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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 27 MAY 2021 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 Oguchi
Councillor C Wyatt-Lowe (Vice-Chairman)	Councillor Uttley
Councillor Beauchamp	Councillor Woolner
Councillor Durrant	Councillor Tindall
Councillor Hobson	Councillor Douris
Councillor Maddern	Councillor Williams
Councillor McDowell	

For further information, please contact member.support@dacorum.gov.uk or 01442 228209

AGENDA

(I) Addendum

Agenda Item 5l



DEVELOPMENT MANAGEMENT COMMITTEE

27th May 2021

ADDENDUM SHEET

Item 5a

21/00858/ROC Variation of Condition 2 (Approved Plans) Attached to Planning Permission 20/01355/MFA (Full Planning Application for the construction of a single storey, single chapel crematorium with associated parking, landscaping and infrastructure.)

Land South Of Bedmond Road Hemel Hempstead Hertfordshire

Corrections

Paragraph 2.4 – the proposed crematorium does not provide “burial space”. The need referred to in paragraph 2.4 is for “cremation facilities”

Paragraph 5.2 – the amendments are indicated to include a substation. The substation forms part of the original planning approval on this site.

Amended Conditions

Condition 2 should be amended as follows:

1203-P1001 Revision A (Proposed Site Plan) in place of 1203-P1001

0569-PLI-00-ZZ-DR-0164 Revision P01 (Landscape Section Plan)

0569-PLI-XX-ZZ-DR-L-0501 Revision P01 Landscape Sections)

Condition 15 shall be amended as follows:

Point 4 should read “Final discharge of surface water from the development via a deep bore soakaway at a restricted rate (to suit the borehole test discharge rate) via a hydro brake.

Condition 16 shall be amended as follows:

Point 5 should read “Ensure the discharge rate and volume into the attenuation pond is sufficient to cater for the 1 in 100 year +40% for climate change event with sufficient volume and freeboard”

Item 5b

20/03734/FUL Demolition of 36 residential garages and construction of 6 new dwelling houses

Garages at Sempill Road (West), Hemel Hempstead, Hertfordshire

This item has been withdrawn from the agenda.

Item 5c

20/03735/FUL Demolition of 10 residential garages and construction of 4 new dwellings.

Garages at Sempill Road (East), Hemel Hempstead, Hertfordshire

This item has been withdrawn from the agenda.

Item 5d

21/00643/FUL 6x floodlights

**Chipperfield Tennis Club The Common Chipperfield Kings Langley Hertfordshire
WD4 9BS**

This item has been withdrawn from the agenda.

Item 5e

20/03295/FUL One barn, one polytunnel, agricultural track and relocation of entrance gate

Bury Farm Cupid Green Lane Hemel Hempstead Hertfordshire

An e-mail has been received from the applicant stating that produce would not be sold directly from the site.

The submitted Planning, Design and Access Statement indicates the proposal would result in 8 to 10 movements (4 to 5 vehicle trips) to and from the site, which is considered acceptable, noting Hertfordshire Highways has raised no objection to the proposal. Together with other approved developments, cumulatively the proposal would not have an adverse impact on highway safety in accordance with Policies CS9 and CS12 of the Core Strategy.

Recommendation

As per the published report.

Item 5f

21/00138/FUL Construction of 5 dwellinghouses including associated hard and soft landscaping

38 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SF

The wording of some conditions have been slightly modified to reach agreement with the agent. Most notably, condition 3 now secures the submission of details with regards to materials, rather than referencing the samples contained within the design and access statement. The wording of other conditions have been slightly modified to provide more clarity. The altered wording of the conditions in question can be found below:

Condition 3:

No development above slab level 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.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

Condition 4:

No above ground development shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- o all external hard surfaces within the site;**
- o other surfacing materials;**
- o means of enclosure;**
- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- o minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
- o retained historic landscape features and proposals for restoration, where relevant.**

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 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 similar species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

Condition 7:

Prior to the commencement of the development hereby approved shall be undertaken until full details setting out how retained trees shall be protected, in accordance with BS5837:2012 (Trees in relation to design, demolition and construction), have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- o A scaled Tree Protection Plan showing the approved development layout and retained trees (surveyed in accordance with BS5837:2012), to include their accurate crown spreads and root protection areas (RPAs).**
- o The sequential order of events required for tree protection.**
- o The position and specification of tree protection fencing in accordance with BS5837:2012 (as applicable).**
- o The position and specification of ground protection in accordance with BS5837:2012 (as applicable).**
- o Details of hard surfacing constructed using no-dig techniques where proposed over the RPA of retained trees (as applicable).**
- o Details of proposed levels.**
- o The position of service routes and drainage (to include soakaways), and means of installation if these encroach through the RPA of retained trees.**

- o The position(s) of welfare site cabins and areas for the storage of materials.
- o Tree protection measures during the landscaping stage(s).
- o Details of arboricultural site supervision to include timing and how each site visit shall be recorded.

There shall be no excavation, changes in levels, storage of materials or access within the RPA of retained trees unless previously specified and agreed.

Arboricultural supervision shall include a pre-commencement site visit prior to any work commencing. The Local Planning Authority shall be informed of this at least three working days prior to it occurring. Arboricultural monitoring reports shall be sent to the Local Planning Authority within five working days of each site visit.

The works must then be carried out according to the approved details.

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

Condition 10:

Prior to the first occupation of the development hereby permitted arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CS31 of the Dacorum Core Strategy (2013)

To clarify, the biggest change is to condition 3. Other changes are minor in nature and relate to changes in wording such as "construction of the superstructure shall not take place until..." to "no above ground works shall take place until.." and "prior to first use" to "prior to first occupation".

UK Power Networks were engaged and have now sent comments with regards to the application. These can be found below:

We refer to the Planning Application for the above site. The proposed development is in close proximity to our substation and have the following observations to make:

"If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

- 1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.*
- 2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.*
- 3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation.*
- 4. If noise attenuation methods are found to be necessary we would expect to recover our costs from the developer.*

Other points to note:

- 5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.*
- 6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.*
- 7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.*
- 8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.*
- 9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.*

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.”

This response will be added as an informative to any permission given.

Recommendation

As per the published report.

Item 5g

21/00441/OUT Outline planning application with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate.

Land SW Of Frindles Cheverells Green Markyate Hertfordshire AL3 8AB

Photographs have been received by Councillor Jane Timmis (speaking in objection). These show views of the boundary vegetation of the site.

These can be seen below:





Recommendation

As per the published report.

Item 5h

**21/00183/FUL Proposed extension of height of mast by 5m [24.9m to 29.9m].
Removal of 6No. Antenna. Installation of 12No. Antenna and ancillary devices. 6No.
Cabinets inside the existing Cabin. All associated ancillary works thereto.**

Mast Icknield Way Industrial Estate Tring Hertfordshire

Recommendation

As per the published report.

Item 5i

21/00365/FUL Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen.

Barn A Birch Lane Flaunden Hertfordshire HP3 0PT

Two letters of objection has been received from the same objector:

1. I am really disappointed that no site visit has been undertaken to verify the condition of the trees prior to agreeing to their removal. Given the contentious background, relying wholly on selectively submitted photographs, using a local tree contractor they know well, who will have the contract to fell the trees, who also in previous applications has claimed these were not even trees but an 'overgrown hedge' and also stated that they posed an immediate health and safety risk to workers on site to try to get approval to remove them, even though work continued around them throughout with no special precautions taken or problems incurred, does not seem correct.

You will, I hope, understand why I feel this falls well short of an objective assessment and does not reflect the duty of care expected to reach the technically correct decision. The attached picture of the trees, taken this morning, does not support the claims made about them. They do not look in 'poor condition' or like they are suffering from 'severe decay' or have 'significant defects'.

In my earlier email to you I asked that a Dacorum tree specialist visit the site to independently verify the condition of the trees prior to making your determination which is I believe wholly reasonable to protect something that has taken 50 plus years to grow and which was deemed important enough by you to protect to ensure neighbouring privacy as part of the planning originally granted. If this were done and the decision they reached was that these trees posed a risk through decay/defect and needed to be felled, I would, albeit sadly, have accepted the inevitable.

Could such a visit be arranged prior to the meeting on Thursday or alternatively could this item be removed from the agenda until this is able to be done?

The Trees and Woodlands Officer made the following comment regarding the above concern:

“The photos submitted by the applicant / agent show significant dysfunction of tree stems, which will have an impact on safety, so I’ve no issue with my previous advice without a visit.”

2. I have seen the additional information on the website regarding the trees alongside Barn A at Flaunden House Stables, including your email requesting growth rates.

I do not believe your question has been fully answered in the response you received.

Attached is a link to a website selling these trees which I believe answers your question, namely that they will grow to 7m with a 3m span in 20 years, it also includes images of the trees. I would please ask that you confirm this with Dacorum’s arboriculturists prior to making your decision.

<https://www.ornamental-trees.co.uk/carpinus-betulus-fastigiata-tree-p54>

Effectively they are proposing to remove healthy 30 to 50 year old trees with a girth of around 100cm and replace them with trees that have a girth about the size of your wrist, 12-14cm.

Given this and the size of the building, these trees will provide only negligible screening both initially and also in the foreseeable future and will radically change both the rural aspect of the site and from a personal perspective our privacy, both of which formed the reason why they were protected in the first instance.

I am assuming that it has now been accepted that the existing trees are healthy and not a danger, as the works to the building since the last application have continued and been completed without any special measures being taken.

Their removal, therefore, would be purely on the grounds of inconvenience and proximity to the building as configured with additional fenestration and a front door on the western elevation that was all done in the full knowledge that the trees were protected under the permission.

Recommendation

As per the published report.

Item 5j

20/03778/FHA Two storey side extension and associated landscaping works

3-4 Una Way High Street Kings Langley Hertfordshire WD4 8BH

Recommendation

As per the published report.

Item 5k

20/03779/LBC Two storey side extension and associated landscaping works

3-4 Una Way High Street Kings Langley Hertfordshire WD4 8BH

Recommendation

As per the published report.
