
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

6 SEPTEMBER 2018

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, Bateman, Birnie, Conway, Riddick, Ritchie, Whitman, C Wyatt-Lowe (Vice-Chairman) and Fisher

OFFICERS:

K Mogan (Corporate and Democratic Support Lead Officer), Horner (Group Manager - Development Management), B Hosier (Group Manager - Procurement and Contracted Services), R Marber (Planning Officer), E Palmer (Planning Officer), M Stickley (Planning Officer) and Sultan (Lead Litigation Lawyer)

The meeting began at 7.00 pm

73 MINUTES

The minutes of the meeting held on 16 August 2018 were confirmed by the Members present and were then signed by the Chairman.

An addendum to the agenda was circulated before the meeting. A copy of the addendum can be found on the DBC website on the following link:

<https://democracy.dacorum.gov.uk/ieListDocuments.aspx?CId=159&MId=1728>

74 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillor Matthews and Councillor Tindall.

75 DECLARATIONS OF INTEREST

Councillor Guest asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application.

76 PUBLIC PARTICIPATION

Councillor Guest reminded the members and the public about the rules regarding public participation.

77 4/01821/18/FUL - TEMPORARY CHANGE OF USE OF LAND TO CAR

PARK PROVIDING 90 SPACE INCLUDING 6 DISABLED SPACES TO DISCHARGE CONDITION 15I OF PLANNING PERMISSION 4/00122/16/MFA (CONSTRUCTION OF 8 HALF STOREY CAR PARK WITH ASSOCIATED WORK TO PROVIDE 312 SPACES AND 15 DISABLED SPACES) - THE MOOR, MILL STREET, BERKHAMSTED

R Marber introduced the item to members and said it had been referred to the committee as it was a DBC owned scheme. It was brought to members attention that the officer had received late representations from local residents and the Lead Local Flood Authority.

Rob Wakely and Pamela Stonebrook spoke in objection to the application.

Nigel Abbott spoke in support of the application.

In his role as ward councillor, Councillor David Collins spoke in support of the application.

It was proposed by Councillor Whitman and seconded by Councillor C Wyatt-Lowe to grant the application in line with the officer's recommendation.

Vote

For: 6 Against: 1 Abstained: 2

Resolved:

That planning permission be **GRANTED** subject to the 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 **After one year operation the use hereby permitted shall cease and any associated plant, materials and equipment shall be removed and any necessary works of reinstatement in accordance with the landscaping scheme approved within condition 6 shall be carried out.**

The reinstatement works shall have been fully completed within 3 months post this one year period.

Reason: The proposed use could be detrimental to the amenities of the locality and the local planning authority wishes to have the opportunity to review the development in the light of operational experience; in accordance with Saved Policies 73, 75, 116 and Saved Appendix 6 of the Local Plan (2004).

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

Tree Details – by site Mill Street parking info dated 08/05/2018

**Temporary Car Park, Berkhamsted Transport Statement dated 16th July 2018
Planning, Design and Access Statement and Open Space Assessment August 2018**

Built Heritage Appraisal July 2018

Cellpave Anchored Ground Reinforcement Paver Material Detailing

The Moor, Berkhamsted Flood Risk Appraisal Dated 24/08/18

Sequential Test and Exception Test August 2018

Arboricultural Report 180734-PD-11 rev. A dated August 2018

Bat Tree Inspection ref:A082119-1 31st August 2018

DBC/018/042

DBC/018/002 Rev A

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

- 4 **No development shall take place above damp proof course level until details of the materials to be used in the construction of the post and rail with wire mesh 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: In the interests of the visual amenities of the Conservation Area; in accordance with Policy CS27 of the Core Strategy (2013).

Materials Informative

Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

- 5 **No development shall take place above damp proof course level until 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:**

- **Trees to be retained and measures for their protection during construction works;**
- **Proposed finished levels or contours;**
- **Car parking layouts (including disabled bays) and other vehicle and pedestrian access and circulation areas;**

- **Proposed location and scale of the pay and display machines; and**
- **Biodiversity enhancement as set out in the approved Bat Inspection Report (A082119-1).**

The approved landscape works shall be carried out prior to the first occupation or use the development hereby permitted.

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

- 6 Prior to the first occupation or use of the development hereby permitted a reinstatement landscape plan shall be submitted to and approved in writing by the Local Planning Authority.**

This landscaping plan shall include the following details:

- **returfing and replacement tree planting which shall include details of planting plans; location; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.**
- **A plan detailing the closure of the vehicle access and foot path and reinstatement of the highway grass verge; and**
- **Biodiversity enhancement as set out in the approved Bat Inspection Report (A082119-1).**

The re-instatement landscape plan shall be implemented after the use hereby approved has continued for a period of one year.

Reason: To ensure a high quality landscaping is restored to the site and to safeguard the visual character of the conservation immediate area; in accordance with Policies CS12 and CS27 of the Core Strategy (2013) and Saved Policies 99 and 100 of the Local Plan (2004).

- 7 All planting, seeding or turfing and soil preparation comprised in the approved details of the reinstatement landscaping detailed in condition 6 shall be carried out in the first planting and seeding seasons following one year post implementation of the development hereby approved; and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure proper reinstatement of the site and implementation of the agreed landscape details in the interest of the amenity value of the development; in accordance with Saved Policies 99 and 100 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

- 8 No development shall take place above damp proof course level until details of an exterior lighting plan has been submitted to and approved in writing by the local planning authority. These details shall include:**

- **Specifications of lighting including: luminaire and lamp type, beam control, wattage, the use of reflectors, baffles, louvres, cowling (including colouring), lux contours/distribution diagrams and column type/colour;**
- **A lighting statement by a qualified engineer/consultant clarifying the precise lighting impact in relation to nearby housing and how the installation minimises light pollution in relation to the control criteria specified by the Institution of Lighting Engineers’ ‘Guidance Notes for the Reduction of Light Pollution’;**
- **The position of the lighting within the site;**
- **A maintenance programme (after-care); and**
- **Hours of use;**

Exterior lighting works shall be carried out in accordance with the approved details prior to the first occupation or use the development hereby permitted.

Reason: To safeguard and mitigate light pollution and illumination levels from the scheme; in accordance with Saved Appendix 8 and Policy 113 of the Local Plan (2004).

- 9 **No development shall take place until an Air Quality Assessment has been submitted and approved in writing by the local planning authority.**

The Air Quality Assessment should include the following details:

- **indicate areas where there are, or likely to be, breaches of an air quality objective during the operational phase of the development;**
- **If there are predicted exceedances in exposure to levels above the Air Quality Objectives then, a proposal for possible mitigation measures should be set out;**
- **Impact of the construction vehicles and machinery of the proposed development; and**
- **The post construction impact of the development.**

Construction and operation of the development shall be carried out in accordance with the approved details.

Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013) and with regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.

Un-expected Contaminated Land Informative

The developer be advised to keep a watching brief during ground works on the site if

any for any potentially contaminated material. 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.

Construction Hours of Working – (Plant & Machinery) Informative

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 developer 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.

- 10 **No development shall take place until a surface water drainage scheme for the temporary phase, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the critical storm event will not exceed the run-off from the undeveloped site following the corresponding rainfall event and provide pre-development greenfield run-off rates where possible.**

The scheme shall also include:

1. **Drainage strategy including a detailed drainage plan with discharge into the either the River or GUC.**
2. **Implementation of runoff control measures**
3. **Provide source control measures such as permeable paving, infiltration trenches to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.**

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site and provide a betterment to flood risk, water quality and biodiversity through the implementation of an appropriate SuDS scheme in accordance with Policy CS31 of the Core Strategy (2013).

- 11 **Before first occupation or use of the development the access road and parking areas as shown on the approved plan DBC/018/002 shall be provided and**

maintained thereafter.

Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with its use in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

12

Prior to construction of the development hereby approved a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include details of:

- **Construction vehicle numbers, type, routing;**
- **Traffic management requirements;**
- **Construction and storage compounds (including areas designated for construction staff car parking);**
- **Siting and details of wheel washing facilities;**
- **Cleaning of site entrances, site tracks and the adjacent public highway; and**
- **Timing of construction activities to avoid school pick up/drop off times.**

The construction of the development shall be carried out in accordance with these approved details.

Reason: In the interests of maintaining highway efficiency and safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

13

Prior to the construction of the development hereby approved a scaled drawing showing the new access arrangements and visibility splays shall be submitted to and approved in writing by the Local Planning Authority.

The visibility splays shown on this drawing shall be no be less than 2.4m x 43m.

The access arrangements and visibility splays approved shall be provided, and thereafter maintained, in both directions from the new access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway for the duration of use or occupation of the development.

Reason: In the interest of highway safety and free and safe flow of traffic; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

Highway Informatives:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name

plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

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

4. Section 278 or Section 184 Agreement All works within the highway boundary (including alterations to the footway, creation and subsequent reinstatement of the temporary vehicular access) will need to be secured and approved via an appropriate highways works agreement, either a S278 or S184 agreement.

Ecology Informative

If bats or evidence for them is discovered during the course of tree works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England - tel: 0300 060 3900.

Felling of trees is recommended to take place outside of bird breeding season period of March- September (inclusive). If this is not possible a nesting bird check by a qualified ecologist should take place no more than 48 hours before the trees are felled.

Advertisement Informative

Any advertisement/ directional signage required for the temporary car park will require separate advertisement consent.

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the

Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

78 **4/01390/18/FUL - DEMOLITION OF EXISTING GARAGE AND SIDE/REAR EXTENSIONS AND CONSTRUCTION OF TWO-STOREY SIDE EXTENSION AND PART SINGLE, PART TWO-STOREY REAR EXTENSION; CONVERSION FROM SINGLE DWELLING INTO PAIR OF SEMI-DETACHED PROPERTIES (TOTAL 2 UNITS) - GREYMANTLE, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0HF**

Councillor Riddick declared an interest in the application. He would be speaking in objection so took no part in the debate or voting of this item.

M Stickley introduced the item to members and said it had been referred to the committee due to the contrary views of Bovington Parish Council.

Caroline Armstrong spoke in objection to the application.

In his role as ward councillor, Councillor Riddick spoke in objection to the application.

Having there been no proposer to grant the application in line with the officer's recommendation, it was proposed by Councillor Birnie and seconded by Councillor Bateman to overturn the officer's recommendation and refuse the application.

Vote

For: 5 Against: 0 Abstained: 3

Resolved:

That planning permission be **REFUSED** due to the following reasons:

- 1. The siting of the unobscured first-floor bedroom window on the north-eastern elevation would result in an unreasonable level of overlooking and loss of privacy to the adjacent neighbour (Ivydene) to the detriment of their residential amenity, contrary to the aims of Policy CS12(c) of the Dacorum Borough Core Strategy 2006-2031. It is considered that this unacceptable impact could not be mitigated by the use of obscure glazing, as this would result in the loss of an outlook for the occupants using this habitable room. This would result in unacceptably low levels of residential amenity.**
- 2. The existing access arrangement was designed and built for a single dwelling. It has an entry and exit arrangement that enables vehicles to enter and leave the site in forward gear. The applicant has failed to show that there is sufficient manoeuvring space for anything other than a small vehicle to safely and conveniently enter and exit the site. This is likely to result in vehicles reversing on to Hempstead Road. The proposal would therefore conflict with Policy CS12(a) of the Dacorum Borough Core Strategy 2006-2031, leading to an unacceptable level of highway danger.**

**79 4/00335/18/FUL - PART DEMOLITION OF EXISTING SIDE EXTENSIONS
AND CONSTRUCTION OF NEW 3-BED DETACHED DWELLING - 3
GAVESTON DRIVE, BERKHAMSTED, HP4 1JE**

E Palmer introduced the item to members and said it had been referred to the committee due to the contrary views of Berkhamsted Town Council. If the committee was minded to grant the application then there would be some amendments to conditions 3, 4 and 7.

Edward Murray and Chris Reid spoke in objection to the application.

Town Councillor Anthony Armytage spoke in objection to the application.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Fisher to grant the application in line with the officer's recommendation.

Vote

For: 2 Against: 6 Abstained: 1

Having there been no majority to grant the application in line with the officer's recommendation, it was proposed by Councillor Bateman and seconded by Councillor Ritchie to refuse the application.

Vote

For: 6 Against: 0 Abstained: 3

Resolved:

That planning permission be **REFUSED** due to the following reasons:

- 1. By reason of the siting of the proposed new dwelling the degree of separation between it and the existing dwellings at No.40 Trevelyan Way and No. 1 Gaveston Drive would be out of character with the existing open and spacious character of development in the area and would therefore be contrary to CS 11 and CS12 of the Dacorum Core Strategy 2013.**
- 2. By reason of the size of the site and the dwelling, particularly the lack of sufficient outdoor amenity space, the proposal would result in overdevelopment of the site and would be contrary to CS11 and 12.**
- 3. The depth of the amenity space provided for the proposed 3 bedroom dwelling is less than the minimum required of 11.5 metres and would therefore be contrary to Saved Local Plan Appendix 3. The proposed development would, therefore, provide insufficient usable outdoor amenity space for the occupants of the proposed dwelling. The lack of separation could also lead to overlooking of the dwelling and private**

garden area dwellings at No.40 Trevelyan Way to the detriment of the amenity of residents of that property. The loss of vegetation which could take place as a result of the construction of the proposal could result in the adverse impact of the loss of amenity for both the adjacent neighbours to the site being further exacerbated and would therefore be contrary to CS 12.

80 4/01315/18/FUL - DEMOLITION OF EXISTING KENNELS AND CONSTRUCTION OF A COURTYARD OF THREE DWELLINGS AND ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING - HAZEL CORNER DOG HOTEL, WINDMILL ROAD, MARKYATE, AL3 8LP

R Marber introduced the item to members and said it had been referred to the committee due to the contrary views of Markyate Parish Council.

It was proposed by Councillor Whitman and seconded by Councillor Birnie to grant the application in line with the officer's recommendation.

Vote

For: 8 Against: 0 Abstained: 1

Resolved:

That planning permission be **GRANTED** subject to the 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 The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**Planning Statement DLA Ref: 17/227 May 2018
473-100-D
473-101-E
473-102-C
473-103-A
473-105-B**

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

- 3 No development shall take place above damp proof course level until 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;
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;
proposed finished levels or contours;

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

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

- 4 All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development; in accordance with Saved Policies 99 and 100 of the Local Plan (2004).

- 5 The existing dwelling shown on Drawing No. P0659/13/G dated 13.08.14 shall be demolished and the materials removed prior to the first occupation of the dwellings hereby permitted.**

Reason: This represents inappropriate development in the Green Belt and was allowed subject to a business tie. As the business will no longer exist this dwelling will need to be removed in order to safeguard and maintain the openness of the Green belt in accordance with the Core Strategy Policy CS5 (2013) and the NPPF (2018).

- 6 The bath and en-suite windows at ground floor level in the front and side elevations of the dwellings hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and future occupiers of the application site; in accordance with Policy CS12 of the Core Strategy (2013).

- 7 All existing structures shown for demolition in plan ref: 473-100-B shall be demolished and the materials removed prior to the first occupation of the development hereby permitted.**

Reason: To safeguard and maintain the openness of the Green Belt in accordance with Policy CS5 of the Core Strategy (2013) and the NPPF (2018).

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

Schedule 2 Part 1 Classes A, C and E

Reason: To safeguard and maintain the openness of the Green Belt in accordance with Policy CS5 of the Core Strategy (2013) and the NPPF (2018).

- 9** Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.
For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy (2013).

- 10** All remediation or protection measures identified in the Remediation Statement referred to in Condition 9 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy (2013).

Contamination Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

- 11 No development shall take place above damp proof course level until information on the number and position of fire hydrants has been submitted to and approved in writing with the Local Planning Authority. The relevant details shall include information on how the hydrants will be incorporated into the mains water services whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus. The fire hydrants shall be implemented prior to occupation of the new units.**

Reason: In the interests of health and safety; in accordance with Policy CS12 of the Core Strategy (2013).

- 12 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.**

- a) Construction vehicle numbers, type, routing
- b) Traffic management requirements
- c) Construction and storage compounds (including areas designated for car parking)
- d) Siting and details of wheel washing facilities
- e) Cleaning of site entrances, site tracks and the adjacent public highway
- f) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway
- i) Construction or Demolition Hours of Operation
- j) Dust and Noise control measure
- k) Asbestos control measure where applicable

The construction of the development shall only be carried out in accordance with these approved details.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policies CS8 and CS12.

- 13 The proposed access, driveway and turning area hereby approved and detailed in plan ref: 473-100-B shall have capacity to carry 9 tonnes vehicles.**

Reason: To ensure safe and satisfactory means of access in accordance with Policies CS8 and CS12 of the Core Strategy (2013).
Highways Informative

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 41) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

81 4/1280/18/FHA - ALTERATION OF FRONT FIRST FLOOR WINDOW INTO DOUBLE DOOR. BALCONY RAILINGS INSERTED TO CURRENT SLAB ABOVE ENTRANCE PILLARS - 17 HIGHCLERE DRIVE, HEMEL HEMPSTEAD, HP3 8BY

O Phippen introduced the item to members and said it had been referred to the committee due to the contrary views of Nash Mills Parish Council.

It was proposed by Councillor Birnie and seconded by Councillor Ritchie to grant the application in line with the officer's recommendation.

Vote

For: 8 Against: 0 Abstained: 1

Resolved:

That planning permission be **GRANTED** subject to the following conditions:

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

**HDHH-506-P01
HDHH-507-P01
HDHH-508-P01**

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

82 4/01710/18/FHA - CONSTRUCTION OF GARDEN ROOM - 5 BELTON ROAD, BERKHAMSTED, HP4 1DW

This item was withdrawn from the agenda prior to the meeting.

83 APPEALS UPDATE

That the following appeals be noted:

1. Lodged
2. Forthcoming inquiries
3. Allowed

The Meeting ended at 9.07 pm