

## **DCC Decision list: 26 June 2014**

Items: Part 1

5. Planning Applications

### **ITEM 5.1**

**4/00262/14/MFA - NEW DEVELOPMENT TO PROVIDE 92 DWELLINGS TOGETHER WITH ACCESS FROM SHOOTERSWAY, ASSOCIATED HIGHWAY WORKS, FORMAL SPORTS PITCH PROVISION, SCHOOL DROP OFF AREA, CAR PARK, AMENITY SPACE AND LANDSCAPING. LAND AT JUNCTION OF DURRANTS LANE & SHOOTERSWAY, BERKHAMSTED**

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

Reasons for refusal:

1. The application, which only covers a proportion of the site, does not provide a comprehensive form of development which would ensure the delivery of the Framework Masterplan and Delivery of housing in accordance with Strategic Site 1 of the Core Strategy (September 2013). This would result in a disjointed development with poor relationship between the proposed housing, parking areas and sports pitches giving an unacceptable form of development.
2. The change of use from arable or agricultural land to playing pitches, as proposed to the west of Durrants Lane, is by definition inappropriate development in the Green Belt. Very special circumstances have not been put forward to demonstrate sufficiently how the harm to the Green Belt shall be outweighed by other benefits. This element of the development is therefore found to be contrary to the NPPF.
3. Information has not been submitted which demonstrates how consideration has been given to the specific highways issues generated by the development on important junctions of the highway surrounding the site. No account has been given to the recent changes to the school system and the implications for highway safety including the free flow of traffic and the pedestrian routes to schools for children. The development is therefore considered to be contrary to CS8 of the Adopted Core Strategy (September 2013)
4. The development does not provide a satisfactory layout; this is demonstrated by the lack of a focal point within the development and insufficient informal amenity space and areas for play, leading to a poor form of development that is contrary to Policies CS10 and CS11 of the Core Strategy (September 2013).

### **Article 31 Statement**

Planning permission was refused following the consideration and discussion of the Development Control Committee Members. The Council acted pro-actively through

early engagement with the applicant at the Development Plan Preparation Stage and the Local Development Framework programme to adopt the site for development within the Strategic objectives of the Local Authority, resulting in the site being included as Strategic Site 1 of the Core Strategy (adopted September 2013); further to this the Local Authority engaged with the developer at pre-application stage and during the course of the application which lead to improvements to the scheme. The Local Authority sought to reduce and rationalise the reasons for refusal through discussion during the committee meeting. 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.

### **Additional Note**

The reasons of refusal do not include specific reference to the lack of a finalised legal agreement under Section 106 of the Town and Country Planning Act 1990. Draft Heads of Terms were submitted by the applicant in their original submission and verbal confirmation was provided to the committee by the Applicant's representative that negotiations on the outstanding commuted sum figure for Affordable Housing were close to a conclusion.

### **ITEM 5.2**

#### **4/01738/13/OUT - DEMOLITION OF 18 GARAGES. CONSTRUCTION OF UP TO 9 RESIDENTIAL FLATS IN ONE THREE STOREY BLOCK GARAGE SITE AT, TURNERS HILL, HEMEL HEMPSTEAD**

- Agreed as per the officer's recommendation - **GRANTED**

### **ITEM 5.3**

#### **4/00109/14/FUL - CHANGE OF USE FROM CLASS A4 TO CLASS C3 RESIDENTIAL OF THE EXISTING PUBLIC HOUSE INCLUDING PARTIAL DEMOLITION AND MINOR INTERNAL ALTERATIONS AND THE CONSTRUCTION OF THREE DWELLINGS WITH ASSOCIATED CARPORT, PARKING AND DRIVEWAY. THE SUN INN, 101 HIGH STREET, MARKYATE, ST. ALBANS, AL3 8JG**

- Agreed as per as per the officer's recommendation – **GRANTED** subject to the addition of the following condition:
  11. **No works shall be carried out on the site until a Protection Strategy, detailing the methods to ensure the protection of the Listed Building during site works including delivery and storage of materials, has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To safeguard the character and appearance of the Listed Building and to ensure the protection of the designated heritage asset in accordance

with Policy CS27 of the Dacorum Core Strategy (September 2013) and saved Policy 119 of the Dacorum Borough Local Plan 1991-2011.

**ITEM 5.4**

**4/00110/14/LBC - PARTIAL DEMOLITION AND MINOR INTERNAL ALTERATIONS TO FACILITATE CHANGE OF USE TO RESIDENTIAL DWELLING  
THE SUN INN, 101 HIGH STREET, MARKYATE, ST. ALBANS, AL3 8JG**

- Agreed as per the officer's recommendation – **GRANTED**

**ITEM 5.5**

**4/00179/14/FHA - TWO STOREY SIDE EXTENSION, FIRST FLOOR EXTENSION TO FORM ADDITIONAL STOREY. EXTENSION AND ALTERATIONS TO DRIVEWAY  
8 MANOR ROAD, TRING, HP235DA**

- Agreed as per the officer's recommendation - **GRANTED**

**ITEM 5.6**

**4/00237/14/FUL - CONSTRUCTION OF TWO 2-BED AND TWO 3-BED DWELLINGS AND ASSOCIATED WORKS  
LAND ADJ. TO AND R/O, 20 HIGH STREET, TRING, HP23 5AP**

- Agreed as per the officer's recommendation - **GRANTED**

**ITEM 5.7**

**4/00385/14/FUL - INSTALLATION OF FENCING  
TEN ACRES FIELD ADJ, UPPER BOURNE END LANE, HEMEL HEMPSTEAD,  
HP1 2RR**

- Agreed as per the officer's amended recommendation – **GRANTED**, subject to the alteration of condition 6 set out on the Committee Addendum sheet.

#### **ITEM 5.8**

**4/00616/14/FHA - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF SINGLE STOREY SIDE AND REAR EXTENSION, HIP TO GABLE ROOF EXTENSION, REAR DORMER AND FRONT ROOFLIGHTS TO FACILITATE LOFT CONVERSION  
120 BRIDGEWATER ROAD, BERKHAMSTED, HP4 1ED**

- Agreed as per the officer's recommendation - **GRANTED**

#### **ITEM 5.9**

**4/00746/14/FHA - EXTENSION AND MODIFICATION OF EXISTING DWELLING SAND BANKS, WATER END ROAD, POTTEN END, BERKHAMSTED, HP4 2SG**

- Agreed as per the officer's recommendation - **GRANTED**

#### **ITEM 5.10**

**4/00879/14/FHA - LOFT CONVERSION REAR DORMER, GABLE END WINDOW, SINGLE STOREY REAR EXTENSION.  
9 CROSS OAK ROAD, BERKHAMSTED, HP4 3EH**

- Agreed as per the officer's amended recommendation – **GRANTED**, subject to the addition of the following condition:
  4. **The proposed window at second floor level in the southern gable end elevation of the original dwelling hereby permitted shall be 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 in accordance with Policy CS12 of the Adopted Core Strategy.