
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

27 APRIL 2017

Present:

MEMBERS:

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

OFFICERS:

K Mogan (Member Support Officer), N Gibbs (Lead Planning Officer), Keen (Planning Officer), B Lisgarten (Legal Governance Team Leader and Deputy Monitoring Officer), P Newton (Planning Casework Team Leader), A Parrish (Lead Planning Officer) and Seed (Lead Planner)

The meeting began at 7.00 pm

188 MINUTES

The minutes of the meeting held on 6 April 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=514>

189 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors Whitman and Tindall.

190 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.

191 PUBLIC PARTICIPATION

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

192 4/03473/16/MFA - CONSTRUCTION OF A CARE HOME FOR THE ELDERLY AND A NEW GP SURGERY - 32 HIGH STREET, KINGS

LANGLEY, WD4 8AA

N Gibbs introduced the report and said this application had been deferred at the last committee as members requested further information. This information has been provided in the addendum.

Councillor Birnie left the room at 19.09pm so did not take part in the voting of this item.

Ian Stone spoke in support of the application.

Phil Cheetham spoke in objection to the application.

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

Vote

For: 8 Against: 1 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 part of the development hereby permitted shall take place until details and samples (where appropriate) of the materials (including glazing) 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 and the hard surfaced courtyard shall be constructed of permeable material in accordance with details submitted to and approved in writing by the local planning authority. 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: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building and in the interests of sustainable drainage to accord with the requirements of Policies CS10 ,CS12, CS27 and CS29 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 3 **All new external rainwater and soil pipes shall be formed in metal and painted black and all windows, doors and fascias shall be of timber and the rooflights shall be of a Conservation type.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 4 **This planning permission does not approve the removal of any of Trees T1 to T17 shown by Drawing No. D0188- 002 - D . All of these trees shall be protected during the whole period of construction fully in accordance with the details shown by Drawing No. Drawing No. D0188- 002 - D. Notwithstanding the submitted details a scheme for soft landscape works shall be carried during the first planting season following the first use of the development hereby permitted fully in accordance with details submitted to and approved in writing by the local planning authority. For the purposes of this condition the planting season is between 1 October and 31 March.**

Reason: To ensure that the development is compatible with the setting of the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 5 **Any tree, hedge or shrub which forms part of the approved landscaping scheme subject to Condition 4 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, section of equivalent hedge or shrub of a species, size and maturity to be approved by the local planning authority.**

Reason: To ensure that the development is compatible with the setting of the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10, CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 6 **Prior to the commencement of the development hereby permitted details /samples of hard landscaping(including boundary treatment, full details of the retained existing boundary wall to Langley Hill Close, permeable surface materials and external drying facilities) shall have been submitted to and approved in writing by the local planning authority. The details of the retained boundary wall shall include a full constructional method statement in relation to the adjoining land within Langley Hill Close with reference to land and wall stability.**

The approved materials shall be used in the implementation of the development and all the approved boundary treatment and any associated hard landscaping shall be carried out / installed prior to the first use of the building or the approved amenity area and thereafter shall be retained at all times.

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building, biodiversity and in the interests of the residential amenity (especially no. 7 Langley Hill Close with regard to the issues of privacy and noise attenuation) and land stability to accord with the requirements of Policies CS10 ,CS12, CS27 and CS32 of the Dacorum Core Strategy and the saved

Policies 119 and 120 of the Dacorum Borough Local Plan.

- 7 **The details of boundary treatment in accordance with Condition 6 shall include a scheme for additional boundary treatment with specific reference to acoustic measures in relation to 7 Langley Hill Close. All the approved boundary treatment and any associated measures shall be installed prior to the first use of any part of the development including the approved amenity area and thereafter the approved boundary treatment shall be retained at all times.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building and in the interests of the residential amenity, especially no. 7 Langley Hill Close with regard to the issues of privacy and noise attenuation to accord with the requirements of Policies CS10 ,CS12 and CS32 of the Dacorum Core Strategy.

- 8 **The development hereby permitted shall not be occupied until the access arrangements and turning facilities shown by the approved drawings have been provided fully in accordance with the approved details. Thereafter the access and turning area shall be retained at all times and only used for the approved purposes. The access road and turning area shall be constructed so that they are capable of bearing the weight of a 15.5 tonne vehicle and have a gradient of no less than 1 in 20.**

Reason: In the interests of highway safety and to ensure that emergency and service vehicles are able to serve the development at all times in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 9 **The development hereby permitted shall not be occupied until all the approved arrangements for vehicle parking (including those for persons with disabilities) shown by the approved drawings and cycle storage shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. An additional cycle storage facility provided to serve the surgery.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities including persons with disabilities in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and saved Policy 63 of the Dacorum Borough Local Plan.

- 10 **Prior to the first occupation of the development hereby permitted and notwithstanding the submitted details a Green Travel Plan shall be submitted to the local planning authority. The Travel Plan shall provide details of measures for reducing car dependency, the need to travel to site by car whilst promoting alternative modes of transport such as walking, cycling and use of public transport. This shall be prepared in accordance with the Guidance Note “Developing a Green Travel Plan” by Hertfordshire Technical Chief Officers. The approved Green Travel Plan shall be carried out fully in accordance with the approved details.**

Reason: In accordance with the sustainable transportation policies of the development plan in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 11 **All the windows of the development hereby permitted shall be installed with**

glazing to limit noise transmission fully in accordance with details submitted to and approved by the local planning authority and any bathroom windows of the development hereby permitted shall be permanently fitted with obscured glass. The development shall be carried out fully in accordance with the approved details and thereafter the approved glazing shall be retained at all times.

Reason : In the interests of residential amenity to accord with Policies 12 and 32 of the Dacorum Borough Core Strategy.

12 **Prior to the commencement of the development hereby permitted revised copies of the following reports shall be submitted:**

- **Preliminary Investigation Report Preliminary Investigation Report; Contract: 52200; Ian Farmer Associates (1998) Limited; March 2014**
- **Report on Phase 2 Ground Investigation; Contract 52200A; Ian Farmer Associates (1998) Limited; May 2014.**

The reports must be revised and re-issued to take into account the new application and any alterations to the proposed site layout. The Report on Phase 2 Ground Investigation, (specifically section 8.4 Risk Assessment - Human Health) must be updated to reflect the changes to guidance which have occurred since the report was initially written in May 2014, (the publication of new generic assessment criteria – S4ULs etc.)

If the revised 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 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 Policies CS31 and CS32 of the Dacorum Core Strategy.

13 **All remediation or protection measures identified in the Remediation Statement referred to by Condition 12 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 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 Policies CS31 and CS32 of the Dacorum Core Strategy.

- 14 **Notwithstanding any of the submitted details no part of the development hereby permitted shall not occupied until a scheme for ventilation of the premises, including the extraction and filtration of cooking fumes and the system for laundry has been submitted to and approved by the local planning authority. The approved scheme shall be retained at all times.**

Reason: In the interests of safeguarding the residential amenity of the locality and the character of the Conservation Area to accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and the saved Policy of 120 of the Dacorum Borough Local Plan.

- 15 **The development hereby permitted shall be carried in accordance with the submitted Sustainability Statement subject to the requirements of other conditions of this planning permission.**

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

- 16 **The approved facilities for the storage of refuse shall be provided before the development hereby permitted is first brought into use and thereafter shall be retained at all times.**

Reason: To ensure a refuse facility is provided at all times at the site in accordance with Policy CS12 of the Dacorum Borough Local Plan.

- 17 **The development permitted shall be carried out in fully in accordance with the surface water drainage assessment , as approved by Hertfordshire County Council Lead Flood Authority, and carried out by Hydrock reference R/C161599/002.03 dated December 2016, and the following mitigation measures detailed within the Flood Risk assessment :**

- **The provision of the 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.**
 1. **The construction of the drainage to include the permeable paving, attenuation tank and soakaway as shown /specified by the 'Proposed Layout Plan' on Drawing No. Dwg KIN-HYD-XX-XX-DR-D-5001.**
 2. **The carrying out of the appropriate drainage strategy based on infiltration. The above mitigation measures nos 1, 2 and 3 shall be carried out fully in accordance with the approved details prior to the occupation any part of the**

development hereby permitted 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 and to reduce the risk of flooding to the proposed development and future occupants in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

- 18 **No development shall 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.**

Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

Detailed surface water run-off and volume calculations to ensure that the site has the capacity to accommodate all rainfall events up to 1:100 year plus climate change.

Any areas of informal flooding should the system flood above the 1 in 30 year event.

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 in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

Informative to the LPA

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.

- 19 **Details of all exterior lighting to be installed at the application site shall be submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained fully in accordance with the approved details.**

Reason: In the interests of safeguarding the character and appearance of the Conservation Area, the setting of the adjoining listed building, the residential amenity of the locality, highway safety, biodiversity, access for persons with disabilities and crime prevention/security in accordance with Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 20 **The development hereby permitted shall be constructed to provide bat roosts and enhancements for nesting birds, with two Sparrow terrace boxes**

mounted in appropriate locations along with a Swift box mounted in the eaves of the new building fully in accordance with Turnstone Ecology letter dated 16 June 2016 . Once provided the measures shall be retained at all times.

Reason: In the interests of biodiversity in accordance with Policies CS26 and CBS 29 of Dacorum Core Strategy.

21 **No development hereby permitted shall commence until the following are submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.**

- 3. Details of wheel cleaning facilities for construction vehicles,**
- **A Construction Traffic Management Plan and Access Route (s) ,and**
 - **A scheme for on-site parking for construction workers. The scheme shall be implemented throughout the construction period.**

Reason: In the interests of highway safety and residential amenity in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

22 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

03 -KL -MA - 60a, 61b, 62b, 63b, 64b, 65a, 67b, 68b, 70d, 71, 72a, 72, 73, 74 and 79

Drainage: KIN-HYD-XX-XX-DR-D-5001

Tree Protection Plan:DO 188-02-D

D0 188-003

00155-C01-A

117215-1802 (002)

117215-1801 (003)

Parking 3D Layout

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

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 lead 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

Land Stability

The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the

developer and/or landowner.

Contamination

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 Councils website www.dacorum.gov

Highway Issues

1.Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

2. 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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Advice from Thames Water

1.Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes the developer share with neighbours, or are situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes TW recommend the Developer sends a scaled ground floor plan of the property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

2.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.

Advice from Hertfordshire County Council Lead 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 it is recommended there is reference to the LFA'S surface water drainage webpage:<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewater/drainag>

Bats

In the event of bats or evidence of them being found, any works to the building must stop immediately and advice taken on how to proceed lawfully from one of the following: a bat consultant, the UK Bat Helpline: 0845 1300228, Natural England: 0300 0603900, or the Herts & Middlesex Bat Group website: www.hmbg.org.uk

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).

Hertfordshire Ecology can also provide advice. at Environmental Resource Planning, Hertfordshire County Council (Postal Point EMG CHN109), County Hall, Pegs Lane, Hertford, SG13 8DN ecology@hertfordshire.gov.uk Tel: 01992 555220

Water Supply Drainage

Affinity Water has advised 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 the Developer is advised to refer to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Contamination

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 Councils website www.dacorum.gov.uk

- 193 **4/03378/16/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/03120/16/NMA - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 4/02419/04/FUL (RESIDENTIAL DEVELOPMENT OF 325 DWELLINGS, PROVISION OF OPEN SPACE, LANDSCAPING, FOOTPATH LINKS AND ASSOCIATED HIGHWAY IMPROVEMENT WORKS INCLUDING NEW RAILWAY CROSSINGS (VEHICULAR AND PEDESTRIAN)) - LAND ADJ. THE MANOR ESTATE, APSLEY, HEMEL HEMPSTEAD, HP3 9SE**

A Parrish introduced the item and said this application was for a minor material amendment.

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

Vote

For: 11 Against: 0 Abstained: 0

Resolved

1. 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 draft list of conditions below.

2. That the following Heads of Terms for the Deed of Variation, or such other terms as the Committee may determine, be agreed:

That reference is made to planning application 4/03378/16/ROC in the current s106 agreement relating to 4/02419/04/FUL.

- 1 **The development shall be carried out in accordance with the details of phasing approved under application reference 4/01044/11/DRC.**

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

- 2 **The development shall be carried out in accordance with the samples / details of materials approved under application references 4/01479/11/DRC and 4/02285/14/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 **Unless otherwise approved in writing by the local planning authority, all window frames shall be finished in white and recessed 90 mm from the face of the elevation in which they are set, all doors shall be painted/stained timber, all fascias, bargeboards, and other joinery shall be white painted/stained timber, and all juliet balconies shall be finished black, and the development**

shall be carried out in accordance with the details of windows/frames approved under application reference 4/01961/11/DRC and materials approved under application reference 4/00863/13/DRC.

Reason: To ensure a sustainable form and satisfactory appearance to the development in accordance with Policies CS10, 11, 12, 13 and 29 of the Dacorum Core Strategy (September 2013).

- 4 The development shall be carried out in accordance with the details of levels/contours, slab and finished floor levels approved under application references 4/01370/11/DRC (Phase 1) and 4/01767/11/DRC (Phases 2, 3, 4 & 5), except in-so-far as may be varied as part of the current application.**

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.

- 5 The development shall be carried out in accordance with the details of tree protection approved under application reference 4/01163/11/DRC. No materials, plant or equipment shall be stored or deposited and no mixing of materials shall take place within the area(s) so protected.**

Reason: To ensure that damage does not occur to the trees during building operations in the interests of the appearance of 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 shall be carried out in accordance with the details of hard and soft landscaping approved under application reference 4/01474/11/DRC and 4/01963/11/DRC. The approved landscaping scheme relating to each separate phase area shall be implemented by the end of the first planting season immediately following the completion of that phase of the development (a planting season means the period from 1 October in any one year to 31 March in the next following year). Any approved landscaping falling outside of any phase area shall be implemented by the end of the first planting season following the completion of the last phase of development. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any parts of the landscaping scheme which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established. For the purposes of this condition each separate phase area shall be as approved under Condition 1 above.**

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.

- 7 The development shall be carried out in accordance with the details of enclosure approved under application references 4/01131/11/DRC and 4/01804/15/DRC.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12 and 13

of the Dacorum Core Strategy September 2013.

- 8 **The development shall be carried out in accordance with the details of the measures to protect the privacy of Nos. 8 to 22 Manorville Road inclusive from the "Swan-Neck" running between Featherbed Lane and King Edward Street approved under application reference 4/01163/11/DRC.**

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

- 9 **The development shall be carried out in accordance with the details of cycle security approved under application reference 4/01398/11/DRC.**

Reason: In the interests of providing secure facilities for cycle parking/storage in the interests of a sustainable form of development in accordance with Policy CS29 of the Dacorum Core Strategy (September 2013).

- 10 **The development shall be carried out in accordance with the details of energy efficiency and conservation measures approved under application reference 4/01398/11/DRC. All approved measures shall be incorporated into each individual house or flat before it is first occupied.**

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.

- 11 **The development shall be carried out in accordance with the details of foul and surface water drainage approved under application reference 4/01134/11/DRC (Phase 1) and 4/01992/11/DRC (Phases 2, 3, 4 and 5) together with 4/00202/17/DRC. Before any house or flat is first occupied within any separate phase of the development, the approved drainage measures within that phase area shall be provided. For the purposes of this condition each separate phase area shall be as approved under Condition 2 above.**

Reason: To ensure the satisfactory disposal of foul and surface water, to ensure 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 Document, "Water Conservation."

- 12 **The development shall be carried out in accordance with the mitigation scheme for noise and vibration from the railway approved under application reference 4/01044/11/DRC. No affected dwelling shall be occupied until the works which form part of the approved scheme which relate to that specific dwelling shall have been completed.**

Reason: In accordance with PPG24 in the interests of the amenity of residents in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

- 13 **The development shall be carried out in accordance with the details of mitigation measures for smell and noise nuisance from the foul sewage pumping system approved under application reference 4/01134/11/DRC.**

Reason: In the interests of residential amenities in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

- 14 **The development shall be carried out in accordance with the details of crime reduction measures approved under application reference 4/01398/11/DRC.**

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).

- 15 **The development shall be carried out in accordance with the details of translocation of areas of important grassland approved under application reference 4/01163/11/DRC.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and ecological heritage in accordance with Policies CS10, 12 and 29 of the Dacorum Core Strategy (September 2013).

- 16 **The development shall be carried out in accordance with the details of ecological protection approved under application reference 4/01163/11/DRC.**

Reason: To ensure the appropriate accommodation of protected species and their habitat within the development in accordance with Policies CS10, 12 and 29 of the Dacorum Core Strategy (September 2013).

- 17 **The development shall be carried out in accordance with the details of archaeological investigation approved under application reference 4/01031/11/DRC and prior to the occupation of the last residential unit of the development a fully detailed report of all on-site archaeological work shall be submitted to and approved in writing by the local planning authority.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with Policy CS27 of the Dacorum Core Strategy (September 2013).

- 18 **The development shall be carried out in accordance with the details of wheel washing approved under application reference 4/01131/11/DRC and the wheel washing facilities shall be operated and maintained, along with measures for the disposal and removal of mud, in accordance with the approved details for the duration of construction works.**

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.

- 19 **All storage areas and facilities for on-site parking for the use of all contractors, sub-contractors and delivery vehicles engaged on or having business on the site associated with the construction of the development hereby permitted, including the access works, shall be provided for the duration of the development on land which is not a public highway and which is not in an area required for tree protection and the use of such areas must not interfere with the use of the public highway or any trees.**

Reason: To ensure the adequate and satisfactory provision of off-street construction-related vehicle parking facilities in the interests of highway safety in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 20 **No house or flat shall be occupied until the facilities for vehicle parking and access (including cycle storage) for that house and/or flat shall have been provided in accordance with the details shown on the approved plans, and such facilities 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.

- 21 **The refuse storage facilities for the blocks of flats shown on the approved plans shall be provided before any flat in any block to which they relate is first occupied.**

Reason: In the interests of providing satisfactory facilities for the storage of refuse in accordance with Policy CS12 and 29 of the Dacorum Core Strategy September 2013.

- 22 **Before any house or flat is first occupied within any separate phase of the development, the approved roadway, access, turning and circulation areas within that phase area shall have been laid out and constructed to base course level. For the purposes of this condition each separate phase area shall be as approved under Condition 1 above.**

Reason: To ensure that adequate access 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, in accordance with saved Policy 51 of the adopted Dacorum Borough Local Plan 1991 - 2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 23 **Development shall be undertaken in accordance with the mitigation measures as set out in the Air Quality Assessment Report approved under application reference 4/02419/04/FUL.**

Reason: To ensure that the issue of air quality is adequately addressed and to ensure a satisfactory residential development in accordance with Policies CS12 and 32 of the Dacorum Core Strategy September 2013.

- 24 **Except in relation to the bridge works, or as may otherwise be agreed in writing by the local planning authority, no construction works relating to this permission shall be carried out outside the following hours:**

Monday to Friday 07.30 hours to 18.00 hours
Saturday 08.00 hours to 13.00 hours

There shall be no construction work on Sundays or Bank Holidays.

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

- 25 **Notwithstanding the provisions of the Town and Country Planning (General**

Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) no development on the following properties 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

Class A

TWA3 - Plots 23, 25, 29

TWA4 - Plots 53-58, 60, 70, 79-82, 87, 90, 98-101, 105-107, 125, 132, 136, 137, 138, 141, 142, 147, 148, 177, 182, 186, 189, 193, 194, 201, 203, 204, 209, 211, 215-217, 225, 229, 239, 248, 254, 256-259, 260-269, 270-280, 282-285, 287, 288, 290, 295,

Class B

TWA3 - Plots 1, 2, 18-30

TWA4 - Plots 1-6, 38-58, 59, 60, 70, 78-84, 87, 90-93, 98-101, 125-128, 129, 133-136, 139-140, 146-153, 177, 182, 185, 186, 189-193, 196, 197, 201, 203-204, 206, 207, 211-217, 225, 229-233, 239, 242-248, 251, 254, 256-280, 282, 283, 285, 287-295,

Class C

TWA3 - Plots 1-30 (excluding flats)

TWA4 - Plots 1-295 (excluding flats)

Class D

TWA3 - Plots 18-22, 25-27, 29, 30

TWA4 - Plots 55-58, 59, 62-69, 71, 78, 103-106, 108, 131, 132-141, 196, 197, 201-204, 210-214, 230, 231, 243-246, 248, 249, 258, 259, 267-269, 277, 278, 289,

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenities of the locality (including the original design concept of the dwellings) in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 26 **The windows in the following properties shall be permanently fitted with obscured glass:**

TWA 3:

Plot 18 - First floor bathroom

Plot 19 - First floor bathroom

Plot 23 - First floor landing and shower room

Plot 24 - First floor landing and shower room

Plot 25 - First floor bathroom

Plot 27 - Stairwells

TWA 4:

Plot 9 - Bathroom and south east living room

Plot 11 - Bathroom and south east living room

Plot 41 - Landing

Plot 42 - En-suite

Plot 50 - Upper stairwell
Plot 59 - First floor en-suite
Plot 75 - North-most window to bedroom 5
Plot 84 - First floor bathroom
Plot 88 - First floor en-suite
Plot 89 - Bedroom 4
Plot 96 - Stairwells
Plot 99 - First floor en-suite
Plot 126 - Stairwells
Plot 133 - Stairwells
Plot 137 - First floor en-suite
Plot 138 - Bedroom 6
Plot 139 - First floor en-suite
Plot 141 - First floor en-suite
Plot 144 - First floor bathroom
Plot 177 - South east bedroom 2
Plot 180 - Hall, bathroom and store
Plot 181 - Hall, bathroom and store
Plot 182 - North west bedroom 2
Plot 185 - South east bedroom 2
Plot 186 - bathroom and en-suite
Plot 190 - Stairwells
Plot 200 - First floor en-suite
Plot 201 - En-suite
Plot 202 - En-suite
Plot 203 - En-suite
Plot 204 - En-suite
Plot 205 - First floor en-suite
Plot 207 - First floor bathroom
Plot 214 - First floor en-suite
Plot 219 - Stairwells
Plot 234 - First floor en-suite
Plot 235 - Bedroom 5 and 6
Plot 236 - First floor en-suite
Plot 237 - First floor en-suite
Plot 238 - Bathroom
Plot 246 - Bedroom 5 and 6
Plot 249 - First floor en-suite
Plot 250 - Bathroom
Plot 260 - Stairwells
Plot 286 - Bathroom
Plot 294 - Stairwells

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

- 27 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwellings and they shall not be converted or adapted to form living accommodation without the express permission of the local planning authority following the submission of a planning application.**

Reason: In the interests of highway safety and to safeguard the visual character of the area in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013..

- 28 **The development shall be carried out in accordance with the non-material amendments approved under application references 4/00957/11/NMA, 4/02499/15/NMA, 4/03342/15/NMA.**

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

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

**AP 7-20-02 G - Ground Floor Structural
AP 7-20-03 G - First Floor Structural
AP 7-20-04 G - Second Floor Structural
AP 7-20-08 C - Front & Side Elevations
AP 7-20-09 A - Rear & Side elevations
APSL-06-107 C - Apsley Phase 6 Proposed plans and Sections
APSL-06-108 C - Apsley Phase 6 Proposed Finished Floor Levels & Street Scene 13
APS6-02-300 K - Phase 6 fence key plan
JBA 11-249-06 Rev B - Apsley Phase 6 detailed plots and POS
APT_720_DORM1A**

together with the following plans approved under 4/02419/04/FUL:

(Boast Associates)

**P001 rev A – Location plan
P003 rev L – TWA-4 Site layout – sheet 2
P004 rev L – TWA-4 Site layout – sheet 3
P005 rev H – TWA-3 Site layout – sheet 4
P006 rev E – Overall site layout
P008 rev D – House type A1
P009 rev C – House type B
P010 rev C – House type B1
P011 rev D – House type C1/D1 Plans
P012 rev D – House type C1/D1 Elevations
P014 rev C – House type E
P015 rev C – House type E1/E2
P016 rev C – House type E1
P017 rev C – House type F
P019 rev B – House type G1
P022 rev C – House type J
P025 rev C – House type K1
P027 rev C – House type M
P028 rev C – House type N
P029 rev C – House type O/O1
P030 rev D – House type P
P031 rev E – House type R
P032 rev C – House type S
P033 rev C – House type V**

P034 rev C – House type W
P035 rev B – House type X/Y
P036 rev A – Bin/bike stores
P038 rev D – House type 2B4P (affordable)
P039 rev D – House type 3B5P (affordable)
P040 rev C – House type 4B6P (affordable)
P041 rev C – Flats, plots 179-182
P042 rev C – Flats, plots 21-26
P043 rev D – Flats, plots 27-34
P044 rev C – Flats, plots 154-165
P045 rev C – Flats, plots 166-173
P048 rev D – TWA3 Flats, plots 6-11
P049 rev C – TWA-3 Flats, plots 12-17
P050 rev B – Street elevations 1-6
P052 rev B – Street elevations 14-15
P059 – Affordable housing site locations
P060 – Play area locations
P061 rev A – 3D view: focal square 3
P062 rev A – 3D view: home zone 1
P063 rev A – 3D view: focal square 2
P064 rev A – 3D view: village green
P065 rev A – 3D view: public open space
P066 rev A – 3D view: focal square 1
P067 – 3D view: TWA-3 general view
P068 – Drawing showing privacy of rear garden to 85 West Valley Road
P069 – Street elevation 16
P070 – Street elevation 17
P071 – Storey heights
P072 rev B – Site layout showing public open space

(MJA Consulting)

3595-OS-01
3595-OS-02
3595-OS-03
3595-OS-04
3595-OS-05
3595-OS-06
3595-OS-07
3595-E10
3595-EX04

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 4/02419/04/FUL.

194 4/01064/16/FUL - NEW BUILDING TO ENCLOSE EXISTING BUILDING. EXISTING BUILDING TO REMAIN WITHIN THE NEW STRUCTURE - WAGON AND HORSES, LONDON ROAD, FLAMSTEAD, ST. ALBANS, AL3 8HG

J Seed introduced the item and said it had been referred to committee due to the contrary views of Flamstead Parish Council.

Scott Moore spoke in support of the application.

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

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

**Application Form
Location Plan
311.002/200C
311.002/210F
311.002/230E**

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

- 3 Prior to commencement of development, a Detailed Construction Method Statement (DCMS) shall be submitted to and approved by the Local Planning Authority. Following approval, the measures contained within the DCMS will be implemented in their entirety for the lifetime of the development.**

Reason: The details submitted with the proposal are insufficient to provide adequately to confirm that the proposal meets with the high quality built environment requirements of the National Planning Policy Framework and the sustainable construction requirements of Policy CS29 of the Core Strategy. As the required details are fundamental to the success of the proposal, in this instance it is considered necessary for the condition to be pre-commencement.

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.

195 4/00157/17/FUL - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF FOUR 4-BED DWELLINGS - TRING HEALTH CENTRE, STATION ROAD, TRING, HP23 5NF

M Heron introduced the item and said it had been referred to committee due to the contrary views of Tring Town Council.

James Holmes spoke in support of the application.

Councillor Guest arrived at 7.50pm so took no part in the discussion or voting of this item

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

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 development hereby permitted shall not be carried out other than in accordance with the following approved plans/documents: TD011/PL/201 & TDC011/PL/01 & TDC011/PL/02 & TDC011/PL/03 & TDC011/PL/04 & TD011/PL/101 & TD011/PL/301 & 17116cv-01 & recommendations of document entitled 'Report on the tree amenity value and condition at Tring Clinic, Station Road, Tring, HP23 5NF'.**

Reason: For the avoidance of doubt, in the interests of proper planning and in the interest of the health of vegetation at the site in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 3 **Prior to the construction of the dwellings hereby approved, full specifications of the materials to be used for their external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with details approved in this regard.**

Reason: In the interests of the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 4 **Prior to first occupation of the development hereby permitted full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-**

- a) means of enclosure;
- b) existing and proposed finished levels and finished floor levels.
- c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;
- d) Arboricultural Method Statement;
- e) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 5 **Prior to any development, including demolition, at the site full details on a suitably scaled plan of tree protection measures for vegetation within the site must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved.**

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 6 **All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A, B and E shall take place.**

Reason: To enable the local planning authority to retain control over the development in the interests of the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 8 Development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (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 part (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:

4. 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'*.

(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 part (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part (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 part (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, 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 Dacorum Core Strategy.

- 9 **The approved car parking spaces shall have measurements of 2.4m x 4.8m as a minimum. Such spaces shall be maintained as a permanently ancillary to the development hereby approved 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, in accordance with Policies CS8 and CS9 of the Dacorum Core Strategy 2013 and Policy 51 of the Dacorum Local Plan 2004.

- 10 **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.**

Reason: To ensure satisfactory sustainable drainage in accordance with Policies CS29 of the Dacorum Core Strategy 2013.

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

- 196 **4/03281/16/FUL - CHANGE OF USE FROM BEAUTY SALON (SUI GENERIS) TO A5 - 39 FROGMORE STREET, TRING, HP23 5AU**

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

Members were concerned about the lack of extraction in the plans and asked for a condition to be imposed.

It was proposed by Councillor Birnie 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 use hereby permitted and the premises shall not be open to customers other than between the hours of 12:00 and 23:00 hours on Mondays to Saturdays; and 17:00 to 22:00 hours on Sundays , Bank Holidays and Public Holidays.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

The use hereby permitted shall not commence before details of ventilation relating to the kitchen or food preparation areas have been submitted, approved in writing by the local planning authority and installed.

Reason: In the interests of safeguarding the character and appearance of the Conservation Area and residential amenity of neighbouring properties in accordance with Policies CS12 and CS27 of the Dacorum Core Strategy 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011

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

**1528 001
MD 0612 01**

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

Article 35

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the

Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

197 4/00403/17/FUL - THREE BED DWELLING - 38 MEADOW ROAD, HEMEL HEMPSTEAD, HP3 8AJ

R Marber introduced the item and said it had been referred to committee due to the contrary views of Nash Mills Parish Council.

Jo Lines spoke in support of the application.

It was proposed by Councillor Maddern and seconded by Councillor Imarni 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 **Prior to first occupation of the development hereby approved, details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To accord with Saved Policy 129 of the Dacorum Borough Local Plan (2004) and policy CS12 of the Core Strategy (2013).

- 3 **Within 6 months of the date of this decision a construction management plan setting out details of on-site parking for all contractors, sub-contractors, visitors, delivery vehicles and storage of materials shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The areas set out shall be maintained available for use at all times during the period of site works.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway, in accordance with policies CS8 and CS12 of the Core Strategy (2013).

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

PL/001 Rev A
PL/003 Rev A

PL/004 Rev A

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

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Highway Informatives

Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Storage of Materials: 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.

Public Rights of Way: 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.

198 4/02580/16/FUL - CONSTRUCTION OF DETACHED TWO BEDROOM, TWO STOREY DWELLING WITH ASSOCIATED PARKING - 1 THE CART TRACK, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XA

M Heron introduced the item and said it had been referred to committee due to the contrary views of Nash Mills Parish Council and Councillor Maddern had called it in.

In her role as ward councillor, Councillor Maddern spoke in objection to the application.

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

Vote

For: 6 Against: 2 Abstained: 3

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 not be carried out other than in accordance with the following approved plans/documents: J1393/P03 Rev. A & J1393/P04 Rev. A & J1393/P02 Rev. A & J1393/P01.**

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

- 3 **Prior to the construction of the dwelling hereby approved, full specifications of the materials to be used for the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with details approved in this regard.**

Reason: In the interests of the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 4 **Prior to first occupation of the development hereby permitted full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-**

a) means of enclosure;

b) existing and proposed finished levels and finished floor levels.

c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;

d) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 5 **All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development**

die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.

- 6 **Development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (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 part (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:

5. 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;

- (iv) 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 part (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part (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 part (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, 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 Dacorum Core Strategy.

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was necessary in this instance. 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) Order 2015.

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

199 APPEALS UPDATE

That the following appeals be noted:

1. Lodged
2. Forthcoming inquiries
3. Dismissed

The Meeting ended at 8.24 pm