
DACORUM BOROUGH COUNCIL

DEVELOPMENT CONTROL

8 SEPTEMBER 2016

Present:

MEMBERS:

Councillor D Collins (Chairman) Councillors, Guest (Vice-Chairman), Birnie, Clark, Conway, Maddern, Matthews, Riddick, Ritchie, Whitman, C Wyatt-Lowe, Fisher and Imarni

OFFICERS:

K Mogan (Member Support Officer), Keen (Planning Officer), B Lisgarten (Legal Governance Team Leader), E Palmer (Planning Officer), P Stanley (Development Management Team Leader) and S Whelan (Group Manager - Development Management and Planning)

The meeting began at 7.00 pm

57 MINUTES

The minutes of the meeting held on 18 August 2016 were confirmed by the Members present and were then signed by the Chairman.

An addendum to the agenda was circulated before the meeting. A copy of the addendum can be found on the DBC website on the following link:

<https://democracy.dacorum.gov.uk/ieListDocuments.aspx?CIId=159&MIId=503>

58 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Tindall.

59 DECLARATIONS OF INTEREST

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

60 PUBLIC PARTICIPATION

Councillor D Collins reminded the members and the public about the rules regarding public participation.

61 4/02678/15/FUL LOXLEY FARM, CHAPEL LANE, LONG MARSTON, TRING, HP23 4QT

Proposal: The application seeks planning permission for erection of three new detached dwellings, together with new access, landscaping and car parking. The existing stable buildings are to be demolished and all three new dwellings are to be accessed independently from the main house via an existing site entrance off Astrope Lane. The proposed dwellings are two storey which take the form of L shaped barn house with modern additions. The houses are laid out to create an entrance courtyard.

I Keen introduced the item and said it had been referred to committee due to the contrary views of Tring Rural Parish Council. It had been deferred at the previous committee to await further comments from Thames Water regarding sewerage. The recommendation has changed to be delegated to the Group Manager.

Paul Thomas and Sadia Lockett spoke in support of the application.

Parish Councillor Malcolm Morgan spoke in objection on behalf of the Parish Council and the community.

4/02678/15/FUL –

It was proposed by Councillor Guest and seconded by Councillor Clark to grant this application in line with the officer's recommendation.

Vote

For: 7 Against: 3 Abstained: 2

Resolved

That planning permission be **DELEGATED** to the Group Manager for Development Management and Planning subject to the following conditions:

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

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

- 2 No development shall take place until samples and details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Details shall include:**

Details of all materials including the use of cast stone and its finish (colour, texture etc) and its justification ;
Details of windows, doors and other openings;
The interface between the upper storey cladding and this cast stone at ground level
Details of rainwater provision;

Details of rooflights

Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the Conservation Area and historic setting of the development in accordance with policy CS27 and 119 of the local plan.

- 3 No development shall take place until full details of both hard and soft landscape works in accordance with details under condition 4 shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- l) hard surfacing materials;**
- soft landscape works which shall include planting plans; 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;**
- proposed finished levels or contours**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policy CS12 and CS27 of the adopted Core Strategy.

- 4 Prior to the commencement of development, a full tree survey, tree constraints plan and tree protection measures in accordance with BS 5837; 2012 shall be submitted and approved in writing by the LPA. The development shall be carried out in strict accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policies CS12, CS27 and policy 99 of the local plan.

- 5 The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by Nimbus reference C-1526 dated August 2015 and Surface Water Management Strategy reference C1559 dated March 2016.**

- Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.**
- 1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
- 2. Implementing appropriate SuDS measures as indicated on drawing C1559-01 with the use of permeable paving, retention basin and rain garden with discharge into the watercourse.**
- 3. Providing swales as shown on drawing C1559-01 to intercept any overland flow.**
- 4. Secure remediation works for existing ditches prior to development commencement to ensure that they shall be kept clear of any obstruction to maintain any surface water flood flow.**

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with policy CS31 of the adopted Core Strategy.

- 6 **No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 30% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall also include:

5. Detailed drainage plan showing the location, size and engineering details of the proposed SuDS, pipe runs, manholes etc.

1. Detailed modelling of the drainage system to support the proposed drainage strategy.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent the increased risk of flooding, both on and off site in accordance with policy 31 of the adopted Core Strategy.

- 7 **The development permitted by this planning permission shall be carried out in accordance with the following flood risk mitigation measures:**

2. Finished flood levels are set no lower than 0.7 metres above Ordnance Datum.

- There shall be no raising of existing ground levels within Flood Zone 2 or Flood Zone 3.
- Any walls or fencing constructed within Flood Zone 2 and Flood Zone 3 shall be designed to be permeable to flood water.
- There shall be no storage of any materials including soil within the Flood Zone 3 area.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage in accordance with policy 31 of the adopted Core Strategy.

- 8 **No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall contain the programme of works on site, area of construction vehicle parking, delivery and storage of materials within the site and construction vehicles wheel washing facilities and how the development will not affect the adjacent listed building. The construction of the development hereby permitted shall then be carried out in accordance with the approved Construction Management Plan.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and harm to the listed building in accordance with Policies CS8 and CS27 of the Core Strategy.

- 9 **No development shall commence on site until a scheme has been submitted to, and agreed by the Council in consultation with Hertfordshire County Council, for the provision of a fire hydrant no dwelling shall be occupied until the hydrant serving the property or group of properties has been provided to the satisfaction of the Council.**

Reason: To provide for a safe means of access for fire and emergency vehicles in accordance with policy CS12 of the adopted Core Strategy.

- 10 **Before development commences, additional layout plans, drawn to an appropriate scale, must be submitted and approved in writing by the Local Planning Authority, which clearly demonstrate how refuse is to be collected from the site.**

Reason: The above condition is required to ensure that refuse collection does not have a significant adverse effect on the safety and efficiency of the highway and to ensure that compliance with standards in 'Roads in Hertfordshire – highway design guide' is achievable at all times in accordance with policies CS8 and CS12 of the adopted Core Strategy

- 11 **Vehicular visibility splays of not less than 2.4 m x 43 m shall be provided before any part of the development hereby permitted is first brought into use, and they shall thereafter be maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6 m and 2.0 m above the carriageway.**

Reason: In the interests of highway safety in accordance with policy CS8 of the adopted Core Strategy.

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

1. **The programme and methodology of site investigation and recording**
2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and**

recording

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

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

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

Reason: to provide properly for the likely archaeological implications of this development proposal in accordance with paragraph 141 of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and the recently issued Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

13 **1) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition 12.**

2) 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 12 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: to provide properly for the likely archaeological implications of this development proposal in accordance with paragraph 141 of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and the recently issued Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

Schedule 2 Part 1 Classes A, B, C, E, F.

Part 2 Classes A and B

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 and its historic setting, and the Flood Risk and drainage of the site in accordance with policies CS12, CS27 and CS31 of the adopted Core Strategy.

15 **Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local**

Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - (i) human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation

scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, Core Strategy.

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

P094_GA_1.01 p3
P094_GA_1.02 P3
P094_GA_1.03 P3
P094_GA_1.04 P3
P094_GA_1.05 P3
p094_SP_00 P3
P094_SP_01 p3
P094_SP_02 P3
P094_GA_2.04 p2
P094_GA_2.05 P2
P094_GA_3.04 P2
P094_GA_3.05 P2
P094_GA_2.01 p2
P094_GA_2.02 P2
P094_GA_2.03 P2
P094_GA_2.04 P2
P094_GA_2.05 P2
P094_GA_3.01 P2
P094_GA_3.02 P2
P094_GA_3.03 P2
P094_GA_3.04 P2
P094_GA_3.05 P2

Water Surface Management Strategy March 2016
Newt Mitigation Plan

P04_ms_01
P04_ms_02
P094_LP_01

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

No development shall take place before the demolition of the existing stable building.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS7, CS11, CS12 and CS27 of the Dacorum Core Strategy 2013.

**62 4/02679/15/LBC LOXLEY FARM, CHAPEL LANE, LONG MARSTON,
 TRING, HP23 4QT**

4/02679/15/LBC –

It was proposed by Councillor Guest and seconded by Councillor Clark to grant the application in line with the officer's recommendation.

Vote

For: 6 Against: 3 Abstained: 3

Resolved:

That planning permission be **DELEGATED** to the Group Manager for Development Management and Planning subject to the following conditions:

- 1 The works for which this consent is granted shall be begun before the expiration of three years from the date of this consent.**

Reason: To comply with section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

**63 4/01658/16/FUL FLAUNDEN HOUSE STABLES, FLAUNDEN, HEMEL
 HEMPSTEAD, HP3 0PW**

Proposal: The proposal is for conversion of existing agricultural barn to 2 semi-detached 3 bedroom dwellings with amenity space to the rear and 3 car parking spaces to the front of each dwelling.

Councillor Riddick left the room at 7.42pm

The item was introduced by E Palmer, who said the application had been referred to committee due to the contrary views on Flaunden Parish Council. The

recommendation has changed to delegate to the Group Manager of Development Management and Planning to amend the Unilateral Undertaking.

Abul Bunu spoke in support of this application.

Parish Councillor Vivienne Adams spoke in objection to this application.

Ian McAleer spoke in objection to this application.

It was proposed by Councillor Guest and seconded by Councillor Fisher to grant the application in line with the officer's recommendation.

Vote

For: 5 Against: 3 Abstained: 3

Resolved:

That the application be **DELEGATED** to the Group Manager for Development Management and Planning subject to the following conditions:

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

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

- 2 **No development shall take place until details/samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area to comply with CS 11,12 and 27.

- 3 **No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; 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;**
- **trees to be retained and measures for their protection during construction works;**

- **proposed finished levels or contours;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);**
- **retained historic landscape features and proposals for restoration, where relevant.**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 4 Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 5 All remediation or protection measures identified in the Remediation Statement

referred to in Condition (4) shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

6 Prior to commencement of development the refurbishment of the stables as described in the approval for 4/03481/15/MFA and listed below must be completed.

- Replacement and renewal of worn felt roof on the stables;
- Replacement of rotten stable doors with new stable doors;
- Repoint loose bricks to the bottom of wall; and
- Renew / seal leaking rainwater goods.

Reason: To ensure that the stables are refurbished and that they are available for the re-establishment of the equestrian use on the site and therefore complies with CS5 with particular reference to supporting the rural economy.

7 Prior to the commencement of development, plans showing the layout of the equestrian use shall be submitted for approval by the local planning authority to demonstrate the stables, supporting buildings and infrastructure for the operation of the livery yard, provide for horse and pedestrian safety and will support the rural economy in terms of a sustainable equestrian facility.

Reason: to ensure the proposed use supports the rural economy and maintenance of the wider green belt countryside as well as highway safety in accordance with policies CS5 (Green Belt), CS9 (Management of roads) of the Core Strategy 2013, Policy 51 (Development and transport Impacts), Policy 81 (Equestrian activities) of the Dacorum Borough Local Plan 2004 and the NPPF.

8 Detailed proposals for the fire hydrants serving the development as incorporated into the provision of the mains water services for the

development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and in accordance with the approved details thereafter implemented prior to occupation of any building forming part of the development. The development shall thereafter be implemented in accordance with those approved details.

Reason: To enable appropriate development to occur, ensure a safe, sustainable form of development which provides for its own infrastructure for fire emergencies in accordance with core strategy policies CS1, CS4, CS12 & CS29.

- 9 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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, B, C, D, E, F, G and H]
Part 2 Classes [A, B and C].**

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 and to comply with CS 5, 11, 12 and 27.

- 10 **Prior to commencement of development a Business Plan for the equestrian use must be prepared and approved by the local planning authority.**

Reason: To comply with CS5 with particular reference to supporting the rural economy.

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

CIL Form
Design and Access Statement
Planning Statement dated 26 July, 2016
Supplementary Planning Statement 4 August, 2016
15 149 P9 001 Rev B - Location Plan
15 149 P9 100 Rev C - Existing and proposed Site Plan
15 149 P9 201 Rev B - Existing Plans and Elevations
15 149 P9 202 Rev C - Proposed Floor Plans
15 149 P9 203 Rev C - Proposed Elevations
15 149 P9 204 - Comparison Footprint

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

Article 35 Statement:

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Informatives:

Highways

AN1. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

AN2. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Protected Species

"Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (Tel: 0300 060 3900) or a licensed bat consultant."

"Site clearance should be undertaken outside the bird nesting season, typically March to September (inclusive), to protect breeding birds, their nests, eggs and young. If this is not possible then a search of the building/surrounding vegetation should be made by a suitably experienced ecologist and if active nests are found, then works must be delayed until the nesting period has finished."

It is possible that bats may be using areas of the existing building.

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;

Recklessly disturb bats;

Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

Thames Water

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

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

63a 4/01227/16/FUL SHANTOCK, VENUS HILL, BOVINGDON, HEMEL HEMPSTEAD, HP3 0PG

Councillor Riddick returned to the Chamber at 8.16pm

Proposal: Planning permission is sought for a replacement dwelling, specifically the demolition of the existing chalet bungalow and the construction of a two-storey detached dwelling, based on amended plans.

The proposed dwelling would have a similar siting to the existing. Specifically it would be set back a further 3.5m from the street frontage (approximately 18.5m to 22m). The site layout would maintain the main area of private amenity space to the rear and open car parking within the forecourt.

The development would have a two-storey form, replacing the existing chalet bungalow. It would feature a gable roof with three front wall dormers and a gabled two-storey rear projection with a maximum height of 8.5m.

The replacement dwelling would contain day-to-day living accommodation together with four bedrooms and study at ground floor.

I Keen introduced the item and advised members that it had been brought to committee due to the contrary views of Bovington Parish Council.

Matthew Briffa spoke in support of the application.

It was proposed by Councillor Whitman and seconded by Councillor Clark to grant the application in line with the officer's recommendation.

Vote

For: 12 Against: 0 Abstained: 0

Resolved:

That planning permission be **GRANTED** subject to the following conditions:

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 3 **No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; 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;**
- **trees to be retained and measures for their protection during construction works;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas.**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011.

- 4 **In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five (5) years from the date of the occupation of the building for its permitted use.**

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011.

- 5 **The windows at first floor level in the north-western and south-eastern (side) elevations of the extension hereby permitted shall be non-opening below a height of 1.7m from finished floor level and shall be permanently fitted with obscured glass unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

Schedule 2 Part 1 Classes B, C, D and E

Reason: To safeguard the open character of Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy 2013.

- 7
11 **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**1461 200
1461 201 B
1461 202 B
1461 203 B**

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through positive discussion with the applicant during the determination stage which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

CONTAMINATED LAND INFORMATIVE:

The applicant is advised that a guidance document relating to land contamination is available in the Council's website:

<http://www.dacorum.gov.uk/default.aspx?page=2247>

The Government advice confirms that where a site is affected by contaminated land issues, responsibility for securing a safe development rests with the developer and / or landowner.

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Proposal: It is proposed to raise the roof ridge approximately 0.5m and pitch to convert the loft for habitable use. This will also involve the addition of one rear dormer window.

A single-storey rear extension is also proposed, 2.14m deep with a lean-to roof that would sit beneath the sill of first floor windows above.

A single-storey outbuilding is proposed within the front garden. The agent has confirmed its intended use for the storage of bicycles and a kit car. It would have dimensions of 4m wide by 4m deep with a hipped roof reaching a maximum height of 3.8m.

I Keen introduced the report and said it had been referred to committee due to the contrary views of Berkhamsted Town Council.

Members were concerned about the size of the shed in the front garden.

It was proposed by Councillor Birnie and seconded by Councillor Whitman to defer this application for further talks with the applicant to remove the shed.

Vote

For: 10 Against: 0 Abstained: 2

Resolved:

That the application be **DEFERRED** to allow for further talks with the applicant

65 APPEALS

That the following appeals be noted:

1. Lodged
2. Withdrawn
3. Forthcoming inquiries
4. Dismissed
5. Allowed

66 EXCLUSION OF THE PUBLIC

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to an ongoing enforcement investigation and proposed action by the Council in connection with the investigation into an alleged breach in planning control, being also a criminal offence under Section 224 of the Town and Country Planning Act 1990. (LGA 1972 Schedule 12A Part 1 Paragraph 7 as amended by The Local Government (Access to Information) (Variation) Order 2006

67 E/12/00139 -LAND AT FLAUNDEN HOUSE STABLES, BIRCH LANE, FLAUNDEN, HEMEL HEMPSTEAD, HERTS, HP3 0PW

Full details are in the Part 2 minutes

The Meeting ended at 9.08 pm