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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT**

**18 OCTOBER 2018**

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Present:

**MEMBERS:**

Councillor Guest (Chairman) Councillors, Bateman, Conway, Maddern, Matthews, Riddick, Ritchie, C Wyatt-Lowe (Vice-Chairman), Fisher and Tindall

**OFFICERS:**

R Freeman (Lead Planning Officer), A Parrish (Lead Planning Officer), Robbins (Planning Officer), Sells (PA to the Leader and Conservative Group), Sultan (Lead Litigation Lawyer), S Whelan (Group Manager - Development Management and Planning) and Lecart

The meeting began at 7.00 pm

**101 MINUTES**

The minutes of the meeting held on 27 September 2018 will be available for signing at the next meeting.

**102 APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillor Birnie and Councillor Whitman

**103 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.

**104 PUBLIC PARTICIPATION**

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

Councillor Guest informed the meeting that the agenda had been reordered to allow for applications with speakers to be heard first. The items are minuted in the order they were heard.

**105 4/01768/18/FUL - DEMOLITION OF GARAGES AND CONSTRUCTION OF 2 TWO BED DWELLINGS WITH OFF STREET PARKING - GARAGES ADJ. 8 CUPID GREEN LANE, HEMEL HEMPSTEAD, HP2 7HH**

Robert Freeman introduced the item to members.

Dave Eaton and Mrs Claire Brookes spoke in objection to the application.

Richard Winfield spoke in support of the application.

The gape between the existing property and the proposed buildings is a concern as well as the parking issue in the area. Mr Eaton stated if the proposed build was to go ahead there would a significant impact to the value of his property.

It was proposed by Councillor Tindall and seconded by Councillor Fisher to defer the application

Vote

For: 2                  Against: 7                  Abstained: 0

Having there been no majority to defer the application and due to a lack of proposer to grant the application in line with the officers recommendation It was proposed by Councillor C.Wyatt-Lowe and seconded by Councillor Riddick to refuse the application, contrary to the officer's recommendation.

Vote

For: 9                  Against: 0                  Abstained: 1

Resolved:

That planning permission be **REFUSED** for the following reasons;

**The proposed development, by reason of its design and layout, would result in an inappropriate form of development which would be harmful to the amenity of the area and adjacent property. As such the proposals would be contrary to Policies CS12 of the Core Strategy and saved Appendix 3 of the Dacorum Borough Local Plan 1991-2011**

Article 35

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council officers acted pro-actively recommending the approval of the application however this was not agreed by members of the Development Management Committee. The Committee have fundamental objections to the scheme which cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**106                  4/01807/18/TPO - T1 - ATLANTIC BLUE CEDAR - FELL TO GROUND LEVEL. - 28 JUBILEE WALK, KINGS LANGLEY, WD4 8FF**

Colin Lacart introduced the item to members.

Ward Councillor Alan Anderson spoke in objection to the application.

It was proposed by Councillor Matthews and seconded by Councillor Fisher to Grant the application in line with the officer's recommendation.

Vote

For: 5                  Against: 0                  Abstained: 5

Resolved:

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

- 1        **The work hereby authorised shall be completed within two years of the date of the decision notice.**

Reason: To ensure that any change in circumstances or in the condition of the tree is taken into account.

- 2        **Only the following works are hereby authorised:**

(a)      **T1- Atlantic Blue Cedar - Fell to ground level**

Reason: For the avoidance of doubt as to the extent of the authorised works.

- 3        **All work shall be carried out in accordance with B.S.3998:2010 "Tree Work Recommendations".**

Reason: To ensure a satisfactory standard of tree work in accordance with the aims of Policy 99 of the Dacorum Borough Local Plan 1991 - 2011.

- 4        **A replacement tree, as indicated on the application form, shall be planted before the end of the first planting season following the felling of T1 - Blue Atlantic Cedar.**

Reason: In the interests of visual amenity set out in Policy CS12 of the Core Strategy (2013) and Saved Policy 99 of the Local Plan (2004).

- 107      **4/01809/18/FHA - NEW ENTRANCE GATE TO THE PLOT - THE OAK HOUSE, NETTLEDEN ROAD NORTH, LITTLE GADDESSEN, BERKHAMSTED, HP4 1PE**

Sally Robbins introduced the item to members.

Parish Councillor Paul Kelly spoke in objection to the application.

Anthony Hayes spoke in support of the application.

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

Vote

For: 8                  Against: 1                  Abstained: 1

Resolved:

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy (2013) Policy CS8.</p>
3	<p>Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy (2013) Policy CS8.</p>
4	<p>Before the replacement dwelling approved under application reference 4/00489/18/FUL is occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.</p> <p>Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises, in accordance with Core Strategy (2013) Policy CS8.</p>
5	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>17 515 PL30 17 515 PL31</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with Core Strategy (2013) Policy CS12.</p> <p>Article 35 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) Order 2015.</p>

	<p><b>INFORMATIVES</b></p> <p>1. Construction Hours of Working - (Plant &amp; Machinery). 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.</p> <p>2. 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:- <a href="https://www.hertfordshire.gov.uk/droppedkerbs/">https://www.hertfordshire.gov.uk/droppedkerbs/</a>.</p> <p>3. 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: <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</p> <p>4. 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 <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</p>
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**108            4/01728/18/ROC - VARIATION OF CONDITION 14 (APPROVED PLANS) OF PLANNING PERMISSION 4/00228/17/FUL (CONSTRUCTION OF 4 TWO/THREE BED DWELLINGS IN A TERRACED BLOCK WITH PARKING PROVISION FOR 7 CARS. ASSOCIATED LANDSCAPING) - LAND ADJ. DUNSFORD, CHAPEL CROFT, CHIPPERFIELD, WD4**

Andrew Parrish introduced the item to members.

It was proposed by Councillor Matthews and seconded by Councillor Maddern to Grant the application in line with the officer's recommendation.

Vote

For: 8                  Against: 1                  Abstained: 1

Resolved:

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

No	Condition
1	<p>The development shall be carried out in accordance with the materials approved under application reference 4/02031/17/DRC.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the Chipperfield Conservation Area and the setting of the adjacent listed building in accordance with saved Policies 119 and 120 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
2	<p>The development shall be carried out in accordance with the design details approved under application reference 4/02031/17/DRC.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the Chipperfield Conservation Area and the setting of the adjacent listed building in accordance with saved Policies 119 and 120 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
3	<p>The development shall be carried out in accordance with the details of tree protection approved under application reference 4/02031/17/DRC. The trees / hedges indicated for protection shall be protected in accordance with the approved details for the whole period of site preparation and construction.</p> <p>Reason: In order to ensure that damage does not occur to the trees during building operations in the interests of the visual amenities of the street scene and the character and appearance of the Conservation Area in accordance with saved Policy 99 of the Dacorum Borough Local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013. The details are required before the commencement of development to ensure that trees are not damaged during any stage of site preparation and construction.</p>
4	<p><b>The development shall be carried out in accordance with the submitted details of hard and soft landscape works (including reduction in fence height as indicated on Drg. No. 128 E), together with Landscape Proposal Schedule received 11/10/17, trade literature from Hydropave pedesta, photo and covering letter approved under application reference 4/02031/17/DRC. The approved landscape works shall be carried out prior to the first occupation of any of Plots 2, 3 or 4 of the development hereby permitted.</b></p>

	<p><b>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</b></p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.</p>
5	<p><b>The development shall be constructed in accordance with the approved levels shown on Drg. No. 135 J</b></p> <p>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.</p>
6	<p>The development hereby permitted shall be carried out in accordance with the Policy CS29 Sustainability Checklist approved under application reference 4/00228/17/FUL.</p> <p>Reason: To ensure the sustainable development of the site in accordance with Policy CS29 and Para. 18.22 of the Dacorum Core Strategy September 2013.</p>
7	<p>The development shall not be occupied until the car parking and turning areas have been laid out, constructed and surfaced. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.</p> <p>Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents and businesses in accordance with Policy 58 of the Adopted DBLP 1991-2011.</p>
8	<p>The details of the nature and extent of contamination, and remediation options are as approved under application reference 4/02031/17/DRC.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.</p>
9	<p>The development shall be carried out in accordance with the details of remediation to</p>

	<p>bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment approved under application reference 4/02031/17/DRC. The remediation scheme shall be implemented in accordance with the approved timetable of works.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.</p>
10	<p>Within 6 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to the local planning authority for its written approval.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.</p>
11	<p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 7 days to the local planning authority and once the local planning authority has identified the part of the site affected by the unexpected contamination, development shall be halted on that part of the site. An assessment shall be undertaken in accordance with the requirements of Condition No 9 of application reference 4/00228/17/FUL, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted to and approved in writing by the local planning authority in accordance with the requirements of Condition No 10 of application reference 4/00228/17/FUL. The measures in the approved remediation scheme shall then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing by the local planning authority in accordance with Condition No 10 above.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.</p>
12	<p>The window in Plot 1 at second floor level on the North East elevation of the development hereby permitted shall be permanently fitted with obscured glass.</p>



	Reason: In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.
13	<p>The window in Plot 4 at second floor level on the South East elevation of the development hereby permitted shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
14	<p>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:</p> <p>Schedule 2    Part 1 Classes A, B, C, D and E                            Part 2 Classes A and C                            Part 14 Classes A</p> <p>Reason: To enable the local planning authority to retain control over the development which replaces open land with an appropriately-modest, permanent residential development within the Small Village and in the interests of the character and appearance of the Chipperfield Conservation Area. The scheme for 4 dwellings has been granted as an exception to Policy CS6 on the basis of its limited size and scale that would meet a local need of the village for small housing units. Therefore any increase in its size would be contrary to policies to safeguard the visual amenity and openness of this site within the Green Belt and Conservation Area.</p>
15	<p><b>The development hereby permitted shall be carried out in accordance with the following approved plans:</b></p> <p><b>101L</b>  <b>102G</b>  <b>103G</b>  <b>104F</b>  <b>105G</b>  <b>106F</b>  <b>107F</b>  <b>108F</b>  <b>109E</b>  <b>110G</b>  <b>111G</b>  <b>112G</b>  <b>113G</b>  <b>114G</b>  <b>115G</b>  <b>117F</b>  <b>119F</b>  <b>121H</b>  <b>123J</b>  <b>124G</b></p>

**125N  
126C  
128E  
129F  
130F  
131F  
135J  
221  
222  
223B**

**and the following plans approved under application reference 4/02428/17/ROC.**

**Location Plan**

**100  
116D  
118C  
120C  
122F**

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

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the pre-application and application process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**109      4/01744/18/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/02079/17/FHA (NEW DETACHED DOUBLE GARAGE, GARAGE CONVERSION AND ALTERATIONS TO DWELLING) - 57 KINGS ROAD, BERKHAMSTED, HP4 3BP**

Sally Robbins introduced the item to members.

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

Vote

For: 3                  Against: 4                  Abstained: 3

Having there been no majority to grant the application It was proposed by Councillor Ritchie and seconded by Councillor Bateman to overturn the officer's recommendation and refuse the application.

Vote

For: 5                  Against: 3                  Abstained: 2

Resolved:

That planning permission be **REFUSED** for the following reasons;

**The proposed alterations would harm the character and appearance of the area, contrary to Core Strategy (2013) Policy CS12.**

**110                  4/01924/18/FUL - 9 ADDITIONAL PARKING BAYS ON AMENITY GREEN - AMENITY GREEN, 128-150 SPRING LANE, HEMEL HEMPSTEAD**

Councillor Guest declared an interest in this item because she lives in Spring lane and is the ward Councillor for this area, this did not affect her right to speak and vote on this item.

Colin Lecart introduced the item to members.

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

Vote

For: 7                  Against: 1                  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:**

Location Plan  
DBC/01/008 rev A

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

- 3                  All Tree works shall be carried out in accordance with B.S.3998:2010 "Tree**

## **Work Recommendations".**

Reason: To ensure a satisfactory standard of tree work in accordance with the aims of Policy 99 of the Dacorum Borough Local Plan 1991 - 2011.

### **Article 35 Statement**

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

### **Informatives**

#### **1). Un-expected Contaminated Land Informative**

Our contaminated land record shows that the land is located on a radon affected area where 1-3% of homes are above the action level. There is a possibility that this 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 on the site 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.

#### **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.

#### **3). 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.

**4). 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.

**111      4/01435/18/FUL - CONSTRUCTION OF A SITE FACILITIES HUT - THE CEMETERY, RECTORY LANE, BERKHAMSTED, HERTS**

Briony Curtain introduced the item to members.

It was proposed by Councillor Maddern and seconded by Councillor Conway to Grant the application in line with the officer's recommendation.

Vote

For: 8                  Against: 0                  Abstained: 2

Resolved:

That the application be **DELEGATED to the Group Manager, Development Management and Planning, with a view to APPROVAL** (subject to the expiry of neighbour notification). Subject to the following conditions;

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 Core Strategy 2013.</p> <p>Reason: In the interests of the visual amenities of the Conservation Area and locally Listed Building in accordance with Policy CS27 of the Core Strategy 2013.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>038/001/PL 038/002/PL038/100/PL038/101/PL 038//103PL</p>

	<p>038/104/PL 038/200/PL 038/201/PL</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35;</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>ECOLOGY INFORMATIVE;</p> <p>The applicants are advised that the site represents a valuable local ecological resource which should be maintained in the appropriate manner to ensure its biodiversity interest is maintained'. With this in mind the applicant is also advised that it would be helpful if the site was subject to a management plan to guide activities and ensure any biodiversity interest is retained.</p> <p>CONTAMINATION INFORMATIVE;</p> <p>Un-expected Contaminated Land Informative Our contaminated land record shows that the land is located on a radon affected area where 1-3% of homes are above the action level as well as within a close proximity of a landmark historic land use i.e. cemetery or graveyard of low risk and former contaminated land use site i.e. Swan Brewery. There is a possibility that this may have affected the application site with potentially contaminated material. The developer is therefore advised to keep a watching brief during ground works on the site 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.</p>
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**112 APPEALS UPDATE**

That the following appeals be noted:

1. Lodged
2. Withdrawn
3. Forthcoming inquiries
4. Dismissed

**113 PLANNING ENFORCEMENT QUARTERLY REPORT**

Members noted the report and Councillor Riddick congratulated officers on their work

The Meeting ended at 9.15 pm