



Public Document Pack

# DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 4 APRIL 2019 AT 7.00 PM**  
**DBC 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 Bateman  
Councillor Birnie  
Councillor Conway  
Councillor Maddern  
Councillor Matthews  
Councillor Riddick

Councillor Ritchie  
Councillor Whitman  
Councillor C Wyatt-Lowe (Vice-Chairman)  
Councillor Fisher  
Councillor Tindall  
Councillor Mills

For further information, please contact Corporate and Democratic Support or 01442 228209

## AGENDA

- 8. ADDENDUM** (Pages 2 - 21)

# Agenda Item 8



**DEVELOPMENT MANAGEMENT COMMITTEE**  
**Thursday 4<sup>th</sup> April 2019 at 7.00 PM**

## ADDENDUM SHEET

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### Item 5a

**4/03026/18/MFA DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE**

**LAND AT JUNCTION OF DURRANTS LANE AND SHOOTERSWAY, BERKHAMSTED**

#### Representations

HCC Growth and Infrastructure Team

Further to our email dated 10/12/2018, the Growth and Infrastructure Unit have no further comments.

#### Local Residents

In favour

Ms Winmill

Speaking on behalf of the residents of Bearroc Park phase 1, we wish to express our support for a second access point for phase 2 being created as part of the amended plans. As the development committee is well aware, there were a number of serious safety concerns with phase 2 traffic being routed via phase 1 so we appreciate that this was reconsidered.

Should development therefore be granted, we would just ask the development committee to make it a condition that Taylor Wimpey completes the woodland area, which was supposed to have been finished as part of phase 1. As the committee is aware, the woodland area has been left in a state of dilapidation such that the management company won't manage this area. With falling, decaying trees and overgrowth, it is currently unsafe for use, particularly for the estate's many young children, who would love to enjoy what was supposed to be a beautiful woodland trail. Taylor Wimpey must also complete the playing fields which was a condition of phase 1 and which as yet, is incomplete.

In objection

## The Lodge

I'm writing to you concerning problems I am facing with both the "improved" (widened) junction of Durrants Lane and Shootersway, and also the Taylor Wimpy planning application for the second part of the development of land to the east of the junction.

### *The Existing Problem*

Shortly before Christmas last year a car turned down Durrants Lane from Shootersway at speed and lost control, it smashed through the hedge and fence just in front of the bay window at the front of my home. It destroyed two small trees and only missed the wall of my home by a couple of feet.

Our family have lived at this address since the 1950s and this is the first time that a car has come through this boundary. We have had problems with traffic hitting the brick gatepost at the corner of our boundary but never anything so unnerving as this. What enabled this accident to happen is the widening of the junction that enables cars to sweep around the corner with significantly greater speed than before. It is also made it far more dangerous to use my front access from Durrants Lane because of the speed of traffic coming past. The postman stopped using this access last year saying he wasn't comfortable using it anymore, and others will no longer stop outside my front door because of this, whilst making it more hazardous for those that still do.

In addition to this, there have been at least two bad car collisions here (that I am aware of) requiring ambulance attendance and injured taken to hospital since the widening. For a long time the usual problem here was of drivers on Shootersway approaching from the Berkhamsted direction turning down Durrants Lane across oncoming traffic (even before the changed traffic priorities trialled here from 1994 and abandoned 1998ish). The problem is now more serious after the widening because of the speed and position of the vehicles involved - in spite of the extension to the 30mph limit. Drivers coming along Shootersway from the Berkhamsted direction are no longer forced to slow down to turn the corner as much as they were, and this traffic cuts across the corner carrying far greater speed than it was able to before. Drivers feel they can drive through the junction at greater speed and commit to doing so before being able to see that it is safe to do so. Just over a week ago we had a serious accident of exactly this type and both cars ended up over the curb on the far side of the junction, one car facing the opposite direction to that it had been travelling in. I believe one of the drivers ended up with a severe whiplash and possibly other injuries whilst the other was able to walk away.

The other serious accident which closed the junction for some hours in July last year happened when a car from Shootersway (Northchurch direction) turned down Durrants Lane and hit an oncoming car (head-on) outside my front door on Durrants Lane. A mother with a child in one car and the driver of the other car both needed medical attention. The cause was too much speed. Again, this is the first time there has been a collision at this point on the road (directly outside my front door).

In addition to the hazards for drivers, Shootersway is a very popular walking and running route as well as a national cycleway and crossing this junction can be a hazardous exercise for pedestrians too for exactly the reasons outlined, particularly those with dogs or small children, and those not so nimble on their feet. There is not even a paved footway anymore around the Durrants Lane curb, let alone a dropped curb for pushchairs or the occasional mobility scooters that pass by on the road. This all shows a lack of understanding of pedestrian flows here.

### *The Taylor Wimpey Proposals*

The latest proposed amendments to the Taylor Wimpey plan includes a new access onto Durrants Lane close to the junction which will add to the amount of traffic using this junction with likely consequences for the number of these accidents, as well as insecurity for me or anyone living in this house. It is also proposed that construction traffic uses this access. Most of the construction traffic generated by phase one went off towards the bypass, a lesser proportion passed down Durrants Lane. The new proposals will have the bulk of this traffic grinding its way past within a few foot of my home, in preference to losing a few unremarkable trees on the Shootersway boundary and creating a new access there directly onto Shootersway. Over 10,000 tons of material was removed to create the new attenuation ponds and this and other material came out of the old field entrance immediately adjacent to the junction, it caused chaos but was less disruptive and polluting for me than I expect the latest proposal to be. The proposal for a new access has arisen as residents of Queen Elizabeth Drive have objected to it going past their homes as well as the longer term need for traffic calming within that development.

County Council engineers appear to rely solely on the Taylor Wimpy traffic consultant's report which uses only desktop capacity modelling, and which has been approved. Less reliance on desktop modelling and more practical examination of the issues on site might bring a better result for pedestrians and road users alike, as well as reducing the burden on the NHS. It would also stop me worrying that the next car that squeals around the corner is going to end up in my home. I do not say this jokingly.

I outlined some of these concerns on the application in December and suggested that this was the opportunity to create a better, safer junction, but these have been ignored by the planning committee, who instead thought that a new access very close to my home would be a good idea.

I believe Dacorum Planning Committee should defer approval of the new access proposals until these issues have been properly examined. Dacorum HIT targets are healthy and a little extra time to deal effectively with important detail will be time well spent. I still have a hole in my front hedge and I am considering building a wall of timber sleepers although this is unlikely to fully protect me and my home as debris is likely to propelled towards the house in the event of a heavy impact. I don't think the HCC should sanction "improvements" that necessitate the provision of armco to protect homes, better to build a safer junction whilst there is land available.

Further Comments

The new access onto Durrants Lane is close to the junction and any new street lighting would be a gross intrusion from my point of view. There are enough pressures on good

quality sleep without the near daylight of LED street lighting intruding into my home. I strongly object to this and the access would be better moved further back along Durrants Lane towards ERS school, but far better still to move it to a completely new access onto Shootersway. In suggesting the possible location of the access road on Durrants Lane the Council seems to have forgotten that there are residents there who will be just as impacted as the residents of Elizabeth Avenue with the additional traffic and particularly the construction traffic. At the very least a separate access should be provided from Shootersway for the construction process. It would be inequitable to take into account the views of the residents of Elizabeth Avenue but ignore my own concerns at the noise and pollution of construction traffic passing my home to reach the site from Shootersway.

The proposed access will cause a great deal of noise and disturbance to me as construction traffic passes in both directions in front of my house, within just a metre or two of my front door. Noise, air quality impacts, and the vibration from this traffic will severely impact the internal environment of my home and my garden during the construction phase. There is no need to use Durrants Lane as the construction access, during the construction of phase one more than 10,000 tonnes of spoil was extracted and removed via the field access next to Durrants Lane directly onto Shootersway. The trees on the Shootersway boundary are mostly of little better quality than those on Durrants Lane although there are one or two more mature ones than on Durrants Lane. But this can be done easily and avoiding the severe impact construction traffic could have on the lives of the residents of Elizabeth Avenue or Durrants Lane, the traffic should be routed along Shootersway and not past schools and homes close to the road.

The new access further erodes the quality of the green belt boundary through the combined impacts of the increase in traffic, the effect of such dense development so close to the Shootersway and Durrants Lane frontages together with streetlighting and these will substantially undermine any attempt to disguise this through landscaping, green corridors etc. Furthermore this green corridor shielding the development from the road whilst of benefit to the new residents is at the expense of existing residents, myself in particular, who will suffer from the increase in traffic, proximity of intrusive LED street lighting etc. This is an inequitable arrangement from my point of view and the Council should be working to protect existing residents from the negative impact of development, there is no indication of any attempt to do this in my case so far, and it is not acceptable to diminish the environmental quality of my own home or of existing homes for the benefit of new ones.

Furthermore at a time when a housing crisis demands more housing I believe NPPF may provide adequate means to enable the development of a large site for affordable housing which just happens to be closer to existing communities, already in the ownership of Taylor Wimpy, and unhampered by complex ownership issues, or historic policy commitments for open space provision etc. It is prudent to expedite the achievable but this should not be limited to allocated sites, nor should it justify missing opportunities for small but important infrastructure changes or be detrimental to existing homes.

The consultation in respect of phase 1 by Taylor Wimpey included assurances that phase 2 would consist of a development of approximately 60 new homes with two new

alternate schemes being proposed depending on the outcome of the village green application. (Taylor Wimpey letter dated 13th of March 2013) The current proposals are far in excess of this number and go against public expectations for the scale of development and policy proposals for open space (as below). The figure of 180 homes is unachievable without the school site, and to abandon the masterplan just when the ERS site might be about to become available through policy decision(s) and enable the housing target to be hit is hard to accept.

Previous proposals maps have included part of the masterplan site for public open space, the earliest that I am aware of being the proposals map adopted in January 1984. The current map continued the ongoing process of preserving this longstanding policy that first assigned this status to the land now occupied by Elizabeth Avenue in a larger scheme to enable its provision. The policy of open space provision within what is now called the masterplan site is merely a continuation of a policy requirement at this location that is approximately 35 years old. Approval of this application would be in breach of this very longstanding policy commitment if there is no prospect of the school site being developed as I believe is being claimed and open space being provided within that site.

The provision of playing fields on Durrants Lane does not fulfil this long standing policy requirement and the council should resolve this by reducing the scale of the development and including greater provision of public open space as originally envisaged, whilst intervening to promote the development of more affordable housing closer to the town in less complicated sites.

I understand that there is now tremendous pressure to enable housing development, but that is not justification for abandoning long held aims to provide for the public good, or to hurriedly approve an application without considering the small details which could make a big differences to both residents, those passing through the town, or those who move here in years to come.

I ask that the committee at the very least withhold approval of the amended application until the highway issues I have highlighted have been reviewed by HCC and that a new access be provided to Shootersway and not Durrants Lane.

Recommendation:

As per officer report subject to amended conditions below:

Amended Condition 4 –

**The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 as amended by the Drainage Addendum dated 18<sup>th</sup> March 2019. The surface water drainage scheme should include; 1. Implementing the appropriate drainage strategy based on attenuation and discharge to deep borehole soakaway 2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event for both the northern and**

**southern sites. 3. Undertake the drainage to include tanked permeable paving, swales/filter strips and basins as indicated in drawings 9662-D-02.**

Reason: To ensure that the drainage of surface water does not provide an unacceptable flood risk to the proposed dwellings or adjacent development in accordance with Policy CS31

Amended Condition 5

**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 Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 as amended by the Drainage Addendum dated 18<sup>th</sup> March 2019.**

**The scheme shall also include:**

- 1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. 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. All calculations/modelling and drain down times for all storage features.**
- 3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.**
- 4. Incorporate the use of catch pits, interceptors and additional swale features etc. for highway drainage.**
- 5. Detail P18-1593\_02C (Elevations and Floor Plans for NA44)s of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event Page 20**

Reason -To prevent the increased risk of flooding, both on and off site in accordance with Policy CS31 of the Core Strategy

Amended Condition 12

**The proposed development hereby approved shall be carried out in accordance with the following approved plans/documents unless otherwise agreed in writing by the local planning authority:**

**P18-1593\_01L (Site Layout)**

**P18-1593\_03.01C (Elevations and Floor Plans for NB52)**

**P18-1593\_03.02C (Elevations and Floor Plans for NA44)**

**P18-1593\_03.03A (Elevations and Floor Plans for NA44)**

**P18-1593\_03.04C (Elevations and Floor Plans for NB41)**

**P18-1593\_03.05A (Elevations and Floor Plans for NB41)**

**P18-1593\_03.06A (Elevations and Floor Plans for NT41)**

**P18-1593\_03.07A (Elevations and Floor Plans for NT41)**

**P18-1593\_03.08B (Elevations and Floor Plans for PA44)**

- P18-1593\_03.09 (Elevations and Floor Plans for PA44)**
- P18-1593\_03.10A (Elevations and Floor Plans for PT36)**
- P18-1593\_03.11B (Elevations and Floor Plans for PA34)**
- P18-1593-03.12I (Elevations and Floor Plans for PA30)**
- P18-1593\_03.13A (Elevations and Floor Plans for PA25)**
- P18-1593\_03.21A (Elevations and Plans for AA31)**
- P18-1593\_03.22A (Elevations and Floor Plans for AA23)**
- P18-1593\_03.23A (Elevations and Floor Plans for NB52)**
- P18-1593\_03.24 (Elevations and Floor Plans for NT41)**
- P18-1593\_03.31B (Elevations for Block A)**
- P18-1593\_03.32B (Floor Plans for Block A)**
- P18-1593\_03.33D (Apartment Block B)**
- P18-1593\_03.34C (Apartment Block B)**
- P18-1593\_03.35D (Apartment Block B)**
- P18-1593\_03.41I (Single Garage)**
- P18-1593\_03.42I (Double Garage)**
- P18-1593\_03.43I (Extended Double Garage)**
- P18-1593\_03.50I (Bin and Cycle Store)**
- P18-1593\_03.51I (Garden Shed)**
- P18-1593\_08D (Parking Assessment)**
- P18-1593\_11D (Street Scenes)**
- P18-1593\_12C (Refuse Strategy)**
- P18-1593\_13A (Site Location Plan)**
- P18-1593\_15D (Building Heights)**
- P18-1593\_16 (Design and Access Statement)**

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**Item 5b**

**4/03191/18/FUL DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO X 3 BEDROOM AND 2 X 4 BEDROOM DWELLINGS, ACCESS, PARKING AND LANDSCAPING (RESUBMISSION)**

**39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP**

Recommendation:

As per the published report.

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**Item 5c**

**4/02583/18/FUL DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 APARTMENTS, LANDSCAPING AND PARKING**

**OLD SILK MILL, BROOK STREET, TRING, HP23 5EF**

Additional Information and further discussion

At the time of writing no response has been received from the Highway Authority to formally confirm the removal of their objections to the application. However, informally the case officer can advise that there has been ongoing liaison with the Highway Officer and that the list of objections noted in Herts Highways initial response to the application have been addressed through additional information and amended plans. However, it is appreciated that this is not the formal response of the Highway Authority and that their recommendations with regards to any highway related conditions / s106 obligations are not available to consider. We have also requested their comments in regards to the issue of mobility scooter access that was raised by the Town Council and also in respect of any highway safety issues in regards to the proximity of the access to the school crossing patrol. An oral update will be provided at the meeting.

In the absence of any formal response it would be recommended that the application be delegated with a view to approval subject to the matters already listed plus the receipt of no objections from the Highway Authority and subject to any conditions / s106 obligations that they may recommend.

The applicant has confirmed in response to the Town Council's concerns raised in respect of mobility scooter access that although the footway along the western edge of Brook Street, which locally is at 1.2 to 1.4 m in width, is less than the Manual for Streets (Department for Transport's Inclusive Mobility document) recommendation of 1.5 m width for wheelchair users to pass a pedestrian or for a pedestrian to walk alongside a parent and pushchair. The latter document also comments that, where there is an obstacle, a minimum of 1m width is needed. It is also noted that the section with the smallest width is only for a short section and that a class 3 mobility scooter is limited to a maximum width of 0.85 m. A class 3 mobility scooter would therefore be able to utilise the footway along Brook Street adjacent to Silk Mill. However, clearly two passing scooters of the maximum width might have difficulty passing each other, although this might be a rare occurrence.

The above notwithstanding, the applicant has confirmed that the preferred route for those travelling to the town centre by mobility scooter would be to use the existing public footpath network along the top of the embankment (Footpaths 39 and 41) as this provides a shorter traffic free and more attractive route and has adequate width of up to 4 m, also benefitting from street lighting.

Unfortunately the short uphill connection to footpath 41 does not have step free access, albeit there is a shallower stepped ramp option, the gradient of which is understood not to be an issue for mobility scooters. In response to this the applicant's agent has agreed that they could in principle offer improvements to the stepped ramp path in the form of an alteration to one side in order to form a continuous ramp. This could be secured through a Grampian style condition or as an s.106 planning obligation. This would also offer important sustainability benefits in terms of access to

the local shopping parade (Co Op / community centre / restaurant) off Silk Mill Way, as well as the opportunity for surface improvements to the footpath.

It is understood that the applicant is currently incommunicado as he is out of the country and that the applicant's agent has not at the time of writing managed to garner instructions to proceed with this.

The principle would need to be discussed and agreed with the Public Rights of Way Officer. It would also need Highways agreement and possible safety audit checking. In the circumstances, the applicant's agent has asked that the application be considered as submitted and should the condition of the footway at the front of the site be considered an issue, that delegated authority be given to Officers to resolve this issue as noted above to include the agreement in principle of the Rights of Way Officer and Highway Authority.

The recommendation is updated accordingly to reflect this possibility.

#### Additional neighbour representations

140 Kingsley Walk - Could you please add these photographs to your portfolio in order to discount the claims of the developer of the site being used by fly tippers. Can these photographs please be displayed along with the ones that you will show on the screen to disprove these fictitious claims.

As you can clearly see the site is locked and the staff on site are tipping their own waste. The site is still a mess in order for the proposal to be approved.

I have also noted that they have suggested that the site has been burglarised - another claim that is easily disproven I have searched the police records back to 2016 and am unable to find any burglary that has been reported on these premises?



(2/04/18)

#### 59 Brook Street – Objects

(1/04/19)

5 Beech Walk - I object to the proposed development of these flats. Brook Street is already congested with traffic and very difficult for pedestrians. The parking is already inadequate for the current residents and crossing the road close to where this development is proposed is very dangerous. I do not live in this road but use it regularly. I understand that housing is required but the original proposal for 4 houses would have been much more appropriate for the limited space.

(1/04/19)

25 Hunters Close - Tring Town Council has already strongly refused the development.

The proposed development is next to a busy school crossing patrol point cutting through from Shugars Green and the footpath parallel to Brook Street by Kingsley Walk. The single file traffic, due to parking in front of the cottages opposite the industrial estate has created a bottle neck on Brook Street, where users of Brook Street are regularly encountering difficulties/conflicts crossing Brook Street or driving through the single lane in front of the Silk Mill industry estate.

The development will have parking for the 41 apartments plus visitor spaces, which will all enter and exit from the existing drive to 21 and 22 Brook Street, onto Brook Street at the point of the school crossing patrol point and onto Brook Street where the single lane traffic begins. THIS WOULD BE EXTREMELY HAZARDOUS!

The development is not fit for purpose, positioned in an area where those with comprised mobility are unable to safely leave the development, having to negotiate very narrow pavements.

I am very concerned about children going to Tring school crossing and the extra amount of traffic.

Brook Street is almost impassable at present and the additional traffic we make it completely unmanageable.

Tring does not have the road or local infrastructure (e.g. Drs) to copy with this development.

Also please note a similar development on the same road at the petrol station was recently refused for similar reasons.

(01/04/19)

#### Additional Condition

**The premises hereby permitted shall be operated at all times as an Extra Care scheme under Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and shall retain all communal areas, and wardens apartment, as shown on the approved floorplans.**

Reason: For the avoidance of doubt as to the use permitted and because in the absence of affordable housing and other contributions to social and physical infrastructure through CIL contributions, the Council would not have granted a general needs housing scheme on this site.

#### Amended Conditions

**3. The development shall be carried out in accordance with the approved plans and elevations and notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until 1:20 details of the design and appearance of the following shall have been submitted to and approved in writing by the local planning authority:**

- **all new windows, external doors and openings (including materials, finishes, cills, window headers, surround details). The details shall include vertical and horizontal cross-sections through the openings to show the position of joinery within the openings;**
- **eaves joinery and rainwater goods, including a typical cross profile of the eaves;**
- **chimneys;**
- **balconies / railings / juliet balconies;**

- vehicle access gates to the undercroft car park;
- bin store;
- cycle store;
- retaining walls;
- vehicular archway, including finished appearance of the internal walls and ceiling;
- photovoltaic panels.

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

Reason: To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.

**4. No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until details of the extent and form (including materials) of the general repairs to the existing brick and flint wall shown annotated on Drg. No. 18-02-P-07 Rev J including details of how the wall is to be protected from damage during construction / piling works, shall have been submitted to and approved in writing by the local planning authority. The approved details shall be carried out prior to the first occupation of the development.**

Reason: To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.

**9. The development shall be carried out in accordance with the relative levels and heights shown in relation to adjoining buildings and land on Drg. Nos. 18-02-P-21 C, 18-02-P-22 B and 18-02-P-24 C and 18-02-P-29.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013.

**10. The development hereby permitted shall not be occupied until the arrangements for vehicle, cycle and mobility scooter parking, circulation and access shown on Drawing No. 18-02-P-07 Rev J shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. All residents' parking shall be unassigned. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the carriageway.**

Reason: To ensure the adequate and satisfactory provision of off-street parking facilities, satisfactory access into the site and to avoid the carriage of extraneous material or surface water into the highway in the interests of highway safety in accordance with saved Policies 51, 54 and 58 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

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

**18-02-P04 A**  
**18-02-P05 B**  
**18-02-P-07 J**  
**18-02-P-10 B**  
**18-02-P-11 A**  
**18-02-P-12 A**  
**18-02-P-13 A**  
**18-02-P-15**  
**18-02-P-21 C**  
**18-02-P-22 B**  
**18-02-P-24 C**  
**18-02-P-26**  
**18-02-P-27**  
**18-02-P-28**  
**18-02-P-29**  
**24205\_08\_020\_02**

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

Recommendation:

That planning permission be **DELEGATED** to the Group Manager Development Management and Planning with a **VIEW TO APPROVAL** subject to:

- removal of objections from Herts Highways subject to any conditions / s106 obligations that they may recommend
- ***the agreement in principle of the Rights of Way Officer and Highway Authority to upgrading the footpath network (Footpaths 39 and 41) to allow access by mobility scooters***
- final drafting of conditions and / or such other conditions as may be required
- agreement of pre-commencement conditions with applicant, and completion of a s106 agreement with the following Heads of Terms-55 years minimum age restriction, meeting medical or health criteria that justify the extra care accommodation categorisation, provision of fire hydrants, ***upgrading the footpath network to allow access by mobility scooters***

Note: Items shown in bold italics above are optional and subject to the agreement of the committee

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**Item 5d**

**4/02583/18/FUL      DEMOLITION OF OUTBUILDING AND CONSTRUCTION OF A TWO STOREY EXTENSION. CONVERSION OF PROPERTY INTO 4 X 1 BEDROOM FLATS.**

**245 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE**

**Representations to the Revised Scheme:**

Response from Scientific Officer

No objection to the proposed development in relation to Land Contamination.

However, the following planning informative are recommend should planning permission be granted.

1. Un-expected Contaminated Land Informative

Our contaminated land record shows that the land is located within 53m of a former contaminated land use i.e. mill, 35m of a landmark historic contaminated land use of un-specified factory or works of medium risk as well as on a radon affected area where 3 - 5% of homes are above the action level. There is a possibility that this activity may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works for any potentially contaminated material especially where the proposed development area has not been previously remediated.

Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

2. Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Clarification upon Imposed Contamination Conditions

Our subsequent comment dated 25<sup>th</sup> March, 2019 based on the revised designed and access statement and the applicant decision to reduce the extension size as well as the end use of the ground floor supersede the previous advice.

To this end, it is not necessary to recommend a full contaminated land condition but an informative as advised as our concern on land contamination is majorly on the proposed extension and not the conversion work.

Response from the Environmental and Community Protection Team

The location of the development site has the potential to be impacted by road traffic noise. The application is not supported by any information which considers noise due to road transportation sources. Noise is recognised with national planning policy and supporting documents (Noise Policy Statement of England, Planning Policy Guidance: Noise) as relevant to planning due to impacts on health and quality of life.

I would recommend this development is subject to a planning condition which requires an assessment of noise impact prior to commencement of development. The reason is that as the development may require an alternative, and mechanical, means of ventilation (in place of or in addition to opening windows) to provide an adequate level of amenity. Alternative control mechanisms may be to reorient the internal layout so that the living space and bedroom is located at the rear and shielded by non-habitable spaces.

I have suggested the conditions for noise and the supporting informative below.

Suggested Condition – noise

Prior to development commencing the applicant shall submit to the LPA an assessment of noise on each habitable room due to its exposure to transportation noise. Where the assessment identifies that mitigation measures are required to protect likely future occupiers from noise, the assessment shall provide an outline mitigation statement having regard to the principles of good acoustic design. Any scheme of mitigation shall also be subject to approval by the LPA, and once approved, shall be implemented in accordance with the approval prior to first occupation and retained thereafter.

Reason : Policy CS32 – any development proposals which could cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise or noxious substances, will not be permitted.

Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control

of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Councillor Jan Maddern

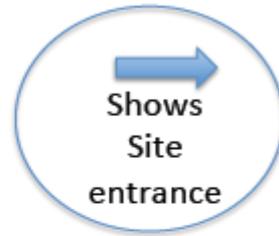
Please see attached photos for 245 Belswains Lane, that demonstrate the parking difficulties with this application. These were sent to me by Parish Councillor Alan Briggs who I believe will be speaking at the meeting on behalf of the Parish Council.

Councillor Alan Briggs has asked me to forward these to this Council and asked that they be circulated to the members in advance of the meeting

## 245 Belswains Lane



View from  
Belswains Lane



Drivers eye view

Towards Belswains Lane



Recommendation:

Agent's Responses to the Recommended Noise Condition

1<sup>st</sup>

We confirm that Mr Shepherd accepts this condition.

2<sup>nd</sup>

Regarding the noise pollution which is not yet in the report (I assume this will be added to the final draft?)- I believe I am right in understanding that this is to do with individual rooms in the proposal.

We will make suggestions to overcome this condition during the building regulation process.

This may include the incorporation of acoustic secondary double glazing.

Recommendation

As per the the published report subject to the following changes:

- 1.Deletion of the contamination related Conditions 9 and 10 in accordance with the advice of the Council's Scientific Officer.
- 2.Addition of a noise condition in accordance with the advice of Council's Environmental and Community Protection Team.
3. Addition of an Informative regarding contamination in accordance with the advice of the Council's Scientific Officer.

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**Item 5e**

**4/03165/18/FHA      REPLACEMENT OF EXISTING GARAGE AND SUMMER HOUSE  
WITH NEW OUTBUILDING PROVIDING A NON HABITABLE ANNEX WITH GARAGE  
AND HOBBY ROOM**

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

Recommendation:

As per the published report

As per the published report

\*\*\*\*\*

**Item 5f**

**4/03174/18/FHA      NEW TIMBER FRAME BUILDING TO REPLACE GARAGE AND  
SUMMER HOUSE**

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

Recommendation:

As per the published report

\*\*\*\*\*

**Item 5g**

**4/00349/19/FUL      DEMOLITION OF PART SINGLE STOREY REAR EXTENSION.  
CONSTRUCTION OF TWO STOREY REAR EXTENSION WITH WALL MOUNTED LIGHTS.  
CONSTRUCTION OF A FRONT PORCH WITH WALL MOUNTED LIGHT (AMENDED  
SCHEME)**

**2 PHEASANT COTTAGE, WINGRAVE ROAD, TRING. HP23 5 EZ**

Recommendation:

As per the published report