

Dacorum Borough Council Planning and Regeneration

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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/03191/18/FUL

39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP

DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED
AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING
(RESUBMISSION)

Your application for full planning permission dated 18 December 2018 and received
valid on 19 December 2018 has been **GRANTED** subject to the conditions overleaf.

A handwritten signature in black ink that reads 'James Doe.' The signature is written in a cursive style.

Assistant Director Planning Development and Regeneration
Date of Decision Notice: 24 April 2019

CONDITIONS APPLICABLE TO APPLICATION: 4/03191/18/FUL

Date Decision Made: 24 April 2019
Date Decision Dispatched: 24 April 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 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A, B, C, D, E, F.

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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 4 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:**

- **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);**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area Policy CS12 of the Dacorum Core Strategy 2013.

- 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 Policy CS12 of the Dacorum Core Strategy 2013.

- 6 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.**

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, concurrently with the bringing into use of the development.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities and in the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 7 7a). Contaminated Land Condition**

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.

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 Core Strategy (2013) Policy CS32.

7b).

All remediation or protection measures identified in the Remediation Statement referred to in Condition 7a 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.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

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

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.

- 8 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.**

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.

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

**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**

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

ARTICLE 35;

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process 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 (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

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

Appeal forms and guidance can be downloaded from the Planning Inspectorate's web-site: www.planning-inspectorate.gov.uk

Online appeals support
email: pcs@pins.gsi.gov.uk

Community Infrastructure Levy (CIL)

Dacorum Borough Council is a Charging Authority for Community Infrastructure Levy (CIL). It is your responsibility to clarify the CIL liability on your development. The Council will make every effort to ensure that notices for liable developments are dispatched as soon as possible following planning permission or consent being granted. If you do not receive a liability notice please contact the Council. **It is important that all CIL matters be in place before any works begin on site – including any demolition.** Further information regarding CIL, including FAQs, access to all CIL forms and information on appeals can be found on our website at www.dacorum.gov.uk/cil or you can contact us at 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 on line at

<http://www.dacorum.gov.uk/home/planning-development/street-naming-and-numbering> or by email at 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:

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

Utility Survey