
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

4 JULY 2019

Present:

MEMBERS:

Councillors Guest (Chairman), Wyatt-Lowe (Vice-Chairman), Maddern, Riddick, Beauchamp, Durrant, Oguchi, McDowell, Woolner, Symington and Stevens

OFFICERS:

P Newton (Team Leader - Development Management), S O'Donnell (Lead Planning Officer), R Freeman (Lead Planning Officer), J Gardner (Planning Officer), J Miller (Planning Trainee), W Collier (Planning Officer), C Lecart (Planning Officer), C Gaunt (Legal Governance Team Leader) and C Webber (Corporate & Democratic Support Officer)(Minutes)

The meeting began at 7.04 pm

224 MINUTES

The minutes of the meeting held on 13 June were confirmed by the Members present and were then signed by the Chairman.

Councillor Symington asked that additional wording was added to the minutes of the meeting held on 28 May regarding Public Participation.

225 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Uttley.

Councillor Stevens substituted for Councillor Uttley.

226 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.

227 PUBLIC PARTICIPATION

Councillor Guest reminded Members and the public about the rules regarding public participation as follows:

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

228 4/02925/18/MFA - DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF 9 FLATS WITH ASSOCIATED PARKING AND LANDSCAPING - LAND ADJ TO, EPPING GREEN, HEMEL HEMPSTEAD, HP2

Councillor Wyatt-Lowe declared her interest and that she would be speaking in objection of the application.

James Gardner introduced the report to members on behalf of the Case Officer and said that the application had been referred to committee as it had been called-in by Councillor Wyatt-Lowe on the grounds of over-development and not in-keeping with the existing street scene.

Councillor Colette Wyatt-Lowe spoke in objection of the application.

Rachel Wakelin spoke in support of the application.

It was proposed by Councillor Riddick and seconded by Councillor McDowell 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:

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 carried out in accordance with the following approved plans/documents:</p> <p>EGWF- 18-EX01, EGWF- 18-L01A, EGWF- 18-L02A, EGWF- 18-L03A EGWF- 18-L04A EGWF- 18-L05A EGWF- 18-L06A EGWF- 18-L07A EGWF- 18-L08</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>Notwithstanding the details submitted with this application, no development (excluding demolition and groundworks) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p>

	<p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measures for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>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.</p>
4	<p>The windows within the westernmost elevation of the development and the southernmost window within Unit 7 hereby permitted shall be non-opening and shall be permanently fitted with obscured glass which is non-opening below 1.7m from floor level.</p> <p>Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Core Strategy.</p>
5	<p>No development beneath the existing ground level shall take place until the tree protection measures shown on drawing no. TPP/LEGHHH/010 A and specified at 12.0 of the Arboricultural Impact Assessment and Arboricultural Method Statement have been fully installed. These measures shall be retained for the duration of the construction period.</p>
6	<p>No development (excluding demolition) approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes: A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and; The results from the application of an appropriate risk assessment methodology.</p> <p>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</p>
7	<p>No development approved by this permission (excluding demolition and that other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report (if required as a result of Condition 6) has been</p>

	<p>submitted to and approved by the Local Planning Authority.</p> <p>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.</p>
8	<p>This site shall not be occupied, or brought into use, until:</p> <p>All works which form part of the Remediation Method Statement report pursuant to the discharge of Condition 7 have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>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.</p>
9	<p>Any contamination, other than that reported by virtue of Condition 6 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>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.</p>
10	<p>Prior to first occupation of the development hereby approved, the provision of parking and servicing areas, the proposed access /on-site car and cycle parking / turning /waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.</p> <p>Reason: To ensure the permanent availability of the parking / manoeuvring areas in the interests of highway safety in accordance with Policy CS8 of the Core Strategy.</p>
11	<p>Excluding demolition, the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ol style="list-style-type: none"> a. Construction vehicle numbers and type; b. Traffic management requirements; c. Construction and storage compounds (including areas designated for car parking); d. Timing of construction activities to avoid school picks up/drop off times; e. Provision of sufficient on-site parking prior to commencement of construction activities;

	<p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CS8 of the Core Strategy.</p>
12	<p>The development permitted by this planning permission shall be carried out in accordance with the Surface Water Drainage Assessment carried out by JNP Group reference M42666-R002 dated October 2018 and the following mitigation measures;</p> <ol style="list-style-type: none"> 1. Limiting the surface water run-off rates to a maximum of 2.0l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the surface water sewer. 2. Provide 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. 3. Implement the drainage strategy as indicated on the proposed drainage strategy drawing utilising lined permeable paving and an attenuation tank. <p>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Core Strategy.</p>
13	<p>No development (excluding demolition and groundworks) shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Surface Water Drainage Assessment carried out by JNP Group reference M42666-R002 dated October 2018. The scheme shall also include;</p> <ol style="list-style-type: none"> 1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. 2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving, swales etc. for the access road and reducing the requirement for any underground storage. 3. Silt traps for protection for any residual tanked elements. 4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime. <p>Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site Policy CS31 of the Core Strategy.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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.</p> <p>INFORMATIVES</p> <p>Land Contamination</p>

The relevant planning conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

Environmental Health - PERMITTED HOURS OF WORK

The permitted hours of work when noise can be audible at a construction site boundary are:

MONDAY TO FRIDAY 7:30am to 5:30pm

SATURDAY 8:00am to 1:00pm

SUNDAY AND BANK HOLIDAYS No noisy work allowed

Any noisy operations outside these hours will require consent. You would need to contact Environmental & Community Protection ecp@dacorum.gov.uk as soon as possible. An example of this may be emergency works.

Highway Authority

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.

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.

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads->

	<p>and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047</p> <p>Thames Water</p> <p>Waste Comments</p> <p>With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</p> <p>"We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."</p> <p>Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
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229 4/00266/19/MOA - DEMOLITION AND REMOVAL OF EXISTING BUILDINGS, CONSTRUCTION OF EIGHT DWELLINGS WITH DETACHED CARPORT, GARAGES, CAR PARKING AND ALTERED VEHICULAR ACCESSES (ACCESS, LAYOUT AND SCALE SOUGHT) - FOURWAYS GARAGE, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QP

Councillor Guest made Members aware that she had received a letter noting that Little Gaddesden Parish Council had withdrawn its objections to the application.

The Case Officer, Shane O'Donnell, introduced the report to members and said that the application had been referred to committee on the basis that a similar proposal on site had been previously refused by the planning applications committee under reference 4/02402/17/MOA.

It was proposed by Councillor Durrant and seconded by Councillor Maddern to **DELEGATE** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation.

Vote:

For: 9 Against: 0 Abstained: 2

Resolved: That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** subject to the completion of a legal agreement and the following conditions:

Conditions

No	Condition
1	<p>Approval of the details of the design and external appearance of the building[s] and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.</p> <p><u>Reason:</u> To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
2	<p>Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.</p> <p><u>Reason:</u> To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
4	<p>No development 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. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development.</p> <p><u>Reason:</u> To safeguard the character and appearance of the Listed Building.</p> <p><u>Reason:</u> In the interests of the visual amenities of the Conservation Area.</p>
5	<p>The development hereby permitted shall not commence until details of the layout and</p>

	<p>construction of the altered accesses have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the access has been laid out and constructed in accordance with the approved details.</p> <p>Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.</p>
6	<p>Construction of the development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by local planning authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ul style="list-style-type: none"> 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. Provision of sufficient on-site parking prior to commencement of construction activities; g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway. <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.</p>
7	<p>Prior to the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system and shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.</p> <p>Reason: To ensure that the site is subject to an acceptable drainage system serving the development.</p>
8	<p>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.</p> <p>For the purposes of this condition:</p> <p>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</p>

	<p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p>
9	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 8 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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p>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.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
10	<p>The windows at first floor level in the southern elevations of the dwellings Unit F, Unit G, and Unit H identified on Drawing No. 10.338 PL.0107 Rev N (proposed layout and roof plan) hereby permitted shall be non-opening below a height of 1.7m from finished floor level and shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
11	<p>The development hereby permitted shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the local</p>

	<p>planning authority. This shall include information on the types of waste removed from the site and the location of its disposal. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To reduce the amount of waste produced on the site in accordance with Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan.</p>
12	<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, E and F Part 2 Class A</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS7 and CS12 of the Dacorum Core Strategy 2013.</p>
13	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>S14-238-100 PL.0101C PL.0112 PL.0105 Rev K PL.0106 Rev J PL.0107 Rev N PL.0110</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>INFORMATIVES</p> <p>Article 35 Planning permission has been granted for this proposal. The Council acted proactively through application stage with the applicant to resolve issues with the scheme. The Council has therefore acted 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>Highways Informatives 1. Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.</p>

	<p>2. Storage of materials, site parking and deliveries: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website http://www.hertsdirect.org/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>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.hertsdirect.org/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>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.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
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Item 5f was heard next as it had members of the public speaking on the application.

230 4/00405/19/FUL - DEMOLITION OF EXISTING 19 SINGLE STOREY GARAGES TO REPLACE WITH FIVE TWO BED DWELLINGS WITH OFF STREET PARKING AND PRIVATE REAR GARDENS - GARAGE SITE, HYDE MEADOWS, BOVINGDON

The Case Officer, Robert Freeman, introduced the report to members and said that the application had been referred to committee in view of the Council's financial interest in the site.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 10 Against: 0 Abstained: 1

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

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>No development 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. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy</p>
3	<p>The development, hereby approved, shall not be occupied until full details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: To accord with Policy CS12 of the Core Strategy.</p>
4	<p>The dwellings hereby approved shall not be occupied until the access between the application site and the highway has been widened to a minimum width of 3.7m</p> <p>Reason: To ensure that appropriate access is made to the perimeter of the site in the interests of fire safety and in accordance with Policies CS8 and CS12 of the Core Strategy.</p> <p>INFORMATIVE</p> <p>Part B of the Building Regulations states that there should be vehicle access for a pump appliance to within 45m of all points within the dwelling. The current plans do not appear to demonstrate that this requirement is met in relation to Plot 5.</p>
5	<p>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.</p> <p>For the purposes of this condition:</p> <p>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</p>

	<p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p>
6	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p>Informative:</p> <p>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</p> <p>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.</p> <p>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.</p>

	<p>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.</p> <p>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.</p>
7	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No. 100/PL1 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.</p>
8	<p>The development shall be carried out in accordance with the Sustainable Drainage Strategy by David French Partnership, Reference 15487/KL and dated 7th September 2018 and shall thereafter be retained fully in accordance with the approved details.</p> <p>Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policy CS31 of the Core Strategy.</p>
9	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>100/ PL1 - Proposed Site Plan 101/ PL1 - Proposed Elevations 102/ PL1 - Proposed Floor Plan 103/ PL1 - Proposed Floor Plan Sustainable Drainage Strategy</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>

231 4/00628/19/FUL - DEMOLITION OF GARAGES AND CONSTRUCTION OF TWO 2-BEDROOM HOUSES AND ONE 1-BEDROOM HOUSE AND ASSOCIATED PARKING AND LANDSCAPING, REFUSE AND RECYCLING BIN STORE AND DRAINAGE WORKS. - GARAGE SITE, GREAT HEART, HEMEL HEMPSTEAD

The Case Officer, Shane O'Donnell, introduced the report to members and said that the application had been referred to committee in view of the Council's interest in the site.

It was proposed by Councillor Maddern and seconded by Councillor Oguchi to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 10

Against: 0

Abstained: 1

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

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>Prior to the erection of any structure above ground level, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>
3	<p>No development shall take place until details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: To accord with Policy 129 of the Dacorum Borough Local Plan 1991-2011.</p>
4	<p>(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.</p> <p>(c) This site shall not be occupied, or brought into use, until:</p> <p>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p>

	<p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p>
5	<p>Any contamination, other than that reported by virtue of Condition 4 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p>
6	<p>No development above ground level 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. Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:</p> <ul style="list-style-type: none"> 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 <p>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) Policy CS8.</p>
7	<p>Prior to demolition works commencing a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.</p> <p>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) Policy CS8.</p>

8	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No. 407-110 Rev P1 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.</p>
9	<p>The windows at first floor level in the side elevations of the dwellings Unit 1 and Unit 3 identified on Drawing No. 407-114 Rev P2 (proposed layout and roof plan) hereby permitted shall be non-opening below a height of 1.7m from finished floor level and shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>407/115 407/114 407/113 407/112 407/111 407/110 407/101</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>INFORMATIVES</p> <p>Article 35</p> <p>Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the pre-application stage to resolve issues with the scheme. The Council has therefore acted 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>Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx.</p> <p>Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work</p>

	in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.
11	<p>Prior to the occupation of the development, details to be submitted for the approval in writing by the local planning authority of all the proposed means of enclosure within and around the site whether by means of walls, fences or hedges. The approved means of enclosure round the external boundaries of the site shall be constructed, erected or planted prior to the occupation of the development and maintained thereafter.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to protect the amenity of neighbouring residents.</p>

The meeting was adjourned at 9:00pm.

The meeting reconvened at 9:07pm.

232 4/00655/19/FUL - CHANGE OF USE OF UNIT 2 (CLASS A1/A2/A3/A4 AND B1) TO 3 NO. RESIDENTIAL UNITS, TOGETHER WITH ASSOCIATED EXTERNAL ALTERATIONS AND PROVISION OF PARKING. - UNIT 2 RICHMOND SQUARE, HICKS ROAD, MARKYATE, AL3 8FL

The Case Officer, James Gardner, introduced the report to members and said that the application had been referred to committee due to the contrary views of Markyate Parish Council.

It was proposed by Councillor Beauchamp and seconded by Councillor Durrant to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 7 Against: 3 Abstained: 1

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

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 carried out in accordance with the following approved plans/documents:</p> <p>PL/1675/001 Rev. D</p>

	<p>PL/1675/002 Rev. H</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external alterations hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Policy CS12 of the Dacorum Core Strategy.</p>
4	<p>The 4 parking spaces shown on drawing no. 1675/001 Rev. D (received on 20 March 2019) shall be kept permanently available for parking and retained for the sole use of the 3 residential units hereby approved.</p> <p>Reason: To ensure that sufficient parking is provided to serve the development, in accordance with saved Policies 57 and 58 of the Dacorum Local Plan (2004); saved Appendix 5 of the Dacorum Local Plan (2004) and Policy CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>The residential units hereby approved shall not be occupied until a scheme providing for the insulation of the building against the transmission of noise and vibration between both the residential and any non-residential part of the building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to first occupation of the new residential units and retained thereafter.</p> <p>Reason: To ensure that adequate precautions are implemented to avoid noise nuisance, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and paragraph 127 (f) of the NPPF (2018)</p> <p>INFORMATIVES</p> <p>Highways</p> <p>AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.</p> <p>AN) 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.</p>

233 4/00677/19/FHA - FIRST FLOOR SIDE EXTENSION, HIP TO GABLE LOFT CONVERSION WITH REAR DORMER WINDOW, FRONT ROOFLIGHT AND ALTERATIONS - 3 CHAMBERSBURY LANE, HEMEL HEMPSTEAD, HP3 8AY

Councillor Maddern declared her interest and that she would be speaking in objection of the application.

The Case Officer, Jane Miller, introduced the report to members and said that the application had been referred to committee as it was contrary to the views of Nash Mills Parish Council.

Nash Mills Parish Councillor Alan Briggs spoke in objection of the application.

Councillor Jan Maddern spoke in objection of the application.

Jon Cooksey spoke in support of the application.

It was proposed by Councillor McDowell and seconded by Councillor Beauchamp to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 9 Against: 0 Abstained: 1

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

Conditions

No	Condition
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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building. Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.
3	Notwithstanding the details shown on Drawing No. CM/10/01/20119/3 D elevations, the new first floor side windows within the gable end side elevation of the development hereby permitted shall be permanently fitted with obscure-glazing and non-opening below a height of 1.7m from finished floor level. Reason: In the interests of safeguarding residential amenity in accordance with Policy CS12 of the Dacorum Core Strategy 2013.
4	The development hereby permitted shall be carried out in accordance with the following approved plans/documents: site location plan

	<p>CM/10/01/2019/ 2 D existing and proposed floor plans CM/10/01/2019/ 3 D existing and proposed elevations CM/10/01/2019/ 4 B block plan</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. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.</p> <p>INFORMATIVE 1:</p> <p>Carrying Out Development in the High Barns Chalk Mines Outer Area and Land Stability</p> <p>The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.</p> <p>In granting planning permission the local planning authority has fully taken into account the recent geotechnical reports regarding land stability following the completion of remediation works. Based upon the information now available the local planning authority is aware of the improvements to localised land stability.</p>
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234 4/00881/19/FHA - SINGLE STOREY GLASS REAR EXTENSION, SINGLE STOREY SIDE/REAR EXTENSION WITH ROOFLIGHTS, NEW FRONT PORCH CANOPY, REPLACEMENT OF FRONT BAY WINDOW, ENLARGED 2ND FLOOR WINDOW IN SIDE FLANK WALL AND INSERTION OF REAR ACCESS DOOR IN PLACE OF EXISTING WINDOW. - 12 PULLER ROAD, HEMEL HEMPSTEAD, HP1 1QL

The Case Officer, Will Collier, introduced the report to members and said that the application had been referred to committee as the applicant is an employee of Dacorum Borough Council.

It was proposed by Councillor Riddick and seconded by Councillor Durrant to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 10 Against: 0 Abstained: 1

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

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 carried out in accordance with the following approved plans/documents:</p> <p>12PR04 12PR06 12PR07 12PR03 12PR08 12PR05</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement:</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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

235 4/01101/19/FHA - HIP TO GABLE LOFT CONVERSION, RAISE ROOF APEX AND REAR DORMER - 40 WOODLANDS AVENUE, BERKHAMSTED, HP4 2JQ

Councillor Stevens declared his involvement in the application and stated that he would not be taking part.

The Case Officer, Colin Lecart, introduced the report to members and said that the application had been referred to committee due to the contrary view of Berkhamsted Town Council.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Durrant to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 9 Against: 0 Abstained: 2

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

Conditions

No	Condition
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: 33 Proposed 33 Existing Reason: For the avoidance of doubt and in the interests of proper planning.

236 APPEALS

That the following appeals were noted:

- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING INQUIRIES**
- E. DISMISSED**
- F. ALLOWED**

The Meeting ended at 9.24 pm