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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT**

**8 JULY 2021**

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Present:

**MEMBERS:**

Councillor Councillors, C Wyatt-Lowe (Vice-Chairman), Beauchamp, Durrant, Hobson, Oguchi, Douris, Williams, Hollinghurst, Stevens and Tindall

Councillor also attended

**OFFICERS:**

B Curtain (Lead Planning Officer), Fowell (Corporate & Democratic Support Officer), R Freeman (Lead Planning Officer), A Parrish (Lead Planning Officer), P Stanley (Development Management Team Leader), Vernal (Trainee Planning Officer) 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 27 May were confirmed by the Members present.  
Hard-copy minutes were signed by the Chair

**2 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Uttley (Substitute Cllr Stevens)  
Apologies received from Cllr Woolner (Substitute Cllr Tindall)  
Apologies were received from Cllr Maddern

**3 DECLARATIONS OF INTEREST**

Councillor Wyatt-Lowe asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application.

**4 PUBLIC PARTICIPATION**

Councillor Wyatt-Lowe 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 21/01517/RES - Reserved matters application with details of Appearance, Landscaping, Layout and Scale comprising of 276 dwellings and associated works relating to application 4/02539/16/MOA - Spencer's Park Phase 2 Land Between Three Cherry Trees Lane And Cherry Tree Lane Hemel Hempstead**

The report was introduced by the case officer Andrew Parrish

It was proposed by Councillor Williams and seconded by Councillor Douris that it be **Delegated** with a view to **Approval** of conditions

Vote:

For: 8            against: 0            Abstained: 1

Resolved; **Delegated** with a view to **approval** of conditions

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

- 1. Notwithstanding the details submitted, the details hereby permitted do not extend to the following matters:**

- Solar panel siting and appearance
- Electric vehicle charging layout and infrastructure
- Cycle storage arrangements
- Proposals to dissuade vehicle parking along the shared driveways of the Green Spine
- Crime prevention measures
- Tree planting proposals
- Details to mitigate overlooking
- Details of the design and appearance of the balustrades serving the Gateway apartments

Reason: For the avoidance of doubt and because insufficient or unsatisfactory information has been submitted pursuant to Condition 1 of the outline permission 4/02539/16/MOA to demonstrate an acceptable layout, appearance and landscaping of the site.

- 2. The Reserved Matters hereby approved shall be carried out in accordance with the following approved plans/documents:**

- CPL-SPH\_HTA-A\_DR\_0001
- CPL-SPH\_HTA-A\_DR\_0002
- CPL-SPH\_HTA-A\_DR\_0100 A
- CPL-SPH\_HTA-A\_DR\_0110 B
- CPL-SPH\_HTA-A\_DR\_0111 A

CPL-SPH\_HTA-A\_DR\_0112 A  
CPL-SPH\_HTA-A\_DR\_0113 A  
CPL-SPH\_HTA-A\_DR\_0120 A  
CPL-SPH\_HTA-A\_DR\_0121 A  
CPL-SPH\_HTA-A\_DR\_0122 A  
CPL-SPH\_HTA-A\_DR\_0123 A  
CPL-SPH\_HTA-A\_DR\_0124 A  
CPL-SPH\_HTA-A\_DR\_0125 A  
CPL-SPH\_HTA-A\_DR\_0126 A  
CPL-SPH\_HTA-A\_DR\_0127 A

CPL-SPH\_HTA-A\_DR\_0130  
CPL-SPH\_HTA-A\_DR\_0131  
CPL-SPH\_HTA-A\_DR\_0132 A  
CPL-SPH\_HTA-A\_DR\_0133 A  
CPL-SPH\_HTA-A\_DR\_0135  
CPL-SPH\_HTA-A\_DR\_0136  
CPL-SPH\_HTA-A\_DR\_0137 A  
CPL-SPH\_HTA-A\_DR\_0138 A

CPL-SPH\_HTA-A\_DR\_0200 C  
CPL-SPH\_HTA-A\_DR\_0201 B  
CPL-SPH\_HTA-A\_DR\_0202 B  
CPL-SPH\_HTA-A\_DR\_0203 C  
CPL-SPH\_HTA-A\_DR\_0204 B

CPL-SPH\_HTA-A\_DR\_0210 B

CPL-SPH\_HTA-A\_DR\_0300 C  
CPL-SPH\_HTA-A\_DR\_0301 C  
CPL-SPH\_HTA-A\_DR\_0301\_1 A  
CPL-SPH\_HTA-A\_DR\_0302 B

CPL-SPH\_HTA-A\_DR\_0303 B  
CPL-SPH\_HTA-A\_DR\_0304 C  
CPL-SPH\_HTA-A\_DR\_0305C  
CPL-SPH\_HTA-A\_DR\_0306 C  
CPL-SPH\_HTA-A\_DR\_0310 C  
CPL-SPH\_HTA-A\_DR\_0311 A  
CPL-SPH\_HTA-A\_DR\_0311\_1 A  
CPL-SPH\_HTA-A\_DR\_0312 B  
CPL-SPH\_HTA-A\_DR\_0313 B  
CPL-SPH\_HTA-A\_DR\_0314 C  
CPL-SPH\_HTA-A\_DR\_0315 C  
CPL-SPH\_HTA-A\_DR\_0320 D  
CPL-SPH\_HTA-A\_DR\_0321 D  
CPL-SPH\_HTA-A\_DR\_0322 C  
CPL-SPH\_HTA-A\_DR\_0323 C  
CPL-SPH\_HTA-A\_DR\_0324 C  
CPL-SPH\_HTA-A\_DR\_0325 C  
CPL-SPH\_HTA-A\_DR\_0326 C  
CPL-SPH\_HTA-A\_DR\_0330 C  
CPL-SPH\_HTA-A\_DR\_0331 C  
CPL-SPH\_HTA-A\_DR\_0332 B  
CPL-SPH\_HTA-A\_DR\_0333 C  
CPL-SPH\_HTA-A\_DR\_0334 C  
CPL-SPH\_HTA-A\_DR\_0335 C  
CPL-SPH\_HTA-A\_DR\_0336  
CPL-SPH\_HTA-A\_DR\_0337  
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CPL-SPH\_HTA-A\_DR\_0343 C

CPL-SPH\_HTA-A\_DR\_0344 C  
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CPL-SPH\_HTA-A\_DR\_0353 C  
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CPL-SPH\_HTA-A\_DR\_0362 B  
CPL-SPH\_HTA-A\_DR\_0363 C  
CPL-SPH\_HTA-A\_DR\_0364 C  
CPL-SPH\_HTA-A\_DR\_0365 C  
CPL-SPH\_HTA-A\_DR\_0370 C  
CPL-SPH\_HTA-A\_DR\_0371 C  
CPL-SPH\_HTA-A\_DR\_0372 V  
CPL-SPH\_HTA-A\_DR\_0373 C  
CPL-SPH\_HTA-A\_DR\_0374 C  
CPL-SPH\_HTA-A\_DR\_0375 C  
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CPL\_SPH\_SC\_100 11

O00011-BCE-S02-XX-DR-C-8001-PL1  
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CPL-SPH\_HTA-L\_DR\_0921 G  
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CPL-SPH\_HTA-L\_DR\_0923 G  
CPL-SPH\_HTA-L\_DR\_0930 E  
CPL-SPH\_HTA-L\_DR\_0931 E  
CPL-SPH\_HTA-L\_DR\_0932 E  
CPL-SPH\_HTA-L\_DR\_0933 G  
CPL-SPH\_HTA-L\_DR\_0950  
CPL-SPH\_HTA-L\_DR\_0951  
CPL-SPH\_HTA-L\_DR\_1700  
CPL-SPH\_HTA-L\_DR\_1701  
CPL-SPH\_HTA-L\_DR\_1702 A

Soft Landscape Schedule – CPL-SPH\_HTA-L\_SC-2910

Hard Landscape Outline Specification - CPL-SPH\_HTA-L\_SP-1700

Maintenance Strategy and Schedule - CPL-SPH\_HTA-L\_S3\_SC\_1701

Plot Schedule - CPL-SPH\_HTA\_A\_SC

131121F/AT/B01 K  
131121F/AT/C01 L  
131121F/AT/D01 L  
131121F/AT/E02 F  
131121F/AT/G01 E  
131121F/AT/G02 C  
131121F/AT/G03 C  
131121F/AT/G04 B

19025-AWA-ZZ-00-DR-ES-9607-P06

19025-AWA-ZZ-00-DR-ES-9608-P06

19025-AWA-ZZ-00-DR-ES-9609-P05

19025-AWA-ZZ-00-DR-ES-9610-P02-UKPN

78-32-PRELIM-200831-CD-LI-C

Tree Protection Plan, Drg. No. LO10821-001 Rev A, contained in Arboricultural Impact Assessment and Method Statement LO10821 Report No. 001 prepared by Wardell Armstrong

Arboricultural Impact Assessment and Method Statement LO10821 Report No. 001 prepared by Wardell Armstrong

Building unit specification details provided in Section 5 and Tables 8 and 9 the Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021

Drawing LO10821- 104 in Appendix C of Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021

Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021

Sustainable Development Checklist and Energy Statement

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

- 3. All plots as listed below with obscured glazing identified on the drawings hereby approved (and identified in summary on Drg. No. HTA-A\_DR\_0110 received 30/06/21) shall have obscured glazing installed prior to the occupation of the dwellings and shall thereafter be permanently retained.**

Plots 2-11, Plots 13-22, Plots 24-29, Plot 34, Plots 38-43, Plots 49-52, Plot 54, Plots 57, and 58, Plot 63, Plot 65-68, Plots 70-73, Plot 78 and 80, Plots 82-90, Plot 91, Plots 95-105, Plots 107, 110 and 112, Plot 113, 115-119, Plots 124-130, Flat Block 3, Plot 143

Plots 168 and 170, Plots 172-175, Plot 177, Plots 180-182, Plots 184-195, Plot 197, Plots 234, 237, 239 and 243

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough

Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

### **Informatives**

The Local Planning Authority would advise the applicant that the following details will need to be submitted to fully satisfy the reserved matters required under Conditions 1 and 7 of the outline permission 4/02539/16/MOA and as noted under Condition 2 above:

### **Solar panel siting and appearance**

plans and details of the solar panels, including typical cross sections to show their proposed installation in relation to the roofs of the dwellings / flat blocks hereby permitted, together with a roof plan to show their proposed final positioning on each dwelling / flat block, together with details of the roof tiles proposed.

### **Electric vehicle charging layout and infrastructure**

Plans and details of the EV (electric vehicle) charging infrastructure to be installed, including a plan(s) showing the siting and distribution of above ground EV infrastructure.

### **Cycle storage arrangements**

An amended layout plan (and other plans as necessary) relating to the cycle storage arrangements for Plots 55, 56, 81, 169 and 196.

### **Proposals to dissuade vehicle parking along the shared driveways of the Green Spine**

Plans and details (including cross section drawings) of the proposals to dissuade vehicles from parking on the verges and gardens either side of the shared driveways alongside the Green Spine in relations to Plots 17-23, 49-53, 96-104, 185-192 and 193-197.

### **Crime prevention measures**

Details of the crime prevention measures to be incorporated into the development in order to meet Secured by Design part 2 certification.

### **Tree planting proposals**

Plans, details and specifications of additional tree planting to be provided adjacent to or within the rear gardens of Plots 69, 106 and 193.

### **Details to mitigate overlooking**

Plans and details of measures to help mitigate the impact of mutual overlooking in respect of Plots 4, 5 and 34, Plots 180 and 190, Plots 181, 182 and 188, Plots 234, 235 and 236 and 176, and Plots, 237, 238, 239 and 174 / 175.

**Details of the design and appearance of the balustrades serving the Gateway apartments**

Details of the design of the balcony balustrades of the apartments facing Three Cherry Trees Lane to ensure that they are screened against road traffic and industrial noise to achieve LAeq16hr (07:00-23:00) not exceeding 55dB(A) or at least the lowest level practicable. This may be achieved by use of solid balustrades or alternative design.

**Building Glazing and Ventilation**

The building glazing and ventilation scheme hereby permitted shall be installed in strict accordance with the building unit specification details provided in Section 5 and Tables 8 and 9 the Noise Assessment Report submitted by Wardell Armstrong ref LO18021 dated April 2021.

**b            4/00024/19/MFA - Construction of 15 residential units with associated access, parking and landscaping - Land off Tring Road, Wilstone**

Cllr Hollinghurst declared an interest and was not able to partake in the discussion or voting on this item.

The report was introduced by the case officer Robert Freeman

There was no proposer or seconder for the officer recommendation to grant

It was proposed by Councillor Beauchamp and seconded By Councillor Williams to refuse

**Vote:**

For: 5            against: 0            Abstained: 3

**Resolved: Refused**

The principle of the proposed entry level housing, by reason of its scale and siting would result in significant harm to the character and appearance of the countryside contrary to Policies CS1, CS2, CS7, CS10 and CS20 of the Core Strategy. Although the Council is not able to demonstrate a five year housing land supply, the Council are not satisfied that the benefits of allowing development would clearly outweigh the harm to the appearance of the countryside under paragraph 11 of the National Planning Policy Framework (NPPF) given that there would be a clear conflict with the requirements of paragraphs 77 and 78 of the NPPF and given a lack of associated infrastructure within the village of Wilstone

**c            21/00854/FUL - Demolition of existing storage yard buildings and construction of six dwellings - Land to the south east of Loch View,**

## Tring Road, Wilstone

Councillor Hollinghurst declared an interest however was able to partake in this item

The report was introduced by the case officer Robert Freeman

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

### Vote:

For: 9            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:**

#### **Plans**

**2762.03 C (Site Plan)  
2762.05 A (Elevation)  
2762.06 A (Elevation)**

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

- 3. No construction of the superstructure of the development shall take place until samples of the materials to be used in the construction of the development hereby approved. The development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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

- 4. No development, including any demolition, shall commence unless and until a Demolition and Construction Methodology has first been submitted to and approved in writing by the Local Planning Authority to demonstrate that any proposed demolition, earthmoving, excavations, foundation construction or other building operations can be safely carried out without adversely affecting the stability of the adjacent canal infrastructure and to ensure that there would be no potential threat to the water environment of the adjoining canals and the wider network.**

**Thereafter the development shall be carried out in full accordance with the approved details.**

Reason: The detail is required prior to commencement in the interests of the structural integrity of the waterway and to safeguard the environment in accordance with Paragraphs 170 & 178-179 of the NPPF.

**5. No development shall take place until full details of the drainage proposals for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **Statement of compliance with the NPPF and NPPG policies, LPA local plan policies and HCC SuDS Policies.**
- **Anecdotal information on existing flood risk with reference to most up to date data and information.**
- **Establish location/extent of any existing and potential flood risk from all sources including existing overland flow routes, groundwater, flooding from ordinary watercourses referring to the national EA fluvial (river) and surface water flood maps.**
- **Where infiltration is proposed, evidence of ground conditions/ underlying geology and permeability including BRE Digest 365 compliant infiltration tests should be provided. A detailed drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards and industry best practice.**
- **Detailed calculations of existing/proposed surface water storage volumes and flows with post development calculations/modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change (for residential developments this is 40%).**
- **Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant Water & Sewerage Company that they have the capacity to take the proposed volumes and run-off rates.**
- **Any opportunity to improve flood risk directly by the development site or contribution to local flood risk schemes**

**The drainage system for the site shall be provided fully in accordance with the approved details prior to the occupation of development.**

Reason: To ensure that adequate measures are in place for the drainage of the site and to ensure adequate measures are undertaken to prevent flooding in accordance with Policies CS12, CS31 and CS32 of the Core Strategy.

**6. a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report**

containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

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

c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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 (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
- (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

7. Any contamination, other than that reported by virtue of Condition 6 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

- 8. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority.**

**These details shall include:**

- means of enclosure, including the materials and/or hedging plants to be used for any enclosures, together with the location of any hedgehog gates;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- tree protection plans
- finished levels and contours in relation to existing site levels, eaves and ridge heights of neighbouring properties;
- any exterior lighting works and
- the siting and design of any bird boxes, bat boxes and other habitat creation.
- a Landscape and Ecological Management Plan

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

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

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

- 9. The development hereby approved shall not be occupied until the arrangements for the parking and circulation of vehicles have been provided in accordance with drawing 2762.03 C (Site Plan). The arrangements for the circulation and parking of vehicles shall thereafter be retained in accordance with the approved plans.**

Reason: In the interests of highway safety and to ensure that there is adequate space to enter and exit the site within a forward gear in accordance with Policies CS8 and CS12 of the Core Strategy and Car Parking Standards SPD.

- 10. The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing 2762.03 C The Electric Vehicle Charging**



**points and associated infrastructure shall thereafter be retained in accordance with the approved details.**

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).

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

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

- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 1995 (As Amended) or any revisions thereto there shall be no development falling within the following schedules to the specified units without the express planning permission of the local planning authority**

**Schedule 2 Part 1 Classes A, B, C, D, E and F  
Schedule 2 Part 2 Class A**

Reason: To safeguard the structural integrity of the canal, in the interests of the visual amenities of the countryside and to ensure satisfactory amenities for future occupants in accordance with Policies CS7, CS12, CS26 and CS32 of the Core Strategy.

- 13. The development, hereby approved, shall not be occupied until arrangements for the prevention and spread of fire have been submitted to and approved in writing by the Local Planning Authority. These measures shall include the provision of fire hydrants where appropriate. The development shall not be occupied until such measures have been provided fully in accordance with the approved details.**

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

#### Article 35

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.

#### **INFORMATIVES**

#### **CONTAMINATION**

- a) The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on

“Development on Potentially Contaminated Land and/or for a Sensitive Land Use” in use across Hertfordshire and Bedfordshire. This can be found on [www.dacorum.gov.uk](http://www.dacorum.gov.uk) by searching for contaminated land and

b) Any contamination, other than that report 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.

## **CANAL WORKS**

c) The applicant/developer is advised to contact the Works Engineering Team for Canal and River Trust on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.

d) The applicant is advised that any surface water discharge to the waterway will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right, where they are granted, they will usually be subject to completion of a commercial agreement.

## **HIGHWAY INFORMATIVES**

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

e) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

[www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

f) 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.

g) 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.

h) 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.

## **BATS**

i) If bats, or evidence for them, are discovered during the course of 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

**d            21/00365/FUL -Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen- Barn A Birch Lane Flaunden Hertfordshire HP3 0PT**

Not heard due to time constraints and will be heard at a future meeting

**e            20/02125/RES- Submission of reserved matters on appearance, Landscaping, Layout and scale attached to planning permission 4/00783/17/OUT - Construction of two chalet bungalows with associated access, parking and amenity Space -Land For Development Love Lane Kings Langley Hertfordshire**

Not heard due to time constraints and will be heard at a future meeting

**f            21/01261/FUL - Demolition of Garage/Outbuildings and the construction of a detached bungalow and carport (amended scheme). - 93-95 High Street Markyate St Albans Hertfordshire AL3 8JG**

Cllr Douris declared personal interest and took part in meeting

The report was introduced by the case officer Briony Curtain

It was proposed by Councillor Williams and seconded by Councillor Durrant that the application be **Granted**

Vote:

For: 5            against: 3            Abstained: 2

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:

**BURG/22105/BUNGIF rev X**

**Location plan**

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

3. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) 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 (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

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

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

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

5. No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording

2. The programme for post investigation assessment

**3. Provision to be made for analysis of the site investigation and recording**

**4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**

**5. Provision to be made for archive deposition of the analysis and records of the site investigation**

**6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

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) demolition/development shall take place fully 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 (5) 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. The development hereby permitted shall be carried out fully in accordance with the submitted Flood Risk Assessment reference RMA - C1995c dated 25th Feb 2021 and prepared by RMA Environmental and the following mitigation measures it details:**

**o Finished floor levels shall be set no lower than 123.72 metres above Ordnance Datum (AOD).**

**These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.**

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Core Strategy 2013 and Section 14 of the NPPF.

8. **The development hereby approved shall be constructed fully in accordance with the submitted Tree Survey and Protection Plan prepared by C.A.T Landscape Consultancy (dated 9.2.21) and Tree Protection Plan NO. TPP 93 HSH 01.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019)

9. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Schedule 2, Part 1, Class A, B, C, and E**

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).

10. **The development hereby approved shall be constructed fully in accordance with the recommendations and mitigation measures set out in the submitted Preliminary Ecological Appraisal by Samsara Ecology (report date January 2021).**

Reason: In order to ensure that ecological matters are satisfactorily addressed in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

11. **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 and these measures shall thereafter be retained fully in accordance with the approved details.**

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).

**12. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o all external hard surfaces within the site;**
- o any other surfacing materials;**
- o means of enclosure;**
- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**

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

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

Reason: To 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).

**13. 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, type, routing;**
- 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 Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

14. **No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

Reason: To ensure satisfactory appearance to the development, to safeguard the visual character of the area and the adjacent listed buildings in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

**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.

2. Mud on highway

AN1) 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 1234047.

3. 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.

**g 21/00142/FUL - Demolition of existing dwelling and construction of a pair of semi-detached dwellings - Woodley, 37 Chesham Road, Bovingdon**

Not heard due to time constraints and will be heard at a future meeting

**h 21/01335/FUL - Construction of two new semi-detached cottages and new boundary wall. - 64 High Street Markyate St Albans Hertfordshire AL3 8HZ**

Councillor Douris declared an interest however this was not prejudicial so took mark in discussion and voting.

The report was introduced by the case officer Natasha Vernal

It was proposed by Councillor Williams and seconded by Councillor Hobson that the application be **Granted**

Vote:

For: 4                  against: 1                  Abstained: 5

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:**

**- 22103/SEMIB**

**- 04/FIRE1**

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

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

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

- 4. No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:**

- 1. The programme and methodology of site investigation and recording**

- 2. The programme and methodology of site investigation and recording as required by the evaluation**

- 3. The programme for post investigation assessment**

- 4. Provision to be made for analysis of the site investigation and recording**

- 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation**

- 6. Provision to be made for archive deposition of the analysis and records of the site investigation**

- 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**
- 5. i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 4.**
- 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.**
- 6. No development shall commence until a Construction Management Plan (or Construction Method Statement) 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 / Statement shall include details of:**
- a. Construction vehicle numbers, type, routing;**
  - 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) and to avoid school pick up/drop off times;**
  - h. Provision of sufficient on-site parking prior to commencement of construction activities;**
  - i. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to

commencement to ensure that the construction of the development does not result in any risks to highway safety.

- 7. All new external rainwater and soil pipes shall be formed in metal and painted black.**

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (2019).

- 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 and these measures shall thereafter be retained fully in accordance with the approved details.**

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 construction of the superstructure shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o all external hard surfaces within the site**
- o other surfacing materials**
- o means of enclosure**
- o soft landscape works**
- o refuse or other storage units.**

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

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

Reason: To 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).

- 10. The development, hereby approved, shall not be occupied until a scheme for the installation of a domestic sprinkler system complying with BS9251 has been submitted to and approved in writing by the local planning authority. The system shall be maintained at this standard. The system shall be fully installed and operational prior to the occupation of any residential unit.**

Reason: To ensure that the layout of the residential development is provided with appropriate access and makes adequate provision for the fighting of fires in accordance with Policies CS9 and CS12 of the Core Strategy.

**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.
2.
  1. The archaeological field evaluation, via trial trenching, of the proposed development area, prior to development commencing;
  2. Such appropriate mitigation measures indicated as necessary by the evaluations in both areas. These may include:
    - a) The preservation of any archaeological remains in situ, if warranted, by amendment(s) to the design of the development if this is feasible;
    - b) The appropriate archaeological excavation of any remains before any development commences on the site;

c) The archaeological monitoring and recording of the ground works of the development, including foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered);

3. The analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, a publication of these results;

4. Such other provisions as may be necessary to protect the archaeological interest of the site.

**3. Contaminated Land Informative 1:**

In the event that ground contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

**4. Contaminated Land Informative 2:**

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

**5. AN 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.

**6. AN 2) 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 1234047.

7. AN 3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

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

- i **21/01336/LBC - Construction of two new semi-detached cottages and new boundary wall - 64 High Street Markyate St Albans Hertfordshire AL3 8HZ**

The report was introduced by the case officer Natasha Vernal

It was proposed by Councillor Durrant and seconded by Councillor Williams that the application be **Granted**

Vote:

For: 5            against: 0            Abstained: 5

Resolved: **Granted**

1. **The works hereby permitted shall begin before the expiration of three years from the date of this consent.**

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 (4) 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:**

- 22103/SEMIB

- 04/FIRE1



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

**Informatives:**

1. Listed building consent 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.

**j            21/00956/FHA - Proposed open porch, attached single garage with new driveway, two storey side extension and single storey rear extension - 3 Bulstrode Close Chipperfield Kings Langley Hertfordshire WD4 9LT**

Not heard due to time constraints and will be heard at a future meeting

**k            21/01337/FHA - A single storey side return and rear extension to the existing house, including interior reconfiguration and addition of two roof lights (amended scheme - 36 Victoria Road Berkhamsted Hertfordshire HP4 2JT**

Not heard due to time constraints and will be heard at a future meeting

**6            QUARTERLY APPEALS REPORT**

Not heard due to time constraints and will be heard at a future meeting

**7            ADDENDUM**

The Meeting ended at Time Not Specified