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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT**

**26 MAY 2022**

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Present:

**MEMBERS:**

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe, Beauchamp (Vice-Chairman), Durrant, Hobson, Maddern, Douris, Williams and Riddick

Councillor also attended

**OFFICERS:**

The meeting began at 7.00 pm

**1 MINUTES**

The minutes of the meeting held on 28<sup>th</sup> April 2022 were confirmed by the Members present.  
Hard-copy minutes were signed by the Chair

**2 APOLOGIES FOR ABSENCE**

Apologies received from Cllr Hollinghurst, and 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 order of applications was changed to allow for anyone wanting to speak on an application to be heard. Items 5b & 5j were moved to the end as they did not have public speakers.

- a **21/03793/MOA - Hybrid application for the redevelopment of land to provide up to 26,640m<sup>2</sup> of commercial floorspace (Classes Eg (i), Eg (iii) B2 and B8) together with associated infrastructure including a new**

**access onto Green Lane, landscaping and planting buffers, parking and circulation space. Creation of four plots for development including ground remodelling and creation of a service road. -Land at Green Lane, Hemel Hempstead**

The report was introduced by the case officer Robert Freeman, who updated Members that the word 'some' in Condition 15 is to be removed.

It was proposed by Councillor Beauchamp and seconded by Councillor Williams that it be **Delegated with a view to approval.**

Cllr Maddern stepped out part way through the presentation so was not able to vote.

Vote:

For: 9                    against: 0                    Abstained: 1

Resolved; **Granted**

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

8.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (As Amended)

8.2 That the following Heads of Terms are agreed:

- The reallocation of £250,000.00 secured in association with planning permission 4/00064/17/MFA towards the improvement of the Green Lane and Breakspear Way junction
- That enhancement works to Buncefield Lane are commenced in accordance with the Buncefield Lane Works Schedule (see Table 1 of the response from Hertfordshire Highways)
- A contribution of £250,584.00 is provided to undertake biodiversity improvements within the Borough.
- A contribution of some £6,000 is provided for the monitoring and evaluation of a Green Travel Plan in relation to the site.

8.3 That the following conditions are applied:

Conditions:

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

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

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

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990. The development hereby permitted shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved.

#### Construction Management

3. **No development shall take place until a Construction Environmental Management Plan ( CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. 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. **Post construction restoration/reinstatement of the working areas and temporary access to the public highway;**
  - j. **where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements; and**
  - k. **Phasing Plan.**

**Thereafter the construction of the development shall only be carried out in accordance with the approved Plan**

Reason: To ensure that the M1 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to protect 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).

#### Phasing

4. **This development may be implemented in phases or as individual development zones in accordance with the Parameter Plan hereby approved. Each development zone may be treated as an individual site for the purposes of discharging any application for reserved matters approval and may commence subject to conditions relating thereto.**

Reason: For the avoidance of doubt.

5. **No development on Zone 1A comprising land uses within Classes EG (iii), B2 or B8 of the Town and Country Planning (Use Class Order) 1987 (As Amended) (Option B) shall take place until market evidence or an assessment of the employment land demand has been submitted to the Local Planning Authority and agreed in writing to demonstrate a lack of commercial interest in EG (i) uses or that the use is unlikely to be taken up.**

Reason: To ensure an adequate supply of employment land uses in accordance with Policy CS34 of the Core Strategy.

## Access and Parking

6. **The submission of reserved matters for access shall include full details, for each phase or development zone, of the layout of internal access roads, gates, controlled access points, parking (including cycle and EV charging locations) loading and circulation areas:**

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. **Prior to the first occupation / use of the development hereby permitted the vehicular access to the site shall be completed in accordance with drawing number(s), 9793-WSP-XX-S278-DR-C-00101 P01 and 9793-WSP-XX-S278-DR-C-00102 P01 and in accordance with reserved matters to be submitted to and approved in writing by the Local Planning Authority. The access arrangements shall thereafter be retained in accordance with the approved details.**

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).

8. **Prior to the first occupation / use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number(s) (9793-WSP-XX-S278-DR-C-00101 P01. 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).

9. **Prior to the first occupation / use of each phase or development zone of the development hereby permitted, provision shall be made for 20% of the car parking spaces to have active provision for EV charging and 30% of the car parking spaces to have passive provision for EV charging.**

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018) and the Dacorum Borough Council Parking Standards Supplementary Planning Document (November 2020).

10. **Prior to the commencement of each phase or development zone of the development hereby permitted, a scheme for the parking of cycles including details of the number, design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before that phase of development is first occupied (or brought into use) and thereafter retained for this purpose.**

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018) and the Dacorum Borough Council Parking Standards Supplementary Planning Document (November 2020).

11. **Prior to the first occupation / use of individual units within the development a plan agreeing the appropriate Servicing and Delivery arrangements for the each unit shall be agreed in writing by the Local Planning Authority in consultation with the highway authority. Subsequent occupiers of the building are required to also update the Servicing and Delivery Plan for their unit.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 4, 5, 12 and 16 of Hertfordshire's Local Transport Plan (adopted 2018).

**12 At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site, produced in accordance with the Hertfordshire County Council Travel Plan Guidance, Mar 2020, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be based on the submitted Framework Travel Plan within (Appendix E) of the WSP Transport Assessment and updated to include:**

- **changes to relevant Government Guidance and Local Planning Authority Policies since the 2016 date of publication of the Framework Travel Plan**
- **include the measures specified in Section 6.2.4 of the WSP Air Quality Assessment report (September 2021)**
- **include the collection of baseline information on:**
  - **awareness of Ultra Low Emission Vehicles (ULEVs)**
  - **ownership of ULEVs**
- **include resources to raise awareness of ULEVs**
- **include measureable targets for ULEV uptake throughout the lifetime of the Travel Plan**

**It shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.**

Reason: To ensure the M1 motorway will continue to fulfil its purpose as part of the Strategic Road Network in accordance with the Highways Act 1980, Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development' the National Planning Policy Framework and Planning Practice Guidance. To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018) and to satisfy the requirements of Policies CS8 and CS12 of the Core Strategy.

#### Reserved Matters

**13 The submission of Reserved Matters applications for appearance and scale for each phase or development area shall comply with the Parameters Plan and Design Code hereby approved and shall include details of the following matters for each development plot:**

- **full elevations for the proposed buildings**
- **floor plans of the proposed building and**
- **full details of the materials to be used in the external appearance of the buildings.**

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

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

14. **No building on the development hereby approved shall exceed 15m in height above the finished floor level.**

Reason: For the avoidance of doubt and to ensure a satisfactory appearance to the development in accordance with the site parameters plan.

15. **The proposed building to Development Zone 3 shall have a maximum gross external area of 5740m<sup>2</sup>**

Reason: To limit the size of the building in order to adhere to the Health and Safety Executives Inner Consultation Land Use Planning advice.

16. **The submission of Reserved Matters applications for landscaping for each phase or development area shall comply with the Design Code and Landscaping Strategy for the site hereby approved and shall include details of**

- **soft landscaping measures including planting plans and specifications**
- **the siting and design of any boundary treatment including acoustic fencing to the boundary of Woodwells Cemetery**
- **exterior lighting plans and**
- **minor artefacts and structures (bin stores, benches etc)**

**No development shall take place until measures for the protection of trees have been erected in accordance with plan 2036/20-03. These shall thereafter be retained for the duration of construction.**

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

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

17

17(a) **Surface Water Drainage**

**Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:**

- **A compliance report to demonstrate how the scheme complies with HCC LLFA local standards for sustainable drainage on major developments”;**
- **Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;**
- **A Flood Exceedance Conveyance Plan;**
- **Comprehensive infiltration testing across the site to BRE DG 365;**
- **Detailed design drainage layout drawings of the SuDS proposals including cross-section details;**
- **Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;**
- **Details of how water quality will be managed during construction and post development in perpetuity;**

**Consent for any connections into third party drainage systems**

**17 (b) SuDS As Built and Maintenance Details**

**Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:**

- (a) As built plans in both .pdf and .shp file format;**
- (b) Photographs to document each key stage of the drainage system when installed on site;**
- (c) Photographs to document the completed installation of the drainage structures on site;**
- (d) The name and contact details of any appointed management company information.**

Reason:

In accordance with section 21 of the Flood and Water Management Act 2010.

Contamination

**18. (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.**

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

**19. 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 19 (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 and**

**(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

- 20 Any contamination, other than that reported by virtue of Condition 19 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.

#### Archaeology

- 21 a) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological 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 suggested by the archaeological 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 Archaeological Written Scheme of Investigation.**

Reason: To ensure the adequate investigation and recording of archaeology in accordance with Policy CS27 of the Core Strategy.

**21 b)**

- i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 21 a).**
- 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 21 a) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To ensure the adequate investigation and recording of archaeology in accordance with Policy CS27 of the Core Strategy.



Buncefield

22. **No building within the Health and Safety Executives Inner Consultation Land Use Planning Consultation Zone for the Buncefield Oil Terminal major hazard site shall be occupied by more than 100 employees at any one period in time.**

Reason: In the interests of public safety.

Approved Plans

23. **The development hereby approved shall be carried out in accordance with the following plans and documents:**

31325-PL-200 (Location Plan)  
31325-PL-201A (Parameters Plan)  
SK1200-P01 (Plateau Earthworks Analysis)  
SK1201-P01 (Plateau Contour Plan)  
SK1300-P02 (Surface and Foul Water Drainage Layout)  
SK1605-P01 (Site Section Sheet 1)  
SK1606-P01 (Site Sections Sheet 2)  
SK1611-P01 (Proposed Spine Road)  
SK1612-P01 (Proposed Spine Road)  
SK1613-P01 (Proposed Spine Road)  
SK1621-P01 (Proposed Spine Road Contours)  
SK1622-P01 (Proposed Spine Road Contours)  
SK1623-P01 (Proposed Spine Road Contours)  
9793-WSP-XX-S278-DR-C-00101 P01 (Section 278 – General Arrangement)  
9793-WSP-XX-S278-DR-C-00102 P01 (Section 278 Agreement – Forward Visibility Splay)  
9793-WSP-XX-S278-DR-C-00103 P01 (Section 278 Agreement – Forward Visibility Splay)  
2036/20-01 (Tree Constraints Plan)  
2036/20-02 (Landscape Concept Plan)  
2036/20-03 (Tree Retention, Protection and Removal Plan)  
2036/20-04 (Landscape Concept Sections)

Air Quality Assessment by WSP (September 2021)  
Biodiversity Assessment by Ecological Solutions (September 2021)  
Design and Access Statement by Michael Sparks Associates (September 2021)  
Design Code by Michael Sparks Associates (September 2021)  
Drainage Design Philosophy by RPS Group (June 2021)  
Ecological Assessment by Ecological Solutions (September 2021)  
Heritage Statement by RPS (August 2021)  
Landscape and Visual Impact Assessment by Barry Chinn Associates reference 2036/20/RP02 rev A  
Noise Impact Assessment by WSP (September 2021)  
Sustainability Statement by Turley reference PR0Z3021 (September 2021)  
Transport Assessment by WSP (September 2021)

- b **21/01095/FUL - Proposed conversion of existing farmhouse to provide four number dwellinghouses with associated parking. - Newground Farm House, Tring Road, Tring, Hertfordshire, HP23 5FR**

Item 5b was deferred to a future meeting due to time constraints.

- c **22/00003/FUL - Construction of an agricultural livestock building - Glendale Farm, Flaunden Bottom, Flaunden, Hertfordshire. HP5 1GA**

Cllr Riddick declared he had called in this item however he comes to this item with an open mind and was able to participate in the discussion and vote.

The report was introduced by the case officer Robert Freeman

It was proposed by Councillor Williams and seconded by Councillor Hobson 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:**

**21-31-01 Revision C (Existing and Proposed Block Plan)  
21-31-02 Revision B (Site Location Plan)  
21-31-03 Revision D (Proposed Floor Plan and Elevations)**

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

3. **No development shall take place until full details soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- a planting scheme with the location, number, size, species and position of trees, plants and shrubs;
- full details of any retaining structures and fences, including details of the use of planting for the external appearance of the gabion walls; and
- a planting timetable, detailing when all soft landscaping works will be carried out in relation to the construction of the development hereby permitted.

**The planting scheme shall be carried out in full in accordance with the approved planting timetable.**

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

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by Policies CS11, CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Dacorum Borough Local Plan (2004)

4. **No development shall take place until details of drainage for the application site have been submitted to and approved in writing by the Local Planning Authority. These proposals shall be implemented fully in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the drainage of the site in accordance with Policies CS8, CS31 and CS32 of the Core Strategy.

5. **The building, hereby approved, shall only be used for agriculture.**

Reason: In the interests of the visual amenities of the area in accordance with Policies CS5, CS12, CS24 and CS25 of the Core Strategy.

## **INFORMATIVE**

### **BADGERS**

- a) Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped."

### **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.

- d **22/00408/FUL - Change of use from Class E to Hot food Takeaway (Sui-Generis) - A Class Tailoring Ltd, 15 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1LA**

Cllr Beauchamp declared an interest that he had been involved with helping the resident and that he had called this application in, he did not take part in the discussion or vote.

The reports were introduced by the case officer Elspeth Palmer

The committee were not happy that sufficient information had been provided to reach a decision. A motion was put forward to defer this application until more information could be provided.

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

Vote:

For: 6                    against: 3                    Abstained: 1

Resolved: **Deferred**

**Reason for deferral:** To allow for the submission of further information which demonstrates that (a) an extractor flue / system can be built as part of this development and (b) that waste arising from the proposed use can be appropriately stored and disposed of.

**e                    22/00551/FUL - Construction of two semi detached, 2 bedroom houses, with off road parking and all ancillary works - 31 Gravel Hill Terrace Hemel Hempstead Hertfordshire HP1 1RJ**

Councillor Hobson declared that this was in her ward, she had been involved in a conversation however did not give an opinion, she said she comes with an open mind and was able to take part in the discussion and vote.

The report was introduced by the case officer Patrick Doyle

It was proposed by Councillor Beauchamp and seconded by Councillor Durrant that the application be **Delegated with a view to approval**

Vote:

For: 5                    against: 5                    Abstained: 1

Councillor Guest as chair used her deciding vote and voted for the officer recommendation.

Resolved: **Delegated with a view to approval**

**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:**

**2PL01B; 2PL02; 2PL03; 2PL04; 2PL05; 2PL06; 2PL07; S793-J"-IA-3 Report (Tree Report and Arboricultural Method Statement)**

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

3. **No construction of the superstructure shall take place until a soft landscaping plan that includes number, size, species and position of trees, plants, shrubs and wall climbing planting has been submitted to and approved in writing by the Local Planning Authority.**

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

**Any tree or shrub which forms part of the approved landscaping scheme which within a period of 10 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.**

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

4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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:**

**Classes A, AA, B, C, D, E of Schedule 2 part 1;**

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 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

5. **Prior to the first use of the development hereby permitted the vehicular accesses shall be completed and thereafter retained as shown on drawing number 2PL 01 B to a maximum size of 5.4 metres each (4 dropped kerbs and 2 risers) in accordance with HCC Highways dropped kerbs**

**Prior to first 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, sufficient, safe and convenient parking, 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) and Core Strategy policy CS8 and CS12

6. **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).

7. **The measures set out in S793-J"-IA-3 Report (Tree Report and Arboricultural Method Statement) shall be implemented in full during the construction process . The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

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).

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

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28, CS29, CS31, CS32 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and chapter 14 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 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. Biodiversity enhancements could be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, refuge habitats (e.g. log piles, hibernacula) for reptiles at the site boundaries, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.
3. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
4. Highways  
  
AN 1) 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.

AN 2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the 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.

AN 3) 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.

AN 4) 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.

5. Acoustic Separation Informative

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.

Working Hours Informative

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team [ecp@dacorum.gov.uk](mailto:ecp@dacorum.gov.uk) or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall

also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

#### Waste Management Informative

Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.

#### Air Quality Informative.

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance. This is also being encouraged by DEFRA.

#### Sustainability informative

Please note that with regard to EV charging for residential units with dedicated parking we are not talking about physical charging points in all units but the capacity to install one as it is much cheaper to install one (even if solely the wiring and ducting) at the point of building than to retrospectively install one. In addition, mitigation as listed below should be incorporated into the scheme:

All gas fired boilers to meet a minimum standard of 40 mgNO<sub>x</sub>/Kwh or consideration of alternative heat sources.

#### Invasive and Injurious Weeds - Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

6. 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.

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.

- f **22/00015/FHA - First floor, part two storey side extension and a first floor rear extension, garage conversion, alterations to openings including insertion of bi-folding doors to existing ground floor rear elevation,**



**insertion of front facing roof light to existing roof and insertion of roof light to existing single storey rear extension. Work to also include rear facing dormer with Juliette balcony to extend existing loft conversion, extension of existing chimney stack and infill of existing raised patio area, to include new access steps and glazed balustrade -36 Belham Road, Kings Langley, Hertfordshire, WD4 8BY**

The report was introduced by the Philip Stanley on behalf of Natasha Vernal who has left the Council. At the start of his presentation Philip Stanley updated Members that the Case Officer's report had not taken into account the amended plans, and that therefore the list of plans condition had also been corrected.

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

Vote:

For: 5                    against: 5                    Abstained: 1

Cllr Guest used her casting vote as the chair and voted against the officer's recommendation to grant

There was an alternative vote to refuse.

It was proposed by Councillor Beauchamp and seconded by Councillor Williams that the application be **Refused**

For: 5                    against: 5                    Abstained: 1

Cllr Guest used her casting vote as the chair and voted for refusal

Resolved: Refused

**Reasons for refusal**

1. By reason of its scale, height and bulk the proposed extensions would look out of place within the street scene and would cause significant harm to the character and appearance of the area. Therefore, the proposed development fails to comply with Policies CS11 and CS12 (f) and (g) of the Dacorum Borough Core Strategy 2013.
2. Insufficient parking is provided to serve the proposed development, thereby resulting in increased on-street parking and having a detrimental impact on highway safety. Therefore, the proposed development fails to comply with Policies CS8, CS12(a) of the Dacorum Borough Core Strategy 2013, and the Parking Standards Supplementary Planning Document (November 2020).

**g                    21/04777/RET - Retention of outbuilding - 34 Coniston Road, Kings Langley, Hertfordshire, WD4 8BU**

The report was introduced by Rob Freeman on behalf of the case officer Laura Bushby

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern that the application be **Granted**, with an additional condition relating to external lighting.

Vote:

For: 6                    against: 1                    Abstained: 4

Resolved: **Granted**

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

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

Drawing no. 300  
Location Plan

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

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

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 outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 34 Coniston Road and shall not be independently occupied.**

Reason: For the avoidance of doubt and to ensure that the use of the development remains ancillary to the use of the main dwellinghouse without allowing the intensification of residential accommodation within the site in accordance with Policy CS5 and CS11 of the Dacorum Core Strategy.

4. **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**

**Schedule 2 Part 1 Class E**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt in accordance with Policy CS5 of the Dacorum Borough Core Strategy (2013) and Section 13 of the National Planning Policy Framework (2021).

5. **Within 3 months of the date of this permission, details of any floodlighting, security lighting or other external means of lighting the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details within 3 months of their approval and thereafter maintained as such.**

Reason: To ensure that the lighting is designed to minimise problems of glare, protect residential amenity, to minimise impacts on biodiversity and avoid unnecessary light pollution in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

**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.

**h 22/00710/FHA - Proposed first floor extension, front gable extension and rooflights and rear dormer windows - Ponderosa, Barncroft Road, Berkhamsted, Hertfordshire, HP4 3NL**

Councillor Stevens declared that he was speaking in objection to this application so would not take part in the discussion or vote.

The report was introduced by Philip Stanley on behalf of the case officer Cris Lancaster

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

Vote:

For: 9                      against: 0                      Abstained: 1

Resolved:

**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:**

**BCH20 110; 115A ;500F; 501H; 502K; 503E; 504A**

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

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

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

**Informatives:**

1. Planning permission has been granted for this proposal. 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.

A vote was taken by the committee to continue hearing the applications until 10.30, the committee voted in favour of continuing. 40

**i 22/00510/FHA -Double storey rear extension - 51 Highfield Road,**

**Berkhamsted, Hertfordshire, HP4 2DD -**

The report was introduced by Robert Freeman on behalf of Laura Bushby

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

Vote:

For: 7                    against: 0                    Abstained: 3

Resolved: **Granted**

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

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

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

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

**HR15  
HR16  
HR17  
HR18  
Location Plan  
Design and Access Statement**

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

3. **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 Conservation area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

4. **No development (excluding demolition/ground investigations) shall take place until details of the parapet walls and windows to be used in the construction of the development hereby approved have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter maintained as such.**

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

**j                    22/00179/FUL - Loft Conversion - 7 Orchard Court, Bovingdon,**

**Hertfordshire, HP3 OSD**

5j was deferred until a future meeting due to time constraints.

**k            21/04741/FHA - Construction of single storey front and rear extensions -  
Old Village Hall, 87 Flaunden, Flaunden, Hertfordshire, HP3 0PP**

Item 5k was deferred prior to the start of the meeting; this will be heard at a future meeting

**6            ADDENDUM**

The Meeting ended at 10.40 pm