STM environmental

ENVIRONMENTAL CONSULTING , SOFTWARE & TRAINING

CONTAMINATED LAND REMEDIATION STRATEGY AND VERIFICATION PLAN

Site Address
10 Church End
Markyate
St Albans
AL3 8PY

Client
Gleneden Plant Sales Ltd

Report Reference
REM-2023-000019

Prepared by
STM Environmental Consultants Ltd

Date
15/11/2023

1. CONTENTS

2. DOCUMENT CONTROL

CONTAMINATED LAND RISK ASSESSMENT
Remediation Strategy and Verification Plan

Site Address	10 Church End Markyate St Albans AL3 8PY
Site Coordinates	505968, 216797
Prepared for	Gleneden Plant Sales
Version No	1.0
STM Reference	REM-2023-000019
Date	15/11/2023
Report Author	Rebecca Andrew (MSci) **Environmental Consultant**
Report Authorised By	Simon Makoni (BSc, MSc Env. Eng.) **Director**

3. DISCLAIMER

This report and any information or advice which it contains, is provided by STM Environmental Consultants Ltd (STM) and can only be used and relied upon by Gleneden Plant Sales Ltd (Client). Any party other than the Client using or placing reliance upon any information contained in this report, do so at their own risk.

STM has exercised such professional skill, care and diligence as may reasonably be expected of a properly qualified and competent consultant when undertaking works of this nature. However, STM gives no warranty, representation or assurance as to the accuracy or completeness of any information, assessments or evaluations presented within this report.

It should be noted that this report has been produced for environmental purposes only. It should not in any way be construed to be or used to replace a geotechnical survey, structural survey, asbestos survey, buried services survey, unexploded ordnance survey or Invasive Plant Survey.

This report excludes consideration of potential hazards arising from any activities at the Site other than normal use and occupancy for the intended land uses. Hazards associated with any other activities have not been assessed and must be subject to a specific risk assessment by the parties responsible for those activities.

4. INTRODUCTION

STM Environmental Consultants Ltd. (STM) were commissioned by Gleneden Plant Sales (Client) to undertake a prepare a Remediation Strategy and Verification Plan for a site located at 10 Church End, Markyate, St Albans, AL3 8PY (Site).

This report has been produced to support an application for the discharge of Condition 6(iii) of planning permission 21/04038/FUL for the '*Conversion of existing former commercial building (E1) to dwelling house (C3) and construction of part first, part 1.5 storey side extension with soft and hard landscaping'.* The decision notice and proposed development plans are available in Appendix 1 and Appendix 2 respectively.

Condition 6(iii) states as follows:

*"(iii) 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."*

This document sets out the Remediation Strategy and Verification Plan for the site. It should be read in combination with the Phase 1 Desk Study Report (Ref: PH1-2023-000075) which was produced for the site by STM in October 2023 and the Phase 2 Site Investigation report (Ref: PH2-2023-000036) produced by STM in October 2018.

5. BACKGROUND

5.1 Summary of Phase 1 Desk Study

The Phase 1 Desk Study produced for the site by STM in October 2023 which indicated that the site has been subject to past Potentially Contaminative Land Uses (PCLUs) including Engineering Works and Fly-Tipping. Off site PCLUs identified included a Works/Factory (adjacent W) and Cemetery (170m SW). A conceptual risk site model was constructed and a qualitative risk assessment carried out. This identified potentially significant Potential Pollutant Linkages with respect to human health, groundwater, and property receptors.

The Desk Study recommended that an intrusive site investigation be carried out with the objective of determining the presence and extent of any soil and gaseous contamination at the site.

5.2 Summary of Phase 2 Intrusive Site Investigation

The site investigation work was carried out on the 31st August 2023. A total of 3no. boreholes (BH01 – BH03) were advanced to a maximum depth of 3mbgl.

Reinforced concrete was encountered to a maximum depth of 0.2mbgl, underlain by Made Ground comprising clayey SILT and gravelly silty CLAY to a maximum depth of 1.6mbgl. This was underlain by gravelly chalky CLAY to a maximum depth of 2.5mbgl, underlain by CHALK to 3mbgl, the maximum depth of the boreholes.

All of the boreholes (BH01 – BH03) were installed as groundwater, ground gas and vapour monitoring wells to depths up to 3mbgl. 3no. rounds of ground gas monitoring were undertaken over 4 weeks.

A total of 6no. soil samples were collected from depths ranging between 0.3m – 1.2mbgl and submitted to a UKAS/MCERTS accredited laboratory for analysis of Heavy Metals, TPH, BTEX, PAHs, SVOCs and Asbestos.

A Generic Quantitative Risk Assessment was carried out where the results of the soil sample analysis were compared to Generic Assessment Criteria (GAC) for a residential housing with home-grown produce land use scenario.

Results of the soil sample analyses identified concentrations above the chosen GAC for Lead (max concentration 1978mg/kg), Benzo(a)anthracene (max concentration 20.2mg/kg), Benzo(a)pyrene (max concentration 11.7mg/kg), Benzo(b)fluoranthene (max concentration 12.1mg/kg) and Dibenzo(ah)anthracene (max concentration 1.91mg/kg) in soils from all of the borehole locations. Asbestos was not identified in any of the samples screened.

A Gas Screening Value (GSV) of 0.023l/hr was calculated using the results of the ground gas monitoring. The GSV indicates that the site should be classified as "Characteristic Situation 1 (CS1) – Very Low Gas Risk" meaning that no standard gas protection measures are considered to be required.

5.3 Reassessment of Potential Pollutant Linkages

The Potential Pollutant Linkages (PPLs) identified as being plausible in Phase 1 were as follows:

- Risk of direct contact (ingestion and absorption) with and inhalation of contaminants to on-site human health receptors (PPL1a – Future Occupiers and PPL1c – Construction Workers);
- Risk of injury/death of on-site human health receptors as a result of explosion due to accumulation of ground gas from on and off-site sources in confined spaces within on-site dwellings. (PPL1b- – Future Occupiers and PPL1d - Construction Workers);
- Risk of direct contact with (ingestion and absorption) and inhalation of contaminants to off-site human health receptors as a result of on-site contaminants migrating off-site (PPL2a);
- Risk of injury/death to off-site human health receptors as a result of explosion due to migration of on-site ground gas and subsequent accumulation in confined spaces in off-site buildings. (PPL2b);
- Risk of deterioration of groundwater quality resulting from the migration of on-site contaminants into the underlying aquifer (PPL3);
- Risk of deterioration of surface water quality resulting from the migration and entry of on-site contaminants into the surface water receptor (PPL4);
- Risk of deterioration of ecological quality resulting from the migration and entry of on-site contaminants to the ecological receptor during development and after completion (PPL5);
- Risk of damage to buildings and services from on and off-site contaminants (PPL6a);
- Risk of damage to property as a result of explosion due to accumulation of ground gas from on and off-site sources in confined spaces within buildings (PPL6b).

Of these, the Desk Study concluded that PPL1a, PPL1b, PPL3, PPL6a and PPL6b had the potential to be significant.

The Conceptual Risk Model for the site was reassessed incorporating the results of the site investigation. Potentially Significant Potential Pollutant Linkages were considered to exist with respect to human health and property receptors. These are concerned with the risk of human health receptors (future occupiers) being exposed to the identified contamination while undertaking recreational activities in gardens. The table below presents the results of the re-assessment.

Table 1: Results of Qualitative and Quantitative Risk Assessments

CRITERIA	POTENTIAL POLLUTANT LINKAGES								
	PPL1a	**PPL1b**	**PPL2a**	**PPL2b**	**PPL3**	**PPL4**	**PPL5**	**PPL6a**	**PPL6b**
POTENTIAL SOURCES	**Potential Contaminants Associated with Potential Made Ground and Site Use as Engineering Works, Storeroom/Workshop, Fly Tipping and Offsite Uses as Works/Factory and a Cemetery:** i.e. Acids & Alkalis, Asbestos, Chlorinated & Non-Chlorinated Solvents, Fuels & Fuel Oils, Heavy Metals, Organic & Inorganic Compounds, Polycyclic Aromatic Hydrocarbons (PAHs), Total Petroleum Hydrocarbons (TPHs) and Volatile Organic Compounds (VOCs).								
POTENTIAL RECEPTORS	**Onsite Humans**	**Onsite Humans**	**Offsite Humans**	**Offsite Humans**	**Groundwater** Principal Bedrock Aquifer	**Surface Water** River Ver	**Ecology** None	**Property/ Services**	**Property/ Services**
POTENTIAL PATHWAYS	Direct Contact/ Inhalation	Explosive Ground Gases	Direct Contact/ Inhalation	Explosive Ground Gases	Leaching	Leaching/ Migration	Direct Contact/ Inhalation	Direct Contact/ Corrosion	Explosive Ground Gases
SEVERITY	Major (4)	Major (4)	Major (4)	Major (4)	Moderate (3)	Moderate (3)	Moderate (3)	Moderate (3)	Moderate (3)
LIKELIHOOD	Possible (3)	Improbable (1)	Improbable (1)	Improbable (1)	Improbable (1)	Improbable (1)	Improbable (1)	Possible (3)	Improbable (1)
RISK	Moderate (12)	Low (4)	Low (4)	Low (4)	Very Low (3)	Very Low (3)	Very Low (3)	Low to Moderate (9)	Very Low (3)
POTENTIALLY SIGNIFCANT?	**YES**	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**	**YES**	**NO**

6. REMEDIATION STRATEGY

This section outlines the remedial strategy that will be implemented as part of the development.

6.1 Objectives

The Remediation Strategy and Verification Plan sets out the proposed remedial works to be undertaken at the Site to support its future development for a proposed residential with private gardens end use.

The objective of the Remediation Strategy is to break the identified PPLs thus ensuring that the site is suitable for the proposed end use.

In order for land to be considered contaminated, there must be a contaminant (or source), a receptor and a pathway (via which the contaminant can reach the receptor) present at the site. When these three components are identified at a site, a *pollutant linkage* is said to exist.

Pollutant Linkage (PL) = Contaminant –> Pathway -> Receptor

The PPL can be broken through either the removal of the Source, the Pathway or the Receptor. As the receptor cannot be removed in this scenario (the site is proposed for use as a residential dwelling), either the Source or the Pathway will need to be removed.

6.2 Remedial Options Appraisal

An appraisal of the potential remedial options available to severe the PPLs identified with respect to end users was carried out. The results are summarised in table below.

Table 2: Remedial Options Appraisal

PPL	Pathway	Remedial Option No.	Description	Feasible?	Recommended?	Comments
PPL1a	Direct Contact in private gardens and other areas of soft landscaping Direct Contact pathway involves exposure to contaminants via direct ingestion of soil and dust; consumption of home-grown produce and dermal contact Inhalation of dust (indoor and outdoor)	1	Excavation and removal of all contaminated soils from the site	Not Feasible	No	Too expensive and time consuming.
		2	Capping of contaminated areas under hardstanding (i.e. driveways, car parks and buildings)	Feasible	**Yes**	This will be possible in some areas but not across the entire site as it may compromise the surface water drainage strategy for the site due to the resulting increase in run-off rates.
		3	Installation of a clean cover system	Feasible	No	Raising the ground levels by the required amounts would likely be impracticable for the development. Also, most of the contamination would be left in-situ resulting in little or no reduction of the potential impact on groundwater and surface water receptors.
		4	Installation of an engineered capping system - excavation and removal of 600mm of the contaminated Made Ground and replacement with clean fill.	Feasible	**Yes**	Feasible in gardens and areas of soft landscaping. Removal of 600mm of Made Ground would result in a reduction of the contaminated soil load at the site and therefore the potential impact on human health receptors.
		5	Onsite remediation of contaminated soils	Feasible	No	Although it is feasible, and the most sustainable of the available options, it would be time consuming and would likely not be completed within the timescales of the project.

PPL	Pathway	Remedial Option No.	Description	Feasible?	Recommended?	Comments
PPL6a	Damage to buildings and services resulting from chemical attack by on-site contaminants	14	Use of chemical resistant materials for building and services. Use of clean service trenches.	Feasible	**Yes**	This option involves ensuring that buildings and services, in particular potable water, are supplied using materials that are resistant to chemical attack. Services should also be installed into trenches lined with clean fill. The Statutory Water Undertaker for the area should be contacted in to determine their exact specification for the type of pipework/ conduits that should be used on this site.

6.3 Proposed Remedial Options

The proposed remedial measures will comprise the following:

- **Remedial Option 2 –** capping of contaminated areas under hardstanding or buildings;
- **Remedial Option 4 –** installation of an engineered capping system;
- **Remedial Option 14 –** use of chemical resistant materials for building and services. Use of clean service trenches.

6.4 Remediation Methodology

6.4.1 Capping of Contaminated Areas Under Buildings and Driveway/Car Parking area

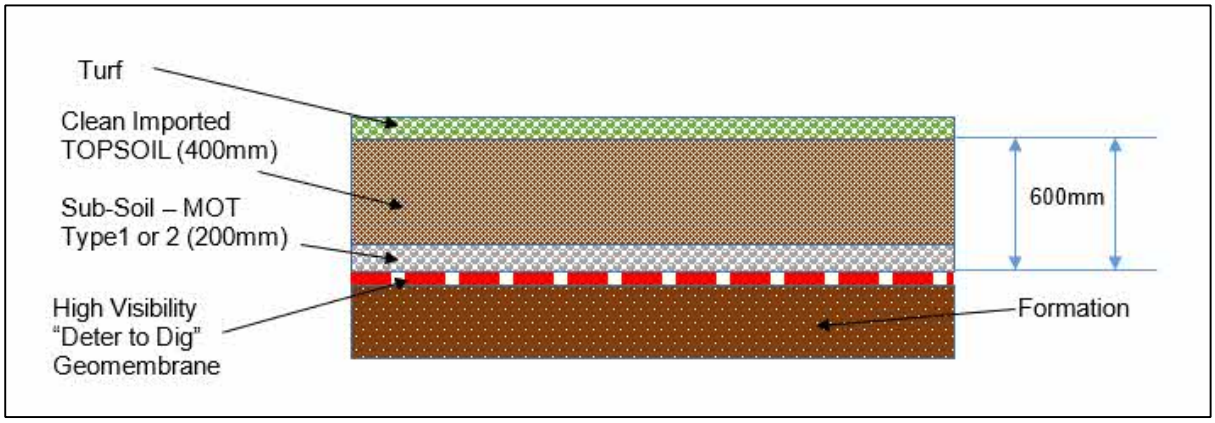
Much of the area of the site will comprise driveways/car parking and the building footprint, and as such much of the contaminated Made Ground at the site will be capped. This means that it cannot be accessed via the direct contact pathway. This is shown in the proposed plans in Appendix 2.

6.4.2 Installation of Engineered Capping Layer in Impacted Soft-landscaped Areas

Made Ground in areas of the site intended for use as private gardens and will be excavated to a maximum depth 600mm. Where the Made Ground is less than maximum depth, validation inspections and soil testing will be required at the base and sides of the excavation to demonstrate that all the Made Ground has been removed.

The Made Ground will be removed and taken to a licenced disposal facility by a licenced waste transport carrier. The soils removed from the excavated areas will be replaced with clean, imported, verified fill materials underlain by a “no dig” geotextile membrane. The clean fill will consist of a 200mm thick sub-base (i.e. MOT Type 1 or 2) layer and 400mm topsoil in the areas of proposed private gardens.

Figure 1: Cross-section of engineered capping layer in Private Garden Areas



6.4.3 Use of chemical resistant materials for building and services

All services will be installed into trenches lined with clean fill.

The Statutory Water Undertaker for the area will be contacted in relation to new services that are to be installed as part of the proposed development in order to confirm their specification for the type of pipework/conduits that should be used on this site.

Unless otherwise advised by the Statutory Water Undertaker, all potable water services will be supplied using materials that are resistant to attack and degradation to chemical attack.

6.5 Health and Safety

The following measures will be undertaken as a minimum for the protection of the health and safety of site workers:

- Provision of appropriate Personal Protective Equipment (PPE) including protective clothing, footwear, gloves and dust masks to all groundworkers on-site. These should not be removed from site, and advice should be given on when and how they are to be used;
- Minimising the amount of dust and mud generated on-site;
- Good practices relating to personal hygiene (i.e. washing and changing procedures) should be adhered to on-site, i.e. food and drink should only be consumed within designated areas on the site and smoking should be prohibited in all working areas.
- Provision of welfare facilities on the site;
- Health and Safety Inductions and daily briefings.

All site works will be carried out in accordance with Health and Safety Executive regulations and guidelines and the Contractor's Construction Health and Safety Plan. Particular should be made to the Health and Safety Executive (HSE) document "Protection of Workers and the General Public during the Development of Contaminated Land".

6.6 Watching Brief and Discovery Strategy

It is recommended that a "watching brief" is kept at all times during the development. Should any unexpected contamination be encountered then the discovery strategy outlined below should be followed.

- Works should be halted if any suspicious ground conditions are identified by groundworkers;
- The Contractor should assess the need for any immediate health and safety or environmental management control measures. If control measures are considered to be required, they should be implemented;
- The Contractor should notify the Client's Environmental Consultant and the Local Planning Authority;
- The Environmental Consultant should attend the site to record the extent of 'contamination' and if necessary, to collect samples.
- If remedial action is considered necessary then the proposed works should be agreed with the Local Planning Authority prior to implementation;
- Once remediation is complete, the Environmental Consultant should collate evidence of work carried out for inclusion in a Remediation Verification Report which should be submitted to the Local Planning Authority.

6.7 Waste Management

6.7.1 Waste Disposal

Groundworks at the site are likely to give rise to waste soils which will require classification before removal from site. The Environment Agency's Hazardous Waste Technical Guidance document (WM3) outlines the methodology for classifying wastes. Once classified the waste can be removed to an appropriately licensed facility for treatment or final disposal. The

contractor will need to keep a full documentary record of these works in line with Duty of Care requirements. The record will include waste transfer notes and details of the receiving site. Copies of all relevant documents should be provided to the Client's Environmental Consultant for inclusion in the remediation verification report.

6.7.2 Materials Reuse

As laid out in the CL:AIRE The Definition of Waste: Development Industry Code of Practice (DoWCoP) materials are only considered waste if "they are discarded, intended to be discarded or required to be discarded by the holder". The DoWCoP allows excavated materials to be reused where there is a need for materials and where the risk is acceptable. The following criteria need to be met in order to allow for soils to be reused at a site.

- Pollution of the environment and harm to human health is prevented in reusing the excavated materials;
- The materials are suitable for use without further processing
- There is certainty of use; and
- The quantity that is absolutely necessary (and no more) is used.

A Materials Management Plan (MMP) that confirms the above criteria are met would be required to be submitted to a "Qualified Person" for approval and issuance of an DoWCoP Declaration to the Environment Agency.

Should materials be reused under a DoWCoP declaration, the reuse of the material will need to be fully documented within the final Remediation Verification Report for the site.

7. VERIFICATION STRATEGY

A Remediation Verification Report written by a competent environmental consultant will be submitted and will provide a complete record of the works that have been carried out on the site. The verification reports will as a minimum contain the following:

- Plans showing locations of remediated (i.e. excavated) areas and photographic evidence (e.g. excavations with thickness measurements, filling of imported soils, finished levels etc) of the works undertaken.
- Soil certificates confirming the source of the imported material and that it is suitable for use on a residential site;
- Imported Soil Laboratory Test Certificates for full suite of potential contaminants (i.e. heavy metals, PAH, asbestos etc..) at a density of either 1 sample per garden in private gardens or 1 sample per 50m^3;
- Waste Transfer Notes and Soil Importation Certificates including volume of soil transported in each truck;
- An updated risk assessment for the site, taking into account the works that have been implemented and any uncertainties and limitations that were encountered.

8. CONCLUSIONS

It is considered that the proposed remedial measures will be sufficient to break the identified PPLs and render the site suitable for the proposed use.

9. APPENDICES

9.1 Appendix 1 – Planning Permission Decision Notice

Dacorum Borough Council
Planning and Regeneration
The Forum
Marlowes
Hemel Hempstead
Herts
HP1 1DN

Switchboard
01442 228 000
Website
www.dacorum.gov.uk
D/deaf callers, Text Relay:
18001 + 01442 228 000

Mr David Or Martin Lomas Or Crook
MSC Planning Associates Ltd
The Old Registry
20 Amersham Hill
High Wycombe
HP13 6NZ

DECISION NOTICE

Application (full) for planning permission.

Town and Country Planning Act 1990

Reference:	21/04038/FUL
Proposal:	Conversion of existing former commercial building (E1) to dwelling house (C3) and construction of part first, part 1.5 storey side extension with soft and hard landscaping.
Address:	10 Church End Markyate St Albans Hertfordshire AL3 8PY

Your application received 22nd October 2021 and registered on 28th October 2021 has been **GRANTED** subject to the conditions overleaf.

[redacted]

Head of Development Management
Dacorum Borough Council

Condition(s) and Reason(s):

1. The development hereby permitted shall begin 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:

   21.058 2A, 21 058 1A, K0422-E-S1

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

3. The parking space shown on the approved plan shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling[s] and their visitors and for no other purpose.

   Reason: In accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Section 9 of the National Planning Policy Framework (2021).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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, E.

   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 Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

5. No development (excluding demolition/ground investigations) 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 satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

6. 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:

   (i) 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.

   (ii) 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.

   (iii) 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 183 and 185 of the National Planning Policy Framework (2021).

7. All remediation or protection measures identified in the Remediation Statement referred to in Condition 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 183 and 185 of the National Planning Policy Framework (2021).

8. No development shall take place until a detailed BS4142: 2014 Noise Impact Assessment has been undertaken and submitted to the Local Planning Authority for approval. The report shall detail noise emissions and appropriate mitigation to protect residents against such industrial noise sources, including but not limited to, mechanical plant (fans, generators a/c, air handling unit, local exhaust ventilation, reversing bleepers, crates, deliveries, metal cage/pallet deliveries, forklift trucks, rubbish collections, glass breakage, radio's etc.). The rating level of the noise emitted from the commercial site shall not exceed the existing typical background (LA90,1hr daytime) and (LA90,15 min) night-time. The noise levels shall be determined at the nearest noise sensitive receptor or known proposed residential dwellings. Development shall be carried out in accordance with the approved measures.

   Reason: To protect the residential amenities of the locality, having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

Informatives:

1. Planning permission has been granted for this proposal. 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.

2. Highway Informatives
   HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

   AN 1) 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 County Council website at:
   https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN 2) Obstruction of highway: 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 County Council website at:
https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

3. Working Hours Informative
Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

Waste Management Informative
Under no circumstances should waste produced from the development be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.
Air Quality Informative.

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

Invasive and Injurious Weeds - Informative
Weeds such as Japanese Knotweed, Giant Hogsweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants .

This application was supported by the following documents:

21-058-3 (Existing Floor Plans)
(Site Location Plan)
(Flood Risk Assessment)
(Heritage Statement)
21-058-2 (Proposed Floor plans)
21-058-1 (Proposed Elevations)
F0121-F (Site plans)

(Planning Statement)

Notes:

Appeal to the Planning Inspectorate

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Before making any appeal you should first consider re-engaging with the local planning authority to discuss whether any changes to the proposal would make it more acceptable and likely to gain planning permission. A revised planning application could then be submitted.

Applicants should give consideration to the merits of the case, and whether there are strong grounds to contest the conditions or reasons for refusal of planning permission before submitting an appeal. Parties who pursue an appeal unreasonably without sound grounds for appeal may have an award of costs made against them.

Most planning appeals must be received within six months of the date on the decision notice. Where the appeal relates to an application for householder planning consent, and is to be determined via the fast track Householder Appeals Service, there are only 12 weeks to make the appeal. Appeals related to shop fronts must also be submitted within 12 weeks. Advertisement consent appeals must be submitted within 8 weeks. If an appeal on an application for planning permission is linked to enforcement action, there are only 28 days to make the appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone: 0303 444 5000.

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.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission/consent 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 VI, Chapter I of the Town and Country Planning Act 1990 and Part I, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

Building Regulations

The proposed works may require building regulations approval. Please contact Hertfordshire Building Control who can help you through the process. They can be contacted via telephone (01438 879990) or email (buildingcontrol@hertfordshirebc.co.uk).

Creating New Addresses

If you are creating a new commercial or residential postal address, you must notify the Council's Address Management Team when works are commenced. This can be done online or by emailing address.management@dacorum.gov.uk.

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. Further information can be found on our website.

Southern Gas Network Overbuild Advisory Note

There are a number of risks created by built over gas mains and services; these are:

• Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
• Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
• Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within Southern Gas Network's gas network, you must:

1. Check your proposals against the information held at https://www.linesearchbeforeudig.co.uk/ to assess any risk associated with your development and
2. Contact their Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See contact details below:

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

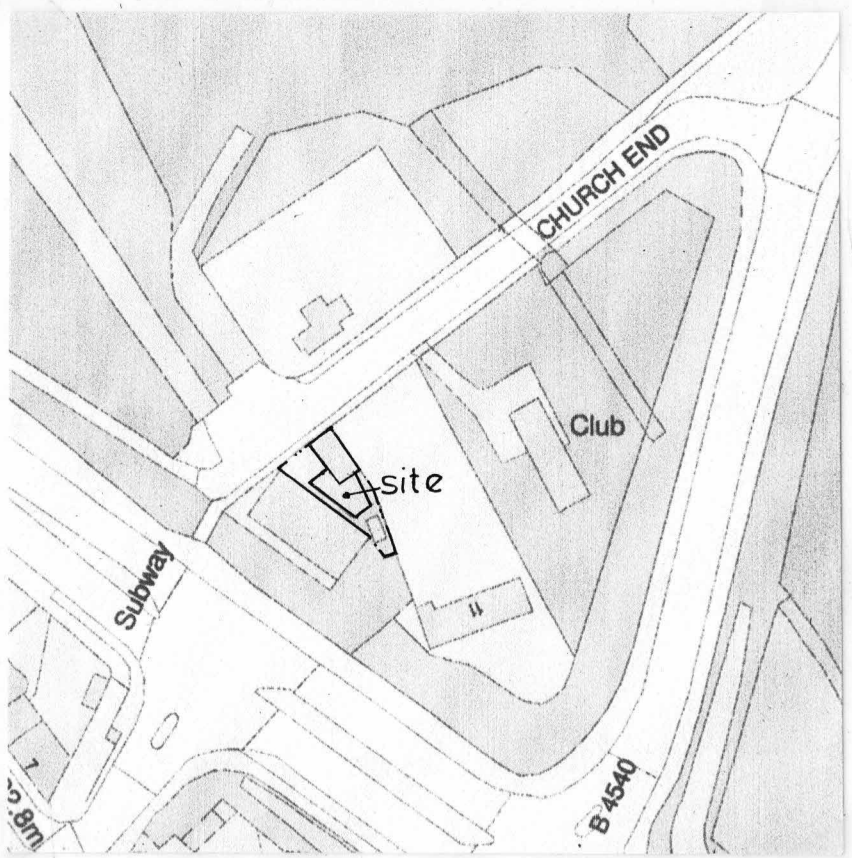
In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

• Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work https://www.sgn.co.uk/damage-prevention

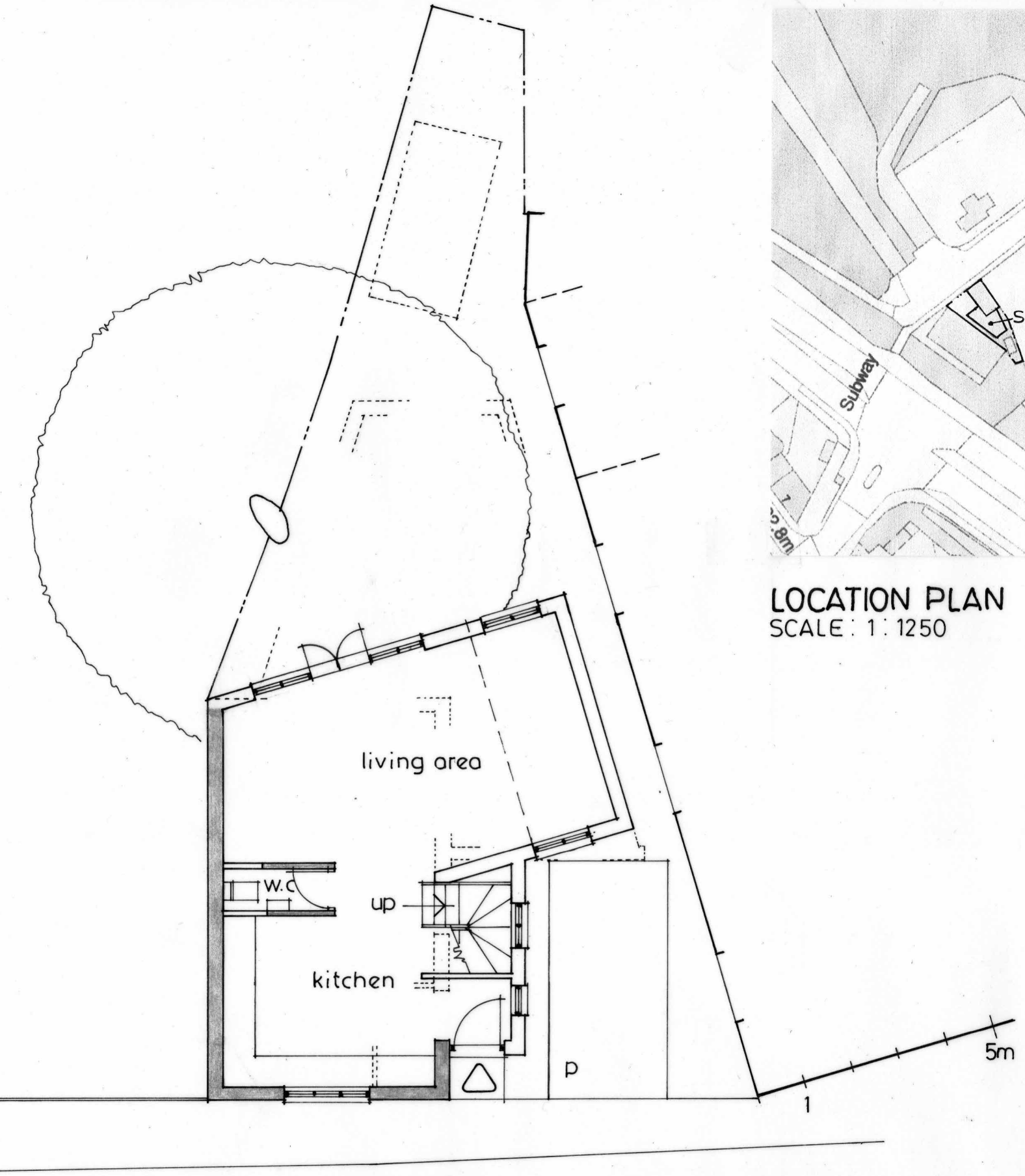
• Further information can also be found here https://www.sgn.co.uk/help-and-advice/digging-safely

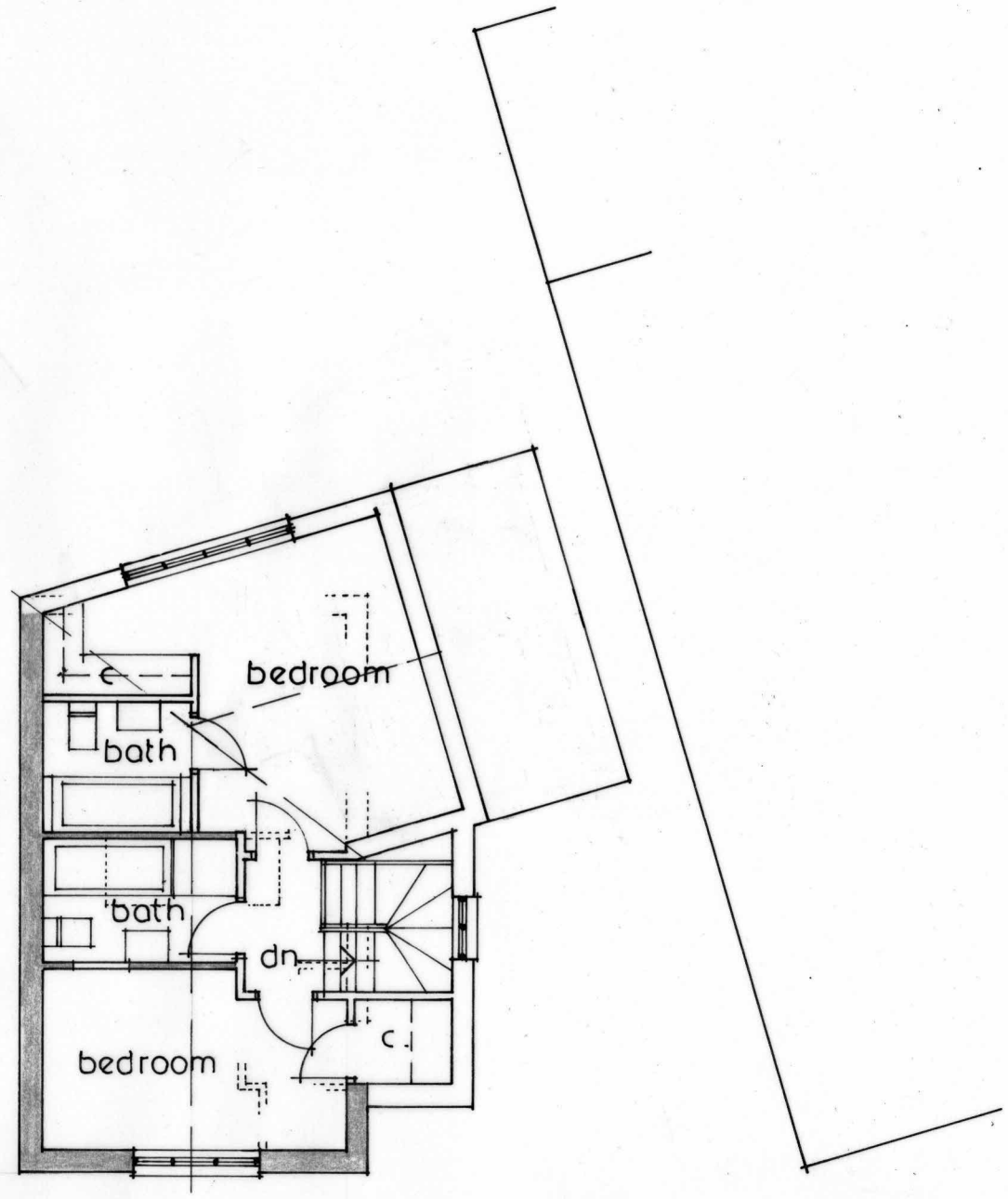
9.2 Appendix 2 - Proposed Development Plans



N

LOCATION PLAN
SCALE : 1 : 1250





GROUND FLOOR PLAN
SCALE : 1 : 100

CHURCH END

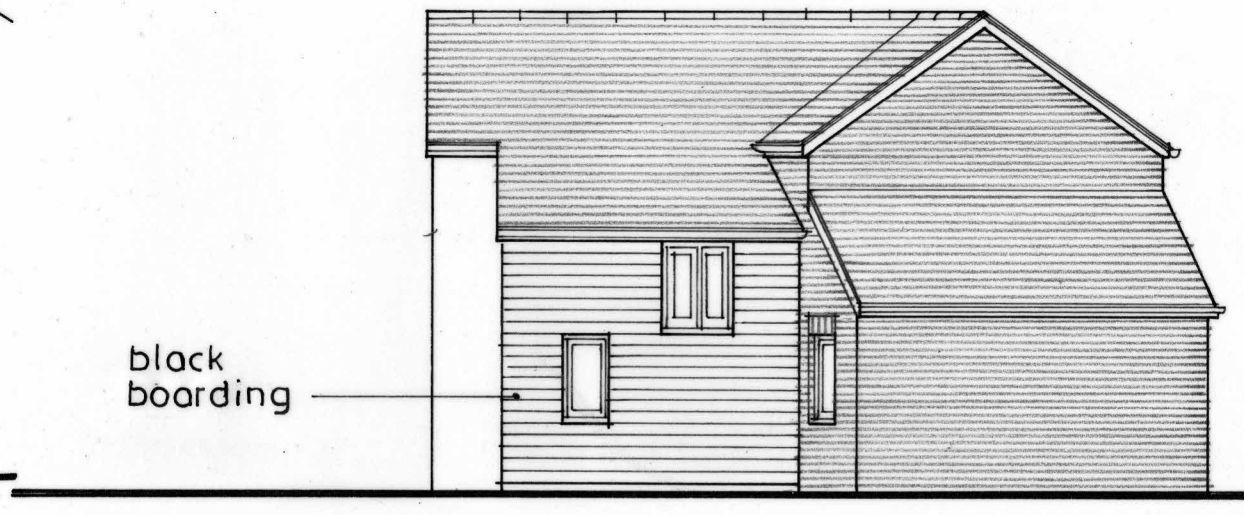
FIRST FLOOR PLAN

PROPOSED DEVELOPMENT AT 10 CHURCH END · MARKYATE · HERTS ·

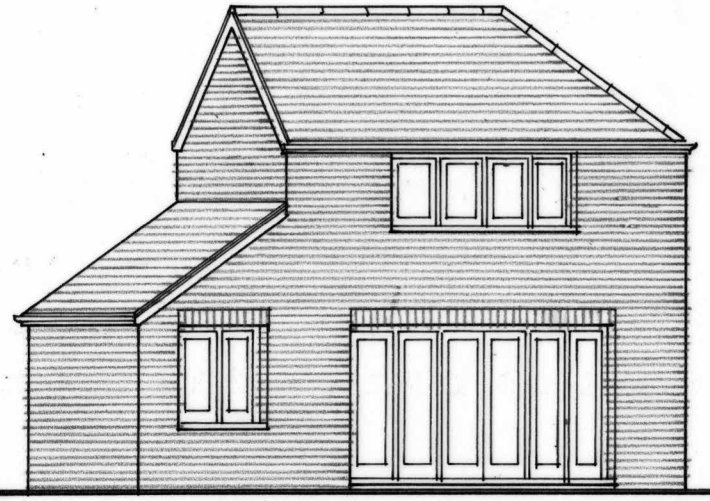
REF : 21·058·2A

MSC PLANNING LIMITED
Chartered Town Planning & Development Consultants
Beech House, 259 Amersham Road,
Hazlemere, Buckinghamshire HP15 7QW.
Tel: 01494 511108 Fax: 01494 534351

NORTH WEST ELEVATION

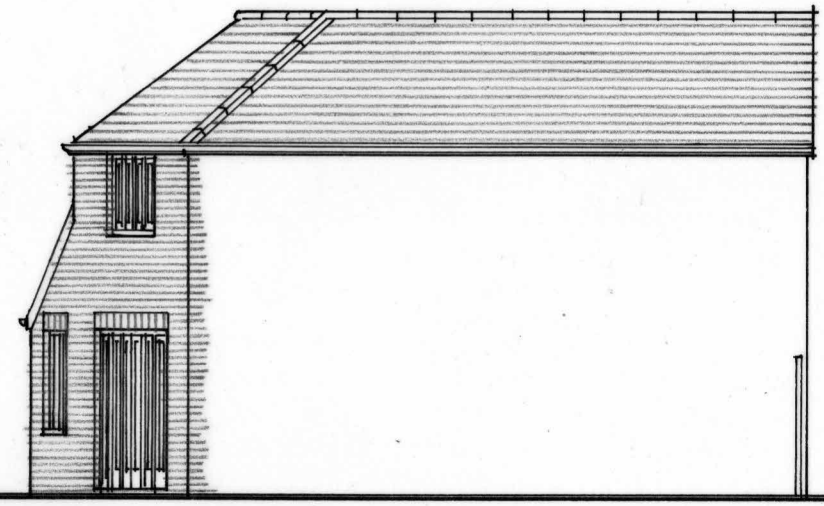


SOUTH WEST ELEVATION



SOUTH EAST ELEVATION

1 5m



NORTH EAST ELEVATION

PROPOSED DEVELOPMENT AT 10 CHURCH END · MARKYATE · HERTS ·

REF: 21·058·1A

MSC PLANNING LIMITED
Chartered Town Planning & Development Consultants
Beech House, 259 Amersham Road,
Hazlemere, Buckinghamshire HP15 7QW.
Tel: 01494 511108 Fax: 01494 534351