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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT**

**5 NOVEMBER 2020**

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Present:

**MEMBERS:**

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe (Vice-Chairman), Beauchamp, Durrant, Hobson, Maddern, McDowell, Oguchi, Riddick, R Sutton, Uttley, Woolner and Tindall

Councillor also attended

**OFFICERS:**

The meeting began at Time Not Specified

**1 MINUTES**

The minutes of the meeting held on 15 October were confirmed by the Members present.  
Hard-copy minutes will be signed by the Chair when restrictions are lifted.

**2 APOLOGIES FOR ABSENCE**

No Apologies were received.  
Councillor Oguchi joined the meeting at 8.00pm

**3 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.

**4 PUBLIC PARTICIPATION**

Councillor Guest advised that members of public have registered to speak at this meeting and reminded any members of the public viewing the meeting about the rules of doing so.

**5 INDEX TO PLANNING APPLICATIONS**

- a 20/02021/MFA- Land To Rear Of Hanburys, Shootersway, Berkhamsted, Hertfordshire**

The report was introduced by the case officer Robert Freeman

Mark Curry spoke in support of the application

Councillor Sally Symington Spoke in Objection to the application.

It was proposed by councillor Durrant and seconded by Councillor Maddern that the application be delegated with a view to approval.

Vote:

For: 5          against: 2          Abstained: 3

Resolved: Planning be DELAGATED FOR APPROVAL Subject to the following:

1.          **The development hereby permitted shall begin 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:**

**Plans**

- PO-001 (Site Location Plan)**
- PO-100 (Proposed Site Plan)**
- PO-101 (Proposed NE Elevation)**
- PO-102 (Proposed SE Elevation)**
- PO-103 (Proposed SW Elevation)**
- PO-104 (Proposed NW Elevation)**
- PO-105 (Proposed Section)**
- P1-100 (Lower Ground Floor Plan)**
- P1-101 (Upper Ground Floor Plan)**
- P1-102 (First Floor Plan)**
- P1-103 (Second Floor Plan)**
- P1-104 (Third Floor Plan)**
- P1-105 (Roof Plan)**
- P2-100 (Courtyard Section)**
- P2-101 (Courtyard Section)**
- P3-100 (Block A NE Elevation)**
- P3-101 (Block A SE Elevation)**
- P3-102 (Block A SW Elevation)**
- P3-103 (Block A NW Elevation)**
- P3-200 (Block B NE Elevation)**
- P3-201 (Block B SE Elevation)**
- P3-202 (Block B SW Elevation)**
- P3-203 (Block B NW Elevation)**
- P4-100 (Entrance Detail)**
- P4-101 (Bay Detail)**
- P4-102 (Bay Detail)**
- P4-103 (Courtyard Detail)**
- P4-200 (Typical 1 bed unit)**
- P4-201 (Typical 2 bed unit)**

**P4-202 (Penthouse unit)  
649.02.001 Revision F (Landscape Masterplan)**

**Documents**

- 2020**
- Air Quality Assessment (BER-WSP-SW-XX-RP-AQ-004) by WSP dated July 2020**
  - Arboricultural Impact Assessment by Lockhart Garratt dated July 2020.**
  - Design and Access Statement by ColladoCollins Architects dated July 2020**
  - Ecological Appraisal (Revision E) by FPCR Environment and Design Ltd dated July 2020**
  - Energy Statement – Revision 3 by Hoare Lea dated June 2020.**
  - Environmental Noise Survey – Revision 6 by Hoare Lea dated 4<sup>th</sup> September 2020**
  - Flood Risk Assessment and Drainage Strategy (BER-WSP-SW-XX-RP-C-001) by WSP dated July 2020**
  - Landscape and Ecology Management Plan by Bradley-Hole Schoenaich and FPCR Environment and Design Ltd dated July 2020**
  - Outline Construction Environment Management Plan (CEMP) by Elysian Residences dated July 2020**
  - Preliminary Geo-Environmental Risk Assessment (Desk Study) (BER-WSP-SW-XX-RP-S-001) by WSP dated July 2020**
  - Transport Assessment (BER-WSP-SW-XX-RP-T-001) by WSP dated July 2020**
  - Travel Plan by WSP dated July 2020.**

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

Design

- 3. No development, except that involved in the provision of foundations, contamination or other site investigations or services, shall take place until samples 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. These materials shall be made available to view on site.**

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

Access and Highway Conditions

- 4 The development hereby approved, shall not be used, until the means of access, parking and circulation areas have been provided fully in accordance with the approved plans.**

Reason: To ensure the provision and retention of adequate access and parking facilities for the site in accordance with Policies CS8 and CS12 of the Core Strategy.

**5 Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details would need to include:**

**a) Works to create the bellmouth entrance, with a kerb radii of 6m on either side.**

**b) Works to create a stretch of 2m wide footway fronting the site on the south-west side of Shootersway in addition to a pedestrian dropped kerb with Tactile paving on either side of Shootersway to create a safe pedestrian crossing point, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces.**

Reason: In the interests of highways safety and in accordance with Policies CS8, CS12 and CS26 of the Core Strategy.

**6. The development hereby permitted shall not be occupied until the offsite highway improvement works referred to in Condition 5 shall be completed in accordance with the approved details.**

Reason: In the interests of highways safety and in accordance with Policies CS8 and CS12 of the Core Strategy.

**7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include details of:**

**a) Construction vehicle numbers, type, routing;**

**b) Swept path analysis for the largest anticipated vehicle to use the temporary access:**

**c) Traffic management requirements;**

**d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**

**e) Siting and details of wheel washing facilities;**

**f) Cleaning of site entrances, site tracks and the adjacent public highway;**

**g) Timing of construction activities (including delivery times and removal of waste);**

**h) Provision of sufficient on-site parking prior to commencement of construction activities; and**

**i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

Reason: In the interests of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy.

**8. The Travel Plan hereby approved shall be implemented fully in accordance with the Action Plan set out in Section 9.3 of the Travel Plan by WSP dated July 2020. All monitoring outputs shall be submitted to Hertfordshire County Council as highway authority annually for a period of five years post occupation of 75% of the development.**

Reason: In the interests of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy.

#### Landscaping Conditions

- 9 **No development, except that involved in the provision of foundations, contamination or other site investigations or services, shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These landscaping works shall be based on the details contained within the approved Design and Access Statement, drawing 649.02.001 Revision F (Landscape Masterplan) and the Landscape and Ecology Management Plan by Bradley-Hole Schoenaich and FPCR Environment and Design Ltd dated July 2020**

These details shall include:

- means of enclosure including any measures to restrict access into and around the application site;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- refuse storage facilities;
- minor artefacts and structures (e.g. furniture, play equipment, signs, or other storage units, etc.); and
- the siting and design of any bird boxes, bat boxes and other habitat creation.

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

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

Reason: To ensure the adequate landscaping and security of the site in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

10. **No development shall take place until the measures for the protection of trees have been provided in accordance with the Tree Protection Plan within the Arboricultural Impact Assessment by Lockhart Garratt. The fencing shall remain in-situ and be free from the storage of construction material, plant and machinery for the duration of the construction period.**

Reason: To ensure the adequate protection of trees and landscaping features in accordance with Policy CS12 and Saved Policy 99 of the Local Plan 1991-2011.

#### Archaeology

11. **No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local**

planning authority in writing. The scheme shall include assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 11

Reason: To ensure the adequate protection and monitoring of archaeology in accordance with Policy CS27 of the Core Strategy

12. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 11 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the adequate protection and monitoring of archaeology in accordance with Policy CS27 of the Core Strategy

#### Contamination

13. The Local Planning Authority is of the opinion that the Preliminary Geo-Environmental Risk Assessment (Desk Study) submitted at the planning application stage (Document Reference: WSP BER-WSP-SW-XX-RP-S-001 July 2020) indicates a reasonable likelihood of harmful contamination and so 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:

- i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;*
- ii. The results from the application of an appropriate risk assessment methodology.*

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.

14. *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 Condition 13, above; has been submitted to and approved by the Local Planning Authority.*

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.

15. *This development hereby approved shall not be occupied, or brought into use, until:*

- (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.*
- (ii) *A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.*

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.

16. *Any contamination, other than that reported by virtue of Condition 13 and 14 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.*

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.

#### Drainage

17. **The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy, dated July 2020, Project No. 70055659, Ref. BER-WSP-SW-XX-RP-C-001, prepared by WSP and the following mitigation measures:**

- 1. 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 (40%) event.**

**2. Implement drainage strategy based on permeable paving with sub-base, concrete attenuation tank and restricted discharge at 2.11l/s via a Hydro-Brake into the Thames Water surface water sewer (MH3051).**

**3. Provide 136.2m<sup>3</sup> of pluvial flood storage in deeper permeable paving sub-base during the 1 in 30 year event, with discharge to be restricted as part of the overall whole site discharge into the Thames Water surface water sewer at 2.11l/s for the entire site; ensuring the predicted surface water flow route is effectively conveyed on site during overflow scenarios.**

Reason: To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies CS31 and CS32 of the Core Strategy.

**18. Prior to the superstructure works, the final design of the drainage scheme shall be completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and Drainage Strategy, dated July 2020, Project No. 70055659, Ref. BER-WSP-SW-XX-RP-C-001, prepared by WSP. The scheme shall also include:**

**1. Assessment of the feasibility of infiltration on site, in the form of BRE Digest 365 infiltration tests for shallow soakaways, or falling head tests, if deepbore soakaways are proposed; in addition to a full site investigation. The final detailed drainage strategy may need to be updated in accordance with any findings.**

**2. Groundwater monitoring over the autumn-winter months.**

**3. Survey of the existing pond to determine the source and ensure that the ponds use is fully understood and maintained within the future development.**

**4. Assessment of the effect of runoff into the sunken courtyard areas.**

**5. Modelling of the overland surface water flow path, demonstrating that the volume currently proposed is sufficient for the 1 in 30 year event and that there is no flooding of any building up to the 1 in 100 year + 40% for climate change event.**

**6. 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 for climate change event.**

**7. Detailed engineered drawings of all aspects of the proposed pluvial flood storage within the deeper permeable paving sub-base including all connections and conveyance routes; including within landscaped areas.**

**8. Detailed structural engineered drawings of the proposed concrete tank under the building.**



**9. Demonstrate appropriate SuDS management and treatment (including the access road) and inclusion of above ground features such as permeable paving, reducing the requirement for any underground storage. 10. Provision of half drain down times for surface water drainage within 24 hours 11. Silt traps for protection for any residual tanked elements.**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies CS31 and CS32 of the Core Strategy

**19. Upon completion of the drainage works for the site in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority:**

**1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.**

**2. Provision of a complete set of as built drawings for site drainage.**

**3. A management and maintenance plan for the SuDS features and drainage network.**

**4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies CS31 and CS32 of the Core Strategy.

**20. No drainage system for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters and must be carried out in accordance with the approved details.**

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by the mobilised contaminants in line with paragraph 170 of the NPPF and to prevent the further deterioration to groundwater quality and recovery of a drinking water protected area of the Mid Chilterns Chalk Groundwater body.

**21. No development shall commence until such time as a scheme for the disposal of foul drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.**

Reason: To prevent the deterioration to groundwater quality and to support recovery of the drinking water protected area of the Mid-Chilterns Chalk Groundwater body.

- 22. Piling and other deep foundation designs using penetrative methods shall not be carried out other than with the written permission of the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution,

- 23. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained will be secured, protected and inspected. The scheme shall be implemented in accordance with the approved details prior to use of any part of the building.**

Reason: To ensure that redundant boreholes are safe and secure and do not cause groundwater pollution or loss of water supplies in accordance with paragraph 170 of the NPPF.

#### Noise

- 24. No individual unit within the scheme shall be occupied until the noise targets for internal and external space as set out in the Environmental Noise Survey – Revision 6 by Hoare Lea dated 4<sup>th</sup> September 2020 have been achieved or an explanation for the not achieving these standards has been submitted to and approved in writing by the local planning authority.**

Reason: To ensure a satisfactory level of residential amenity for future occupants of the scheme in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

#### Fire Safety

- 25. The dwellings hereby approved shall not be occupied until a scheme for the evacuation of the building in the event of fire has been submitted to and approved in writing by the local planning authority.**

Reason: To ensure that the layout and design of the proposed building provides adequate protection for future occupants in the event of a fire at the building in accordance with Policies CS8 and CS12 of the Core Strategy

**b 20/00098/FUL - 143 Belswains Lane, Hemel Hempstead, Hertfordshire**

The report was introduced by the case officer Elspeth Palmer

It was proposed by Councillor Durrant and seconded by Councillor Uttley that the application be approved.

Vote:

For: 10            against: 1            Abstained: 1

Resolved: That planning permission be GRANTED with conditions

- 1. The development hereby permitted shall begin 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. No development (excluding demolition/ground investigations) 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.**

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

- 3. No development 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:**

- 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;

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

**Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become**

**established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.**

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

- 4. 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 them 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,B,C and E.**

Reason: Given the scale, site coverage, density of development and the close proximity of the proposed dwellings to each other and existing dwellings it is considered necessary and reasonable to remove permitted development rights for extensions to the dwellings - Class A in order to safeguard residential amenity. In addition careful consideration has been given to the size of the dwellings and the amenity space provided such that Class B,C and E would also need to be removed.

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 Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

- 5. (a) The Local Planning Authority is of the opinion that the Phase I Geo-Environmental Desk Study submitted at the planning application stage (Document Reference: BRD Environmental Ltd BRD3041-OR1-A September 2017) indicates a reasonable likelihood of harmful contamination and so 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:**

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
- (ii) The results from the application of an appropriate risk assessment methodology.**

**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.**

**c) This site shall not be occupied, or brought into use, until:**

- (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.  
**(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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.

- 6. Any contamination, other than that reported by virtue of Condition 5 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.**

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.

- 7. No development shall 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 Management Plan shall include details of the following:**
- a. Construction vehicle numbers, type, routing**
  - b. Access arrangements to the site**
  - c. Traffic management requirements**
  - d. On site construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
  - e. Siting and details of wheel washing facilities;**
  - f. Cleaning of site entrances, site tracks and the adjacent public highway;**
  - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
  - h. Provision of sufficient on-site parking prior to commencement of construction activities;**
  - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;**
  - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and to comply with Core Strategy Policy 12.

- 8. A) Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the off-site access and highway improvement works, including a**

**Stage 1 Road Safety Audit, swept path analysis for a waste collection vehicle ingressing and egressing the site and any improvements to the existing vehicle crossover access, have been submitted to and approved in writing by the Local Planning Authority.**

**B) Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.**

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

- 9. 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.**

Reason: In the interest of highway safety and to comply with Core Strategy Policy 12.

- 10. Pedestrian visibility splays of .65m x .65m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.**

Reason: In the interest of highway safety and to comply with Core Strategy Policy 12

- 11. Prior to the first occupation of the dwellings hereby permitted the parking spaces shown on the approved plan Proposed Site Plan 390602 SL01 (R) shall be provided in full and shall thereafter be used for no purpose other than the parking of vehicles associated with this development.**

Reason: In the interest of highway safety and to comply with Core Strategy Policy 12

- 12. The development hereby permitted shall be carried out in accordance with the submitted and approved Sustainable Development Checklist.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 150 and 153 of the National Planning Policy Framework (2019).

- 13. The development permitted by this planning permission shall be carried out in accordance with the Drainage Assessment, prepared by JNP Group, Ref.C85763 RE001A, dated 26.06.20, Rev A and the following mitigation measures;**

- 1. Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames Water Sewer**

2. **Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
3. **Undertake drainage strategy to include the use of permeable asphalt, attenuation tank and flow control.**
4. **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.**

Reason To reduce the risk of flooding to the proposed development and future occupants and to comply with Core Strategy Policy 31.

14. **No development 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 Drainage Assessment, prepared by JNP Group, Ref. C85763 RE001A, dated 26.06.20, Rev A. The scheme shall also include;**

1. **Final design of the drainage scheme including 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. **Investigate the use infiltration features to dispose some surface water from the site where possible**
3. **Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving/asphalt**
4. **Provision of half drain down times within 24 hours**
5. **Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to comply with Core Strategy Policy 31.

15. **Prior to occupation the site boundary adjacent to Pinecroft will be hedged (where there are gaps in the current hedge) and fenced (a 2 metre closeboarded fence) to ensure that no access is allowed from the site onto Pinecroft. The existing hedge is to be maintained and not reduced in height. These measures to ensure no access or egress to Pinecroft will be maintained in perpetuity and that there will be no loss of amenity for No. 19m Pinecroft in terms of overlooking.**

Reason: To ensure that the site is secure and to ensure that future residents enjoy a safe and secure environment. To comply with Core Strategy 12.

16. **Prior to occupation all the recommendations of the Proposed Ecology Site Plan such as provision of Bat Boxes, Hedgehog Habitat Boxes, lighting etc will be installed. These will be maintained in perpetuity.**

Reason: In the interests of the local ecology and Biodiversity Net Gain and to comply with Core Strategy Policy 12 and 26.

17. **No development shall take place until details of protection measures for the hedge fronting Pinecroft shall have been submitted to and approved in writing by the local planning authority. The approved details shall be put in place prior to the commencement of development and kept in place until the development is complete.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to comply with CS 11 and 12.

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

**Site Location Plan 390602-SP02  
Proposed Site Plan 390602 SL01 (R)  
Proposed Ground Floor Plans 390602 SL02(C)  
Proposed First Floor Plan 390602 SL03 (D)  
Proposed Elevations 390602 SL04 (F)  
Street View (Pinecroft) 390602 SL06 (F)  
Proposed Site Entrance 390602 SL08 (A)  
Proposed Lighting Layout 390602 SL07(A)**

**DA 01(A) Amended Design and Access Statement**

**2017 Phase 1 Geo-Environmental Desk Study BRD 3041-OR1-A - September  
Part 1,2 and 3  
Phase 2 Geo-Environmental Site Investigation BRD 3041-OR2-A  
September 2017**

**Proposed Ecology Site Plan Drg. No. EC01 Rev C  
Preliminary Roost Assessment (PRA) prepared by Cherryfield Ecology  
dated 6.9.17  
Emergence and Activity Bat Survey prepared by Cherryfield Ecology  
dated 9.5.18**

**Drainage Assessment, prepared by JNP Group, Ref. C85763 RE001A,  
dated 26.06.20, Rev A  
Drainage Detailing C85763-SK002  
Drainage Detailing C85763-SK003**

**Sustainability Checklist**

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

**Informatives:**

1. 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 Date of Decision Notice: 6th November 2020 Application Number: 20/00098/FUL Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.



2. 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 1730hrs on Monday to Friday, 08:00 - 13:00 Saturday and no works are permitted at any time on Sundays or bank holidays.
3. Dust from operations on the site should be minimised by spraying with water or 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. 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.
5. The above 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](http://www.dacorum.gov.uk) by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.
6. 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: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
7. 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.
8. 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 Date of Decision Notice: 6th November 2020 Application Number: 20/00098/FUL 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

9. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide (2011)". 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 <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

**This application was supported by the following documents:**

**390602-SP01 (Existing Plan)**

**390602-SP02 (Site Location Plan)**

**390602-SP03(1) (Block Plan)**

**390602-SL01(C) (Site plans)**

**390602-SL02(B) (Proposed Floor plans)**

**390602-SL03(B) (Proposed Floor plans)**

**390602-SL04(B) (Proposed Elevations)**

**390602-SL06(A) (Street Scene)**

**c 20/01839/FHA -1 Birtchnell Close, Berkhamsted, Hertfordshire, HP4 1FE**

The report was introduced by the case officer Natasha Vernal

Councillor Armytage spoke in objection of the application

It was proposed by Councillor McDowell and seconded by Councillor Durrant that the application be approved.

Vote:

For: 9      against: 1      Abstained: 1

Resolved: That planning permission be GRANTED.

**Condition(s) and Reason(s):**

1. **The development hereby permitted shall begin 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:**

- A01 REV 1
- A02 REV 1
- A03 REV 1
- A04 REV 1
- A05 REV 1

- A06 REV 1
- A07 REV 1
- A08 REV 1

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

3. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

**Informatives:**

1. 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.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Parish/Town Council	<p>Objection</p> <p>The Committee objected to the scale, mass and bulk of the proposed rear dormer and the inappropriateness of a full-width dormer.</p> <p>CS12, Appendix 7</p>

**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	1	0	1	0

**Neighbour Responses**

Address	Comments
22 Sheldon Way Berkhamsted Hertfordshire HP4 1FH	The windows and French doors will look directly into our garden leading to loss of privacy. There are no other windows at this height except for high dormer windows. It is slightly unclear where the proposed roof lights will go but if they are at the back, they will shine directly into our upper windows causing light pollution.

d            **20/01422/FHA -67 The Horseshoe, Hemel Hempstead, Hertfordshire, HP3 8QS**

The report was introduced by the case officer Sally Robbins

Councillor Graham Sutton Spoke in Objection to the application

It was proposed by Councillor Wyatt-Lower and seconded by Councillor Uttley that the application be approved with conditions for future Ancillary use.

Vote:

For: 5            against: 6            Abstained: 2

Motion to refuse on grounds of contravening CS12 4 5 & 6 on grounds of scale bulk and mass.

It was then proposed by Councillor Beauchamp and seconded by Councillor Durrant

Vote:

For: 6            against: 4            Abstained: 3

Resolved: Planning REFUSED. The proposed garden outbuilding, by virtue of its scale, height and bulk, fails to respect the character and appearance of adjoining properties and its surrounding areas, in particular its relationship to the adjoining public footpath. As such the development is contrary to Policy CS12 (f) and (g) (iv, v & vi) of the Dacorum Borough Core Strategy (September 2013

## **6            PLANNING ENFORCEMENT REPORT OCTOBER 2020**

Phil Stanley presented a few planning cases with the resolutions and issues faced.

- Listed building in Wilstone had plastic windows put in, they now have the appropriate windows installed after some time and back & fourth. Photos of new windows and doors were sent in July, the case is to be closed and removed from list – complied
- A Section 215 notice was served for the untidy appearance of NCP car park Hemel with listed mural on side , they have now tidied the frontage and it's looking better, they will soon move on to the flank and continue with the improvements.
- At the A5 old Watling Street there has been construction of a building, erection of gabion walls, widening of an existing access and formation of two vehicular access points and roadways within the site. An enforcement notice has been issued.
- At Upper Bourne end lane there has been outbuildings in field built, the field has been subdivided into smaller plots which could be further sold and subdivided. We have served a notice on the clad shipping containers that are on green belt, we have issued notice to remove, this has been appealed, were now awaiting the start of appeal.

Philip Stanley explained that three quarters of notices are appealed, we need to be mindful of the workload that appeals place on the team.

- Finally the willows Potton hill they have placed solar panels in the field which can be seen from the road, it's tricky as were all in favour on renewable energy however they are very prominent feature in the field, the owner is looking to relocate within their garden, this will be more appropriate.

Philip Stanley spoke about the recent work planning enforcement are doing in order to cut high case levels after lockdown:

They have had difficulty in undertaking site visits, he explained they have split the borough into 5 areas, and focus on each areas over a 3 week period.

Hemel has a 4 week period of focus due to size. Area 1 has been complete, every site visit that was in this area outstanding has been done. We wrapped up a number of cases, and next steps have been taken in the other areas. Area 2 Berkhamsted, the same process will take place, the team will focus on this whilst they can with a further lockdown now in place.

Once they have completed the full review, all outstanding cases will have been reviewed, formal action will have been taken and have a clearer picture on the priorities.

Philip Stanley explained if were not visiting areas and members wonder why, this is not because we don't want to, it's just not in its planned 3 week period yet. However urgent cases will still be looked at.

Councillor Hobson asked about how appeals are going and if Covid has delayed anything going to court, is it taking a longer time?

Phillip Stanley responded that appeals are dealt with by planning inspector and that sadly before Covid there were delays with enforcement appeals, the focus has been with planning application appeals and housing appeals, typically these can take 6-9 months and there's not really been any change as a result of Covid. They are holding virtual hearings in place now, which have been a success so he not expecting them to increase in time as a result of Covid.

Philip Stanley explained Nargis Sultan Is probably better placed to advise on the courts and if they are experiencing delays.

Nargis Sultan advised the situation is that unfortunately due to Covid, they are having to prioritise cases, they are putting cases into categories for examples 1 2 3, 1 being most important, such as environmental issues etc. It is taking a bit longer, we've just had a TPO prosecution that took a considerable amount of time. She stated the situation remains the same with a current backlog.

Councillor Hobson asked for an update about the cottages on St Johns Road that have had the plastic windows, how the conversations are going with the housing team. She explained there was press recently by a neighbour, she took the lead rather than contact the council.

Philip Stanley advised Housing have provided drawings for the new windows and the officer is happy with them, they moving onto manufacture & install stage, this is estimated for January- February.

Councillor McDowell asked why the decision was made to divide up into areas as it was causing issues with his constituents, they had reported to him they cannot have visits for 6 weeks. It's difficult to explain that to residents and asked to know the reason so he could explain to them.

Philip Stanley responded that if it's a new enforcement identified as priority 1 they will go outside of the 3 weeks period, any non-priority will fall into the 3 week period. There is a 10 year time period in which to enforce so were not going to fall outside of the enforcement period. He explained that they have split site visits for efficiency, enabling them to be in the same area at the same time, doing this will generate a clear picture of all outstanding issues, and where they need to focus the resource also to understand the caseload, remove any deadwood and understand what's needed going forward.

James Doe added to what Philip Stanley said, he explained Covid has caused a backlog, due to safety with site visits. This is no fault of case officers, Covid has caused this, and they need to make hard choices to cover the case load, use a systematic way of dealing with the backlog after having reviewed the risk assessments. They are visiting where we can and it won't be this way forever. He mentioned they will review when complete. Also they are looking at resources within the team, reviewing budgets at the moment.

Councillor Beauchamp thanked Phil for his work and asked when you are doing sweep of their areas, can you let councillors know so we can be prepared when we get questions, useful when they are covering their ward.

Philip Stanley agreed and said he can send a timeline to Corporate and Democratic Support to send to members.

## **7 EXCLUSION OF THE PUBLIC**

The Meeting ended at Time Not Specified