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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT CONTROL**

**18 AUGUST 2016**

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Present:

**MEMBERS:**

Councillors, Guest (Vice-Chairman), Birnie, Clark, Conway, Matthews, Riddick, Ritchie, Fisher, Tindall, P Hearn and Imarni

**OFFICERS:**

S Whelan (Group Manager - Development Management and Planning), C Gaunt (Solicitor), N Gibbs (Lead Planning Officer), Herbert (Assistant Team Leader - Development Management), Keen (Planning Officer), R Marber (Planning Officer) and J Reid (Assistant Team Leader - Development Management)

The meeting began at 7.00 pm

**42 MINUTES**

The minutes of the meeting held on 7 July 2016 were confirmed by the Members present and were then signed by the Chairman.

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

<https://democracy.dacorum.gov.uk/ieListDocuments.aspx?CId=159&MId=536>

**43 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors D Collins, Maddern, Whitman and C Wyatt-Lowe

Councillor Bateman substituted on behalf of Councillor C Wyatt-Lowe.

Councillor P Hearn substituted on behalf of Councillor Maddern.

Councillor Guest chaired the meeting in the absence of Councillor D Collins

**44 DECLARATIONS OF INTEREST**

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

#### **45 PUBLIC PARTICIPATION**

Councillor Guest reminded the members and the public about the rules regarding public participation.

Councillor Guest announced that she would change the order of the applications being considered. The applications are minuted in the order they were considered.

#### **46 4/02678/15/FUL & 4/02679/15/LBC - LOXLEY FARM, CHAPEL LANE, LONG MARSTON, TRING, HP23 4QT**

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

J Reid introduced the report and said it had been brought to committee due to the contrary views of the Parish Council.

Fiona Wilson (applicant) spoke on behalf of Paul Thomas (architect) and spoke in support of the application.

Peter Myrants and Alan Higgins spoke in objection to the application.

It was proposed by Councillor Tindall and seconded by Councillor Birnie to defer this application to await technical information from Thames Water regarding the sewerage issues.

#### Vote

For: 10

Against: 1

Abstained: 1

#### Resolved

That the application be **DEFERRED** to await further details from Thames Water.

#### **47 4/01801/16/FUL - LAND REAR OF 27-33, GROVE ROAD, TRING**

**Proposal:** This amended scheme proposes the construction of 5 x detached 4-bed dwellings on land to the rear of No's 27 - 33 Grove Road, within the rear gardens areas of these properties. This sees a reduction of 1 dwelling when compared to the previous scheme 4/00069/16/FUL which was refused at DCC. The proposed dwellings would be accessed via a new access created between No.'s 27 and 29 Grove Road. The access would be created through the demolition of No. 29's side garage, in order to allow space for the new access road, which would utilise the existing crossover onto Grove Road. Although the proposed houses are two storey, each would contain habitable accommodation in the roofspace. The proposed scheme includes associated access, turning and manoeuvring facilities, along with the provision of private amenity space and hard and soft landscaping.

R Herbert introduced the report. He said he recommended a change to the officer's recommendation to delegate to the Group Manager with a view to approval to allow for the expiry of the re-consultation period for the additional landscaping plans submitted.

Simon Booth and Nigel Ozier from Braybeech Homes spoke in support of this application.

Lee Filby and Steve Jackson spoke in objection to this application.

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

Vote

For: 2                  Against: 5                  Abstained: 5

Having there been no majority to grant this application in line with the officer's recommendation, it was proposed by Councillor Matthews and seconded by Councillor P Hearn that the officer's recommendation be overturned and the application be refused.

Vote

For: 5                  Against: 1                  Abstained: 6

Resolved

That planning permission be **REFUSED** due to the following reasons:

**The proposed backland development would represent an overdevelopment of the site and would cause significant harm to the character of the area. The proposals are therefore contrary to Core Strategy policies CS11 and CS12, Tring Character Area (TCA) 13 of the Saved Local Plan, and the NPPF**

**48                  4/00759/16/MFA - 32 HIGH STREET, KINGS LANGLEY, WD4 8AA**

**Proposal:** The proposed demolition of No.1 Langley Hill and the amalgamation of its land with that at no. 32 is to enable the construction of a very substantial brick and handmade clay tiled gable and hipped roof tiled inverted 2.5 storey (with basement) 'L' shaped rear extension to the approved care home building and the provision of a new GP doctors surgery. The care home would provide 21 new bedrooms in addition to the approved 36.

The development will be accommodated along the whole of the site's northern (adjoining Langley Hill Close) and western sides. It will feature a linking two storey component within the site's north west corner providing a communal glazed lounge room/ conservatory and associated garden, closest to no. 7 Langley Hill Close.

The development's central communal/ shared courtyard will be linked to the existing Langley Hill access. This will provide vehicular turning and access to the parking serving the surgery and the care home. There will be 4 parking spaces for the surgery with 15 for the care home.

N Gibbs introduced the report and said it had been referred to committee due to the contrary views of Kings Langley Parish Council. N Gibbs drew members' attention to the late representations in the addendum and bedrooms 37, 39 and 41 will now have other uses.

Corina Ciobanu spoke in support of the application.

Phil Cheetham and Jeff Folkins spoke in objection to the application.

Having there been no proposer to grant this application in line with the officer's recommendation, it was proposed by Councillor Birnie and seconded by Councillor Ritchie that the officer's recommendation be overturned and the application be refused.

#### Vote

For: 8                  Against: 0                  Abstained: 3

#### Resolved

That planning permission be **REFUSED** due to the following reasons:

**The proposed surgery will be served by inadequate off street parking which demonstrates that the scheme represents an overdevelopment of the site. The identified significant shortfall of parking will result in parking overspill from the surgery placing constant increased daily pressures upon the very busy public car parks in Kings Langley especially that opposite the application site. Langley Hill and the High Street will also be subject to additional on street parking pressures. The proposal would therefore be contrary to Policy CS12 (Quality of Design) of the Dacorum Core Strategy wherein on each site new development should comply with a range of design criteria, including (b) which expects the provision of sufficient parking. With less available customer parking to serve Kings Langley Village Local Centre - due to the proposal's shortfall in parking - there will be a negative impact upon the Kings Langley Local Centre's businesses customer/ operator base where the Dacorum Core Strategy Kings Langley Place Strategy supports the maintenance of the shopping and service role of the village centre.**

#### Article 35 Statement

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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.

**49                  4/01420/16/FUL - 85 BUCKWOOD ROAD, MARKYATE, ST ALBANS, AL3 8JE**

This application was deferred prior to the meeting at the request of the applicant.

**50            4/01629/16/OUT   -   THE   CHILTERNs,   11   COVERT   CLOSE,  
NORTHCHURCH, BERKHAMSTED, HP4 3SR**

**Proposal:** The application seeks outlined planning consent for the demolition of the existing detached dwelling and construction of one apartment block containing 6 flats. Whilst this scheme has been submitted in outline form the majority of required development details have been submitted at this outline stage.

R Marber introduced the report and said it had come to committee due to the contrary views of Northchurch Parish Council.

David White spoke in objection to the application on behalf of 16 households in the surrounding area.

It was proposed by Councillor Fisher and seconded by Councillor Imarni that the application be granted in line with the officer's recommendation.

Vote

For: 4            Against: 5            Abstained: 2

Having there been no majority to grant this application in line with the officer's recommendation, it was proposed by Councillor Matthews and seconded by Councillor Ritchie that the officer's recommendation be overturned and the application be refused.

Vote

For: 5            Against: 2            Abstained: 4

Resolved:

That planning permission be **REFUSED** due to the following reasons:

- 1) The proposed development would result in an unacceptable bulk and scale across the site, this would result in a prominent form of development and be out of character with the immediate and wider area contrary to saved policies 10, 18, 21, 111, appendices 3 of the Dacorum Local Plan (1991), policies CS1, CS4, CS10, CS11 and CS12 of the Core Strategy (2013), the NPPF and NPPG.**
  
- 2) The proposed provision of 8 basement parking spaces would result in insufficient off street parking provision for the six proposed units. This shortfall would result in pressure for on street parking contrary to saved appendix 5 of the Dacorum Local Plan (1991), policies CS8 and CS12 of the Core Strategy (2013) and the National Planning Policy Framework (2012).**

**51            4/01729/16/FHA - 13 CHAMBERSBURY LANE, HEMEL HEMPSTEAD, HP3  
8AY**

**Proposal:** Planning permission is sought for a single-storey detached outbuilding located within the rear garden of the application site. The outbuilding would be used as a garage and storage of bicycles.

The outbuilding would have dimensions of 3.05m wide by 5.5m deep. It would feature a flat roof less than 3m high.

I Keen introduced the report to the committee and said it was before the committee due to the contrary views of Nash Mills Parish Council and had been called-in at the request of Councillor Maddern. I Keen said the fallback position would mean the applicant could construct a hardstanding under permitted development rights.

Parish Councillor Lisa Bayley spoke in objection to this application.

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

Vote

For: 10            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 garage outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 13 Chambersbury Lane, Hemel Hempstead.**

Reason: To ensure that the detached garage is not severed from the main dwelling to provide a self-contained dwelling unit, since this would be out of character with the area, and contrary to the provisions of Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 3        **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.**

Reason: To ensure a satisfactory appearance to the development in accordance

with Policy CS12 of the Dacorum Core Strategy 2013.

- 4 **Notwithstanding the details shown on Drawing No. 1619/2, vehicular visibility splays of 2.4m x 43m shall be provided before any part of the development hereby permitted is first brought into use, and they shall thereafter be maintained, in the north-western direction from the crossover, within which there shall be no obstruction to visibility between a height of 0.6m and 2.0m above the carriageway.**

Reason: In the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 5 **Notwithstanding the details shown on Drawing No. 1619/2, pedestrian visibility splays of 2m x 2m shall be provided before any part of the development is first brought into use, and they shall thereafter be maintained, on the north-western side of the entrance to the site, within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway.**

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

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

**Site Location Plan;  
1619/2 (proposed block plan, floor plan and elevations).**

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.

#### Carrying out Development in the Highbarns Chalk Mines Outer Area and Land Stability Informative

The Government advice confirms 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.

The carrying out of development in the Highbarns Outer Area is at the risk of the developer as the Council does not have any information relating to ground stability in the Outer Zone. If the developer / landowner is concerned about possible ground instability, consideration should be given by the developer / landowner in commissioning a ground stability report.

#### Highways Informatives:

1. Highway structural considerations. Prior to commencement of development, full details of the construction of any retaining wall associated with construction of the proposal, including any necessary Approval in Principle certification issued in accordance with the requirements of the Department for Transport's DMRB Standard BD 2/12: Technical Approval of Highway Structures, shall be submitted to the highway authority. The applicant is required to contact [highway.structures@hertfordshire.gov.uk](mailto:highway.structures@hertfordshire.gov.uk) to enter into the Technical Approval process, since the boundary wall abuts onto the highway. A technical approval certificate will be issued if the plans are required to and meet the regulations.

The applicant is advised that in order to comply with this requirement it will be necessary for the developer of the site to contact the Hertfordshire County Council Bridge Asset Manager in connection with the requirements of Department for Transport Standard BD 2/12: Technical Approval of Highway Structures. Further details can be obtained from the Highway Authority at County Hall, Pegs Lane, Hertford, Herts, SG13 8DN (Telephone: 0300 1234047).

2. 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/>

3. 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.

4. 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

5. 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 development.

Contaminated Land Informative:



The applicant is advised that a guidance document relating to land contamination is available in the Council's website:  
<http://www.dacorum.gov.uk/default.aspx?page=2247>

**52            4/01796/16/FUL - THE BUNGALOW, REDBOURN ROAD, HEMEL  
HEMPSTEAD, HP2 7BA**

**Proposal:** The application seeks permission for the construction of a single storey building, replacing the existing bungalow which is already partly demolished under the above mentioned approval. The proposal would afford five units for businesses and, with regards to the Town and Country Planning (Use Classes) Order 1987 (as amended), the primary use would be Use Class B1(c) (light industrial). There may also be other ancillary uses, such as B1(a) (offices), B1(b) (research and developments of products and processes) and B8 (storage).

The new building would be constructed in an 'L-shape', with a maximum height of approximately 6m and a total gross internal floor area of approximately 536m<sup>2</sup>. The building would be constructed of vertical grey cladding and brickwork similar to that found at the adjacent MBC under a shallow grey clad pitched roof.

M Heron introduced the report to members and said that it was before the committee as Dacorum Borough Council were the land owners. He said that condition 11 would be removed as the information was duplicated in other conditions.

Howard and Gloria Russell spoke in objection to this application.

Members wanted a condition that addressed the security lighting.

It was proposed by Councillor Birnie and seconded by Councillor Clark that the application be granted in line with the officer's recommendation and subject to the additional conditions.

Vote

For: 10            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 development hereby permitted shall not be carried out other than in accordance with the following approved plans/documents: 15023\_PL\_002 Rev.**

**1 & 15023\_PL\_001 Rev. 1 & 15023\_PL\_006 Rev. 5 & 15023\_PL\_007 Rev. 4 & 15023\_PL\_004 Rev. 5 & 15023\_PL\_003 Rev. 3 & 15023\_PL\_005 Rev. 2 & -210 & 15023\_PL\_008 Rev. 1 & Materials specification document entitle 'Maylands Business Centre Extension, External Materials Image Board, June 2016' & Construction Phase Pedestrian and Site Traffic Plan & C1194 Traffic Schedule & Parking Instructions for Site Operatives/Management and Visitors & statement within e-mail received and dated 5 August 2016 confirming that, when possible, all vehicles will use the main Maylands Business Centre access and the vehicular access to the bungalow will be closed off permanently as soon as possible.**

Reason: For the avoidance of doubt, in the interests of proper planning, to ensure a satisfactory appearance to the development and to ensure that the proposal is acceptable in terms of highway safety, in accordance with Policies CS8, CS11 and CS12 of the Dacorum Core Strategy 2013.

- 3 Prior to first occupation of the building hereby approved 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;**
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife, including details of bat and bird boxes;**
- f) management and maintenance details.**

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.

- 4 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.

- 5 **Prior to the first occupation of the development hereby permitted full details, on a suitably scaled plan, of the alterations to the existing cycle store and bin store, as illustrated on approved plan no. 15023\_PL\_003 Rev. 3, 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 in accordance with approved details.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 6 **Prior to first occupation of the development hereby approved, full details of the specification of external lighting must be submitted to and approved in writing by the Local Planning Authority. Subsequently the lighting associated with this development shall be in accordance with these approved details.**

Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013 and Policy 113 of the Dacorum Local Plan 2004.

- 7 **Prior to first occupation of the development hereby approved, a scheme must be submitted to, and agreed by the Council in consultation with Hertfordshire County Council, for the provision of a fire hydrants. No units shall be occupied until the hydrant serving the approved building has been provided to the satisfaction of the Council. The fire hydrants must thereafter be retained in associated with the approved development.**

Reason: To provide for a safe means of access for fire and emergency vehicles in accordance with policy CS12 of the Dacorum Core Strategy 2013.

- 8 **The development hereby approved shall be used for light industrial (Use Class B1(c)) only.**

Reason: To ensure that the development remains in an acceptable use, in accordance with Policies CS1, CS4, CS14, CS15, CS35 and CS35 of the Dacorum Core Strategy 2013 and Policy 31 of the Dacorum Local Plan 2004

- 9 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 3, Class PA shall take place.**

Reason: To enable the local planning authority to retain control over the

development in the interests of safeguarding residential amenity, in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 10 **Prior to the first occupation of the development hereby approved, a full noise assessment in accordance with PPG24 to include details of any proposed noise mitigation works, must be undertaken and submitted to and approved in writing by the Local Planning Authority. Any noise control measures identified to preserve the living conditions of the occupiers of surrounding residential units shall also be completed before any part of the development is occupied and retained thereafter.**

Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.

- 11 **Any machinery to be used on the premises shall be enclosed with sound insulating materials and installed using appropriate anti vibration mountings in a way that minimises the transmission of structure borne sound and vibration in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.

- 12 **No external loudspeaker systems shall be installed at the site in association with the development hereby approved.**

Reason: In the interests of the living conditions of the occupants of neighbouring units, in accordance with Policy CS12 of the Dacorum Core strategy 2013.

- 13 **No development shall commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.**

**(a) Site Characterisation**

**An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme must be submitted and approved 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:**

- (iii) 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;
- 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**

If contaminated land is identified through condition (a), 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. 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/validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**(d) Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the

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

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

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

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. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
2. In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works should be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.
3. Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, Produced in partnership by the Greater London Authority and London Councils.
4. Prior to works commencing the applicant is recommended to carry out a survey to identify the presence of any asbestos on the site, either bonded with cement or unbonded. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded asbestos is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW should be contacted and the asbestos shall be removed by a licensed contractor.
5. Waste materials generated as a result of the proposed demolition and/or construction operations should be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.

6. The applicant is advised to contact the Hertfordshire Highways at The Rotunda, Old London Road, Hertford, SG13 7XP, tel: 01992 526900, with regard to the carrying out of any works on footway, carriageway, verge or other land forming part of the highway.

**53            4/01743/16/FHA - KINGSMEAD, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN**

**Proposal:** The application seeks permission for the construction of a single storey rear extension, two storey side extension and loft conversion. The proposed alterations would increase the dwelling from a four bed into a six bed property.

The proposal is an amended scheme of the previous refused application ref: 4/00544/15/FHA. The amendments to the scheme are as follows:

(i) The carport has been removed; and

(ii) The three rear dormers have been omitted.

R Marber introduced the item and had been brought to committee due to the contrary views of Chipperfield Parish Committee.

James Holmes spoke in support on behalf of the applicants.

John Dickenson and Michael Clements spoke in objection to this application.

Having there been no proposer to grant this application in line with the officer's recommendation, it was proposed by Councillor Birnie and seconded by Councillor Ritchie that the officer's recommendation be overturned and the application be refused.

Vote

For: 7            Against: 0            Abstained: 4

Resolved:

That planning permission be **REFUSED** subject to the following reasons:

**The cumulative impact of the proposed extensions by reason of their bulk and scale would constitute overdevelopment of the site and result in a dominating form of development when viewed from the wider area. This would fail to preserve or enhance the character and appearance of the Chipperfield conservation area and designated small village located in the Green Belt contrary to policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), saved appendix 7 and policy 120 of the Local Plan (1991) and the National Planning Policy Framework (2012).**

**54            4/01482/16/FHA - 35 MARRIOTTS WAY, HEMEL HEMPSTEAD, HP3 9EN**

**Proposal:** This application seeks permission for the demolition of the existing conservatory and construction of a single storey rear extension.

R Marber introduced the report; this application has been brought to committee as the applicant is a member of staff at Dacorum Borough Council.

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

Vote

For: 10            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:**

**Proposed Plan  
Rear Elevation and Side Elevation**

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

**55            4/01618/16/FHA - 73 ELLESMERE ROAD, BERKHAMSTED, HP4 2ET**

**Proposal:** The application seeks permission for a loft conversion including front facing Velux roof lights and rear facing dormer.

I Keen introduced the application. It was before the committee due to contrary views of Berkhamsted Town Council.



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

Vote

For: 9                  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        **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: In the interests of the visual amenities of the Conservation Area in accordance with Dacorum Core Strategy Policy CS27.

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

01A  
02A  
03A  
04A  
05A  
06A  
07B  
08A  
09A  
11  
DESIGN AND ACCESS STATEMENT

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

## **56                  APPEALS**

The following appeals were noted:

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

The Meeting ended at 11.20 pm