

**Dacorum Borough Council  
Planning and Regeneration**

The Forum  
Marlowes  
Hemel Hempstead  
Herts HP1 1DN



Mr Crosby  
Aubrey Technical Services  
The Loft  
61A Belswains Lane  
Hemel Hempstead  
HP3 9PP

Mrs Forace  
96  
Wood Lane End  
Hemel Hempstead  
HP2 4RF

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION - 4/03067/18/FUL**

**96 WOOD LANE END, HEMEL HEMPSTEAD, HP2 4RF**

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF EIGHT FLATS  
WITH ALTERATION TO ACCESS

Your application for full planning permission dated 05 December 2018 and received  
valid on 06 December 2018 has been **GRANTED** subject to the conditions overleaf.

A handwritten signature in black ink that reads 'James Doe.'.

Assistant Director Planning Development and Regeneration  
Date of Decision Notice: 06 February 2019

## CONDITIONS APPLICABLE TO APPLICATION: 4/03067/18/FUL

Date Decision Made: 06 February 2019

Date Decision Dispatched: 06 February 2019

- 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:**

**0492/02 B**

**0492/03 B**

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

- 3 Notwithstanding the information submitted, no development (excluding demolition and groundworks) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

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

- 4 Notwithstanding the details provided with the application, no development (excluding demolition and groundworks) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- hard surfacing materials;
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- trees to be retained and measures for their protection during construction works;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);

- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);
- retained historic landscape features and proposals for restoration, where relevant.

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

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

- 5 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.

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

- 6 No development (excluding demolition of groundworks) 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.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site

**users, property, the environment or ecological systems.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Core Strategy.

- 7 The approved refuse storage facilities shall be provided before any part of the development is first occupied and they shall thereafter be permanently retained.**

Reason: To accord with Saved Policy 129 of the Dacorum Borough Local Plan.

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

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

Reason: To ensure that the historic environment is not adversely affected in accordance with Policy 27 of the Core Strategy.

- 9 Development shall take place in accordance with the Written Scheme of Investigation approved under Condition (8).**

**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 (8) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To ensure that the historic environment is not adversely affected in accordance with Policy CS27 of the Core Strategy.

- 10 Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

Reason: In the interest of highway safety in accordance with Policy CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

- 11 **Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, to comply with Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.**

Reason: In the interest of highway safety and traffic movement in accordance with Policy CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

- 12 **The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be 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 Policy CS12 of the Core Strategy

- 13 **Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. 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: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises in accordance with Policy CS8 and CS12 of the Core Strategy

- 14 **Prior to the first occupation of the development hereby approved, vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be limited to the access shown on drawing number 0492/02B agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.**

Reason: In the interests of highway safety in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.

#### 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.

## **INFORMATIVES**

### Highway Authority

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

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

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

### Scientific Officer

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.

## **You have the right to appeal against Conditions attached to Planning Permission**

The period for appeal is six months from the date of the Decision Notice.

Appeals are dealt with by the Planning Inspectorate. Appeal forms are available from The Planning Inspectorate, Environment Appeals Team, 3/06 Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN 0303 444 5000

email: [enquiries@planninginspectorate.gsi.gov.uk](mailto:enquiries@planninginspectorate.gsi.gov.uk)

Appeal forms and guidance can be downloaded from the Planning Inspectorate's web-site: [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

Online appeals support

email: [pcs@pins.gsi.gov.uk](mailto:pcs@pins.gsi.gov.uk)

## **Community Infrastructure Levy (CIL)**

Dacorum Borough Council is a Charging Authority under the CIL Regulations 2010 (as amended) It is your responsibility to submit information to the Council that will enable it to determine whether your development may be CIL liable. You should do this through the submission of a CIL Additional Information Form to the Strategic Planning and Regeneration (Infrastructure) Officer, Civic Centre, Marlowes, Hemel Hempstead or by email to [cil@dacorum.gov.uk](mailto:cil@dacorum.gov.uk) **within the next 7 days**. If you fail to provide this information we will make assumptions on your CIL charges based on the information provided. This may result in higher charges being applied to your site and delay in the implementation of your planning permission.

**It is in your interest to follow the procedures set out in the CIL Regulations 2010 (as amended) in order to establish an appropriate charge and prevent the inclusion of surcharges on future Liability Notices.**

The CIL Additional Information form and other CIL forms can be located at: [www.dacorum.gov.uk/home/planning-development/planning-applications/applying-for-planning-permission/application-forms](http://www.dacorum.gov.uk/home/planning-development/planning-applications/applying-for-planning-permission/application-forms)

You can find out more about CIL and its implications at [www.dacorum.gov.uk/cil](http://www.dacorum.gov.uk/cil) or contact us by email at [CIL@dacorum.gov.uk](mailto:CIL@dacorum.gov.uk).

## **Creating a New Postal Address**

Please be advised that if you are creating a new commercial or residential postal address you must notify Dacorum Borough Council, Address Management Department at commencement of works. This can be done online at

<http://www.dacorum.gov.uk/home/planning-development/street-naming-and-numbering> or by email at [address.management@dacorum.gov.uk](mailto:address.management@dacorum.gov.uk)

## **Purchase Notices**

If either the Borough Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development or works that have been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V of the Town and Country Planning Act 1990 and Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Compensation**

In certain circumstances, compensation may be claimed for the Borough Council if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of an application to him. These circumstances are set out in Parts VI and VIII and related provisions of the Town and Country Planning Act 1990 and Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Building Regulations**

This decision notice is not an approval under the Building Regulations, for which separate application may be required. Further information can be obtained from the Building Control Service Unit (01442 228587).

### **Control of Pollution Act**

When arranging building works both the employer and the builder are responsible for works being undertaken within the hours of construction of the Control of Pollution Act 1974:

<https://www.dacorum.gov.uk/home%5Cenvironment-street-care/environmental-health/noise/noise-from-construction-sites>

### **This application was supported by the following:**

Location Plan  
Proposed Site Plan and Floor Plans  
Proposed Elevations  
Existing Site Plan  
Planning Statement