MEMBERS:

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

Councillor also attended

OFFICERS:

Sultan (Lead Litigation Lawyer)

The meeting began at 6.30 pm

1 MINUTES

The minutes of the meeting held on 11 March were confirmed by the Members present.

Hard-copy minutes will be signed by the Chair when restrictions are lifted.

2 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Tindall (Substitute Cllr Stevens) & Cllr Sutton

As it was Cllr Graham Suttons Funeral today a minutes silence was held, their thoughts and condolences were with Cllr Rosie Sutton

Cllr Oguchi was not present, no apologies received

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 20/03940/FUL - Temporary Canvas tent to the rear of the public house to provide covered external space for dining and drinking customers only - The Old Mill London Road Berkhamsted Hertfordshire HP4 2NB

Philip Stanley explained that this was removed as Berkhamstead town council removed their objection

b 20/03821/FUL - Demolition of 34 residential garages and construction of 2 no dwelling houses and 6 no apartments - Garage Court Sleddale Hemel Hempstead Hertfordshire

The report was introduced by the case officer Martin Stickley

It was proposed by Councillor Woolner and seconded by Councillor Riddick that the application be Granted

Vote:

For: 7 against: 2 Abstained: 1

Resolved: Granted

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

<u>Reason</u>: 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 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 Flood Risk Assessment and Drainage Strategy reference M03001-04_DG04 dated December 2020 prepared by McCloy Consulting. The scheme shall also include:
 - 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 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 drainage strategy to include permeable paving and attenuation tank.
 - 4. 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, with a supporting contributing area plan.
 - 5. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source

control measures and to include above ground features such as permeable paving.

6. Maintenance and management plan for the SuDS features

<u>Reason</u>: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraphs 163 and 165 of the National Planning Policy Framework (2019).

- 3. (a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: RSK Preliminary Risk Assessment 1921152-06(00) March 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.
 - (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.

<u>Reason</u>: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

4. All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

5. 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.

<u>Reason</u>: 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).

6. The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing DBC-IW-WEN-00-DR-A-0100 (Revision P1). The Electric Vehicle Charging points and associated infrastructure shall thereafter be retained in accordance with the approved details.

<u>Reason</u>: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

- 7. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
 and
 - minor artefacts and structures (e.g. bike stores, street furniture, play equipment, signs, refuse or other storage units, etc.).

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 three 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.

<u>Reason</u>: 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).

8. Prior to commencement of the development, a Landscape Ecological Management Plan (LEMP), shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan shall include details of native-species planting, and/or fruit/nut tree planting, as well as the location of any habitat boxes/structures to be installed. The plan shall be submitted to the Local Planning Authority for written approval and the development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019). These details are required prior to commencement to ensure that an overall on-site net gain for biodiversity can be achieved before construction works begin. The LEMP should include details of when the biodiversity enhancements will be introduced and this may be reliant on the construction process/timings.

9. Prior to the first occupation/use of the development hereby permitted the proposed access/on-site car and cycle parking/servicing/loading, unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

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

DBC-IW-WEN-00-DR-A-0100 (Revision P2) - Proposed Site PlaDBC-IW-WEN-XX-DR-A-0200 (Revision P5) - Sitewide Sectional Elevations DBC-IW-WEN-XX-DR-A-2208 (Revision P3) - Proposed 3B Dwelling Plans & Elevations

DBC-IW-WEN-XX-DR-A-2212 (Revision P3) - Proposed 1B + 2B Dwelling Plans & Elevations S236-J1-IA-1 - Arboricultural Report by John Cromar's Arboricultural Company Limited (dated 4th September 2020) S236-J1-P1 Rev 2 - Tree Value Assessment

5236-J1-P1 Rev 2 - Tree value Assessment

S236-J1-P2 Rev 3 - Tree Retention & Tree Protection Measures

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

Thames Water

Waste Comments

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.

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

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

3. 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 - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.

- 4. 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.
- 5. 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.
- 6. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
- 7. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

8. Contamination

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.

- 9. 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.
- 10. 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.

- 11. 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.
- 12. As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage in a block earmarked for disposal will be offered an alternative garage. The Garage Management Team will wherever possible, offer a garage to rent in another garage site owned by Dacorum Borough Council in the vicinity of the development site.
- c 20/00396/FUL Extension to block a/b to form additional offices above existing ground floor office. Ver House, 55 London Road, Markyate, Hertfordshire

The report was introduced by the case officer Robert Freeman

It was proposed by councillor Uttley and seconded by Councillor McDowell that the application be Granted with added conditions relating to a traffic management plan and the list of approved plans.

Vote:

For: 6 against: 2 Abstained: 2

Resolved: GRANTED

Condition(s) and Reason(s):

1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

2) The development hereby permitted shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3) The development hereby approved shall not exceed the overall ridge and eaves height parameters identified on drawing VER.H.M.P.ELEV.R1 dated 01/20 and revised 20.06.20.

Reason: To ensure a satisfactory appearance to the development and an appropriate relationship to neighbouring properties in accordance with Policy CS 12 of the Core Strategy.

4) The details of appearance to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include:

- Full elevation details for the proposed building
- Details of the materials to be used on the external appearance of the building hereby approved,
- Details of the slab, ridge and eaves height of the proposed building in relation to existing ground levels.
- Details of any lighting to be provided to the exterior of the building together with isolux diagrams demonstrating the extent and intensity of illumination,
- Details of bin storage provision including recycling facilities;
- Details of secure cycle storage;
- Details of any security and crime prevention measures incorporated in the building fabric or upon the site; and
- Any gates, rails or other means of enclosure upon the site.

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

Reason: To ensure a satisfactory appearance and functioning of the development in accordance with Policies CS11, CS12, CS26 and CS29 of the Core Strategy and Saved Appendix 4 of the Local Plan 1991-2011.

5) Details of landscaping to be submitted for the approval of the local planning authority in accordance with Condition 1 above shall include:

- 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;
- tree protection measures,
- proposed finished levels or contours;
- external lighting;
- minor artefacts and structures (e.g. furniture, storage units, signs etc.); and
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines), indicating lines, manholes, supports etc;

The approved landscape works shall be carried out in accordance with the agreed programme of implementation. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12 and 26 of the Core Strategy.

6) The development, hereby approved, shall not be occupied until the access and parking arrangements shown on drawing VER.H.M.ST.R1 (Site Layout) have been provided. These parking arrangements shall be thereafter retained in accordance with the approved drawings.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Core Strategy, Saved Policies 51 and 54 in the Local Plan 1991-2011 and the Car Parking Standards SPD (2020)

7) Notwithstanding the details approved under Condition 6, the offices hereby approved shall not be occupied until electric vehicle charging points have been provided in accordance with plans to be submitted to and approved in writing by the local planning authority.

Reason: To ensure the provision of appropriate on-site parking in accordance with Policies CS8 and CS12 of the Core Strategy and Car Parking Standards SPD

8) No development shall take place until details of proposed sustainability measures within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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).

9) The building hereby approved, shall only be used for purposes falling within Classes E (c) and E (g) of the Town and Country Planning (Use Classes) Order 1987 (As Amended)

Reason: To ensure the adequate provision of parking in accordance with Policies CS8 and CS12 of the Core Strategy and Car Parking Standards SPD (2020)

10) The building hereby approved shall only be used between the hours of 08:00 to 19:00 on Mondays to Fridays.

Reason: In the interests of the residential amenities of neighbouring properties and in accordance with Policy CS 12 of the Core Strategy.

11). The development hereby approved shall not be occupied until an Access Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Access Management Plan shall detail measures to be employed to ensure the safe circulation of vehicles both into and within the site and including measures to ensure that vehicles give way to those entering the site. The approved measures shall thereafter be carried out and maintained.

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

12) The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

VER.H.M.LP (Location Plan)

VER.H.M.ST.R1 (Site Layout)

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 proactively 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.

2. The Environment Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

On or within 8m of a main river (16m if tidal)

On or within 8m of a flood defence structure or culvert (16m if tidal)

On or within 16m of a sea defence

Involving quarrying or excavation within 16m of any main river, flood defence or culvert

In a floodplain more than 8m from the river bank, culvert or flood defence structure and you don't already have planning permission.

d 20/03878/FUL - Pergola to front entrance (temporary planning permission (2 years) - Boxmoor Coffee & Wine Ltd 67A St Johns Road Hemel Hempstead Hertfordshire HP1 1QG

Cllr Hobson declared an interest as she is the applicant and will excuse herself from the vote and discussion

The report was introduced by the case officer Aneeka Shah

It was proposed by councillor Maddern and seconded by Councillor Durrant that the application be Granted

Vote:

For: 8 against: 0 Abstained: 2

Resolved: GRANTED

1. This permission is for a limited period expiring 24 months from the date on the decision notice by which time the use of the temporary pergola structure shall cease and it shall be permanently removed in its entirety from the site.

<u>Reason:</u> This proposal is only considered to be acceptable due to the current circumstances around COVID-19. To make sure that any less than substantial harm to the heritage assets is temporary in accordance with Policy CS27 of the Dacorum Borough Core Strategy (2006-2031) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Location Plan Planning Drawings – 01 Rev B

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 approved Drawing 01 Rev. B. For the avoidance of doubt the proposed PVC curtain walls shall be of a transparent material.

<u>Reason:</u> 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 (2006-2031).

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.

6 APPEALS UPDATE

PStanley shared the key points from the update and took questions from the committee.

Cllr Riddick said he noticed on Appeals lodged there was an appeal for Laurel Bank Hemel Hempstead, and wondered how many times this appeal would be made for this grass verge as to his knowledge there had been around 3 that have been rejected.

PStanley said that he doesn't know too much about this particular appeal however in general the time to stop an application is when the application is received, they do have powers to reject an application if there is not a material difference compared to previous refusals. Once an application has been validated and determined they cannot stop the appeals process.

Cllr Beauchamp asked if he could have any background to the appeal to 29 the high street, was this an additional staircase or fire escape.

PStanley said that he was not the case officer and would like to give Cllr Beauchamp a full answer outside of this meeting.

Cllr Riddick refereed to the upcoming Inquiries and the site at Featherbed lane, he is asked if that was the site where they had travellers.

PStanley confirmed that was correct.

Cllr Riddick asked if it was going to be a public inquiry would it be over 2 or3 days.

PStanley said it would be over 4 days and was planned for the 11th to the 14th of May, the enquiry itself would be 3 days and the 4th day would be for site visits. PStanley said that under the current mechanisms this inquiry will proceed as a virtual enquiry

7 ADDENDUM

The Meeting ended at 8.52 pm