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DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

4 APRIL 2019

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, Birnie, Conway, Maddern, Riddick, Ritchie, C Wyatt-Lowe (Vice-Chairman), Fisher, Tindall and Mills

OFFICERS:

B Curtain (Lead Planning Officer), R Freeman (Lead Planning Officer), N Gibbs (Lead Planning Officer), Mohammed (Barrister), P Stanley (Development Management Team Leader) and S Whelan (Group Manager - Development Management and Planning) and C Webber (Minutes) (Corporate & Democratic Support Officer)

The meeting began at 7.01 pm

185 MINUTES

The minutes of the meeting held on 14 March were confirmed by the Members present and were then signed by the Chairman.

186 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors Matthews and Whitman. Councillor Birnie arrived at 19:27.

187 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.

188 PUBLIC PARTICIPATION

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

189 4/03026/18/MFA - DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE - LAND AT JUNCTION OF DURRANTS LANE & SHOOTERSWAY, BERKHAMSTED

The Case Officer, Robert Freeman, introduced the report to members and said that it had been referred to committee because the application was deferred at the committee meeting of the 21st February 2019.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Tindall to **GRANT** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation subject to the amended conditions as set out in the report.

Vote:

For: 2 Against: 5 Abstained: 1

Councillor Guest noted that the recommendation falls and asked for a motion to **REFUSE**.

It was proposed by Councillor Ritchie and seconded by Councillor Mills to **REFUSE** the application.

Vote:

For: 5 Against: 2 Abstained: 2

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

190 4/03191/18/FUL - DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING (RESUBMISSION) - 39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP

The Case Officer, Briony Curtain, introduced the report to members and said that it had been referred to committee because the application was called in by a ward councillor.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application in line with the officer's recommendation subject to the amended conditions as set out in the report.

Vote:

For: 7 Against: 0 Abstained: 2

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

Conditions

No	Condition
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 / documents.

	Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy 2013.
3	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes A, B, C, D, E, F.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality.</p>
4	<p>No above ground development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; bin storage facilities soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measures for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted and thereafter maintained as such.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
5	<p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
6	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking, and circulation shown on Drawing No. 11366-L-00-03 rev H] shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Prior to the first occupation vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 11366-L-00-03 rev H only. Any other accesses or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority,</p>

	<p>concurrently with the bringing into use of the development.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities and in the interests of highway safety.</p>
7	<p>6a). Contaminated Land Condition</p> <p>No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>6b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 6a above 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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy</p>

	<p>CS32 and the NPPF (2012).</p> <p>Informative: Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p> <p>Un-expected Contaminated Land Informative 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 with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p>
8	<p>Prior to the occupation of the development hereby approved full details of fire hydrants and other measures to protect the development from fire will be submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. As there is insufficient access and turning facilities, a rising main or suppressing system must be installed for Plot 4. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details and thereafter maintained as such.</p> <p>Reason: To enable appropriate development to occur, ensure a safe, sustainable form of development which provides for its own infrastructure for fire emergencies in accordance with core strategy policies CS1, CS4, CS12 & CS29.</p>
9	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>11366-L-00-02E 11366-L-00-03H 11366-L-00-05E 11366-L-00-06B 11366-L-00-07E 11366-L-00-08D 11366-L-00-09E 11366-L-00-LP</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>ARTICLE 35;</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process and at pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning</p>

(Development Management Procedure) (England) (Amendment No. 2) Order 2015.

191 4/02204/18/MFA - DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING - OLD SILK MILL, BROOK STREET, TRING, HP235EF

Sara Whelan stated that item 5c – 4/02204/18/MFA had been **DEFERRED** as further information was required.

192 4/02583/18/FUL - TWO STOREY EXTENSION AND CONVERSION INTO 4 1-BED FLATS AND DEMOLITION OF OUTBUILDING - 245 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE

Councillor Maddern clarified her position in respect of item 5d and announced her involvement as she had called it in due to concerns. She confirmed that she had no predeterminations and, therefore, there was no reason she should not partake.

The Case Officer, Nigel Gibbs, introduced the report to members and said that the application had been referred to committee because the recommendation is contrary to the view of Nash Mills Parish Council and has been called in by Councillor Jan Maddern.

Siobhan Burchell spoke in objection of the application.

Nash Mills Parish Councillor Alan Briggs spoke in objection of the application. Paul Shepherd spoke in support of the application.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Conway to **GRANT** the application in line with the officer’s recommendation.

There was an equality of votes so the Chairman exercised her casting vote and voted for the officer recommendation, so the application was granted.

Vote:

For: 5 Against: 4 Abstained: 2

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

Conditions

No	Condition
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	Following the demolition of the existing garage details of the materials of the development hereby permitted be submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept

	<p>on site and arrangements made with the planning officer for inspection.</p> <p>Reason: In the interests of the character and appearance of the locality to accord with the requirements of Policy CS12 of the Dacorum Core Strategy.</p>
3	<p>Before the first occupation of the flats hereby permitted the parking spaces shown by Drawing No PL008 shall be provided fully in accordance with this layout plan subject to the requirements of Conditions 4 and 5. Thereafter the parking spaces shall be retained at all times and shall be only used for the approved vehicle parking purposes. The parking areas shall be of a permeable surface in accordance with details subject to Condition 2.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking in accordance with Policies CS8, CS12 and CS29 of the Dacorum Core Strategy and Policies 54 and 58 of the saved Dacorum Borough Local Plan.</p>
4	<p>Before the occupation of any of the flats hereby permitted the existing access for the development hereby permitted shall be modified / installed fully in accordance with installed and thereafter maintained at all times fully in accordance with the details shown by Drawing PL008 . The approved access shall at all times be served on both sides with pedestrian visibility splays of 2m x 2m, as measured from the back edge of the public footpath (as shown by Drawing No PL008) within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and Policy 54 of the saved Dacorum Borough Local Plan as the submitted drawings and existing access lack the required visibility splays.</p>
5	<p>The access subject to Condition 4 shall be provided at all times with vehicular visibility sight lines of 2.4m x 43m in both directions from the respective accesses, as measured from the edge of the carriageway towards the site frontage. Within both visibility sight lines there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and Policy 54 of the saved Dacorum Borough Local Plan.</p>
6	<p>A tree shall be planted in the garden of the site within the planting season following the first occupation of the respective dwellinghouses hereby permitted. If the tree 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 species, size and maturity to be approved by the local planning authority. For the purposes of this condition the planting season is from 1 October to 31 March.</p> <p>Reason: In the interests of the character and appearance of the locality and biodiversity in accordance with Policies CS12 and CS29 of Dacorum Core Strategy.</p>
7	<p>No flat hereby permitted shall be occupied until a scheme for all boundary treatment is carried out fully in accordance a scheme submitted to and approved in writing by the local planning authority. Thereafter all the approved treatment shall be retained fully in accordance with the approved details. The submitted details shall show the retention of parts of the frontage hedge subject to the requirements of Condition 4.</p>

	Reason: In the interests of the residential amenity of the dwelling houses hereby permitted and the adjoining dwellinghouses, the character and appearance of the locality and biodiversity in accordance with Policies CS12 and CS27 of Dacorum Core Strategy.
8	<p>The shower and bathroom windows and rooflights of the development hereby permitted shall be fitted with obscure glass at all times and the rooflights shall be of a conservation rooflight type.</p> <p>Reason: In the interests of residential amenity in accordance with Policy CS12 of Dacorum Core Strategy and paragraph 89 of the National Planning Policy Framework.</p>
9	<p>Prior to development commencing the applicant shall submit to the LPA an assessment of noise on each habitable room due to its exposure to transportation noise. Where the assessment identifies that mitigation measures are required to protect likely future occupiers from noise, the assessment shall provide an outline mitigation statement having regard to the principles of good acoustic design. Any scheme of mitigation shall also be subject to approval by the LPA, and once approved, shall be implemented in accordance with the approval prior to first occupation and retained thereafter.</p> <p>Reason : In accordance with Policy CS32 of Dacorum Core Strategy.</p>
10	<p>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:</p> <p>PL001</p> <p>PL005B</p> <p>PL006B</p> <p>PL007 B</p> <p>Drawing No PL008 received by the local planning authority on 19 March 2019</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>NOTE 1: ARTICLE 35 STATEMENT</p> <p>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</p> <p>INFORMATIVES</p> <p>Bats</p>

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).

Contacts:

English Nature 01206 796666

UK Bat Helpline 0845 1300 228 (www.bats.org.uk)

Herts & Middlesex Bat Group 01992 581442

In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

In order to protect breeding birds, their nests, eggs and young, the demolition activities should only be carried out during the period October to February. If this is not possible then a pre-development (no more than 48 hours prior to the commencement of development) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until any juvenile birds have left the nest and have become fully independent, or professional ecological advice has been taken on how best to proceed.

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.

If the developer is concerned about possible ground instability consideration should be given by the developer in commissioning the developer's own report.

Highway Issues

1. The Highway Authority requires the alterations to and 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 accesses affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-

<https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to 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

	<p>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.</p> <p>3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>Un-expected Contaminated</p> <p>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 with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p> <p>Construction Hours of Working – (Plant & Machinery)</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall 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.</p> <p>Construction Dust Informative</p> <p>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.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>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.</p>
11	<p><u>Construction Hours of Working – (Plant & Machinery) Informative</u> In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall 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.</p> <p><u>Construction Dust Informative</u> 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)</p>

<p>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.</p> <p><u>Noise on Construction/Demolition Sites Informative</u></p> <p>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.</p>
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193 4/03165/18/FHA - REPLACE EXISTING GARAGE AND SUMMER HOUSE WITH OUTBUILDING TO PROVIDE NON-HABITABLE ANNEX WITH GARAGE AND HOBBY ROOM - 32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU

Councillor Mills agreed to stand down for this item.

The Case Officer, Nigel Gibbs, introduced the report to members and said that the application had been referred to committee due to the contrary view of Aldbury Parish Council and Councillor Stan Mills.

Joanna Stone spoke in objection of the application.

David Demmery spoke in objection of the application.

It was proposed by Councillor Tindall and seconded by Councillor C Wyatt-Lowe to **GRANT** the application in line with the officer's recommendation in addition to conditions relating to the annex being non-habitable and that there would be no further development.

Vote:

For: 5 Against: 2 Abstained: 2

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

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 Notwithstanding the details specified by the submitted drawings and the application form the walls of the building permitted shall be finished in dark stained horizontal weatherboarding.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 3 The building hereby permitted shall only be used for purposes incidental to the enjoyment of no. 32 Stocks Road as a dwelling house.**

Reason: In the interests of the residential amenity of adjoining/ nearby

dwellinghouses in accordance with Policy CS12 of Dacorum Core Strategy.

- 4 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) there shall be no external changes to the building hereby permitted.**

Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality and the appearance of the building in the locality in accordance with Policies CS11, CS12, CS24 CS25 and CS27 of Dacorum Core Strategy.

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

- 6
1. **Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 5.**
 2. **The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 10 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with Policy CS27 of Dacorum Core Strategy.

- 7 **Subject to the requirements of Condition 2 the development hereby permitted shall only be carried otherwise fully in accordance with the following plans, the materials specified by this plan and the application form:**

**L97 01
EB97- 01 Revision A
EB97-02
EB97-03**

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

NOTE 1: ARTICLE 35 STATEMENT

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme.

The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38 and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

Bats

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).

Contacts:

English Nature 01206 796666

UK Bat Helpline 0845 1300 228 (www.bats.org.uk)

In the event that bats are unexpectedly found during any stage of the development, work should stop immediately and a suitably qualified ecologist should be contacted to seek further advice'.

Highways

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

3. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>.

Construction Hours of Working – (Plant & Machinery)

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall 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.

Construction Dust

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 Practicable 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.

Noise on Construction/Demolition Sites

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.

194 4/03174/18/FHA - A NEW SECTIONAL TIMBER FRAMED BUILDING TO REPLACE AN EXISTING GARAGE AND SUMMER HOUSE - 32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU

Councillor Mills agreed to stand down for this item.

The Case Officer, Nigel Gibbs, introduced the report to members and said that the application had been referred to committee due to the contrary view of Aldbury Parish Council and Councillor Stan Mills.

David Demmery spoke in objection of the application.

Joanna Stone spoke in objection of 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 in addition to conditions, as with item 5e, relating to the building being non-habitable and that there would be no further development.

Vote:

For: 4 Against: 3 Abstained: 2

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

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 **Notwithstanding the details specified by the submitted drawings and by the application form the roof of the building hereby permitted shall be finished in timber shingles and the walls of the building shall be finished in dark stained horizontal weatherboarding.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 3 **The building hereby permitted shall only be used for purposes incidental to the enjoyment of no. 32 Stocks Road as a dwelling house.**

Reason: In the interests of the residential amenity of adjoining/ nearby dwellinghouses in accordance with Policy CS12 of Dacorum Core Strategy.

- 4 **The existing garage shall be permanently removed from the site before the commencement of the construction of the development hereby permitted.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 5 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) there shall be no external changes to the building hereby permitted.**

Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality and the appearance of the building in the locality in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

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

- **The programme and methodology of site investigation and recording**
- **The programme for post investigation assessment**
- **Provision to be made for analysis of the site investigation and recording**
- **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- **Provision to be made for archive deposition of the analysis and records of**

the site investigation

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

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

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

1. **The programme and methodology of site investigation and recording**
2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and recording**
4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

- 8 **Subject to the requirements of Condition 2 the development hereby permitted shall only be carried otherwise fully in accordance with the following plans, the materials specified by this plan and the application form:**

**EB9(-) SP
EB97 (-) 01
EB 97(-) 02
EB97(-) 03
EB97 -T**

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

NOTE 1: ARTICLE 35 STATEMENT

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme.

The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38 and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

Bats

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).

Contacts:

English Nature 01206 796666
UK Bat Helpline 0845 1300 228 (www.bats.org.uk)

In the event that bats are unexpectedly found during any stage of the development, work should stop immediately and a suitably qualified ecologist should be contacted to seek further advice'.

Highways

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

3. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>.

Construction Hours of Working – (Plant & Machinery)

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall 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.

Construction Dust

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 Practicable 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.

Noise on Construction/Demolition Sites

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.

195 4/00349/19/FHA - DEMOLITION OF PART SINGLE STOREY REAR EXTENSION. CONSTRUCTION OF TWO STOREY REAR EXTENSION WITH WALL MOUNTED LIGHTING. CONSTRUCTION OF FRONT PORCH WITH WALL MOUNTED LIGHTING (AMENDED SCHEME) - 2 PHEASANT COTTAGE, WINGRAVE ROAD, TRING, HP23 5EZ

Nigel Gibbs introduced the report to members on behalf of the Case Officer, Colin Lecart, and said that the application had been referred to committee due to the contrary view of Tring Town Council.

It was proposed by Councillor Conway and seconded by Councillor Fisher to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 8 Against: 0 Abstained: 2

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>131-01 131-03 131-04 131-05 131-10 Rev E 131-11 Rev E 131-15 Rev C</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>

3	<p>Source of Illumination</p> <p>The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Engineers in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements'. No part of the source of the illumination shall at any time be directly visible to users of the adjacent public highway.</p> <p>Reason: So that drivers of vehicles along the adjacent public highway are not dazzled or distracted, leading to interference to the free and safe flow of traffic along the highway</p> <p>Article 35 Statement</p> <p>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 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Highways Informatives</p> <p>INFORMATIVES:</p> <p>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.</p> <p>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</p>
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196 APPEALS

That the following appeals were noted:

- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING INQUIRIES**
- E. DISMISSED**
- F. ALLOWED**

197 QUARTERLY ENFORCEMENT REPORT

Philip Stanley introduced new member of staff, Olivia Stapleford, to the committee and stated that she was the Assistant Team Leader for Planning Enforcement.

Philip Stanley went through the Quarterly Enforcement Report and noted a number of items. Councillors also queried a number of items.

The Meeting ended at 10.10 pm