
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

22 JUNE 2023

Present:

MEMBERS:

Councillor Stevens (Chairman) Councillors, Guest, C Wyatt-Lowe, Durrant, Cox, Link, Patterson, Riddick, Silwal, Mitchell, Stewart and Weston

Councillor also attended

OFFICERS:

- P Stanley (Head of Development Management)
- E Palmer (Lead Planning Officer)
- S Robbins (Lead Planning Officer)
- J Reid (Development Management Manager)
- A Stapleton (Principal Property Lawyer)
- L Fowell (Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00pm

1 MINUTES

The minutes of the meeting held on 25 May 2023. Were confirmed by the Members present.

Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

Apologies received from Cllrs Maddern, Hobson and Bristow

3 DECLARATIONS OF INTEREST

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

4 PUBLIC PARTICIPATION

Councillor Stevens 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 bring forward applications on which speakers had registered to speak.

**a 22/02531/FUL - Proposed new Residential Dwelling - Land Between 33
 And 39 Pickford Road Markyate St Albans Hertfordshire AL3 8RS**

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 the Parish Council.

Werner Ustorf spoke in objection to the application.

Parish Councillor Sheila Pilkington spoke in Objection to the application.

It was proposed by Councillor Guest and seconded by Councillor Riddick to be **DELEGATED with a view to APPROVAL.**

Vote:

For: 11 Against: 0 Abstained: 1

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

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 and the imposition of the proposed conditions.

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:**
 - o all external hard surfaces within the site;**
 - o other surfacing materials;**

- o means of enclosure;
- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- o refuse and recycling storage units.

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

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

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

4. **Should any ground contamination 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 first occupation 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 prior to the first occupation of the development hereby approved.

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. **The windows annotated as 'window to be obscurely glazed' on drawing no. BURG/22302/PLAN1N at first floor level on the southwest, northwest and southeast elevations of the dwelling hereby permitted, shall be non-opening below a level of 1.7m above internal floor level and permanently fitted with obscured glass, and retained as such in perpetuity.**

Reason: In the interests of the residential amenities of the occupants of surrounding 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).

6. **The 600mm high decorative trellis between points A and B shown on the extended northwest elevation on drawing no. BURG/22306/PLAN1N, shall be retained as such in perpetuity.**

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).

- 7. 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:**

**Schedule 2, Part 1, Classes A, and C
Schedule 2, Part 2, Class A**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

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

BURG/22208/SITE1

BURG/22302/PLAN1N

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

Informatives:

1. 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 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.

2. Construction Dust Informative: 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.

3. 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.
4. 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.

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.

5. 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. Informative: Identifying Potentially Contaminated Material: 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. The safe and secure occupancy of the site, in respect of land contamination, lies with the developer. Guidance on how to assess and manage the risks from land contamination can be found here <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

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

b 22/02538/FUL - Replacement Dwelling - Frithsden Vineyard Frithsden Lane Frithsden Hemel Hempstead Hertfordshire HP1 3DD

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 the Parish Council.

Parish Cllr Dina Westenholz-Smith spoke in objection to the application.

Jeremy Barnett and Alison MacDougall spoke in objection to the application.

Carol Trask spoke in objection to the application.

Duncan Thomson spoke in support of the application.

It was proposed by Councillor Durrant and seconded by Councillor Stewart to **GRANT** the Application

Vote:

For: 3 Against: 7 Abstained: 2

The vote for approval fell so another vote was conducted to refuse with planning reasons.

For: 6 Against: 4 Abstained: 2

Resolved: That planning permission be **REFUSED**

By virtue of the bulk, scale and height of the proposed dwelling, the development would have a significant adverse effect on the setting and appearance of the character of the village of Frithsden and its Conservation Area. These harms are exacerbated in winter months or in the event of the loss of surrounding trees. Consequently, the development fails to comply with Policies CS12 (f & g) and CS27 of the Dacorum Borough Core Strategy (September 2013), as well as Section 16 of the NPPF

c 22/03037/FUL - Demolition of existing building and the development of the site to provide 1 additional dwelling (Use Class C3) - The Croft Northchurch Common Berkhamsted Hertfordshire HP4 1LR

The Case Officer, Elspeth Palmer, introduced the report to Members and said that the application had been referred to the Committee due to objections from the Parish Council.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Durrant to **DELEGATED with a view to APPROVAL.**

Vote:

For: 11 Against: 0 Abstained: 1

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

RECOMMENDATION

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.

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:**

Site Location Plan 2813.01A

Proposed Site Plan 2813.04 A

Proposed Elevations 2813.06

Proposed Floor and Roof Plans 2813.05

Fire Tender Access Plan 2813. FIRE

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 and 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, CS12 and CS24 of the Dacorum Borough Core Strategy (2013).

4. **No development shall take place until a method statement that describes the 'reasonable avoidance measures' that will be put in place to reduce the risk of construction activities harming great crested newts within the development site. The method statement shall include:**

- **Purpose and objectives for the proposed works;**
- **The working methods to be adopted. These shall be proportionate to the level of risk;**
- **The area where the methods will be applied;**
- **The period of time these will be carried out and the people responsible; and**
- **The works shall be carried out strictly in accordance with the approved details.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

5. **Prior to occupation the installation of an integrated bat box in the new building and the introduction of night flowering plants as recommend in s7.13 & 7.14 of the PRA should be implemented and maintained in perpetuity.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

6. **Details of the proposed electric vehicle charging points and associated maintenance arrangement for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to first occupation in accordance with the agreed details.**

Reason: To enable future occupiers to charge low emission vehicles in a safe and accessible way in accordance with Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 112 (e) of the National Planning Policy Framework (2021).

7. **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:**

- **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 in particular enhancing the existing vegetation immediately to the front of The Croft to reduce the amount of glare from headlights into the front windows and any loss of privacy that may occur from passing vehicles or pedestrians;**
- **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 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.

The approved landscaping scheme must be retained in perpetuity.

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. **No development shall take place until details of the implementation, adoption, maintenance and management of the sustainable drainage system shall have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:**

(a) a timetable for its implementation; and,

(b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

The sustainable drainage system shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and 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).

9. **The development hereby permitted shall not be occupied until a scheme for the installation of sprinklers ('the sprinkler system') has been submitted to and approved in writing by the local planning authority. The sprinkler system shall be fully installed and operational prior to the occupation of any part of the development. The sprinkler system must be retained in the approved dwelling in perpetuity.**

Reason: To ensure that the layout of the residential development is provided with appropriate access and makes adequate provision for the fighting of fires in accordance with Policies CS9 and CS12 of the Dacorum Borough Core Strategy (2013) and Section 8 of the National Planning Policy Framework (2021).

10. **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:**

A, B, C, E and F

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt and the protection of the neighbouring properties amenities in accordance with Policies CS5 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 149 and 150 of the National Planning Policy Framework (2021).

11. **No construction of the superstructure shall take place until details of proposed sustainability measures (a Sustainable Design and Construction Statement) 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 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 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).

12. **The stables and summerhouse shall be demolished and the materials arising from demolition removed from the site (or the arising materials re-used or retained in a position on site as agreed by the Local Planning**

Authority in writing and thereafter retained) prior to the implementation of the development hereby permitted.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt and the protection of the neighbouring properties amenities in accordance with Policies CS5 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 149 and 150 of the National Planning Policy Framework (2021).

Reason: To accord with the approved plans and for the avoidance of doubt.

13. **The concrete yard around the stable and the gravel drive shall be removed and grassed prior to the commencement of use of the development hereby permitted.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt and the protection of the neighbouring properties amenities in accordance with Policies CS5 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 149 and 150 of the National Planning Policy Framework (2021).

Reason: To accord with the approved plans and for the avoidance of doubt.

14. **The development hereby permitted shall not be carried out and this permission shall become of no effect if the following permission:**

**4/01507/96/FHA Demolition of existing garages, store and conservatory.
Erection of double garage and store and conservatory**

Granted 6/2/97

is at any time further implemented or built out.

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 Policies CS5 of the Dacorum Borough Core Strategy (2013) and Paragraph 149 and 150 of the National Planning Policy Framework (2021).

Reason: To accord with the approved plans and for the avoidance of doubt.

15. **The permission hereby granted is an alternative to and not in addition to, either wholly or in part the following:**

**4/01507/96/FHA Demolition of existing garages, store and conservatory.
Erection of double garage and store and conservatory**

Granted 6/2/97

No further part of the development referred to in the above permission shall be carried out if any part of the development hereby permitted has been implemented.

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 Policies CS5 of the Dacorum Borough Core Strategy (2013) and Paragraph 149 and 150 of the National Planning Policy Framework (2021).

Reason: To accord with the approved plans and for the avoidance of doubt.

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. In the event that ground contamination is suspected or encountered 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.
3. 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.

4. Any soils, whether imported or site-won, to be used in the provision of soft landscaped gardens should be known to be chemically suitable (uncontaminated) for the intended end use and meet the requirements of BS3882:2015 and BS8601:2013.
5. 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. 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. 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.

8. 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>.
9. 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.
10. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

**d 23/00768/FHA - Extension over and behind existing adjacent garage. -
Chiltern Summit Chesham Road Wigginton Tring Hertfordshire HP23
6HX**

Elsbeth Palmer presented to report on behalf of The Case Officer, Victor Unuiqbe, introduced the report to Members and said that the application had been referred to the Committee due to contrary views of the Parish Council.

It was proposed by Councillor Guest and seconded by Councillor Wyatt-Lowe to **REFUSE** the application in line with Officer's recommendations.

Vote:

For: 6 Against: 4 Abstained: 2

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

**e 23/00807/FHA - Installation of trellis fencing and two gates - 22 Ashlyns
Road Berkhamsted Hertfordshire HP4 3BN**

Philip Stanley explained that the objection had been removed and that the chair could make the decision to remove from the agenda.

The chair proposed that it was removed.

The committee agreed it be removed.

6 ADDENDUM

The Meeting ended at 9.00pm