
DACORUM BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

6 NOVEMBER 2014

Present

MEMBERS:

Councillor G Sutton (Chairman); Councillors Mrs Bassadone, Clark, Conway, Hearn,, R Hollinghurst, Killen, Macdonald, Mrs Rance, Reay, Whitman and C Wyatt-Lowe.

Councillor Williams also attended

OFFICERS:

A Chrusciak, R Butler, I Keen, A Parrish, J Reid, C Watson, N Weeks and P Bowles.

The meeting began at 7.00 pm

95. INTRODUCTIONS

Councillor G Sutton (Chairman) introduced himself and the officers present and went through the fire safety procedure. Councillor G Sutton 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/2014/11/06/development-control-committee/development-control-committee>

96. MINUTES

Under the rules of Public participation Mr and Mrs Sandiford spoke in objection to the previous minutes for 16 October relating to their application 4/01530/14/FUL. The committee agreed that minute 95 was inaccurate and apologies were made to Mr and Mrs Sandiford.

Minute 95 of the Development Control Committee meeting held on 16 October now reads:

“Resolved:

That planning application be delegated to Group Manager - Development Management and Planning with a view to approval subject to the creation of appropriate conditions, particularly with the view to tie the use of the proposed additional accommodation to the kennel use, in the interest of protecting the openness of the Green Belt.”

The minutes of the meeting held on 16 October 2014 were then confirmed by the Members present, subject to the amendment detailed above and were then signed by the Chairman.

The amended minutes were republished on the Dacorum Borough Council website.

97. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Mrs G Chapman, Guest and Collins..

Councillor Mrs Bassadone substituted for Councillor Mrs G Chapman and Councillor Hearn substituted for Councillor Guest.

98. PLANNING APPLICATIONS

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

**99. PLAN NO. 4/02099/14/MFA - GROUND MOUNTED SOLAR PV PARK COMPRISING OF TWO SUBSTATIONS, ELECTRICAL CABINS, STORAGE CABINET, SOLAR ARRAYS, PERIMETER FENCING/GATES, CCTV AND ACCESS TRACKS
FOLLY FARM, POTASH LANE, LONG MARSTON, TRING, HP23 4QY
APPLICANT: HIVE ENERGY LTD - MR H BRENNAN**

Mark Westcott, the applicants agent, made a statement in support of the application.

Summary

The application is recommended for approval. The application is for a 15Mw Solar Farm which there is presumption in favour of in both the NPPF and guidance and the adopted Core Strategy subject to other considerations. The solar farm would not have a significant visual impact from longer strategic views and would not result in a long term loss of good quality agricultural land. There would not be significant highway impact as a result of the proposals and biodiversity would be generally enhanced through mitigation and planting. The development would conserve the character and setting of designated or undesignated heritage assets and it would not be located within flood zones 2 and 3. Overall, it is considered that the harm as a result of development is outweighed by the positive contribution that it would have to renewable energy.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Macdonald that planning permission be granted in line with officer's recommendation and subject to amended conditions.

Voting:

12 for (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 The permission is for a period not exceeding 28 years of the date of this permission. No later than 12 months after the expiry of the permission all elements of the development at and above ground level shall be removed and the site restored in accordance with the decommissioning strategy dated September 2014.**

Reason: In the interests of visual amenity and landscape protection in accordance with policies CS10 and CS12 of the adopted Core Strategy.

- 3 Prior to the commencement of any works a Construction Traffic Management Plan and Access Route statement shall be submitted and approved in writing by the Local Planning Authority.**

The plan shall include details of:

- (i) onsite parking for construction workers for the duration of the construction period;**
- (ii) methods to control and mitigate any abnormal wear and tear on the highway network;**
- (iii) construction traffic routes;**
- (iv) wheel cleaning facilities associated with the proposal;**
- (v) methods to ensure pedestrian safety for walkers using the rights of way.**

The scheme shall be implemented in accordance with the agreed construction Traffic Management Plan and Access Route Statement.

Reason: In the interests of maintaining highway efficiency and safety and pedestrian safety in accordance with policy CS8 of the adopted Core Strategy and 'saved' policy 61 of the Local Plan.

- 4 The scheme shall be implemented in accordance with the submitted Ecological Management Plan Oct 2014.**

Reason: In order to mitigate the impact of the development to protected species and to enhance biodiversity in accordance with policy CS26 of the Core Strategy.

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

- The programme and methodology of site investigation and recording**
- The programme for post investigation assessment**
- Provision to be made for analysis of the site investigation and recording**
- Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- Provision to be made for archive deposition of the analysis and records of the site investigation**
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with policy CS27 of the adopted Core Strategy.

- 6 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 5.**

The development shall not be operational until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (5) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with policy CS27 of the adopted Core Strategy.

- 7 Notwithstanding the details already submitted, prior to the first operation of the development hereby permitted a soft landscaping scheme incorporating a timescale for implementation shall be submitted to and agreed in writing by the Local Planning Authority. The approved landscaping shall thereafter be implemented in accordance with the approved timescale.**

Reason: To mitigate the visual impact of the development in accordance with policy CS26 and the NPPF.

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

**FOL/SLP/100
SKD408 Rev B
SKD408 (FEN)
SKD408 (EOP)
SKD408 (SEC)
SKD408 (TAB)
SKD408 (SUB)
Ecological Management Plan - October 2014
Ecological Appraisal Report - July 2014
Design and Access Statement
Flood Risk Assessment - July 2014
Heritage Baseline Statement
Landscape and Visual Impact Assessment
Geophysical Survey
Transport Statement**

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 early engagement with the applicant at the pre-application stage 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

**100. PLAN NO. 4/02465/14/FUL - DEMOLITION OF EXISTING WAREHOUSE AND REDEVELOPMENT CREATING 1 X 4 BED HOUSE AND 4 X 2 BED COTTAGES WITH PARKING AND ANCILLARY WORKS.
23 KINGSLAND ROAD, HEMEL HEMPSTEAD, HP1 1QD
APPLICANT: Hertfordshire Managing Agents Ltd**

Nicola Hazelton, a local resident spoke in objection to the application.

Councillor Williams, in his capacity as Ward Council made a statement expressing concerns over the Emergency Services Access to the site.

Summary

The application follows a previous refused application for a similar development. The previous application was refused by Development Control Committee for three reasons; overdevelopment, highway matters and impact on neighbouring amenity. The refusal was appealed to the Planning Inspectorate by the applicant and the resulting decision by the Inspector was to up hold the reason of refusal relating to the impact on neighbouring amenity; the others reasons were not considered to be harmful by the Inspectorate.

The current application makes amendments to the previously refused scheme. Most notably the number of units has been reduced by one. This in turn allows the bulk of the proposed development to be reduced. The building to the southern extent of the site is set in from the southern boundary by 2m. The increase in the ridge height of the building is now 0.9m approx. whereas the previous scheme increased the ridge height by 2.4m approximately. Also the eaves height on the building is no higher than the existing building, negating the increase in boundary wall height at the east of the site that abutted the neighbouring River Park properties.

These amendments are considered to significantly reduce the impact to the neighbouring residents of River Park; whilst there shall be some increased impact over the existing building; this is to a far lesser extent than the previous application. The retention of the boundary wall height (compared to the existing building) and the limited increase in height of 0.9m shall not lead to a significant detriment to neighbouring amenity and the proposal is therefore considered to be in accordance with CS12 of the Adopted Core Strategy.

It was proposed by Councillor Reay and seconded by Councillor Killen to approve the application for the reasons set out above and subject to the following amended conditions:

Voting:

7 for, 3 against and 2 abstentions;

whereupon it was:

Resolved:

1. That the decision be delegated to the Group Manager of Development Management and Planning, with a view to approval subject to the completion of a Unilateral Undertaking in accordance with the Heads of Terms Listed below and the conditions listed.

Primary Education £6,985

Secondary Education £6,199
Nursery Education £1,239
Childcare £427
Youth facilities £134
Libraries £757
Sustainable Transport £4,500
Allotments £260
Outdoor Pitches £1892
Cycles £281
Child Play Space £6,592
Natural Green Space £103
Travel Smart £125
Monitoring £1769.64
Affordable Housing £56,448

2.If following the receipt of a Viability Assessment of the proposed development and financial feasibility of the development, the Local Planning Authority, in consultation with the Strategic Housing department agree that the development is not viable if a full contribution of off-site Affordable Housing is made. The decision is delegated to the Group Manager - Development Management and Planning with a view to approval subject to the completion of a Unilateral Undertaking in accordance with the Heads of Terms Listed in point 1 above, save for the amendment to the Affordable Housing contribution in accordance with the agreed Viability Assessment and the conditions listed.

3.In the absence of agreement between the LPA and the applicant over (1) or (2) above, at any time prior to the target determination date, or any agreed extension thereto, the Group Manager – Development Management and Planning be given delegated powers, should it be considered appropriate, to refuse the planning application for the reason set out below:

The proposed development provides five new dwellings within the residential area of Hemel Hempstead and with regard to CS19 of the Adopted Core Strategy and the Affordable Housing Supplementary Planning Document, adopted in tandem with the Core Strategy; the development should contribute to the provision of affordable housing within the Borough through an off-site contribution in lieu of on-site provision. The development fails to make such a contribution and suitable justification for why the development should not make such a contribution has not been received. For this reason the proposed development does not accord with CS19 of the Core Strategy or the Affordable Housing SPD, adopted September 2013.

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 **No development shall take place until details of the materials to be used in the construction of the external surfaces 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 a satisfactory appearance to the development in

accordance with CS12 of the Adopted Core Strategy.

3 **No 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;**
- **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;**
- **Details of areas retained for turning vehicles and details of how this shall be delineated to ensure the area is kept clear for the turning of vehicles;**
- **Details of informative or directional signage within the site.**
- **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.

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

4 **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with 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 CS12 of the Adopted Core Strategy.

5 **The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation shown on Drawing No. PL01 Rev A and PL04a Rev A shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with CS8 and CS12 of the Adopted Core Strategy.

6 **The development hereby permitted shall not be occupied until the turning space shown on Drawing No. PL04a Rev A shall have been provided and shall not be used thereafter for any purpose other than the turning of vehicles.**

Reason: To ensure that vehicles may enter and leave the site in forward gear in accordance with CS8 and CS12 of the Adopted Core Strategy.

- 7 **Development shall not begin until details of the junction between the proposed service road and the highway and the footpath have been approved by the local planning authority, and the building shall not be occupied until that junction has been constructed in accordance with the approved details.**

Reason: In the interests of highways safety in accordance with CS8 and CS12 of the Adopted Core Strategy.

- 8 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwelling and it shall not be converted or adapted to form living accommodation.**

Reason: In the interests of highway safety and the visual appearance of the development in accordance with CS8 and CS12 of the Adopted Core Strategy.

- 9 **The dormer windows within the west roof plans of the apartment building hereby permitted shall be non opening and shall be permanently fitted with obscured glass up to an internal height of 1.7m unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of the amenity of adjoining residents in accordance with CS12 of the Adopted Core Strategy.

- 10 **Notwithstanding any details submitted as part of the planning application, prior to the commencement of the development hereby permitted, plans and details showing how the development will provide for renewable energy and conservation measures, and sustainable drainage and water conservation shall be 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 CS29 of the Adopted Core Strategy.

- 11 **Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with.**

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must

be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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 offsite receptors in accordance with the National Planning Policy Guidance and CS32 of the Adopted Core Strategy.

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If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority

must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

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. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 12 (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 12 (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition (c).

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 offsite receptors in accordance with the National Planning Policy Guidance and CS32 of the Adopted Core Strategy.

13

The development hereby approved shall not be occupied until a means of pedestrian access, has been provided at southern boundary of the site. This pedestrian access shall only be made available for emergency services and used in the case of emergency only. The associated gate shall be permanently locked save for when breached by the emergency services in cases of emergency. Should the installation of the pedestrian gate not be possible, details of alternative means for the access by the emergency services shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: In the interest of Fire Safety and emergency access in accordance with CS8 of the Adopted Core Strategy.

This amendment acknowledges the fact that whilst the pedestrian access gate provides a means for the Emergency Services to access the site in case of Emergency, this is not the only means for such provision to be made. The rewording of the condition provides flexibility should a more appropriate or achievable method be realised.

Informative:

Any future submission for the discharge of this condition (Condition 13) shall be determined in consultation with the Chairman and Vice-Chairman of the Development Control Committee.

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

**PL01 Rev A (Ground & 1st Floor Plans, Internal Street Elevation)
 PL04a Rev A (Block & Roof Plan, Swept paths, Road Junction Detail)
 PL02 Rev A (2nd Floor Plan, Elevations & Sections)**

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.

Informative:

Ecology:

It is possible that bats may be using areas of the existing building.

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;
 Recklessly disturb bats;
 Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

Contacts:

English Nature	01206 796666
UK Bat Helpline	0845 1300 228 (www.bats.org.uk)
Herts & Middlesex Bat Group	01992 581442

Water:

In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services to

discuss the options available at this site.

Surface Water Drainage:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

**101. PLAN NO. 4/02261/14/FUL - CONVERSION AND EXTENSION TO ORIGINAL HOUSE EXTENSION TO PROVIDE SEPERATE NEW ATTACHED DWELLING 20 CODICOTE ROW, HEMEL HEMPSTEAD, HP2 7JE
APPLICANT: Mr Barrett**

Councillor C Wyatt-Lowe declared a personal interest in this application. Councillor is Ward Councillor Woodhall Farm and is familiar with the site. No views have been expressed with regard to the application and Councillor C Wyatt-Lowe reserved her right to speak and vote thereon.

Summary

The application is recommended for approval.

The principle of the development; the extension of No. 20 and conversion into dwellinghouses, has already been established by the allowed appeal 4/00442/08/FUL. The current proposal represents a decrease in the level of development. It is now proposed to provide a one-bedroom dwelling.

The application site is located within the urban area of Hemel Hempstead wherein the redevelopment of the site to provide a single dwellinghouse is acceptable in principle in accordance with Policies CS1, CS4, CS11 and CS12 of the Core Strategy. The proposed dwelling will not adversely affect the character or appearance of this part of Codicote Row or the wider area and thus complies with Policy CS11. In line with CS12, there will be no significant adverse impact on the residential amenities of surrounding properties in terms of light or privacy. Adequate private amenity space has been provided to serve this one bedroom house. There will be no adverse impact on the safety or operation of the adjacent highway or public footpath. Due to the net decrease in bedroom numbers a section 106 agreement securing financial contribution has not been sought in this instance. The proposals thus complies with all relevant Policies of the Core Strategy.

It was proposed by Councillor Reay and seconded by Councillor Rance to approve the application for the reasons set out above and subject to the following conditions:

Voting:

7 for, 2 against and 3 abstentions;

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 **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 in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

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

BARR/21407/DRAW1 Rev X

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

Article 31 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

- 102 PLAN NO. 4/02134/14/FHA - GARAGE
RANGERS COTTAGE, UPPER TRING PARK, WIGGINTON, TRING, HP23 6FB
APPLICANT: Mr & Mrs Dawson**

Chris Davey, the applicants agent, made a statement in support of the application.

Summary

The application is recommended for approval. The application site is located within the Green Belt and as such due to the previous extensions, the proposed garage constitutes inappropriate development. Very special circumstances have been provided which outweigh the harm to the openness of the Green Belt represented by the proposed garage. No trees would be harmed by the proposals and the proposed garage would be subordinate to the parent house and has an acceptable design. Overall, it is considered that the proposal accords with policies CS4 and CS12 of the adopted Core Strategy and 'saved' policy 97 of the Local Plan.

It was proposed by Councillor Whitman and seconded by Councillor Conway to approve the application for the reasons set out above and subject to the following conditions:

Voting:

11 for and 1 abstention;

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 **The materials to be used in the construction of the external surfaces of the outbuilding hereby permitted shall match the existing property.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy and policy 97 of the local plan.

- 3 **The trees shown for retention on the approved Drawing No. 04 rev C shall be protected during the whole period of site excavation and construction by the erection and retention of a 1.5 metre high chestnut paling fence on a scaffold framework positioned beneath the outermost part of the branch canopy of the trees.**

Reason: In order to ensure that damage does not occur to the trees during building operations in accordance with 'saved' policies 97 and 99 of the Local Plan.

- 4 **The garage hereby permitted shall be constructed using pile foundations.**

Reason: In order to ensure that damage does not occur to the root protection area of the adjacent trees during excavation in accordance with 'saved' policy 99 of the Local Plan.

- 5 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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, Class E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the openness of the Green Belt in accordance with policy CS5 of the Core Strategy and 'saved' policies 22 and 23 of the Local Plan.

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

**04 Rev C
09 Rev C
06 Rev C**

03 Rev C
08 Rev
01 Rev B
10

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

Article 31 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

103. PLAN NO. 4/02085/14/FHA - TWO STOREY REAR EXTENSION, REAR SINGLE STOREY SIDE EXTENSION AND TWO DORMERS TO EXISTING ROOF 14 PIE GARDENS, FLAMSTEAD, ST. ALBANS, AL3 8BP APPLICANT: MR M HICKSON

Councillor Killen declared a prejudicial interest in application 4/02085/14/FHA. Councillor Killen acted as Chairman of Flamstead Parish Council on two occasions when this application was considered. Councillor Killen left the room at 20.12pm and took no part in the discussion or voting thereon.

Jayne West, a local resident spoke in objection to the application on behalf of herself and two other neighbours..

Christine and Marcus Hickson, the applicants, made a statement in support of their application.

Deferral at Development Control Committee

The planning application was deferred at the Development Control Committee (DCC) of 25 September 2014 to allow the applicant the opportunity to consider the submission of amended plans detailing the removal of the roof terrace and altering the materials proposed to match those of the existing house.

In response to issues raised by the committee, the proposal has been amended to remove the roof terrace to the western side of the dwelling. The materials to the two-storey rear extension have been altered so that the side elevations would match that of the existing dwelling. No changes are proposed to the materials on the rear elevation or to the dormer windows, which shall remain as cement fibre cladding as originally proposed.

It was proposed by Councillor Whitman and seconded by Councillor Mrs Bassadone to grant the application for the reasons set out above and subject to the following amended conditions:

Voting:

9 for and 2 abstentions;

whereupon it was:

Resolved:

That the application be granted subject to the conditions set out below:

- 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 which shall include fibre cement board in Equitone Natura or Equitone Tectiva or such other materials as may be agreed in writing by the local planning authority..**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

- 3 Notwithstanding the details shown on Drawing Nos. d-NA PGR 02 202 Revision P1 (proposed eastern side elevation) and d-NA PGR 02 203 Revision P1 (proposed western side elevation), the windows at first floor level in the eastern and western side elevations of the dormer windows and extension hereby permitted including the roof lights to be inserted in the eastern and western side elevations shall be non-opening below a height of 1.7m from finished floor level and shall be permanently fitted with obscure glass.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

- 4 The flat roof above the rooms labelled 'garage' and 'children's play area' and associated walkway at ground floor level shall not be used as a roof terrace.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

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

**d-NA PGR 00 000 Revision P0 (site location plan);
d-NA PGR 00 001 Revision P0 (block plan);
d-NA PGR 01 100 Revision P0 (proposed ground floor plan);
d-NA PGR 01 101 Revision P2 (proposed first floor plan);
d-NA PGR 01 102 Revision P2 (proposed roof plan);
d-NA PGR 02 200 Revision P2 (proposed front elevation);
d-NA PGR 02 202 Revision P1 (proposed eastern side elevation);
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d-NA PGR 02 203 Revision P1 (proposed western side elevation);
d-NA PGR 02 201 Revision P2 (proposed rear elevation).**

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 proactively through positive engagement with the applicant during the determination stage which led to improvements to the scheme. The Council has therefore acted proactively 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 Killen returned to the meeting at 20.36pm

**104. PLAN NO. 4/01904/14/FUL - CHANGE OF USE OF AMENITY GREEN TO
CREATE 6 PARKING SPACES
LAND AT, CANDLEFIELD CLOSE, HEMEL HEMPSTEAD, HP3
APPLICANT: DACORUM BOROUGH COUNCIL - MRS G BARBER**

Summary

The application is recommended for approval.

This application is the subject of a two year process ('The Verge Hardening Project') that has highlighted and prioritised the areas of extreme parking stress in the Borough, checked the feasibility and cost effectiveness of parking schemes in those areas, and undergone a pre-application process to determine the most appropriate areas and methods to deliver the needed additional parking.

The application site is considered a priority in this Project. There is a clear need for additional off-street parking in the area. This application provides 6 additional parking bays and this would be achieved in a way that maintains the most important green amenity strips in the locality. It is considered that an appropriate balance has been struck between meeting the parking requirements of the area and protecting the visual amenity of the neighbourhood. The application therefore complies with Policies CS11 and CS12 of the Core Strategy.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Hearn to approve the application for the reasons set out above and subject to the following conditions:

Voting:

12 for (Unanimously agreed)

whereupon it was:

Resolved:

That the application be delegated to the Group Manager - Development Management and Planning with a view to approval subject to the receipt of an amended plan detailing the provision of 8 car parking spaces and the corresponding reduction in amenity space.

- 105. PLAN NO. 4/02705/14/FUL - REMOVAL OF EXISTING BALCONIES AND REPLACEMENT WITH JULIET BALCONIES
COMMUNAL 163 TO 209 (ODDS), FLETCHER WAY, HEMEL HEMPSTEAD,
HP2 5SA
APPLICANT: MISS K TAYLOR**

Summary

It is recommended that planning permission be granted. The proposal includes the removal of balcony structures (where there are concerns over structural integrity) and the replacement with juliet balconies. This shall have a minimal impact on the appearance of the building and not lead to any other detrimental impact on the surrounding area or residents.

It was proposed by Councillor Rance and seconded by Councillor Conway to approve the application for the reasons set out above and subject to the following conditions:

Voting:

12 for (Unanimously agreed)

whereupon it was:

Resolved:

That the application be granted subject to the conditions set out below:

- 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. The balustrade to the Juliet balconies shall match the appearance of the existing balcony balustrade and the finishes to the elevation shall match the existing.**

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

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

**Site Location Plan
13157.BR.07
Location of Balconies**

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

Article 31 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the

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

106. APPEALS

Noted the following reports:

- 1.Appeals Lodged;
- 2.Decisions on Appeals

The meeting ended at 9.05 pm