
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

26 JANUARY 2023

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe, Beauchamp (Vice-Chairman), Durrant, Maddern, Douris, Williams, Hollinghurst Hobson, Stevens, Tindall and Riddick **(12)**

OFFICERS:

- PStanley (Head of Development Management)
- RFreeman (Lead Planning Officer)
- SRobbins (Lead Planning Officer)
- KDalton (Assistant Team Leader Planning Enforcement)
- AStapleton (Principal Property Lawyer)
- K Johnston (Corporate & Democratic Support Officer) (Minutes) **(6)**

The meeting began at 7.00 pm

1 MINUTES

The minutes of the meeting held on 8th December 2022 were confirmed by the Members present.
Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

There were no apologies received.

3 DECLARATIONS OF INTEREST

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

4 PUBLIC PARTICIPATION

Councillor Guest advised that members of public have registered to speak at this meeting and reminded any members of the public viewing the meeting about the rules of doing so.

5a **22/00143/MFA - RE-ALIGNMENT AND RESTORATION OF THE RIVER GADE IN GADEBRIDGE PARK INCLUDING PROPOSED FOOTBRIDGE CROSSINGS AND ASSOCIATED LANDSCAPING**

GADEBRIDGE PARK, LEIGHTON BUZZARD ROAD, HEMEL HEMPSTEAD

Cllr Beauchamp declared an interest in the item as he was speaking in objection to the item; he confirmed that he would not take part in the discussion or voting.

Cllr Tindall informed the committee that he would be reading a pre written statement in support of the application on behalf of resident Christine Ridley who unfortunately could not attend tonight's meeting. He confirmed that he would take a step back and not take part in the discussion or the voting.

The Case Officer Robert Freeman, introduced the report to Members and said that the application had been referred to the Committee as it involves development upon land within the ownership of the Borough Council.

Stephen Wilson and Councillor Beauchamp spoke in objection to the application. Councillor Tindall read a pre written statement in support of the application on behalf of resident Christine Ridley as she was unable to attend tonight's meeting.

It was proposed by Councillor Stevens and seconded by Councillor Williams to **GRANT** the application in line with Officers recommendations.

Vote:

For: 7 Against: 1 Abstained: 2

Resolved: That planning permission be **GRANTED.**

It is recommended that planning permission is GRANTED subject to the conditions below. CONDITIONS

Condition(s) and Reason(s):

1. The development hereby permitted shall begin before the expiry of three years

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 full details of hard and soft landscaping works have been submitted to an approved in writing by the Local Planning Authority.

These details shall include:

- **A landscape and ecological management plan. This should include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens),**

- **soft landscape works which shall include planting plans including details of any replacement trees (equal to or exceeding the number of trees to be removed); written specifications (including cultivation and other operations**

associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

- Plans showing the extent and layout of the buffer zone adjacent to the new river course

- The materials to be used on footpaths, dipping platforms and beach areas
- all other hard surfacing materials

- details of any proposed footpaths, fencing, lighting located within 10m of the watercourse and details and

- ecological mitigation measures including new habitat creation The proposed landscaping works should reflect the general principles and key features on drawing number GDA-JBAU-XX-XX-DR-EN-0001- Indicative_Landscaping_Plan The development shall be implemented fully in accordance with the approved details.

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraph 179, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 180 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

3. 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.

Reason: The Local Planning Authority is of the opinion that the JBA consulting Gadebridge Phase 1 Contaminated Land Assessment dated July 2016 submitted at the planning application stage (Document Reference: 2015s3588_Gadebridge_Final.docx) indicates a reasonable likelihood of harmful contamination and as such this condition will ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Policy CS32 of the Core Strategy.

4. 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 3, above; has been submitted to and approved by the Local Planning Authority. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary

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

5. Upon completion of the development hereby approved a Remediation Verification Report confirming that the site is suitable for use has been

submitted to, and agreed by, the Local Planning Authority. The Verification Report report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

6. Should any ground contamination, other than that reported by virtue of Condition 3, be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the completion of the development hereby approved. Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority upon completion of the development hereby approved.

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment

7. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to any part of the permitted development being brought into use.

Reason Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater

8. No development shall take place 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:

- The programme and methodology of site investigation and recording
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To ensure that adequate measures and put in place to investigate and record archaeological deposits in accordance with the NPPF and Policy CS27 of the Core Strategy.

9. The development shall take place in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 8

Reason: To ensure that adequate measures and put in place to investigate and record archaeological deposits in accordance with the NPPF and Policy CS27 of the Core Strategy.

10. Within 3 months of the completion of the development hereby approved the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8 and the provision made for analysis and publication where appropriate.

Reason: To ensure that adequate measures and put in place to investigate and record archaeological deposits in accordance with the NPPF and Policy CS27 of the Core Strategy.

11. No development shall take place until Water Voles have been relocated in accordance with the Gadebridge Park Water Vole Mitigation Plan by JBA Consulting dated August 2022

Reason: To ensure the adequate protection of the water vole population in accordance with the Wildlife and Countryside Act 1981 and in accordance with Policy CS26 of the Core Strategy.

12 The development hereby approved shall take place in accordance with the Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement submitted by JBA Consulting dated May 2022. Protective fencing shall be erected prior to the commencement of any works and shall be retained for the duration of construction activities.

Reason: To ensure the adequate protection of retained trees in accordance with Policies CS12 and CS26 of the Core Strategy

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

Plans

Site Location Plan

GDA-JBAU-XX-XX-DR-C-0001 Revision P04 (General Arrangement and Site Constraints)

GDA-JBAU-XX-XX-DR-C-0002 Revision P04 (Proposed Channel Longitudinal Sections)

GDA-JBAU-XX-XX-DR-C-0003 Revision P04 (Landscape and Geomorphology Plan)

GDA-JBAU-XX-XX-DR-C-0004 Revision P04 (Proposed Channel Sections)

GDA-JBAU-XX-XX-DR-C-0008 Revision P01 (Spring Water Drain Works Layout Plan)

GDA-JBAU-XX-XX-DR-C-0009 Revision P01 (Spring Water Drain Works Longitudinal Profiles)

GDA-JBAU-XX-XX-DR-C-1101 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevations and Details)
GDA-JBAU-XX-XX-DR-C-1102 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevation and Details)
GDA-JBAU-XX-XX-DR-C-1103 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevations and Details)
GDA-JBAU-XX-XX-DR-C-1104 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevations and Details)
GDA-JBAU-XX-XX-DR-C-1106 Revision C01 (Bridge 2 Plan, Section, Elevation and Details)
GDA-JBAU-XX-XX-DR-C-1201-Hazards_ & Constraints.
GDA-JBAU-XX-XX-DR-C-1202-General_Arrangement
GDA-JBAU-XX-XX-DR-C-1206-Existing_Channel_Works GDA-JBAU-XX-XX-DR-EN-0001- Indicative_Landscape_Plan

Documents

Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement submitted by JBA Consulting dated May 2022

Archaeological Evaluation by Headland Archaeology Ltd dated April-May 2020

Archaeological Written Scheme of Investigation by FAS Heritage

Contaminated Land Assessment – Phase 1 Report by JBA Consulting dated July 2016

Planning, Design and Access Statement by JBA Consulting dated January 2022

Gadebridge Park Ecological Impact Assessment by JBA Consulting dated August 2022 G

Gadebridge Park River Restoration: Flood Risk Assessment by JBA Consulting dated January 2022 Gadebridge Park: Water Vole Mitigation Plan by JBA Consulting dated August 2022

Heritage Statement by FAS Heritage

Hydromorphology and Ecology Report by JBA Consulting dated June 2018

INFORMATIVES

Permitting for Flood Risk Activities Irrespective of planning approval, under the Environmental Permitting Regulations as amended 2016, the prior written permission of the Environment Agency is required for any proposed activities which will take place:

- within, under or over a main river
- within the flood plain of a main river
- within 8m of the river bank or flood defence structure/culvert
- within 16 m of a tidal defence structure/culvert
- for quarrying or excavation, within 16m of a remote defence, flood defence structure or culvert To be considered a flood risk activity the works must:
- affect flows, flood risk or land drainage • affect the stability of banks or the effectiveness of defences
- affect the Environment Agency’s access to the river or sea defences For further guidance and advice please visit the www.gov.uk website or contact National Customer Contact Centre on 03702 422 549. Water Voles Irrespective of planning approval, a licence to trap and translocate water voles is required from Natural England. We also strongly recommend that:
- Excessive scrub vegetation and non-native shrubs in the receptor site are thinned/removed to ensure the total cover does not exceed 10% of the total bank tops ahead of translocations taking place.
- A mink and water vole survey of the receptor site is done immediately ahead of translocation to ensure that all of S1 is free of mink, and that the stretch is largely free

from resident water voles, or only very low densities of resident water voles are present, so as to allow capacity for the introduced water voles.

5b 22/02628/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 21/03765/FUL (CONSTRUCTION OF DETACHED DWELLING AND ASSOCIATED ACCESS.)

21A HALL PARK, BERKHAMSTED, HERTFORDSHIRE, HP4 2NU

The Chair, Councillor Guest, deferred this item in light of the Agent's request for more time to provide additional drawings to ensure the accuracy of the submitted plans.

5c 22/03171/FHA - Installation of solar panels on garage roof

Binghams Park, Potten End Hill, Water End, Hemel Hempstead, Hertfordshire, HP1 3BN

The Case Officer Sally Robins introduced the report on behalf of Jane Miller, and said that the application had been referred to the Committee as the applicant is married to Cllr Symington.

It was proposed by Councillor Douris and seconded by Councillor Beauchamp to **GRANT** the application in line with Officers recommendations.

Vote:

For: 11 Against: 0 Abstained: 1

Resolved: That planning permission be **GRANTED**.

RECOMMENDATION 11.1 That planning permission be GRANTED, subject to the following conditions: 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 and 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 development hereby permitted shall be carried out in accordance with the following approved plans/documents:

- site plan
- existing and proposed floor plans and elevations

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 proactively 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.

5d 22/02770/FUL - ERECTION OF A 3 BEDROOM DWELLING

2 CONISTON ROAD, KINGS LANGLEY, HERTFORDSHIRE, WD4 8BU

The Case Officer Sally Robbins, introduced the report to Members and said that the application had been referred to the Committee due to contrary views of Parish Council.

It was proposed by Councillor Durrant and seconded by Councillor Beauchamp to **DELEGATED** with a view to **APPROVAL** in line with Officers recommendations.

Vote:

For: 10 Against: 1 Abstained: 1

Resolved: That planning permission be **DELEGATED** with a view to **APPROVAL**.

That the application be **DELEGATED** with a view to **APPROVAL** subject to appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Conditions and Reasons:

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 (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.**

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).

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

- a) all external hard surfaces within the site
 - b) soft landscape works, including a planting scheme with the number, size, species and position of trees, plants and shrubs.
- The planting must be carried out within one planting season of completing the development.

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

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

4. **The new dwelling hereby approved shall not be occupied until the new vehicular access shown on drawing number 'PL004 Rev A' has been completed in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The vehicular access shall thereafter be retained for the use of the dwelling known as 2 Coniston Road. Prior to the occupation of the dwelling hereby approved, 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 Dacorum Borough Core Strategy (2013) Policies CS8 and CS12.

5. **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 windows, dormer windows, doors or other openings other than those expressly authorised by this permission shall be constructed without the prior written approval of the local planning authority.**

Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

6. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**
Planning Statement
PL/001 - Location & Site Plan
PL/002 - Proposed Plans
PL/003 Rev A - Proposed Elevations
PL/004 Rev A - Crossover Details

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

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.
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.
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.
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. Working Hours: 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 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.

6. Construction Dust: Dust from operations on the site should be minimised by spraying with water or by 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.

7. Waste Management: 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.

8. Air Quality: 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.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

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. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

9. Invasive and Injurious Weeds: 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>.
10. 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.
11. 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.
12. 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.

5e 22/00335/VAR - REMOVAL OF S106 AGREEMENT ATTACHED TO PLANNING PERMISSION 4/02040/03/OUT (PROPOSED DETACHED HOUSE AND GARAGE)

BRAMLEY HOUSE, CHAPEL ROAD, FLAMSTEAD, ST ALBANS, HERTFORDSHIRE, AL3 8DD

Cllr Douris declared that he is a Hertfordshire County Councillor for that area, and confirmed that he has taken no part in any discussions relating to this item. He confirmed that he would be taking part in the discussion and voting.

Phil Stanley introduced the report to Members on behalf of Andrew Parish and said that the application had been referred to the Committee in accordance with item (4(a)) of the Scheme of Delegation.

It was proposed by Councillor Tindall and seconded by Councillor Maddern to **APPROVE** the application in line with Officers recommendations.

Vote:

For: 11 Against: 0 Abstained: 1

Resolved: That planning permission be **APPROVED**.

RECOMMENDATION:

That authority be given to remove an existing s106 agreement dated 4th November 2004 in respect of Bramley House, Chapel Lane, Flamstead.

6 APPEALS UPDATE

Philip Stanley introduced the report to Members, and presented highlights from report, in particular the amount of appeals relating to various Green Belt measures. Also highlighted that appeals performance remains excellent, though there is a higher percentage of allowed appeals for householders. The latest situation regarding the LEOT public inquiry was detailed.

The Report was noted

7a. PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT

Kyle Dalton was introduced to DMC Members as the new Assistant Team Leader, Planning Enforcement.

Kyle Dalton introduced the report to Members informing them of the status of planning enforcement cases where formal action has been taken.

Kyle presented key cases where compliance had been secured and where new Notices had been served.

The Report was noted.

7b. LOCAL ENFORCEMENT PLAN 2023 (PROJECTS AND PRIORITIES)

Kyle Dalton introduced the report to Members

It was recommended that the proposed projects / priorities for 2023 within the Local Enforcement Plan – A) Berkhamsted High Street advertisement A-board review B) Cases prior to 2016 be reduced by half C) 2020 numbers reduced by half - be taken to the Portfolio holder for APPROVAL.

It was proposed by Councillor Beauchamp and seconded by Councillor Hobson that the report be agreed and can be taken to the portfolio Holder.

Vote:

For: 12 Against: 0 Abstained: 0

The Meeting ended at 9.03 pm