
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

16 MARCH 2017

Present:

MEMBERS:

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

Councillor G Sutton and Williams also attended

OFFICERS:

K Mogan (Member Support Officer), B Curtain (Lead Planning Officer), C Gaunt (Solicitor), Keen (Planning Officer), R Marber (Planning Officer), P Newton (Planning Casework Team Leader) and Rennie (Lead Planning Officer)

The meeting began at 7.00 pm

169 MINUTES

The minutes of the meeting held on 23 February 2017 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?CId=159&Mid=512>

170 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors Fisher and Whitman.

171 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.

172 PUBLIC PARTICIPATION

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

173 **4/02833/16/MFA - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF SEVEN HOUSES AND ONE LIVE/WORK UNIT WITH ASSOCIATED PARKING AND ACCESS ARRANGEMENTS - VICTORY HOUSE, WILSTONE BRIDGE, TRING ROAD, WILSTONE, TRING, HP23 4PQ**

T Rennie introduced the item and said it had been referred to committee due to the contrary views of Tring Rural Parish Council.

Christopher Higenbottam and Colin Stone spoke in support of the application.

Members were concerned about the bridge and the issue of material delivery. They asked to impose a condition to protect the bridge and divert site traffic. P Newton said condition 6 could be adapted to cover this.

It was proposed by Councillor Matthews and seconded by Councillor Ritchie to grant the application in line with the officer's recommendation with the additional condition concerning the bridge.

Vote

For: 11 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 construction of the dwellings hereby approved shall not take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the character and appearance of the setting of the adjacent listed bridge and lock in accordance with adopted Core Strategy Policies CS12 and CS27.

- 3 **The construction of the dwellings shall not 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);

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 adopted Core Strategy Policy CS12 and saved Local Plan Policy 106.

- 4 **Visibility splays of not less than 2.4m x 38m shall be provided, and thereafter maintained, in both directions from the access onto Tring Road, as shown in principle in Document 453416-PEP-00-XX-DR-D-1300 P02 Proposed Access Arrangement.**

Reason: In the interest of highway safety.

- 5 **The development shall not be occupied until the access, car parking and turning areas have been constructed and surfaced. The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.**

Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents and businesses.

- 6 **Prior to the commencement of any works a Construction Traffic Management Plan shall be submitted to and approved in writing with the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

The Construction Traffic Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;**
- b) Traffic management requirements;**
- c) Construction and storage compounds (including areas designated for car parking);**
- d) Siting and details of wheel washing facilities;**
- e) Cleaning of site entrances, site tracks and the adjacent public highway;**
- f) Provision of sufficient on-site parking prior to commencement of construction activities;**
- g) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 7 **The proposed car parking spaces shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.**

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

- 8 **The proposed car parking spaces must have sufficient manoeuvring space to ensure all vehicles, including service and emergency vehicles, can enter and exit the site in a forward gear, as demonstrated in principle in diagram 453416-PEP-00-XX-DR-C-1700.**

Reason: The above condition is required to demonstrate that an acceptable standard can be achieved.

- 9 **All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.**

Reason: In the interest of highway safety and free and safe flow of traffic

- 10 **The business floorspace of Live/Work Unit 7 identified as “Work Unit” on drawing 2060/05A shall not be used for any purpose other than for purposes within Class B1(a) in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

Reason: To enable the local planning authority to retain control over the development in the interests of supporting the rural economy in accordance with Core Strategy policy CS7.

- 11 **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
Part 2 Classes 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.

- 12 **Notwithstanding the plans submitted prior to the commencement of development, details of the proposed protective fencing to be erected to safeguard the waterway infrastructure during construction of the development shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.**

Reason: To comply with policy CS32 of the Dacorum adopted Core Strategy and paragraph 109 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc. entering the canal.

- 13 **Notwithstanding the plans submitted prior to the occupation of the dwellings details of the proposed lighting for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.**

Reason: To comply with paragraph 125 of the National Planning Policy Framework as the lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect the integrity

of the waterway infrastructure.

- 14 **No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.**

- A) Risk assessment of potentially damaging construction activities.**
- B) Identification of “biodiversity protection zones”.**
- C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).**
- D) The location and timings of sensitive works to avoid harm to biodiversity features.**
- E) The times during which construction when specialist ecologists may need to be present on site to oversee works.**
- F) Responsible persons and lines of communication.**
- G) Use of protective fences, exclusion barriers and warning signs.**

The approved CEMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the Local Wildlife Site and to accord with saved Local Plan Policy 106.

- 15 **The development permitted by this planning permission shall be carried out in accordance with the approved The Surface Water & Foul Drainage Design and Maintenance Philosophy carried out by PEP reference 453416-PEP-00-XX-RP-D-6200 dated October 2016 and the following mitigation measures detailed within the FRA:**

- 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 shown on the Drainage Strategy drawing.**
- 3. Undertake drainage strategy based on attenuation and discharge restricted at 5l/s and to include permeable paving.**
- 4. Secure clearance works for existing ditches including any culverts and ensure that they shall be kept clear of any obstruction to maintain any surface water flow.**

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 prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants.

- 16 **The construction of the dwellings shall not take place until a detailed surface water drainage scheme for the site based on the approved Drainage strategy and 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 1 in 100 year + 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.**

- 1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.**
- 2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent the increased risk of flooding, both on and off site

17

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 ensure that reasonable facilities are made available to record archaeological evidence.

18 **i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition 17.**

ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

19 **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.

- 20 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 19 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

- 21 **The development hereby permitted shall be carried out in accordance with the approved sustainability statement.**

Reason: To ensure the sustainable development of the site in accordance with adopted Core Strategy :Policy CS29.

- 22 **No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority for the provision of a fire hydrant(s) to serve the development. The development shall not be occupied until the approved scheme of fire hydrant(s) has been installed.**

Reason: To ensure water supplies are provided to adequately serve the site in accordance with BS 9999.

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

**2060/01;
2060/02C;
2060/03;
2060/04A;
2060/05A;
2060/06A;
2060/07;
2060/08;
2060/09B;
2060/10A;
2060/11
453416-PEP-00-XX-DR-D-1200 P05;
453416-PEP-00-XX-DR-D-1300 P02;
453416-PEP-00-XX-DR-D-1700 P05.**

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:

Canal and River Trust

“The applicant/developer is advised to contact the Waterway Engineer on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.

For the Trust to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

Environment Agency

Government guidance contained within the National Planning Practice Guidance

(Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

We can confirm that there is a main sewer network within 15m of the site and therefore the foul drainage should be connected to the main sewer.

Conservation and Design

Victory house and the 19th century outbuildings should be recorded and a copy of this record deposited in the Hertfordshire HER.

Thames Water

Waste Comments

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. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Package Treatment Works - Foul water for this development is not draining into Thames Water assets and therefore does not affect us.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Highways

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their 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 and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to willfully 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 website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

Lead Local Flood Authority

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage

<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/>

174 4/02294/16/FUL - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING WITH BASEMENT - BELLAVISTA, FELDEN LANE, HEMEL HEMPSTEAD, HP3 0BB

Councillor Guest declared a personal interest as the architect was known to her. She reserved her right to speak and vote on this item.

B Curtain introduced the report and said it had been called in at the request of Councillor Riddick.

Councillor Maddern arrived at 7.26pm and took no part in the discussion or voting of this item.

David Kirkland spoke in support of the application.

Councillor Imarni arrived at 7.39pm and took no part in the discussion or voting of this item.

Robert Scott spoke in objection to the application.

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

Vote

For: 8 Against: 2 Abstained: 1

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 **No development shall commence on the building (above ground works) hereby approved until samples of the materials proposed to be used on the external walls and roofs of the development and full details of the window and door details and finishes shall have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: To ensure a satisfactory appearance to the development and to comply with Policy Cs12 of the Core Strategy.

- 3 **The dwelling hereby approved shall not be occupied 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:**

- 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;**
- **finished levels and 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, to safeguard the visual character of the immediate area and to safeguard the residential amenities of adjacent properties.

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

Schedule 2 Part 1 Classes A, and B

Reason: 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.

- 5 Notwithstanding any details submitted as part of the planning application, no development shall commence on the building (above ground works) hereby permitted, until plans and details showing how the development will provide for renewable energy and conservation measures, and sustainable drainage and water conservation shall be submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To ensure the sustainable development of the site in accordance with CS29 of the Adopted core Strategy.

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

PL - 01 - Rev P1 - Proposed Location Plan
PL - 02 - Rev P4 - Proposed Site Plan
PL - 03 - Rev P4 - Proposed Plan G/F
PL - 04 - Rev P4 - Proposed Plan F/F
PL - 05 - Rev P2 - Proposed Plan B/M 01
PL - 06 - Rev P2 - Proposed Plan B/M 02

EL - 01 - Rev P4 - Proposed Elevations 01
EL - 02 - Rev P4 - Proposed Elevations 02
EL - 04 - Rev P2 - Proposed Views 02
EL - 05 - Rev P3 - Proposed Views 03

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 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:

- The applicant is reminded that;

“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 (particularly in the areas highlighted by Herts Ecology), work must stop immediately and advice sought on how to proceed lawfully from Natural England (Tel: 0300 060 3900) or a licensed bat consultant.”

- The applicant is advised that the freehold of the property is affected by the presence of a 100mm ductile iron public water main and this water main must be safeguarded during any proposed development.

HIGHWAY INFORMATIVES:

1. Obstruction of public highway land: 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 website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

THREE CHERRY TREES LANE, HEMEL HEMPSTEAD, HP2 7HN

The Chair agreed to WITHDRAW the application prior to the meeting for consideration to allow further time to clarify the history/lawfulness of the site use and to adequately assess/respond to the late representations/objections from local residents.

176 4/03035/16/FUL - DETACHED THREE-BED BUNGALOW TO REAR - 8 ST ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NG

I Keen introduced the report and said it had been referred to committee as it had been called in by Councillor Birnie.

Charlotte Williams spoke in support of the application.

Chris Lloyd-Staples and Iryna Osukhovska spoke in objection to the application.

Members were concerned that the conditions on the previously approved application were not included in this new application.

It was proposed by Councillor Matthews and seconded by Councillor Birnie that the application be deferred to allow for clarification on issues such as the dimensions of the site and the parking manoeuvrability.

Vote

For: 11 Against: 0 Abstained: 2

Resolved:

That the application be **DEFERRED** for further clarification.

177 4/03127/16/FUL - REPLACEMENT DWELLING - POOKS HILL, GOLF CLUB ROAD, LITTLE GADDESSEN, BERKHAMSTED, HP4 1LY

R Marber introduced the report and said it had been referred to committee due to the contrary views of Little Gaddesden Parish Council.

Jonathon Weeks spoke in support of the application.

Parish Councillor Louise Archer spoke in objection to the application.

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

Vote

For: 11 Against: 0 Abstained: 2

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 **No development (excluding demolition) 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. Details of material shall include:**

**Fenestrations;
Slate
Bricks;
Brick bond;
Mortar finish;
Stone;
Joinery details; and
finish of rainwatergoods.**

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

Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

Reason: To safeguard the character and appearance of the Listed Historic Park and AONB; in accordance with policies CS12, CS24, CS25 and CS27 of the Core Strategy (2013).

- 3 **Within 6 months of the date of this permission 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; and**
- **trees to be retained and measures for their protection during construction works;**

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 historic environment and AONB in accordance with policies CS12, CS24, CS25 and CS27 of the Core Strategy (2013).

- 4 **Both windows serving the bathrooms at first floor level in the west side elevation of the new dwelling hereby permitted shall be permanently fitted with obscured glass and non-opening below a height of 1.7m from floor level.**

Reason: In the interests of the residential amenities of the occupants of the adjacent

dwelling and future occupiers of the dwelling house; in accordance with Policy CS12 of the Core Strategy (2013).

- 5 **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, D and E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character and appearance of the Chilterns AONB, rural area and historic environment; in accordance with policies CS7, CS12, CS24, CS25 and CS27 of the Core Strategy (2013) and saved policies 23 and 97 of the Local Plan (2004).

- 6 **Demolition of the existing dwelling shown on drawing number 16 490 PL10 A shall not take place before the history of the existing dwellinghouse has been appropriately recorded by means of photographs and drawings at metric scale of 1:20. This recording shall then be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interest of preserving the Historic Character of the Environment, in accordance with policy CS25 and CS27 of the Core Strategy (2013).

- 7 **All structures and buildings existing on the site shown on Drawing No. 16 490 PL10 A shall be demolished and the materials removed within 56 days of the first occupation of the development hereby permitted.**

Reason: To safeguard and maintain the character and appearance of the Chilterns AONB, rural area and historic environment; in accordance with policies CS7, CS12, CS24, CS25 and CS27 of the Core Strategy (2013) and saved policies 23 and 97 of the Local Plan (2004).

- 8 **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 (8) to (10) 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 (10) has been complied with in relation to that contamination.**

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:

- (i) a survey of the extent, scale and nature of contamination;**
- (ii) an assessment of the potential risks to:**
 - 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;
- (iii) 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'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

9 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

10 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 carrying 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

11 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 (8) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (8), 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 (9).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

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>

12 Any works that disturb identified bat roosting places identified in the ecological appraisal (Cherryfield Ecology 13/09/2016) shall not in any circumstances commence unless the local planning authority has been provided with a licence issued by pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2010 and to ensure biodiversity is conserved and enhanced in accordance with policy CS26 of the Core Strategy (2013) and the NPPF (2012).

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

Arboricultural Impact Assessment and Arboricultural Method Statement dating 21st November 2016

Tree Survey Report dating 15th July 2016

Cherryfield Ecology Report dating 16th September 2016

Cherryfield Ecology Report dating 11th July 2016

16 490 PC11C

16 490 PL12C

16 490 PL13B

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

Informative 1 - Ecology

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

2. The area of grass around the proposed development site should be mown/strimmed as short as possible before and during construction to ensure it remains/becomes unfavourable for reptiles and amphibians;

Stored materials (that might act as temporary resting places) are raised off the ground eg on pallets or batons; and any rubbish is cleared away to minimise the risk of reptiles or amphibians using the piles for shelter;

Trenches or excavations are backfilled before nightfall or a ramp left to allow reptiles and amphibians to escape;

Building work should (ideally) be carried out during April-June, when amphibians are more likely to be found in ponds and less likely to be found on site;

If protected species being found, work must stop immediately and ecological advice taken on how to proceed lawfully from Natural England (0300 060 3900) or an ecological consultant.

Informative 2 - 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

178 4/03444/16/FHA - TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION, EXTENDED DRIVEWAY, REPLACEMENT GARAGE ROOF AND ENLARGEMENT OF FRONT PORCH - 16 BARTEL CLOSE, HEMEL HEMPSTEAD, HP3 8LX

R Marber introduced the item and said it had been referred to committee as it had been called in by Councillor G Sutton.

Gary Gadston spoke in support of the application.

Hazel Bassadone spoke in objection to the application.

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

Vote

For: 12 Against: 0 Abstained: 1

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development, in accordance with policy CS12 of the Core Strategy (2013).

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

**06 Rev B
05 Rev A
08 Rev A
04 Rev A**

- 4

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

The windows at ground floor level in the side elevation of the porch extension hereby permitted shall be permanently fitted with obscured glass unless

otherwise agreed in writing by the local planning authority.

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings; in accordance with saved appendix 3 of the Local Plan (2004) and policy CS12 of the Core Strategy (2013).

Informative 1 -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.

Informative 2- Highways

1. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.
2. The proposed car parking space shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.
3. Before the premises are occupied all on site vehicular areas shall be surfaced in permeable paving. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
4. Obstruction of public highway land: 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 website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
5. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

Informative 3- Construction Hours

Noisy construction works are limited to the following:

Monday to Saturday - 7:30am to 6:30pm
Sundays and bank holidays - no noisy activities allowed

179 4/03266/16/ROC - VARIATION OF CONDITIONS 5 (HARD SURFACING MATERIALS - CHANGE OF AMENITY AREA TO CAR PARKING) AND 18 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00779/15/MFA (DEMOLITION OF EXISTING OFFICE BUILDING. CONSTRUCTION OF 14 NEW FLATS IN A FOUR-STOREY BUILDING WITH ASSOCIATED CAR PARKING AND LANDSCAPING) - ABLE HOUSE, FIGTREE HILL, HEMEL HEMPSTEAD, HP2 5XH

A Parrish introduced the item and said this was a council owned site and was previously deferred by members at the 12th January 2017 meeting. It was deferred due to concerns over the refuse turning area. The Waste Services manager has now accept the current arrangements.

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

Vote

For: 12 Against: 0 Abstained: 1

Resolved:

That the application be **DELEGATED** to the Group Manager - Development Management & Planning with a view to approval subject to the completion of a Deed of Variation to the existing planning obligation under s.106 of the Town and Country Planning Act 1990 and the conditions below:

- 1 The development shall be carried out in accordance with the materials approved under application reference 4/00586/16/DRC.**

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

- 2 The development (with the exception of demolition) shall be carried out in accordance with the approved plans and elevations and in accordance with the details of windows, doors and openings, balconies, railings, balustrades and rainwater goods approved under application reference 4/00586/16/DRC.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS10, 11, 12 and 13 of the Dacorum Core Strategy (September 2013).

- 3 The development shall be carried out in accordance with the slab, finished floor and ridge levels approved under application reference 4/00586/16/DRC.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 4 The details of hard and soft landscaping shown on Drg. Nos. 11547.03 GD and A15-108-GA70 Rev B, finished levels and means of screening the roof garden shown on Drg. No. A15-108-GA70B and A15-108-PA20A & PA21A and external**

lighting and CCTV shown on Drg. No. A15-108-GA-60 Rev C shall be carried out prior to the first occupation of the development hereby permitted and the details shall thereafter be retained.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by 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 saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.

5 Notwithstanding any details submitted, prior to the commencement of any landscaping, details of the following shall be submitted to and approved in writing by the local planning authority:

- **external lighting luminaires;**
- **hard and soft landscaping of the roof garden, including seating;**
- **minor artefacts and structures (e.g. furniture, other storage units, signs etc.);**

The approved details 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 saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.

6 The development hereby permitted shall be carried out in accordance with the C-Plan Sustainability Statement and Section 7 (Sustainability and Environment Statement) of the Design and Access Statement approved under application reference 4/00779/15/MFA, and in accordance with the energy statement approved under application reference 4/00586/16/DRC. The measures identified in the statements shall be retained and adequately maintained at all times.

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS29 and 31 and Para. 18.22 of the Dacorum Borough Core Strategy September 2013 and adopted Supplementary Planning Guidance.

7 Prior to first occupation of the development, a post construction review to formally demonstrate achievement of the energy performance target approved under Condition 6 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS29 and 31 and Para. 18.22 of the Dacorum Borough Core

Strategy September 2013 and adopted Supplementary Planning Guidance.

- 8 **The development shall not be occupied until the details of sustainable surface water drainage shown on Drg. No. 16-001-DR1 Rev 9 and in Plane Infiltration System Design shall have been provided, and they shall thereafter be permanently retained.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS29 and 31 of the Dacorum Borough Core Strategy September 2013 and adopted Supplementary Planning Guidance.

- 9 **The development shall be carried out in accordance with the measures set down in Section 3.5 (Crime Prevention) of the Design and Access Statement approved under application reference 4/00779/15/MFA. The measures shall thereafter be retained and adequately maintained at all times.**

Reason: To ensure a secure and safe form of development for the residents in accordance with Best Practice and Secured by Design principles and Policy CS12 of the Dacorum Core Strategy (September 2013).

- 10 **The development shall be carried out in accordance with the details of site waste management plan (SWMP) approved under application reference 4/02639/15/DRC and 4/02051/16/DRC.**

Reason: To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013) and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.

- 11 **The development shall be carried out throughout the construction period in accordance with the details of Construction Management Plan approved under planning reference 4/02639/16/DRC.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 12 **The development hereby permitted shall not be occupied until the arrangements for vehicle parking, cycle parking, circulation, turning and access shown on Drawing No. A15-108-GA-70 Rev B shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Reason: To ensure that adequate access and parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highways, and to encourage the use of sustainable modes of transport in accordance with saved Policy 51 and 58 of the adopted Dacorum Borough Local Plan 1991 - 2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 13 **Notwithstanding any details submitted with the application, no development (with the exception of demolition) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the local planning authority. This assessment shall be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it shall include:**

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - (a) human health;
 - (b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - (c) adjoining land;
 - (d) groundwater and surface waters; and,
 - (e) ecological systems.
 - (f) archaeological sites and ancient monuments;
- (iii) 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'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

- 14 **No development (with the exception of demolition) shall take place until 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 environment has been submitted to and approved in writing by the local planning authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, proposed preferred option(s), and a timetable of works and site management procedures. The scheme shall ensure that the site does 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. The remediation scheme shall be implemented in accordance with the approved timetable of works.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

- 15 **Within 6 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to the local planning authority for its written approval.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

- 16 **In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 7 days to the local planning authority and once the local planning authority has identified the part of the site affected by the unexpected contamination, development shall be halted on that part of the site. An assessment shall be undertaken in accordance with the requirements of Condition No 13, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted to and approved in writing by the local planning authority in accordance with the requirements of Condition No 14. The measures in the approved remediation scheme shall then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing by the local planning authority in accordance with Condition No 15.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.

- 17 **The windows at first floor level in the north elevation of the development hereby permitted shall be non-opening 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 Core Strategy

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

**11547.03 GD
16-001-DR1 Rev 9
A-15-108-GA-70 Rev H
A-15-108-GA-60 Rev C
A15-108-PA20A
A15-108-PA21A
A15-108-PA01C**

together with the following plans approved under 4/00779/15/MFA:

**14003/020
14003/021
14003/022
14003/023
14003/024
14003/026 Rev B
14003/027 Rev A**

14003/028 Rev C
14003/029 Rev D
14003/033

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 pre-application and 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:

The development hereby permitted is an amendment to the permission granted under planning permission 4/00779/15/MFA.

Thames Water

Waste Comments

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.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

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.

Affinity Water

You should be aware that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

180 APPEALS UPDATE

That the following appeals be noted:

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

The Meeting ended at 9.35 pm