasonable to require further details on air quality and the proposal would accord with the aims of Policies CS29 and CS32 of the Core Strategy.

### **Recommendation**

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 and the expiry of the final notification.
2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

Review to provide a comparison between the costs incurred by the College in delivering the proposed education building to an agreed specification and the funding sources identified in West Herts College's business plan, with the aim of identifying whether a surplus has been obtained.

In the event of a surplus being declared this shall be split between the College and the Council subject to a payment cap based on policy compliant affordable housing provision.

And subject to 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. Installation of the external surfaces of the development hereby permitted shall not take place until details of the materials to be used in the construction of the external surfaces of the building 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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

**3. The development hereby permitted shall not be occupied 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;**
- **boundary treatments including 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;**
- **proposed finished levels or contours;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);**
- **retained historic landscape features and proposals for restoration, where relevant;**
- **a Landscape Management Plan to incorporate details of maintenance regimes, including any tree management objectives, details of any new habitat created on site and habitat improvement proposals and management responsibilities.**

**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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policy CS29 of the Dacorum Core Strategy 2013.

**4. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.**



Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

**5. Where development shall extend into the Root Protection Areas of trees proposed for retention within the approved Arboricultural Impact Assessment (reference 180220-1.1-WHC2-AIA-MS dated 26 February 2018), development within the identified Root Protection Areas shall not commence until details of an alternative foundation design in these locations has been submitted for approval in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure the satisfactory protection of significant landscape features in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011.

**6. The development hereby permitted shall not commence (with the exception of enabling works required to provide full access to the site to allow for further site investigation including demolition where required), a Remediation Strategy to deal with the risks associated with contamination of the site shall be submitted for approval in writing by the local planning authority. This Strategy shall include the following components:**

**1. A preliminary risk assessment which has identified:**

- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors; and
- Potentially unacceptable risks arising from contamination at the site.

**2. A site investigation scheme, based on the preliminary risk assessment above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.**

**3. The results of the site investigation and the detailed risk assessment referred to in the site investigation scheme above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

**4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**The scheme shall be implemented in accordance with the approved details.**

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

**7. The development hereby permitted shall not commence (with the exception of enabling works required to provide full access to the site to allow for further site investigation including demolition where required), a Verification Report demonstrating the completion of works set out in the approved Remediation Strategy under Condition 6 above and the effectiveness of remediation shall be submitted for approval in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.**

Reason: To ensure that the site does not pose any further risk to human health or the water environment in accordance with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

**8. In the event that contamination not previously identified is found to be present at the site during development, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination shall be dealt with has been submitted for approval in writing by the local planning authority. The remediation strategy shall be implemented as approved.**

Reason: To ensure that the site does not pose any further risk to human health or the water environment in accordance with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

**9. Piling and other deep foundations or intrusive groundworks using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the proposed use of CFA piles does not harm groundwater resources in accordance with paragraph 109 of the National Planning Policy Framework.

**10. The development hereby permitted shall not be occupied before further details in the form of scaled plans and written specifications are submitted for approval by the local planning authority, which shall illustrate the following:**

- **Roads and footways;**
- **Existing and proposed access arrangements including visibility splays;**
- **Parking layout and provision of cycle parking;**
- **Servicing areas, loading areas and turning areas for all vehicles;**
- **Provision of fire hydrants.**

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013 and saved Policies 51, 54 and 58 of the Dacorum Borough Local Plan 1991-2011.

**11. In the event any boreholes are installed for the investigation of soils, groundwater or geotechnical purposes, a scheme for their management shall be submitted for approval in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained post-development, for monitoring purposes shall be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the development hereby approved.**

Reason: To avoid groundwater pollution or loss of water supplies in accordance with paragraph 109 of the National Planning Policy Framework and Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

**12. The development hereby approved shall be carried out in accordance with the Drainage Strategy Statement by GHD (reference 12500267-GHD-RP-C-2005 Rev P02, dated February 2018) and the following mitigation measures:**

- 1. Undertaking appropriate drainage strategy based on attenuation and discharge into River Gade at 5l/s;**
- 2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event;**
- 3. Implementing drainage strategy including green roof, permeable paving and detention basin as indicated on the Preliminary Drainage Layout Phase 2 GHD 12500267-GHD-DR-C-5601 Rev P03.**

Reason: To prevent flooding by ensuring the satisfactory storage / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

**13. No development (excluding ground works) shall take place until the final design of the drainage scheme has been submitted for approval in writing by the local planning authority. The surface water drainage system will be based on the submitted Drainage Strategy Statement by GHD (reference 12500267-GHD-RP-C-2005 Rev P02, dated February 2018).**

**The scheme shall also include:**

- 1. Detailed engineering drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations / modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.**
- 2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.**

- 3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + climate change rainfall event.**
- 4. Sewage pipe specifications and any off-site drainage works.**

**Development shall be carried out in accordance with the approved details and no discharge of foul or surface water from the site shall be accepted into the public system before the completion of the approved drainage works.**

Reason: To prevent flooding by ensuring the satisfactory storage / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants, to prevent harm to groundwater resources, and to ensure that sufficient capacity is made available to cope with the development in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 14. Upon completion of the approved drainage works under Condition 13 above, a management and maintenance plan for the SuDS features and drainage network must be submitted for approval in writing by the local planning authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory storage / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 15. The development hereby permitted shall be carried out in accordance with the recommendations set out in the submitted Preliminary Ecological Appraisal. Demolition of buildings shall not commence before details of the location, number and type of bird and bat boxes shall be submitted and approved by the local planning authority together with timeframes of their installation to ensure adequate compensation is available prior to commencement of works affecting roost sites. The bird and bat boxes shall be installed in accordance with the approved details and agreed timeframes.**

Reason: In the interests of biodiversity and in accordance with Policy CS29 of the Dacorum Core Strategy 2013.

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

**Location Plan - 50188-IBI-WS-XX-PL-A-100-0007 Rev 3**

**Proposed site plan/ External works - SL-IBI-WS-XX-PL-L-700-0001 Rev D**

**Proposed floor plans:**

**Ground Floor - 50188-IBI-XX-00-PL-A-200-0100 Rev 7**

**First Floor - 50188-IBI-XX-00-PL-A-200-0101 Rev 6**

**Proposed elevations:**

**50188-IBI-XX-ZZ-EL-A-200-1100 Rev 4**

**50188-IBI-XX-ZZ-EL-A-200-1101 Rev 4**

**Proposed sections:**

**50188-IBI-XX-ZZ-SE-A-200-1200**

**50188-IBI-XX-ZZ-SE-A-200-1201**

**50188-IBI-XX-ZZ-SE-A-200-1202**

**50188-IBI-XX-ZZ-SE-A-200-1203**

**Proposed roof plans 50188-IBI-XX-RF-PL-A-241-0900 Rev 3**

**Proposed cycle store location SL-IBI-WS-XX-SK-L-700-0001 Rev B**

**Western Boundary Details – SL-IBI-WS-XX-DT-L-721-0002 Rev B**

**CCTV Plan 100358-E-EXT-270 Rev A**

**Car Park Lighting Layout 100-E-EXT-230 Rev B**

**Planning, Heritage, Design and Access Statement 50188 P,H,DAS, February 2018;**

**Sustainable Development Checklist, 15 February 2018;**

**Flood Risk and Drainage Strategy Statement 12500267-GHD-RP-C-2005 Rev P02 February 2018;**

**Preliminary Drainage Layout 12500267-GHD-DR-C-5601 Rev P03;**

**Proposed Levels 12500267-GHD-DR-C-5603 Rev P03;**

**Groundwater Protection Details 12500267-GHD-SK-9010 Rev P01;**

**Groundwater Protection Preliminary Mitigation Statement GHD-RP-C-2003 Rev 2.0;**

**Assessment of Risks to Public Water Supply Boreholes AG2710-17-AD95 Issue 1 dated February 2018;**

**Environmental Noise Survey Report 20511-ENS1 dated 4 January 2018;**

**Arboricultural Impact Assessment 180220-1.1-WHC2-AIA-MS dated 26 February 2018;**

**Transport Statement X/WHCDacorum.1 Rev V2 February 2018;**

**Dacorum Campus Phase 1 Travel Plan Version 2 dated 15 February 2015;**

**Travel Plan Monitoring Report 2017/2018;**

**Construction Management Plan February 2018 Issue 2;**

**Archaeology Desk Based Assessment Appendix J.2 Report 4176 October 2012 and Appendices Appendix J.1 Figures 15.1-15.10;**

**Archaeological Trial Trench Evaluation Report Appendix J3 Report 3673 October 2010;**

**Phase 1 Risk Assessment and Phase 2 Ground Investigation AG2710-17-AD27 December 2017;**

**Preliminary Ecological Appraisal Version 2 dated 6 November 2017;**

**External Lighting Calculations Summary 100358-E-R001 Rev 0 dated 19 February 2018.**

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the pre-application stage and progressing the scheme throughout the determination stage which led to

improvements to the scheme and working towards the delivery of a strategically important development. The Council has therefore acted proactively 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.

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#### **Item 5b**

#### **4/00472/18/MOA RESIDENTIAL (CLASS C3) DEVELOPMENT FOLLOWING DEMOLITION OF EXISTING BLOCK A BUILDING (OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS)**

#### **LAND NORTH OF DACORUM WAY, WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD**

Several items of correspondence have been received following publication of the report, on behalf of the applicant as well as in response to consultation requests on the application. These are reported below.

#### **Further representations**

##### Trees and Woodlands

No objection to the overall proposal.

Planning, Heritage, Design & Access Statement states in section 5.81 that “trees and tall plants... kept to a minimum to minimise overshadowing”. Where relevant, on land owned / managed by DBC, this may not be possible to achieve.

Section 5.84 of the same document states that a Tree Survey will need to be submitted. This survey should form part of a full BS5837:2012 compliant submission, including survey, tree categorisation and protection measures.

Drawing 50188-IBI-WS-XX-PL-A-100-0004 Rev 3 ‘Plot B Landscape Plan’ indicates that a group of trees are to be removed to create a car parking area. Further detail of this proposal is required, as tree removal may not be supported.

##### Hertfordshire Minerals and Waste

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

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

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

- the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

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

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

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.

The county council would expect detailed information to be provided separately for the demolition, site preparation and construction phases of development. The waste arisings will be of a different composition from each of these phases. Good practice templates for producing SWMPs can be found at:

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

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

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.

Hertfordshire Fire and Rescue

Comments reported under 4/00473/18/MFA above are relevant.

Historic England

No comments (see advice reported above under 4/00473/18/MFA).

**Recommendation**

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 and the expiry of the final notification.
2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

Restriction that the developer of the residential scheme on the application site would not be permitted to implement the planning permission (4/00472/18/MOA for residential development) until such time that the College has entered into a legally binding construction contract for the delivery of the education building under 4/00473/18/MFA.

And subject to conditions set out in the report for 4/00472/18/MOA and amendment to Condition 17 below (trigger for submission prior to occupation):

**17. The development hereby permitted shall not be occupied before swept path assessments have been submitted for approval by the local planning authority. These shall include details showing:**

- **A refuse vehicle can safely manoeuvre through the site access, enter the site, manoeuvre within and depart in a forward gear;**
- **A large car can safely enter and depart the proposed car parking spaces;**
- **Emergency vehicles (including fire) can safely enter, manoeuvre within and depart the site in a forward gear.**

Reason: In the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policies 51, 54 and 58 of the Dacorum Borough Local Plan 1991-2011.

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**Item 5c**



**4/02084/17/FHA REPLACE EXISTING GARAGE AND SUMMER HOUSE WITH OUTBUILDING TO PROVIDE NON-HABITABLE ANNEX WITH GARAGE AND NON COMMERCIAL ART STUDIO**

**32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU**

Main Report

References to 'Non Residential purposes' should be substituted by 'non habitable purposes'.

Additional Information from the Agent/ Applicants

1. Our client is willing to provide a unilateral undertaking not to turn the garage/studio outbuilding into a separate dwelling. We hope this will ensure that our client and future owners cannot appeal if this were made simply a condition.
2. We request that the two high-level windows (garage and boot room) on the west elevation are conditioned to be obscured glass so to prevent the overlooking of the rear of 34, Stocks Road.
3. Please could you also apply the condition regarding the BS5837 2012 "Trees in Relation to Design Demolition & Construction" as agreed with the Borough Tree Officer.

Additional Documentation from the Agent: Redacted Response from Neighbours : 10 June 2017

REDACTED DOCUMENT - SAME DOCUMENT SIGNED SEPARATELY BY  
NO 34 (ONE RESIDENT)  
NO 36 (ONE RESIDENT)  
ON 10TH JUNE 2017

**NORTH ELEVATION**  
Facing the lane

**WEST ELEVATION**  
Facing the back of the row of cottages

**SOUTH ELEVATION**

Dear neighbour,  
We are in the process of submitting a planning application for the replacement of the current garage and summer house. We've already have pre planning agreement but planners have asked if you have any objections to the scheme, windows facing the back of your property.  
If you don't have any objections, please fill the details below:  
I, [REDACTED], residing at [REDACTED] Stocks Road, Aldbury,  
can confirm that I have no objection with the scheme for the garage and summer house replacement as shown on the drawing above.  
Signed: [REDACTED]  
Date: [REDACTED]

Recommendation

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

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

- The building shall only be used for a non commercial / domestic hobby room / study/ art studio and domestic garage incidental to the enjoyment of the existing dwellinghouse.
- The building shall at no time be used for any independent residential purposes or for any habitable purposes.

Additional Condition:

This is to address Tree Protection – works to be carried out in accordance with BS5837 2012 "Trees in Relation to Design Demolition & Construction"

Additional Informative:

The removal or severe pruning of trees, shrubs and climbing woody plants should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of clearance and if active nests are found, the location should be cordoned off (minimum 5m buffer) until the end of the nesting season or until the birds have left the nest.

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**Item 5d**

**4/03325/17/MFA DEMOLITION OF FORMER GARAGE BUILDINGS AND REDEVELOPMENT TO PROVIDE 12 NEW DWELLINGS THROUGH A COMBINATION OF CONVERSION AND NEW BUILD.**

**9-11 & 13, HIGH STREET, BERKHAMSTED, HP4 2BX**

Condition 1. Omit 'or such other materials as may be agreed in writing by the local planning authority'.

Condition 2 should read 'Within 30 days of the commencement of development to number 11 High Street details of the insulation, render and finish and timber framing and finish shall be submitted to and approved in writing by the Local Planning Authority, and the work shall then be carried out in accordance with the details so approved.'

Condition 3. Omit 'or such other materials as may be agreed in writing by the local planning authority'.

Recommendation

As per the published report.

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**Item 5e**

**4/00054/18/FHA PART SINGLE STOREY AND FIRST FLOOR SIDE EXTENSIONS AND INTERNAL ALTERATIONS.**

**73 SCATTERDELLS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EU**

Para 9.21 of Committee Report should read 'increase dwelling bedroom size from a three into five bed property'. This error however, does not change the car parking assessment carried out.

Recommendation

As per the published report

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**Item 5f**

**4/00119/18/FHA TWO STOREY SIDE EXTENSION.**

**39 DINMORE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0QW**

WITHDRAWN FROM COMMITTEE AGENDA

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**Item 5g**

**4/00124/18/FHA GROUND AND FIRST FLOOR EXTENSIONS TO FRONT AND REAR AND LOFT CONVERSION**

**24 HALL PARK, BERKHAMSTED, HP4 2NU**

Recommendation

As per the published report.

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**Item 5h**

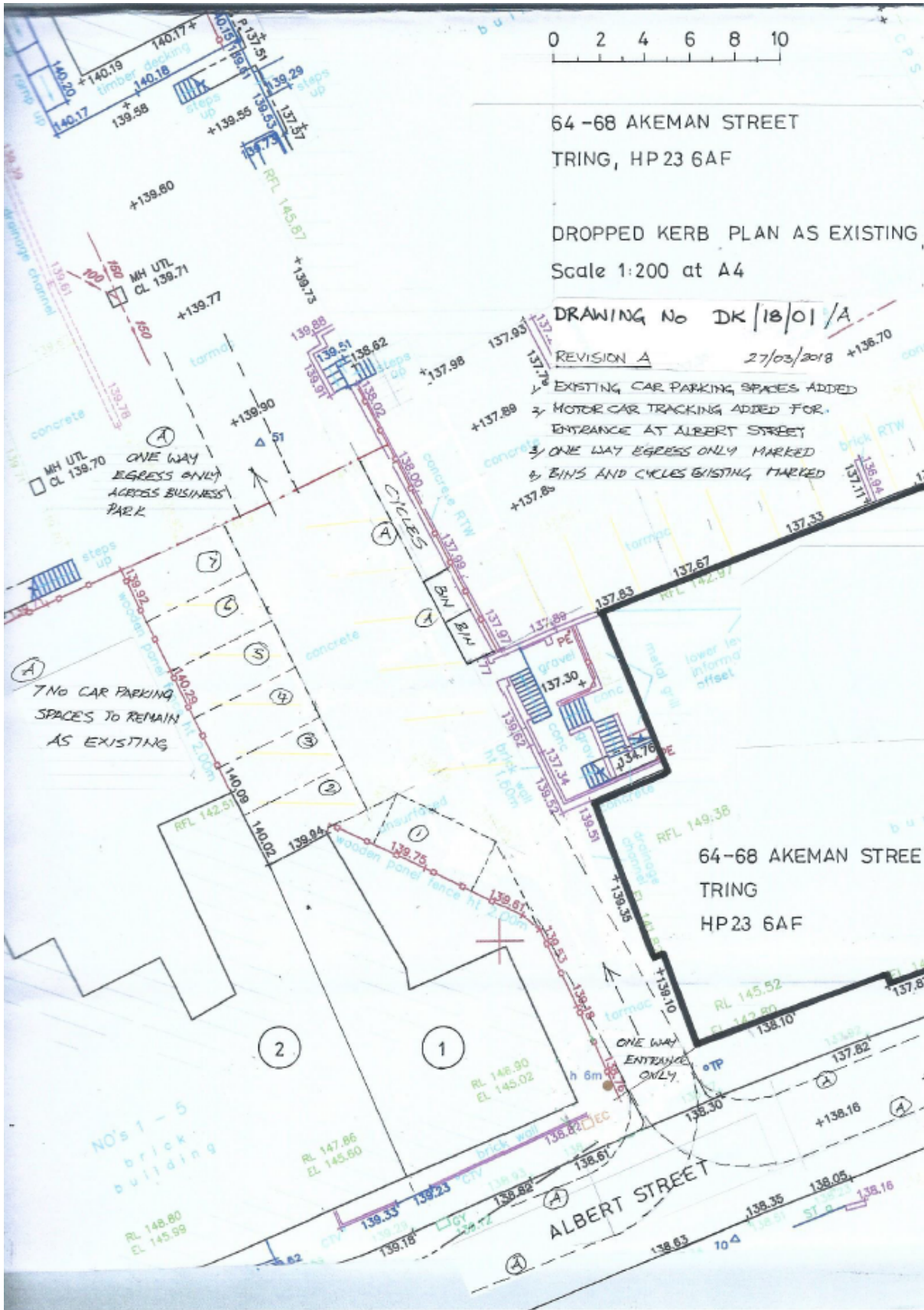
**4/00130/18/FUL DROPPED KERB AND CROSSOVER.**

# 64-66 AKEMAN STREET, TRING, HP23 6AF

Additional Plan – Drawing No. DK/18/02/A



Additional Plan – Drawing No. DK/18/01/A



Amended Condition:

The additional plans above are added to the list of approved plans.

Recommendation

As per the published report.

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**Item 5i**

**4/00533/18/FHA    PITCHED ROOF TO GARAGE. REPLACEMENT GARAGE DOOR.**

16 BARTEL CLOSE, HEMEL HEMPSTEAD, HP3 8LX

Recommendation

As per the published report

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