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DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

13 JANUARY 2022

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Present:

MEMBERS:

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

Councillor also attended

OFFICERS:

PStanley	(Team Leader, Development Management & Planning)
MStickley	(Lead Planning Officer)
DTerry	(Lead Planning Officer)
HEdey	(Planning Officer)
RFreeman	(Lead Planning Officer)
JHutton	(Legal Governance Team Leader)
AKowalski	(Trainee Solicitor)
LFowell	(Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00 pm

1 MINUTES

The minutes of the meeting held on 16 December were confirmed by the Members present.

Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Maddern

Apologies received from Cllr McDowell

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

The running order of items was changed to allow for speakers. 5(f) was heard before 5(e

a 21/03989/FUL - Demolition of 31 residential garages and construction of 4 no. dwelling houses - Garage Court, Dione Road, Hemel Hempstead, Hertfordshire

The report was introduced by the case officer Martin Stickley

Martin highlighted an amendment to paragraphs 9.16 and 9.32 to update on the number of new trees proposed and CIL Zone charges:

9.16 Two new trees are proposed, and not the four stated in the report.

9.32 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. The Charging Schedule clarifies that the site is in Zone 3 within which a current charge of £131.10 per square metre is applicable to this development. This will decrease to £130.71 as of 1 January 2022.

It was proposed by Councillor Williams and seconded by Councillor Douris that it 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. **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 and Drainage Strategy reference M03001-04_FR05 dated December 2020 prepared by McCloy Consulting. The scheme shall also include:**

1. Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.
2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implement drainage strategy to include permeable paving and attenuation tank.
4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.
5. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.
6. Exceedance routes and details of any informal flooding areas for all events over the 1 in 30 year rainfall event.
7. 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 Borough Core Strategy (2013) and Paragraph 169 of the National Planning Policy Framework (2021).

3. (a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: RSK Preliminary Risk Assessment 1921152-08(00) May 2020) indicates a reasonable likelihood of harmful contamination and so no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

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

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

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

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

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). The details are required before commencement to ensure that the construction of the development does not result in pollution to the environment.

4. **Any contamination, other than that reported by virtue of Condition 3 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 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 183 and 185 of the National Planning Policy Framework (2021). The details are required before commencement to ensure that the construction of the development does not result in pollution to the environment.

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

   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).

6. **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).

7. **No construction of the superstructure shall take place until full details of external lighting and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

   - **any external lighting; and**
   - **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
   - **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.).**

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

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

   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).

8. **The window at first-floor level in the southern flank of Plot 4 shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

   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 130 (f) of the National Planning Policy Framework (2021).

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

   DBC-IW-DIO-00-DR-A-0010
   DBC-IW-DIO-00-DR-A-0100 (Revision P3)
   DBC-IW-DIO-XX-DR-A-2203
   DBC-IW-DIO-XX-DR-A-2204
   S231-J1-IA-1
   S231-J1-P1-v2
   S231-J1-P2-v2
   S231-J1-P3-v2

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

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

2. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 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.

3. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

4. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

5. This should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

6. As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage in a block earmarked for disposal will be offered an alternative garage. The Garage Management Team will wherever possible, offer a garage to rent in another garage site owned by Dacorum Borough Council in the vicinity of the development site.

b **21/03396/FUL - Demolition of existing chalet bungalow and garage. Construction of 4 no. detached three-bedroom dwellings and associated car parking and landscaping. - Middle Oak Chapel Croft Chipperfield Kings Langley Hertfordshire WD4 9EQ**

The report was introduced by the case officer Daniel Terry, who referred Members to Condition 7 of the report and that this should read Rev.B, and not Rev.A.

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

Vote:

For: 4 against: 2 Abstained: 4

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:**

   201 REV C (Proposed Site Plan);
   202 REV C (Ground Floor and First Floor Plans);
   203 REV C (Loft and Roof Plans);
   204 REV C (Proposed Elevations);
   205 REV C (Ground Floor and First Floor Plans);
   206 REV C (Loft and Roof Plans);
   207 REV C (Proposed Elevations);
   208 REV C (Proposed Street Scene Elevations);
   209 REV B (Proposed Visibility Splays).

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

3. **The development hereby permitted shall be carried out in accordance with the approved Sustainability Checklist received by the Council on 7th January 2022.**

   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 154 and 157 of the National Planning Policy Framework (2021).

4. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.**

   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, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

5. **Notwithstanding Condition 4, no development shall take place above slab level until details of the sample panels of flint work have been submitted and approved in writing by the Local Planning Authority.**

   All flint work shall be built freehand.

   Reason: To ensure that the character or appearance of the Chipperfield Conservation Area 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 (2021).

6. **Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing**

number 201 C to a maximum of 7.2metres (6 dropped kerbs and 2 risers) in accordance with HCC Highways Design Guide section 4. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. **Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 209 B. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

   Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

8. **No dwelling hereby permitted shall be occupied 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:**

   - **all external hard surfaces within the site;**
   - **other surfacing materials;**
   - **means of enclosure;**
   - **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
   - **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
   - **retained historic landscape features and proposals for restoration, where relevant.**

   The approved hard landscaping details shall be built out prior to occupation of any dwelling. 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).

9. **Notwithstanding condition 8, the development hereby permitted shall be carried out in accordance with tree protection measures detailed in paragraphs 8.1-8.12 of the Arboricultural and Planning Integration Report (ref: GHA/DS/100060:21).**

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 174 of the National Planning Policy Framework (2021).

10. **Prior to occupation of any dwelling, details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of any dwelling and retained thereafter.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 106 (d) of the National Planning Policy Framework (2021).

11. **The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing 201 REV 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).

12. **The window(s) at first floor level in the south-western and north-eastern elevations of the dwellings hereby permitted shall be permanently fitted with obscured glass (no less than level 3 on the Pilkington privacy scale or equivalent) and non-opening unless the parts of the window that can be opened are at least 1.7m above the finished floor level.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and the future occupiers of the proposal in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

13. **The dormer window serving Plot 4 and located farthest south in the rear roof slope shall be permanently fitted with obscured glass (no less than level 3 on the Pilkington privacy scale or equivalent) and non-opening unless the parts of the window that can be opened are at least 1.7m above the finished floor level.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and the future occupiers of the proposal in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

14. **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:

Class A of Part 1, Schedule 2 (Plots 1-4);
Class B of Part 1, Schedule 2 (Plot 4 only);
Class C of Part 1, Schedule 2 (Plots 1 and 2 only);
Class F of Part 1, Schedule 2 (Plots 1-4).

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), the Chipperfield Conservation Area Character Appraisal (2009) and Paragraph 130 of the National Planning Policy Framework (2021).

15. **The parking spaces shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling[s] and their visitors and for no other purpose.**

Reason: In accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013), the Dacorum Parking Standards SPD (2020) and Section 9 of the National Planning Policy Framework (2021).

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

3. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services.

4. Thames Water: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

5. New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:
https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.

6. 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 County Council website at:
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. Obstruction of highway: 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 County Council website at:
https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

8. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

c **21/04277/FUL - Demolition of existing outbuilding and construction of new 4 bedroom dwelling, with new access and associated works - Land Adjacent To Finch Cottage Tower Hill Chipperfield Kings Langley Hertfordshire**

The report was introduced by the case officer Daniel Terry

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

Vote:

For: 2 against: 4 Abstained: 4

Alternative Motion to refuse was proposed by Cllr Hollinghurst and seconded by Cllr Williams

Vote:

For: 6 against: 1 Abstained: 3

Resolved: **Refused**

Reasons for Refusal:

1. The proposed dwelling, by virtue of its increased height, bulk, floor space and volume, would be materially larger than the building it would replace. As such, the proposal is inappropriate development in the Green Belt and harmful by definition, and fails to preserve the openness of the Green Belt. The development is therefore contrary to paragraphs 148 and 149 of the National Planning Policy Framework (2021). No very special circumstances have been forwarded in this case to clearly outweigh the substantial weight that must be given to this Green Belt harm. The proposal is also therefore contrary to policy CS5 of the Core Strategy (2013).

2. The proposed dwelling, by virtue of its height, scale, positioning, design, materiality and appearance fails to respect the character, appearance and setting of the adjoining Chipperfield Conservation Area. As such the proposal results in less than substantial harm to the setting of the Conservation Area and there are insufficient public benefits to outweigh this level of harm. As such the proposal is contrary to

d **21/03912/ROC - Variation of Condition 4 (Vehicle Parking) and Condition 8 (Approved Plans) Attached to Planning Permission 19/03033/FUL (Partial Demolition of a semi-detached cottage, garages and outbuildings and construction of 3 detached dwellings)- The Orchard, Alexandra Road, Chipperfield**

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: 7 against: 1 Abstained: 2

Resolved: **Granted**

Conditions

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

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2 **The development hereby approved shall be constructed in accordance with the material schedule submitted and approved under planning reference 20/01871/DRC**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.

3 **The landscaping of the site shall be carried out in accordance with the details approved under 20/01871/DRC prior to the first occupation of the development hereby permitted.**

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

4 **The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on drawing No. 11167-902 (Site Plan) shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved**.

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

5 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

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 the issue of contamination is adequately addressed and to ensure a satisfactory development.

Informative:
Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

6 **The development hereby permitted shall be carried out and thereafter retained fully in accordance with drawings 11167/501 A (Drainage Plan) and 11167/502 A (Drainage Details)**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policies CS31 and CS32 of the Core Strategy"

7 **All remediation or protection measures identified in the WDE Verification Plan Report (December 2021) 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 the issue of contamination is adequately addressed and to ensure a satisfactory development

8 **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 Classes A and B

Reason: The Council is concerned that large extensions to the properties could result in harm to the amenities of neighbouring properties and lead to conditions prejudicial to matters of highways safety. As such the Council wishes to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality and in the interests of

highways safety in accordance with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013).

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

11167/ 501 A (Drainage Plan)
11167 / 502 A (Drainage Details)
11167 / 900 – Location Plan
11167 / 901 – Site Layout Plan
11167 / 902 – Access and Parking Plan
11167 / 910 A – Floor Plans to Plot 1
11167 / 911 A – Elevations to Plot 1
11167 / 920 A – Floor Plans to Plot 2
11167 / 921 A – Elevations to Plot 2
11167 / 930 B – Floor Plans to Plot 3
11167 / 931 B – Elevations to Plot 3
WDE Verification Plan Report (December 2021)

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

10 The dwellings, hereby approved, shall not be occupied until sprinklers, have been provided in each residential unit in accordance with BS 9251:2014 or BS EN 12845. The sprinkler system shall thereafter be permanently maintained"

Reason: To ensure adequate access and provision for the fighting of fires in accordance with Policy CS8 of the Core Strategy

e 21/03938/ROC - Removal of Condition 6 (Ventilation Strategy) attached to planning permission 21/00142/FUL (Demolition of existing dwelling and construction of a pair of semi-detached dwellings) - Woodley, 37 Chesham Road, Bovingdon

The report was introduced by the case officer Robert Freeman

It was proposed by Councillor Williams and seconded by Councillor Tindall 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 19th August 2023.

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

PL06 Revision B (Street Elevation)
PL07 Revision C (Site Plan)
PL08 Revision C (Floor Plans)
PL09 Revision B (Elevations)
PL10 Revision C (3D Views)

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

3. **The development hereby approved shall be constructed from the materials approved under planning application 21/04063/DRC.**

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. **The development, hereby approved, shall not be occupied until the access and parking arrangements shown on drawing PL07 Revision C (Site Plan) have been provided. These parking arrangements shall be thereafter retained in accordance with the approved drawings.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

5. The development hereby approved shall be carried out in accordance with the approved sustainability measures approved under planning application 21/04063/DRC

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).

6. The development hereby approved shall be carried out in accordance with the Landscaping scheme approved under planning application 21/04063/DRC

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).

7. **The development hereby approved shall not be occupied until the arrangements for the storage of refuse have been provided in accordance with the details approved under planning application 21/04063/DRC. These bin storage arrangements shall thereafter be retained in accordance with the approved details.**

   Reason: To ensure the appropriate provision for the storage of waste in accordance with Policy CS12 of the Core Strategy.

f **21/02671/FUL - Rebuilding, to the same shape and form, a completely burned down single bedroom house, and constructing a single storey extension, to form a new two-bed house. - 18 Nash Green Hemel Hempstead Hertfordshire HP3 8AA**

The report was introduced by the case officer Heather Edey

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

Vote:

For: 8 against: 0 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 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).

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

   120
   101
   105
   130
   140
   190
   49159 - Eximius Intentio - Hemel Hempstead Parking Survey - Location Map

49159 - Eximius Intentio - Hemel Hempstead Parking Survey (by CTS Traffic and Transport)

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

   CONTAMINATION INFORMATIVES:

   Contaminated Land Informative 1:

   In the event that 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.

   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.

6 APPEALS UPDATE

Philip Stanley introduced the report, highlighting a number of key appeal decisions and noting that no successful claim for Costs was made against the Council in 2021, and was happy to take questions.

Cllr Beauchamp referred to piper's hill and the Motorsports, if they were to put through another application, with the new studio application recently being granted and the impact of the noise from the motorsport, he asked if they would have to take the studio application into consideration.

Phil Stanley said that was an interesting point however Bovingdon airfield is very large and has a number of land owners. If they both have planning permission then they can both operate. The Runways Farm site has permission but is subject to a condition, requiring ~~of~~ an effective noise management plan. The principle of car racing is accepted as long as the Noise Management Plan can mitigate the harmful impact of the noise. However that noise would impact more on residential amenity. Throughout

the applications for the studios they were aware that the plot adjacent to theirs was used for that purpose and this did not stop them submitting the application.

Cllr Hollinghurst said that he had noticed there was an appeal coming down the track for Lila's wood which is off wick road in Wiggington, he wanted to mention he was a household objector to this development.

Cllr Hobson wanted to thank Philip and his team, it was a very succinct report and thanked him for the ongoing advice and support and for helping the committee make their decisions.

Cllr Guest echoed Cllr Hobsons thanks.

7 ADDENDUM

The Meeting ended at 9.41 pm