
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

29 APRIL 2021

Present:

MEMBERS:

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

Councillor also attended

OFFICERS:

Hutton (Legal Governance Team Leader (Planning and Property)), Fowell (Corporate & Democratic Support Officer), P Stanley (Development Management Team Leader), J Doe (Assistant Director - Planning, Development and Regeneration), Gardner (Planning Officer), N Gibbs (Lead Planning Officer), Sultan (Lead Litigation Lawyer) and S Whelan (Group Manager - Development Management and Planning)

The meeting began at Time Not Specified

1 MINUTES

The minutes of the meeting held on 1 April 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)

Apologies received from Cllr Durrant

Apologies from Cllr Sutton (Substitute Cllr Williams)

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 **19/02749/MOA - Outline planning for up to 350 dwellings, land for 5 gypsy & traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements (Revised Scheme: Emergency Access Link to Laidon Square) Land At Marchmont Farm, Piccotts End Lane, Hemel Hempstead, Hertfordshire**

Item 5a – 19/02749/MOA: Outline planning for up to 350 dwellings, land for 5 gypsy & traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements (Revised Scheme: Emergency Access Link to Laidon Square) Land At Marchmont Farm, Piccotts End Lane, Hemel Hempstead, Hertfordshire

Cllr Wyatt-Lowe declared she is the Herts County Councillor for Grovehill and Woodhall farm, Clearly LA1 is of great interest and impact on Grovehill and she has attended briefings with other ward councillors on the matter, she had not expressed a view in these briefings but may have asked questions for clarity but had not given an opinion.

NSultan confirmed that the interest is no prejudicial and is personal, as long as Cllr Wyatt-Lowe viewed with an open mind and listens to the whole application objectively.

Cllr Williams declared his daughter lives in Grovehill however he doesn't believe she would be affected by this development and comes with an open mind.

NSultan agreed this interest this would be purely a personal interest.

James Doe introduced this report by saying that what you have before you is the 2nd largest of the main greenfield sites that the council allocated in both its core strategy 2013 and site allocations development plan from 2017, it has been a long time in the making, large developments are a lengthy process and what's before the committee tonight is the 1st step in a further process for the applicant and then the developer to obtain planning permission for all the details on the site to ensure that delivery can go ahead for the very large number of new houses that are proposed and in very high need in Dacorum. As the slides indicate the application is made in outline form and there is only a matter of detail before the committee this evening and that is the access into the new site, it's very important that the terms, conditions, the section106 terms are very carefully considered by the committee this evening as these would form the basis for governing the subsequent reserve matters applications that will follow the ground outline consent if the committee is content with these proposals.

JDoe continued that this site used to be in the greenbelt however is no longer because it has been removed as part of their statutory development plan process, the principle of weather housing should go in this site was addresses and resolved through the development plan process and what members need to concern their selves with this evening is the details of the proposal set out in front of them. The site has been subject to a master plan which was adopted by the council, that in itself along with the development plan was a result of quite extensive community engagement. There was

a briefing for the committee earlier in the week and officers have produced a note of that together with the slides and this will be made public in due course.

There is a very comprehensive report in front of the committee this evening which follows a long period of negotiation and as a result they are pleased to recommend approval of the proposal this evening subject to the conditions and completion of the section 106 agreement set out in the report.

The report was introduced by the case officer Nigel Gibbs

Cllr Bhinder spoke in objection to the application, He said he would be speaking on behalf of the Grovehill councillor, Councillor Silwal, Councillor Banks and of course himself. He wanted to make it clear that they were not objecting but raising concerns which they have had for a long time and would seek that they are seriously considered with a view to reassuring them and their residents. The response that they seem to receive when concerns are expressed making reference to their support of the master plan of 2017, the concerns they have today were the same as the concerns they had four-five years ago or indeed longer. They were advised that since there were no application such concerns could not be clearly addressed and they accepted that at the time, now there is an application they think it's only fair that they are listened to. The six concerns are as follows

They are not convinced that the single egress to the proposed estate will not have substantially adverse effects on the traffic dynamic of the link road and surrounding areas, there was mention of a computer modelling however, with respect it doesn't take a computer model to work out that $2 + 2 = 4$, his point being that with the pandemic period aside the link road has a queue of traffic sitting on it every weekday morning and trying to leave Grovehill at either roundabout is an issue, there has been reference to Swallow Fields which has a similar number of dwellings as this application tucked away behind an industrial estate, however Swallow Fields does not come out on a major artery so they do not consider it a like for like comparison, the link road is a fast , straight road with no history of incidents, a large roundabout in the middle will disrupt traffic flow.

Cllr Bhinder referred to the emergency access at the rear of the site going on to Laidon Square and that as councillors they regularly receive resident complaints from that area regarding parking, it is a real problem and they simply cannot see the logic behind an emergency access point anywhere near where it has been proposed.

They very much welcome talk about integrating the new estate onto the Grovehill community, their concerns however are that access from the LA1 to Henry Wells Square is not just uphill, its steeply uphill, there are no plans to upgrade Henry Wells Square specifically to accommodate an increase in the local population of what he estimated between 12 & 15 %, they do not want integration into Grovehill to be just talk, they want to see how it would physically be done.

Over the past 14 years he has made many requests to be shown an example of social integration schemes anywhere in the country of the type that is being proposed in LA1 and indeed other areas in Dacorum, of course he said he was referring to the gypsy and traveller pitches, with no examples to use as a reference they have no option other than to consider reports of anti-social behaviour, intimidation even to young children and petty crime that they hear from the Swallow Fields estate, some of what they had heard was in confidence so he would not elaborate further. They have not been given an indication in regards to how the pitches will be managed, for example a private landlord would usually require references prior to a tenant moving in, and they

fear that this would not be the case with regards to the gypsy and traveller pitches. They are not just concerned for the security and general wellbeing of the perspective LA1 resident but also for the greater Grovehill community. If the gypsy and traveller pitches go ahead in anyway shape or form they must insist that buyers are aware of their presence.

They are aware of the sewage drainage at the bottom Marlborough rise to the top of Marchmont Fields, due to time constraints he would not go into detail however would like some clarification as to how this will be addresses.

Finally he said that when he was made aware of the LA1 the site was being considered for 280 dwellings, the application is for 350, while not for this meeting they are concerned that an adjacent plot could take a further 50 dwellings in the future. If that were to go ahead it would mean that the net build would be upwards of 25% more than was originally quoted, and how could they trust the figures that are given to them.

There was a number 7 that was recently bought to his attention and that was in regards to Grovehill House, he had not seen the documentation but Nigel Gibbs mentioned that it had come from the applicant so he would be keen to see that.

Cllr Guest said that before they got into the debate could the legal officer confirm that as they were only determining the access was it appropriate for the questions and discussion should only be about the access.

NSultan confirmed this was correct, the subject matter is access and this should be the focus.

JDoe reiterated what NSultan said, the point was that the only detailed matter here is the access, they were entitled to look at the other issues on the site as the report does cover a whole variety of other issues however they were not for consideration this evening and they would follow at the reserve matter stage. It was very important that members look at all aspects in terms of the section 106 agreement as what was agreed this evening would govern the content and what they are able to secure in those more detailed planning applications that would follow the grant of outline planning permission.

Cllr Guest invited members to ask questions to the case officer

Cllr Beauchamp thanked the case officer for his presentation. He raised concerns over the hedgerow and path that runs along the boundary to the west that links Piccotts End lane and Dodd's lane, he asked if the case officer could confirm if the hedgerow and footpath would remain in its entirety as this was not mentioned but it does if you like form an access point.

NGibbs confirmed that the Dodd's lane footpath runs parallel to the site and is not in the site, anything that is in the site will be retained, when the application was re-submitted there were expectations that the hedgerows along that section would be reinforced. It's clearly an important part of the existing network and will be an important part of the subsequent network if the site develops.

Cllr Beauchamp said there was a little bit of confusion as some of the reports differed. He asked if the case officer would agree that together with the highway mitigation measure proposed that the section 106 funding should be considered in order to provide a pedestrian bridge across the Link road to connect the development with the

pavement on the south side of the road, there is no pavement currently on the north side which I of course the side of the road where the development would be.

NGibbs replied that they have discussed how the spine road would connect with Piccotts end land, clearly Lyndsay could explain better than him however they have had meetings with the footpath officer to discuss that along with their own countryside officer and the Clean Safe & Green officer also, so it has been looked at, they will not require a bridge however if Lyndsay could explain.

LMcCauley explained that she understood that the question was relating to crossing the Link road and that there would be a signalised crossing on the western arm so there would be crossing facilities.

Cllr Beauchamp's last question referred to Piccotts End lane and that it was designated at a BOAT (byway open to all traffic) at both ends however at the bottom of the lane there is gated access which is normally reserved for emergency and farm vehicles to access the land that is currently there, given the status of the BOAT cars could travel up and down it and this is going to be a major arterial route for pedestrians and cycles, he asked if they could ensure that Piccotts End Lane access remains barred and the locked gates remain.

NGibbs said they have discussed the relationship between Piccotts End Lane and the Link road and in part they have discussed the status of the BOAT, from his understanding there is an outstanding question if there can be vehicle traffic down there and they understand that and order is going to be confirmed by Herts County Council that it will only be useable by Horse and Carriage, pedestrians and cyclist and not for normal vehicles.

LMcCauley confirmed that this was correct and the public rights of way are looking into this, her understanding is that there is a ban on motorized vehicles and they think it would remain that way.

Cllr Uttley said she understand that they do not wants a 2nd access in Grovehill and asked for confirmation that they cannot have a 2nd exit on the link road

LMcCauley explained that they cannot have a 2nd access on the Link road, they have a policy that sates they cannot have 2 new accesses onto an A road

Cllr Uttley referred to a previous meeting and the concerns about access to the emergency access due to parking issues, she asked if there was anything that could be done to improve or enforce parking measures in that area or possibly barriers to keep access clear or should something be put in the conditions.

NGibbs said that certainly the matter of detail will be key, the planning detail will address that and Lindsay will be giving expert advice on ensuring that is addresses as best as possible making sure there is no unlawful access to the site.

Cllr Uttley commented that Cllr Banks mentioned Grove House at a meeting on Monday, she understands that Grove House is not within the site however was a very old site and it was advised there would be an archaeological scrape done prior to this meeting and wanted to know if that had happened, if not could it be a condition prior to commencement of site.

NGibbs said that the County Council Archaeological department had received all the information about the development and there is no requirement for further

archaeological work on this site. Any archaeological impact has been addressed through consultations and the submission of the application.

Cllr Uttley asked if the Archaeological unit were aware of this site as she and officers were not and thought it would be advisable it was checked with them to make sure they are aware of all the information before making any statements and get confirmation that they were aware of it being so close to the site.

NGibbs explained that although he cannot give an answer on that specific he knows that when the archaeological studies are carried out it's not just within the site they look at the wider area in terms of archaeological evidence to consider and what's happened in the overall area. Had they found anything of interest they would have checked that out.

Cllr Guest explained in response to a request in the chat box to Cllr Silwal that as he is not part of the committee he is unable to ask questions or participate in the debate.

NSultan confirmed Cllr Guests position regarding this.

Cllr Stevens referred back to the emergency access point raised by Cllr Uttley, he understands that they are making a decision on the access on the Link road however looking further ahead and the plan to join LA1 to Grovehill he would like to see provision for buses to access the new LA1 site as they have to think in terms of integrating transport links as well. Having only one bus stop on the Link road will not service this site very well, could it be that it could be considered that the emergency access be engineered in a way that it could become part of the regular route through the site.

NGibbs responded that in developing the master plan for the 300 and up to 350 houses, it's very important that there should be a bus facility serving the site and that something as officer they have emphasized to New Homes England, there should not be any shortfall in making sure that a bus facility provided, there has to be a certain range from a house to a bus stop which is why there is one on the Link road, to give the option to use that one or the ones in Grovehill. The roadway would potentially allow for a bus lane or bus facility but the application has been submitted and they are limited to dealing with it on its merits so they haven't looked at the wider implications of the future however what they have done is hopefully future proofed it to ensure that there is a bus facility available on the edge of the site to provide that.

LMcCauley advised that the ideal walking distance is 400m at the one on the Link road falls within that, they have not explored the option of using the emergency access for buses however they would have concerns over getting a bus through the network in advance of the access, Leven way and Lomond road with the on street parking and carriageway width would not allow for a bus, the width would need to be 6.75m to accommodate a bus. They would support more permeability of buses into the site however it's not going to be feasible via the access. The Link road is intended although not part of this application as its reserve matter but would be designed to accommodate a bus route in the event that further development north goes ahead, as she understood this would be very much in the future however the Link road is future proofed in regard to buses.

It was proposed by Councillor Williams and seconded by Councillor Stevens that the application be Granted subject to a successful section 106 agreement.

Vote:

For: 11 against: 0 Abstained: 0

Resolved: Granted

Conditions

1. Details of the appearance, landscaping, layout and scale (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. 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.

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

3. 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, whichever is the later.

Reason: 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.

4. Details to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include the details of the following listed below for a maximum of 350 dwellings. The details shall be submitted for each relevant Phase based upon Phases 1, 2 and 3 of the Design & Access Figure 5.1 Indicative Phasing Plan or for a combination of Phases 1, 2 and 3, unless otherwise stated for 'the whole' development' (or in accordance with another condition of this planning permission) with Phase 1 commencing first, followed by Phases 2 and 3 respectively:

- the layout based upon the details shown by the Illustrative Master Plan 39337-Lea84f and the relevant Development Principles of the Local Allocation LA1 Marchmont Farm Hemel Hempstead Master Plan July 2017;
- the existing and proposed finished levels, relevant cross and longitudinal sections and contours including buildings, gardens/ amenity areas, roads, parking areas, open space;
- the earthworks including geotechnical details /including land stability;
- full engineering/ geotechnical details of the whole spine road including footpaths, cycle way(s), verges, lighting, levels, sight lines, hard and soft

landscaping, biodiversity measures and drainage;

- the emergency access linked to Laidon Square for the whole development including the details of the highway specification and how the surface water drainage is to be intercepted and disposed of separately and measures restricting its non-emergency access use;
- the full engineering/ geotechnical details of the non-spine road parts of the road layout including footpaths, cycle ways, verges, lighting, levels, hard and soft landscaping, biodiversity measures and drainage, including swept path assessment for fire tenders, other service/ delivery vehicles and buses, turning and any loading areas;
- the parking including electric charging points and secure cycle storage fully in accordance with Dacorum adopted Parking Standards (Nov 2020);
- the refuse facilities fully in accordance with Dacorum Borough Refuse Storage Guidance Note (2015);
- the drainage for all parking areas;
- all access arrangements including those for people with disabilities for the highways, dwellings, parking and open spaces;
- the design/ appearance/ materials, layout of all buildings and heights of buildings, most of which shall be no higher than two storeys with some 2 ½ storeys to 3 storeys as landmark buildings;
- the details of the Gypsy and Travellers Site including the precise location, size, access, access for persons with disabilities, servicing for fire and refuse vehicle turning , design, utilities buildings, the position of the 5 pitches, soft and hard landscaping/ boundary treatment, noise mitigation measures, on site connected utilities (gas, electricity, drainage, digital communications), amenity areas and storage areas;
- the sustainable urban drainage system including and a maintenance and adoption management scheme to confirm that the SuDS features can be maintained for the lifetime of the development subject to Condition 15;
- the foul drainage system and all other surface water drainage not subject to other conditions;
- the hard surfacing ;
- the means of enclosure (walls, fences and hedges);
- the landscape planting plan including tree protection measures, any tree/hedgerow retention and removal of any trees /hedgerows, the planting of at least one tree per dwelling and a community orchard;
- a long term landscape and ecological / biodiversity management plan;
- a construction environmental management/ biodiversity plan with reference to on site species protection;
- the precise plans showing the details/ areas/ locations and designs of all the open spaces and associated drainage/ SuDS measures with full engineering details, associated soft and hard landscaping and ecological management measures;
- the play equipment for the approved open spaces;
- the noise mitigation measures;
- the ventilation measures to prevent the overheating of dwellings;
- the secured by design measures;

- the exterior lighting for all non-highway/ parking areas of the development parts of the development including the bus shelter/ bus stop;
- the full details of sustainable design and construction/ climate change in accordance with Policy CS29 of the Dacorum Core Strategy (2013), Hertfordshire Building Futures Design Guide, including modern methods of construction, the provision of a district and a low/ zero carbon heat infrastructure- district heating network;
- digital communications for all dwellings, and
- any other proposed and existing functional services above and below ground.

All the submitted details shall be in the form of scaled plans and/or written specifications. All the approved details shall be provided before the first occupation of any dwellings for the specified Phase hereby permitted unless otherwise in accordance with another condition (s) of this decision or agreed in writing by the local planning authority. This includes all highway / parking areas to be demarcated, levelled, surfaced and drained in accordance with the approved plans before for any use of the specified Phase. Once provided all the approved requirements shall be retained and maintained fully in accordance with the approved details.

Reason: To deliver a sustainable development in accordance with the National Planning Policy Framework's, Dacorum Core Strategy's (2013) saved Dacorum Borough Local Plan's (2004), Site Allocation Development Planning Document's and the Local Allocation LA1 Marchmont Farm Master Plan's (2017) approach to sustainable development.

5. The emergency access shown by Plan No. 39337- Lea99b subject to Condition 4 shall be provided before the first occupation of the 300th dwelling at the site. Thereafter the approved scheme shall be retained and maintained at all times.

Reason: In the interests of public safety in accordance with/ with reference to Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Polices 51 and 54 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) ,the Local Transport Plan and the National Planning Policy Framework Part 9, in conjunction with the specialist advice of Hertfordshire County Council Highways (in liaison with Hertfordshire Fire & Rescue Service).

6. Notwithstanding the details shown by Plan No. 39337-Lea94 this planning permission does not include the emergency access shown from the Link Road.

Reason: The emergency access from the site to Laidon Square is the emergency access hereby approved as referred to by Condition 5. The Link Road access shown by the submitted plans is not supported by HCC Highways Authority and shall not be used for emergency access purposes, in accordance with reference to Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

7. This planning permission is based upon the carrying out of Phase 1 (The Gateway as referred to by Figure 5.1 of the Design & Access Statement) being commenced first and no dwelling hereby permitted shall be occupied until the

footpath links with Marlborough Rise and the bus lay by/ bus stop and shelter have been provided fully in accordance with details submitted to and approved in writing by the local planning authority based upon the footpath network shown by the Illustrative Master Plan39337-Lea84f. Thereafter the Marlborough Rise link and bus facility shall be retained at all times.

Reason: To deliver a sustainable development in accordance with Policies CS 8, CS12 and Local Allocation (Hemel Place Strategy) p153) of Dacorum Core Strategy (2013),saved Polices 51 and 54 and 79 of Dacorum Local Plan (2004) , Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

Informative: These footpath links are expected to include the new lit footpath green shown by the Plan sent by the Local Planning Authority on 15 April 2021.

8. A programme/ timetable and schedule of works for the installation of new and the upgrading of all other footpath and cycle links serving the development hereby shall be submitted prior to the commencement of the roundabout access and the spine road. The development shall be constructed fully in accordance with the approved details and once installed shall be retained at all times.

Reason: To deliver a sustainable development in accordance with Policies CS 8, CS12 of Dacorum Core Strategy (2013),saved Policies 51 and 54 and 79 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

9. The Gypsy and Travellers Site with all its services in accordance with the fully requirements specified in Condition 4 shall be provided within Phase 1 of the development in accordance with the details submitted to and approved in writing by the local planning authority. The site shall be fully available no later than occupation of the 99th dwelling or 8 months from receipt of all required approvals to enable the construction of the Gypsy and Travellers' Site, unless otherwise agreed in writing with DBC, whichever is the later and the site shall be retained at all times for the approved purposes.

Reason: In accordance with Policy CS22, Site Allocations Development Plan Document Policy LA1 and The Master Plan and Paragraph 61 of the National Planning Policy Framework.

10. Within 6 months prior to the first occupation of Phase 1, a detailed Travel Plan shall be submitted to the local planning authority. The development hereby permitted shall be carried out fully in accordance with the Travel Plan which shall be updated for each Phase, be based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance' provide contact details of an appointed Travel Plan Coordinator.

Reason: To deliver a sustainable development/ to ensure that sustainable travel options associated with the development are promoted and maximised in accordance with Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 and 79 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan (2018) and the National Planning Policy Framework Part 9.

11. The landscape and ecological management plan subject to Condition 4 shall include the following.

- **Description and evaluation of features to be managed.**
- **Ecological trends and constraints on site that might influence management.**
- **Aims and objectives of management.**
- **Appropriate management options for achieving aims and objectives.**
- **Prescriptions for management actions.**
- **Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).**
- **Details of the body or organisation responsible for implementation of the plan.**
- **Ongoing monitoring and remedial measures.**

The Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Plan are not being met) contingencies and/or remedial action to be identified, agreed and implemented so that the development will deliver the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the landscape and biodiversity in accordance with Policies CS12, CS25, CS26 and CS29 of Decorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

12. No development shall commence (including ground works, vegetation clearance) until a construction environmental management plan subject to Condition 4 has been submitted to and approved in writing by the local planning authority. The Plan shall include the following:

- **Risk assessment of potentially damaging construction activities.**
- **An updated ecological survey identifying the presence of protected species and measures to mitigate against any harm.**
- **Identification of any “biodiversity protection zones”.**
- **Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).**
- **The location and timings of sensitive works to avoid harm to biodiversity features.**
- **The times during which construction when specialist ecologists need to be present on site to oversee works.**
- **Responsible persons and lines of communication.**

- **The role and responsibilities on site of an ecological clerk of works or similarly competent person.**
- **Use of protective fences, exclusion barriers and warning signs.**

The approved Plan shall be carried out for the whole construction period strictly in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with Policies CS12, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

13. The landscape management plan subject to Condition 4 shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens, these shall be submitted to and approved by the local planning authority prior to the first occupation of a the first dwelling at the site. The landscape management plan shall be carried out as approved.

Reason: In the interests of the landscape environment and biodiversity in accordance with Policies CS12, CS25, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

14. If within a period of five years from the date of the planting of any tree or hedge that tree, part of the hedge or any tree or part of the hedge planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree or hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: : In the interests of the landscape environment and biodiversity in accordance with Policies CS12, CS25, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

15. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019, and the following mitigation measures detailed within the FRA:

(1) Undertaking appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer restricted to a maximum of 10.4l/s for all rainfall events up to and including the 1 in 100 year + climate change event.

(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. Implementing drainage strategy as indicated on drainage drawing to include above ground features such as attenuation basins and swales. The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the

scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason : To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies CS29 and CS31 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017) and the National Planning Policy Framework Part 15.

16. 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 Outline Drainage Strategy carried out by Wood reference 39337rr004_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019. The scheme shall also include:

- (1) Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.**
- (2) Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.**
- (3) Demonstrate appropriate management of the surface water flowpaths on site.**
- (4) Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features.**
- (5) Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.**
- (6) Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.**

Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies CS29 and CS31 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017) and the National Planning Policy Framework Part 15.

17. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include: The management and maintenance plan shall include:

- (1) Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.**
- (2) Maintenance and operational activities for the lifetime of the development. 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.**

Reason : To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site in accordance with Policies CS29 and CS31 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017) and the National Planning Policy Framework Part 15.

18. No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out

and a Phase II report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

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

(ii) 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.

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

Reason: To ensure that 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).

19. All remediation or protection measures identified in the Remediation Statement referred to in Condition 8 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).

20. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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:
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.**

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 CS 8, CS12 and CS32 of Dacorum Core Strategy (2013), saved Policies 51 and 54 and 79 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) the garage(s) hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwelling(s) and they shall not be converted or adapted to form living accommodation without the express permission of the local planning authority following the submission of a planning application.

Reason: In order to ensure a satisfactory level of off-street parking and to protect highway safety and the amenity of other users of the public highway, in accordance with saved Policies 51 and 54 of the Decorum Borough Local Plan (2004), Policy CS8 of the Decorum Borough Core Strategy (2013), Paragraphs 108 and 110 of the National Planning Policy Framework (2019) and the Decorum Borough Parking Standards Supplementary Parking Document (2020).

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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 for Phases 1 and 2 referred to by the submitted Design & Access Statement:

Part 1, Schedule 2 Classes A, B, C, E (where for Class E within rear gardens less than 11.5 m in depth and where the garden has a change in levels).

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

23. Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be otherwise carried out fully in accordance the following plans:

- 39337Lea82b-Site location plan**
- Site Access Roundabout**
- 131121/A/49 Revision A (Appendix F of the Transport Statement)**

**39337-Lea99b Emergency Access Plan from Laidon Square
39337-Lea84f**

Reason: For the avoidance of doubt.

Informatives

1. 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 (paragraph 38)

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

Highways

2. 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 123 4047.

3 Obstruction of public highway land: It is an offence under Section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the website <https://www.hertfordshire.gov.uk/services/Highways-Roads-and-pavements/Highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

4. Road Deposits: It is an offence under Section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

5. General works within the highway - construction standards AN4) Construction standards for works within the highway: 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 126 (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

<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.

6. Section 38 Agreement

Any internal highway which is intended for adoption by Hertfordshire County Council as highway authority will be subject to Section 38 Agreement and will be subject to detailed design review and agreement as part of this.

7. Section 278 Agreement

As changes to the public highway are proposed as part of the development, a Section 184 or 278 agreement, whichever is most appropriate, will need to be secured and approved with HCC. Proposed mitigation measures, along with the proposed new site access and any links to existing infrastructure, will be subject to this agreement.

8. Emergency Access. The requirements for access by the Fire Service are specified in Building Regulations: The manual for streets (<https://www.gov.uk/government/publications/manual-for-streets>) states on p75: 6.7.2 The Building Regulation requirement B5 (2000) concerns 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes the following advice on access from the highway:

- There should be a minimum carriageway width of 3.7 m between kerbs;
- There should be a minimum gateway width of 3.1 m;
- There should be vehicle access for a pump appliance to within 45 m of every point within single family houses; and
- Fire service vehicles should not have to reverse more than 20 m.

6.7.3 The Association of Chief Fire Officers has expanded upon and clarified these requirements as follows:

- A 3.7 m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances;
- If an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer.

9. The secondary, or 'back up', emergency vehicle access proposals do not meet the standards of an emergency vehicle access as it is located within too close of proximity to the proposed site access.

Contamination.

10. The Council's Scientific Officer has advised:

The contamination based conditions are considered to be in accordance with paragraphs 170 (e) & (f) and 178 and 179 of the National Planning Policy Framework 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.

11. Drainage

Hertfordshire County Council Lead Flood Authority has advised:

As this is a greenfield site, we would not expect the use of below ground attenuation features.

At detail design stage it would expect above ground measures such as permeable paving, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.

The LPA will need to satisfy itself that the proposed SuDS features can be maintained for the lifetime of the development and we recommend the LPA obtains a detailed maintenance and adoption plan from the applicant, which follows the guidelines in the SuDS Manual by CIRIA.

The Ventilation Strategy

12. The ventilation Strategy should address, but is not restricted to, how:

The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade.

Service and maintenance obligations for the MVHR. The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this. Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any measures to be made to eliminate noise. The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation and retained thereafter.

13. Water

Affinity Water has advised:

1. General: The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

2. Ground investigation: Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

3. Contaminated land: Construction works may exacerbate any known or previously unidentified pollution. If any pollution is found at the site then works should cease and appropriate monitoring and remediation methods will need to be undertaken to avoid impacting the chalk aquifer.

4. Infrastructure: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

5. Water Supply: In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact Developer Services Team through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

6. Water Efficiency: Being within a water stressed area, we would encourage the developer to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.

14. Ecology

1. Bats. 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.

2. Birds. 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.

3. Hedgehogs.

Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline.

To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand if possible. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water. It is also possible to provide enhancements for hedgehogs by making small holes (13cm x 13cm) within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site but will be too small for most pets.

Chair took item 5d before item 5b to allow for public speakers

- b** **20/03938/MFA - Demolition of existing bungalows, flats and garages. Construction of 2 no. apartment blocks comprising of 30 dwellings with associated car parking and landscaping. 16-34 Randalls Ride, Hemel Hempstead, Hertfordshire, HP2 5AQ**

Item 5b – 20/03938/MFA Demolition of existing bungalows, flats and garages. Construction of 2 no. apartment blocks comprising of 30 dwellings with associated car parking and landscaping. 16-34 Randalls Ride, Hemel Hempstead, Hertfordshire, HP2 5AQ

The report was introduced by the case officer James Gardner

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

Vote:

For: 10 against: 0 Abstained: 1

Resolved: 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:**

19083.wd2.01	Proposed Site Plan	Rev. E	
19083.wd2.02	Proposed Site Elevations	Rev. C	
19083.wd2.03	Proposed Site Sections 1	Rev. C	
19083.wd2.04	Proposed Site Sections 2	Rev. D	
19083.wd2.010	Bat 1 - Proposed Ground & First Floor Plan		Rev. B
19083.wd2.011	Bat 1 - Proposed Second & Roof Floor Plan		Rev. A
19083.wd2.012	Bat 1 - Proposed Elevations	Rev. C	
19083.wd2.020	Bat 2 - Proposed Ground & First Floor Plan		Rev. A
19083.wd2.021	Bat 2 - Proposed Second & Roof Floor Plan		
19083.wd2.022	Bat 2 - Proposed Elevations		
19083.wd2.030	Proposed Recycling stores Elevations		Rev. B
19083.wd2.031	Proposed Cycle stores Elevations		Rev. B

Randalls Ride Fire Strategy Issue 2
M03001-05_DG01 dated February 2021
M03001-05_FR01 dated October 2020

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

3. **Notwithstanding the details indicated on the approved plans, no development above slab level 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.**

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).

4. **Notwithstanding the details indicated on the approved plans, no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing number 19083wd2.01 E have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**

- **Works to create the bellmouth access onto Randalls Ride, with a kerb radii of 6m and tactile paving/pedestrian dropped kerbs on either side.**
- **Works to create the VXO / dropped kerb on Randalls Ride to the 'southern' parking' area.**
- **Tactile paving on either side of the existing bellmouth entrance into Bowyers.**
- **Any works required through closing off the existing vehicle access from Bowyers and creation of the footway and vehicle crossover for the parking spaces on the southern side of Bowyers.**

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 CS12 of the Dacorum Core Strategy and Policies 51 and 54 of the Dacorum Local Plan.

5. **Prior to first occupation of the development hereby permitted, the offsite highway improvement works approved under Condition 4 shall be completed in accordance with the approved particulars.**

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, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policies 51 and 54 of the Dacorum Local Plan (2004).

6. **Prior to the first occupation of the development hereby permitted, the proposed internal access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plan(s) and retained thereafter available for that specific use.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

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:**

- a. **Construction vehicle numbers and type;**
- b. **Access arrangements to the site;**
- 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;**
- i. **Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

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 CS12 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

8. **Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided.**

Reason: 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).

9. **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 the Flood Risk Assessment reference M03001-05_FR01 dated October 2020 prepared by McCloy Consulting and Drainage Strategy reference M03001-05_DG01 dated February 2021 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

Reason: 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 Core Strategy (2013).

10. **(a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report (RSK Preliminary Risk Assessment 1921152-01(00) March 2020) and the Site Investigation Report (GEMCO Phase II Geo-Environmental Assessment 1797 R01: Issue 3 December 2020) indicate a reasonable need for remedial works to be carried out and so 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 has been submitted to and approved by the Local Planning Authority.**

(b) 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 Policy CS32 of the Dacorum Core Strategy (2013).

11. **Any contamination, other than that reported by virtue of Condition 10 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 Policy CS32 of the Dacorum Core Strategy (2013).

Informative:

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 by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

12. **Prior to first occupation of the development hereby permitted, an Air Source Heat Pump Noise Impact Assessment, compiled by an appropriately experienced and competent person, shall be submitted to and approved in writing by the Local Planning Authority.**

The Air Source Heat Pump Noise Impact Assessment shall detail the noise levels associated with the use of the air source heat pump, and include an analysis of whether any noise mitigation measures are required to control the noise (and if so full details of these mitigation measures), and a timescale for the implementation of the noise mitigation measures.

Any mitigation measures identified as being required by the Air Source Heat Pump Noise Impact Assessment shall be implemented in accordance with the approved particulars and retained thereafter.

Reason: To ensure that residents of the flats are afforded an acceptable level of amenity and protected from noise and disturbance, in accordance with Policy CS12 of the Core Strategy and Paragraphs 127, 170 (e) and 180 (a) of the National Planning Policy Framework.

13. **The development hereby approved shall not be occupied until the bin storage areas shown on drawing nos. 19083wd2.01 (Rev. E) and 19083wd2.030 (Rev. B) have been fully provided.**

Reason: To ensure that sufficient provision is made for waste and recycling storage, in accordance with Policy 129 of the Dacorum Local Plan (2004) and the Dacorum, Refuse Storage Guidance Note (February 2015).

14. **Notwithstanding the submitted details, no construction above slab level shall take place until a soft landscaping plan that includes number, size, species and position of trees, plants and shrubs has been submitted to and approved in writing by the Local Planning Authority.**

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 2 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).

15. **Prior to first occupation of the development hereby permitted, full specifications (including location) of two bird and two bat boxes to be incorporated in the development shall have been submitted to and approved in writing by the local planning authority.**

The approved particulars shall be fully implemented prior to first occupation of the development and permanently retained thereafter.

Reason: To ensure that that the biodiversity of the site is maintained / enhanced, in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

16. **The tree protection measures shown on drawing nos S227-J2-P1 (Rev. v1), S227-J2-P2 (Rev. v1) and S227-J2-P3 (Rev. v2) shall be in place prior to the commencement of the development hereby approved and retained for the duration of the construction period.**

All works on site shall be carried out in accordance with the method statements outlined on the aforementioned plans.

Reason: In order to comply with section 197 of the Town and Country Planning Act, Policy CS12 of the Dacorum Core Strategy (2013), and Policy 99 of the Dacorum Local Plan (2004).

17. **No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.**

Reason: To protect underground sewerage utility infrastructure, which could be significantly impacted by piling and result in land instability, in accordance with paragraph 170 (e) and paragraph 178 (a) of the NPPF.

Informatives:

1. 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.
2. 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.
3. 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.
4. 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
5. 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 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>
6. 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.

7. 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.
8. 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.
9. 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.
10. 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.

c 21/00362/FUL - Conversion of existing 3 bedroom semi-detached two-storey dwelling to provide two self-contained 1-bed flats 2 Central Nursery, Two Waters Road, Hemel Hempstead, Hertfordshire

Item 5c - 21/00362/FUL Conversion of existing 3 bedroom semi-detached two-storey dwelling to provide two self-contained 1-bed flats 2 Central Nursery, Two Waters Road, Hemel Hempstead, Hertfordshire

The report was introduced by the case officer Mike Davey

It was proposed by Councillor Williams and seconded by Councillor Woolner

Vote:

For: 10 against: 0 Abstained: 1

Resolved: 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:

6821/1101 - Site Location Plan

6821/1103 - Proposed Site Plan

6821/1202 - Proposed Plans & Elevations

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

Informatives:

1. 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.
2. 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.

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

d 20/03993/FUL - General Purpose Agricultural Storage Building & Hay Store, Means of Enclosure (deer proof fence) and Agricultural Track to barn Westlands Farm, Station Road, Aldbury, Tring

Item 5d - 20/03993/FUL General Purpose Agricultural Storage Building & Hay Store, Means of Enclosure (deer proof fence) and Agricultural Track to barn Westlands Farm, Station Road, Aldbury, Tring

The report was introduced by the case officer Nigel Gibbs

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Uttley that the application be Granted

Vote:

For: 7 against: 1 Abstained: 3

Resolved: 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 building hereby permitted shall only be used for agricultural purposes.**

Reason: With due regard to the building's very significant visual impact upon this part of the AONB, the local planning authority has only been prepared to grant planning permission for the building due to the entirely farm based operational circumstances confirmed by the submitted information. This explains the need for the building to serve Westlands Farm in this location, of this size and in the absence of other alternatives for the Farm's operation. Permission for the building for the approved use is in accordance with the National Planning Policy Framework's economic objective.

3. **The development shall be constructed in the materials referred to by Plan No. 200.02A, and all the south western elevation reclad in timber within 18 months of the building's first use. All the rainwater goods shall be black and roller shutter door and pedestrian door shall match the cladding of the south western elevation and notwithstanding the details shown by Block Plan 200.01 Rev A the building hereby permitted shall constructed in the dimensions specified by Plan No. 200.02A.**

Reason: In the interests of the appearance of the development in the interests of the Rural Area and the Chilterns Area of Outstanding Natural Beauty in accordance with the National Planning Policy Framework, Policies CS7 and CS24 and the Countryside Place Strategy of the Dacorum Core Strategy (2013) and saved Policy 97 of Dacorum Borough Local Plan (2004) and for the avoidance of doubt.

4. **The planting of the 100 orchard trees must be carried out within one planting season of the first use of the building hereby permitted.**

Any tree 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 of the same species, size and maturity.

Reason: In the interests of biodiversity and the local environment of the Rural Area and the Chilterns Area of Outstanding Natural Beauty in accordance with the National Planning Policy Framework , Policies CS7, CS24 and CS29 and the Countryside Place Strategy of the Dacorum Core Strategy (2013) and saved Policies 97, 99 and 100 of Dacorum Borough Local Plan (2004).

5. **No construction of the superstructure shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:**
- (a) The programme and methodology of site investigation and recording.**
 - (b) The programme for post investigation assessment.**
 - (c) Provision to be made for analysis of the site investigation and recording.**
 - (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.**
 - (e) Provision to be made for archive deposition of the analysis and records of the site investigation.**
 - (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

6. **i) Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 5.**
- ii) 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 4 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

7. **There shall be no exterior lighting on or serving the development, including adjacent to the access tracks, other than that which has been submitted to, and received written approval from, the Local Planning Authority. Any approved exterior lighting shall be installed, and thereafter either removed, or maintained in accordance with the approved details.**

Reason: in the interests of the local environment in accordance with the requirements of Policies CS32 of the Dacorum Core Strategy (2013), Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan (2004), the National Planning Policy Framework Paragraph 181 (c) and the Chilterns Conservation Management Plan Policy DP8 with reference to the impact upon the Chilterns Area of Outstanding Natural Beauty in this E1 Lighting Zone.

8. **Two bat boxes and one owl box shall be permanently installed on the building hereby permitted within three months of the first use of the building hereby permitted and thereafter shall be retained at all times. Should the bat boxes and / or owl box need to be repaired and / or replaced there shall be a period no greater than one month between the existing box(es) being removed and the repaired / replaced box(es) being installed.**

Reason: In the interests of biodiversity and the local environment of the Rural Area and the Chilterns Area of Outstanding Natural Beauty in accordance with Policy CS29 of the Dacorum Core Strategy and the National Planning Policy Framework.

9. **Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be otherwise carried out in accordance with the following approved plans:**

**200-01 Rev A
200-02 Rev A**

Reason: For the avoidance of doubt.

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 Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Biodiversity

It is expected that hedges at the site are re seeded in accordance with the submitted information.

Highway Safety

1. 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

2. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roadsand-pavements.aspx> or by telephoning 0300 1234047

3. Obstruction of public highway land: It is an offence under section 137 of the Highways Act

1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the

free passage along a highway or public right of way. If this development is likely to result in

the public highway or public right of way network becoming routinely blocked (fully or partly)

the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available

via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300

6 QUARTERLY ENFORCEMENT REPORT

Philip Stanley gave a quick update and shared some key points:

The second round of the Geographic focus has now been completed

They have moved to a “400 plan”, this is a plan to reduce the live enforcement cases from 600 live cases to 400 by the end of the financial year, this was through a combination of looking at news cases promptly but also in a systematic way.

He was delighted to share that they now have Caroline Durrant in their team, she is a 1 year planning enforcement officer that started a couple of weeks ago and has settled well.

PStanley ran through some items on the enforcement report and invited questions from the committee:

Cllr Riddick referred to item 13 and the Land at Featherbed Lane, he understood there was going to be public inquiry taking place on the 11th of May, he asked if this was still going ahead and how they would be dealing with that, would it be virtually or socially distanced in person.

PStanley responded that it will be taking place virtually, it was highly unusual in term of this case involving travellers, the barrister mentioned that this would be the first instance of an appeal going ahead that involved the traveller community however the appellant has confirmed that they are happy for this to be done virtually. If any member has an interest in attending they can let him or Olivia know and they can arrange for the link to be sent.

Cllr Beauchamp noticed from the list there was no mention of 21/21a High Street Hemel, there had been a long running poor property in the heritage area and understood they were going to write to the owner of the property.

PStanley said that the report in front of members is a report outlining where formal action has been taken in terms of a notice, there are a number of cases where either a notice is not necessary or has not yet been served. He said he cannot give any further update on 21/21a as he doesn't think there had been any progress since it was discussed last quarter however it's something that he will speak to the case officer about and come back to Cllr Beauchamp on.

Cllr Stevens noticed that Haresford Farm still features on the list, he understood that they had the appeal, he asked how it was going.

PStanley confirmed that the appeal is still ongoing and the hearing is due to take place in May.

Cllr Guest thanked PStanley for his report and said that this confirms the enforcement process is working.

7 ADDENDUM

The Meeting ended at Time Not Specified