
DACORUM BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

03 SEPTEMBER 2015

Present

MEMBERS:

Councillors D Collins (Chairman) Birnie, Conway, Clark, Fisher, P Hearn, Ransley, Riddick, Ritchie, R Sutton, Whitman and C Wyatt-Lowe.

Councillor G Sutton and Councillor Elliot were also in attendance.

OFFICERS:

P Newton (Planning Casework Team Leader), R Marber, J Reid, E Palmer, T Rennie, J Seed, B Lisgarten, K Mogan, J Doyle

The meeting began at 7.00 pm

087. INTRODUCTIONS

Councillor D Collins (Chairman) introduced himself and the officers present and went through the fire safety procedure. Councillor D Collins asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application. He also reminded the members and public about the rules regarding public participation.

An addendum to the agenda was circulated before the meeting. A copy of the addendum can be found on the DBC website on the following link:

<http://www.dacorum.gov.uk/home/council-democracy/meetings-minutes-and-agendas/events/2015/09/03/development-control-committee/development-control-committee>

088. MINUTES

The minutes of the meeting held on 06 August 2015 were confirmed by the Members present and were then signed by the Chairman

089. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies received from Councillor Matthews, Guest and Tindall.

Councillor Hearn substituted for Councillor Guest. Councillor Ransley substituted for Councillor Tindall.

090. PLANNING APPLICATIONS

The Committee considered applications for planning permission as set out below and reached the decisions therein.

091. 4/02300/13/FUL – DEMOLITION OF HOUSE AND CONSTRUCTION OF FIVE HOUSES (FOUR SEMI-DETACHED AND ONE DETACHED)

2 THE HOLLIES, LONG CHAULDEN, HEMEL HEMPSTEAD, HP1 2NU

J Reid presented this item on behalf of the relevant Case Officer.

Mr Derek Bromley spoke in support of the application.

Councillor G Elliot in his role as Dacorum Borough Councillor addressed the meeting objecting to the application.

The item was debated with concerns being raised by Members with regards to the over-development of the area and the parking and garden space proposed not being in line with the Council's own guidelines. Also, the Members were concerned that the resident in the semi-detached house would stay whilst the other half was demolished.

The Officer's recommendation to grant the application fell due to lack of a proposer and a seconder.

It was proposed by Councillor Whitman and seconded by Councillor Birnie that the Officer's recommendation be overturned and the application be refused.

Voting:

10 for; 2 abstained

Resolved:

Officer's recommendation overturned – application **REFUSED**

1. By reason of insufficient car parking provision and inadequate private amenity space, the proposed scheme would represent over development of the site and fails to accord with policy CS12 of the adopted Core Strategy and appendices 3 and 5 of the local plan.
2. The proposed development would result in the loss of privacy and disturbance to the neighbouring property, Number 1 the Hollies as a result of its layout and siting together with the positioning of the access and car parking. The scheme therefore fails to achieve the requirements of policy CS12 (d) of the adopted Core Strategy and Appendix 3 of the Local Plan.

092. 4/00751/15/FHA – TWO STOREY REAR EXTENSION

BRIARS ORCHARD, SHOOTERSWAY LANE, BERKHAMSTED, HP4 3NW

The item was introduced by E Palmer as the relevant case officer advising that Berkhamsted Town Council had objected to the application.

Mr Kilich spoke in support of the application.

Mr Scott and Mr Roberts distributed two documents including a plan and a planning development certificate of lawfulness and spoke in objection to the application but Mr Roberts then reluctantly withdrew his objection.

It was proposed by Councillor Fisher and seconded by Councillor Ransley to grant the application in line with the officer's recommendation.

Voting:

7 for, 1 against and 4 abstained.

Resolved:

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

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

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

- 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 and B]

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. The site is a tight infill development in an area of large properties on large plots. To ensure compliance with Core Strategy Policies 11 and 12.

- 4 **The windows at first floor level in the northern elevation of the extension hereby permitted shall be top hung and permanently fitted with obscured glass unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and to comply with CS 11 and 12.

- 5 **No development shall take place until details of the obscured glazed glass to be used in the first floor windows in the northern side elevation of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure there is no loss of privacy for neighbours and to comply with CS 11 and 12.

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

Site location plan
Section
Existing elevations
Existing section
1623/2/5288

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

Article 31 Statement:

Planning permission/advertisement consent/listed building consent 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

093. 4/02121/15/FUL – CHANGE OF USE FROM B1 BUSINESS USE TO D2 LOW COST GYMNASIUM (RESUBMISSION OF APPLICATIONS 4/01450/14/FUL AND 4/03189/14/FUL)

MARK HOUSE, 36 MARK ROAD, HEMEL HEMPSTEAD, HP2 7UE

The item was introduced by T Rennie as the relevant Case Officer.

Representatives from Sportspace were invited to answer questions from Members.

Councillor C Wyatt-Lowe stated that the Committee should be encouraging the development of exercise facilities.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor R Sutton to grant the application in line with the officer's recommendation.

Voting:

10 for, 2 abstained.

Resolved:

That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

- 2 Before construction works commence a scheme providing for the insulation of the building against the transmission of noise and vibration from the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall be carried out before the use commences.**

Reason: To ensure that adequate precautions are implemented to avoid noise nuisance, in accordance with Policy CS32 of the Core Strategy.

- 3 No development shall take place until details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained unless otherwise agreed in writing with the local planning authority.**

Reason: To accord with Policy 129 of the Dacorum Borough Local Plan 1991-2011.

- 4 Prior to occupation of the development, a "Green Travel plan",**

identifying the reduction in staff and visitors travelling to the development by private car, shall have been submitted to and approved in writing by the local planning authority and shall then be carried out in accordance with the approved GT plan. The GT plan will include the following:

- Projections into the future based on the intention to increase year on year the proportion of trips by public transport, walking and cycling and reduction in trips made via private motor car.

On approval the Travel plan and its contents are to be updated on an annual basis one year after the date of their approval. The Plan and its updated successors is to be made fully available upon request to the Local Planning Authority and County Highways Agency

Reason: To promote sustainable transport measures to the development in compliance with Core Strategy policy CS8 and CS29.

- 5 **The development hereby permitted shall not be occupied until parking layout and arrangements including cycle parking shown as Location 1 and Location 3 submitted in accordance with the approved plan No. 12189/01/22 Car Park Layout shall have been provided and permanently retained thereafter. Additional cycle parking is to be provided on site should it be necessary to meet the requirements established in the Green Travel Plan.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Core Strategy Policies CS8, CS28 and CS29.

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

**0072 005A;
12189/01/22;
Site Location Plan.**

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

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Councillor Fisher left the room at 8.08 pm and took no part in the discussion or voting of the next two items.

094. 4/02257/15/FUL – SINGLE STOREY INFILL EXTENSION TO REAR OF BUILDING, VARIOUS DOOR AND WINDOWS ADDED TO FRONT, REAR AND SIDE ELEVATIONS

WOODWELLS CEMETERY, BUNCEFIELD LANE, HEMEL HEMPSTEAD, HP2 7HY

The item was introduced by P Newton on behalf of the relevant Case Officer.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Ritchie to grant the application in line with the officer's recommendation.

Voting:

11 for

Resolved:

That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

- 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

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

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

15050/01
15050/02
15050/03

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

Article 31

Planning permission/advertisement consent/listed building consent 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 2012.

095. 4/01529/15/FUL – CONSTRUCTION OF A GENERAL PURPOSE BUILDING IN EXISTING FARMYARD

BLACK ROBINS FARM, BLACK ROBINS LANE, HOGPITS BOTTOM, FLAUNDEN, HEMEL HEMPSTEAD, HP3 0FU

The item was introduced by J Reid as the relevant Case Officer and advised that the Parish Council had objected to the application.

It was proposed by Councillor Birnie and seconded by Councillor P Hearn to grant the application in line with the officer's recommendations.

Voting:

8 for and 3 abstained

Resolved:

That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

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

2027-1-1
2027-2-1
2027-A4-20
2027-2-2A

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

Councillor Fisher returned at 8.13pm

096. 4/02191/15/FHA – PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION

7 CHAPEL CLOSE, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QG

Rachel Marber introduced the report as the relevant case officer.

Caroline Wallace spoke in support of the application.

Mr B Mulder spoke in objection of the application.

It was proposed by Councillor Ritchie and seconded by Councillor C Wyatt-Lowe to grant the application in line with the officer's recommendation.

Voting:

Unanimously agreed

Whereupon it was:

Resolved:

That planning permission be **REFUSED** for the following reasons:

- 1. The application site is located in the Rural Area beyond the Green Belt. Within this area there is strict control over built development. The cumulative size increase of proposed and previous extensions would result in a disproportionate addition, over and above 50% the size of the parent dwelling. Consequently, the proposed would result in detrimental impact upon the openness and visual amenity of the Rural Area.**
- 2. The proposed part single, part two storey rear extension, by reason of excessive depth in conjunction with height and the close proximity to the neighbouring property would result in severe loss of outlook and light for neighbouring residents at number 8 Chapel Close. The application has therefore failed to secure good standards of amenity for existing and future occupiers of land and buildings.**

Henceforth the proposal fails to meet the requirements of the NPPF (2012), policies CS7, CS11, CS12 of the Core Strategy (2013) and Saved Appendix 7 and policy 22 of the Local plan (1991).

097. 4/02436/15/FHA – SINGLE STOREY REAR EXTENSION

21 OLD DEAN, BOVINGDON, HEMEL HEMPSTEAD, HP3 0ET

It was proposed by Councillor Whitman and seconded by Councillor P Hearn to grant the application in line with the officer's recommendation.

Voting:

Unanimously agreed

Whereupon it was:

Resolved:

That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

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

PL/001
PL/002
PL/003

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

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development.

INFORMATIVE

Please be advised that you will require the consent of Dacorum Borough Council (as Freeholder) prior to commencing any works associated with the implementation of this planning permission.

098. 4/01941/15/FHA – CONSTRUCTION OF DRIVEWAY AND HARDSTANDING TO THE FRONT AND SIDE OF EXISTING HOUSE

121 HEMPSTEAD ROAD, KINGS LANGLEY, WD4 8AJ

R Marber introduced the item and advised it had brought to the Committee because Kings

Langley Parish Council had objected to the application. The Chairman received communication from Councillor Anderson and Kings Langley Parish Council withdrawing their objection.

It was proposed by Councillor Birnie and seconded by Councillor Whitman to grant the application in line with the officer's recommendation.

Voting:

Unanimously agreed

Whereupon it was:

Resolved:

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

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

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

- 2 **Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on drawings 121HR_LAY_02_(E) 'Driveway layout' and 121HR_DET_01_(A) 'Driveway sections'.**

Reason: To ensure satisfactory access into the site and for the avoidance of doubt.

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

121HR_DET_01_(A)
121HR_LAY_02_(E)

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

Article 31 Statement

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

099. APPEALS

Noted the following reports:

1. Lodged
2. Forthcoming inquires
3. Dismissed

Councillor Ritchie suggested it would be useful for the planning managers to read the inspector's report: the costs and time involved and review current planning practices.

4. Allowed

The meeting ended at 8.42pm