

**Dacorum Borough Council  
Planning and Regeneration**

The Forum  
Marlowes  
Hemel Hempstead  
Herts HP1 1DN



MR TUCKER  
NETT ASSETS  
THE STUDIO  
141 NEW ROAD  
CROXLEY GREEN  
WD3 3EN

MR CLEEVE  
34  
ALEXANDRA ROAD  
HEMEL HEMPSTEAD  
HP2 5BS

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION - 4/00749/17/FUL**

**34 ALEXANDRA ROAD, HEMEL HEMPSTEAD, HP2 5BS**

DEMOLITION OF EXISTING HOUSE AND GARAGE AND CONSTRUCTION OF  
FOUR TWO BEDROOM APARTMENTS AND FOUR THREE BEDROOM  
APARTMENTS WITH PARKING AT BASEMENT LEVEL

Your application for full planning permission dated 22 March 2017 and received valid  
on 23 March 2017 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, slightly slanted style.

Assistant Director Planning Development and Regeneration  
Date of Decision Notice: 14 December 2017

## CONDITIONS APPLICABLE TO APPLICATION: 4/00749/17/FUL

Date Decision Made: 14 December 2017

Date Decision Dispatched: 14 December 2017

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 No development other than demolition, site preparation and groundworks shall take place until samples of the materials proposed to be used on the external surfaces of the development (including the driveway surfacing and brick bond) hereby permitted shall have been provided on site as a sample panel at least 1 metre by 1 metre and summary details submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure a satisfactory appearance to the development and street scene in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and guidance in HCA13.

- 3 With the exception of the use of uPVC, the development shall be carried out in accordance with the approved plans and elevations and no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until 1:20 details of the design and appearance of the following shall have been submitted to and approved in writing by the local planning authority:**

- all new windows, external doors and openings (including materials, finishes, cills, window headers). The details shall include vertical and horizontal cross-sections through the openings to show the position of joinery within the openings;
- dormer windows;
- Front bay;
- eaves joinery and rainwater goods;
- Ornamental features and chimney corbelling;
- Balconies;
- Bin and cycle stores;
- Front boundary wall (including brick bond).

**The development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and street scene in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and guidance in HCA13.

- 4 Notwithstanding any details submitted, no development other than**

demolition, site preparation and groundworks shall take place until details of how the ground floor flat will be able to gain access to the light well shown on Drg. No. 1488/PL-06 Rev C shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved detail.

Reason: To ensure satisfactory provision is made for private amenity space in the development in accordance with Appendix 3 of the Dacorum Borough Local Plan 1991-2011. Given the sub-standard private amenity provision in the development it is considered that all available areas should contribute to the overall provision.

- 5 **Notwithstanding any details submitted, no development shall take place until a tree protection plan and an Arboricultural Method Statement, shall have been submitted to and approved in writing by the local planning authority. The details should be carried out in accordance with the British Standard 5837:2012, Trees in relation to Design, Demolition and Construction Recommendations. The details as approved shall be undertaken in accordance with the approved details and any tree protection shall be put in place before any equipment, machinery or materials are brought on to the site for the purposes of the development, and prior to any demolition works taking place. The tree protection measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area of tree protection and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of 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 saved Policy 99 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013. The details are required before commencement to ensure that the measures are in place prior to demolition works.

- 6 **No development other demolition, site preparation 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;**
- **biodiversity features such as bat or bird boxes;**
- **proposed finished levels or contours, including proposals to reduce gradients in relation to hauling bins up the driveway;**
- **secure cycle storage for 8 dwellings;**

- 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);

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

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 saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.

- 7 **Notwithstanding any details submitted, no development shall take place until a sustainability statement, completed through the on-line CS29 Checklist at <http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/sustainable-development>, shall have been submitted to and approved in writing by the local planning authority.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 of the Dacorum Core Strategy September 2013. The details are required before commencement as if they are deferred until after commencement the final specifications and materials will already have been decided which may limit options for sustainability measures.

- 8 **Notwithstanding any details submitted, no development other than demolition shall take place until plans and details showing how the development will provide for sustainable urban drainage shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Core Strategy September 2013 and adopted Supplementary Planning Guidance.

- 9 **The development shall be carried out in accordance with the approved heights and relative levels shown on Drg. No. 1488/PL-09 Rev C, 10 Rev C and 11 Rev C.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum

- 10 **The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation and access shown on Drawing No. 1488/PL-00 Rev C shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge onto the carriageway.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities, satisfactory access into the site and to avoid the carriage of extraneous material or surface water into the highway in the interests of highway safety in accordance with saved Policies 51, 54 and 58 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 11 **No development shall take place until a Construction Management Plan shall have been submitted to and approved in writing by the local planning authority. The statement shall provide for:**

- **the parking of vehicles of site operatives, contractors and visitors;**
- **loading and unloading of plant and materials;**
- **storage of plant and materials used in constructing the development;**
- **construction access arrangements;**
- **wheel washing facilities;**
- **measures to control dust and dirt during construction;**

**The details shall include a plan showing the proposed location of these areas. The approved statement shall be adhered to throughout the construction period.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place at the start of construction.

- 12 **The development shall not be occupied until details of a privacy screen to the balconies hereby permitted shall have been submitted to and approved in writing by the local planning authority. The approved screens and fence shall be installed as an integral component of the development prior to first occupation and shall thereafter be permanently retained in position.**

Reason: In the interests of the residential amenities of the adjacent flats at Alex Court in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.

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

**21268 Rev 1**  
**1488/PL-04**  
**1488/PL-05**  
**1488/PL-03**  
**1488/PL-01**  
**1488/PL-02**  
**1488/PL-00 Rev C**  
**1488/PL-06 Rev C**  
**1488/PL-07 Rev C**  
**1488/PL-08 Rev C**  
**1488/PL-09 Rev C**  
**1488/PL-10 Rev C**  
**1488/PL-11 Rev C**

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

#### Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the pre-application stage and determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

#### INFORMATIVES:

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

## Environmental Health

### 1) 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. And the best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.

### 2) 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: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays

### 3) Dust

As advised within the application documentation, 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) Bonfires

Waste materials generated as a result of the proposed demolition and/or construction operations shall 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.

## **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.**

If you have already submitted the CIL Additional Information form to the Council as part of the planning application process the Borough Council's Strategic Planning and Regeneration (Infrastructure) Officer and have been advised that the scheme is liable you will be sent a draft Liability Notice in due course.

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 on



line 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:**

Design and Access Statement  
Heritage asset Impact Assessment Nov 2017  
Tree Report July 2017  
CS29 Sustainability Checklist  
CIL form