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# DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 30 JANUARY 2020 AT 7.00 PM  
DBC COUNCIL CHAMBER - THE FORUM**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

#### Membership

Councillor Guest (Chairman)	Councillor McDowell
Councillor Maddern	Councillor Uttley
Councillor Riddick	Councillor Woolner
Councillor C Wyatt-Lowe (Vice-Chairman)	Councillor Symington
Councillor Beauchamp	Councillor Hobson
Councillor Durrant	Councillor R Sutton
Councillor Oguchi	

For further information, please contact Corporate and Democratic Support on 01442 228209.

## **AGENDA**

**1. MINUTES** (Pages 2 - 30)

To confirm the minutes of the previous meetings.

# Agenda Item 1 Public Document Pack

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## **DACORUM BOROUGH COUNCIL**

### **DEVELOPMENT MANAGEMENT**

**28 NOVEMBER 2019**

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Present:

#### **MEMBERS:**

Councillors Wyatt-Lowe (Chair), Riddick (Vice-Chair), Beauchamp, Oguchi, McDowell, Uttley, Woolner, Hobson, R Sutton and Stevens

#### **OFFICERS:**

F Bogle (Team Leader - Development Management), J Doe (Assistant Director - Planning, Development and Regeneration), R Herbert (Assistant Team Leader - Development Management), C Simmonds (Legal Governance Team Leader), N Sultan (Lead Litigation Lawyer), S Whelan (Group Manager - Development Management and Planning), N Gough (HCC), L Johnson (Trees & Woodlands Team Leader) and C Webber (Corporate & Democratic Support Officer)(Minutes)

The meeting began at 7.00 pm

#### **303 MINUTES**

The minutes of the meeting held on 7 November were confirmed by the Members present and were then signed by the Chairman.

#### **304 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Guest, Durrant, Symington and Maddern.

Councillor Stevens substituted for Councillor Symington.

#### **305 DECLARATIONS OF INTEREST**

Councillor Wyatt-Lowe asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application.

Councillor Hobson stated that she had been invited to a meeting of WHAG and that she had attended but not participated and that she would be approaching the application with an open mind.

#### **306 PUBLIC PARTICIPATION**

Councillor Wyatt-Lowe reminded Members and the public about the rules regarding public participation as follows:

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

Councillor Wyatt-Lowe stated that Councillor Durrant had wished to speak on behalf of residents, however could not due to procedural matters.

Councillor Adeleke had wished to speak on behalf of residents, however due to a misunderstanding could not. Councillor Wyatt-Lowe noted that Councillor Adeleke's objections had been submitted in written form and had been included in the Addendum.

Councillor Allen had also wished to speak on behalf of residents, however as the application site did not fall in his Ward he was unable to.

**307**

**5a - 4/03266/18/MFA - Hybrid planning application for mixed use development at west Hemel Hempstead, pursuant to policy LA3 of the adopted site allocations development plan document (2017) to provide for up to 1100 dwellings (with up to 40% affordable housing), comprising full planning proposals for 350 dwellings and outline planning proposals (including means of access) for 750 dwellings. The application proposes the development of up to 1100 new dwellings (including affordable housing), land for up to seven pitch gypsy traveller sites, together with landscaping, roads, footpaths and cycleways, ecological mitigation, sustainable drainage systems, earthworks, public open space, one neighbourhood equipped area of play (NEAP), two locally equipped areas of play (LEAP) and a community games area (CGA). A site for a primary school and associated nursery with playing fields on site of up to 2.1 hectares (inc. cga), specialist accommodation for the elderly with up to 70 rooms (C2 or C3), a convenience store of up to 450 sq. m (A1), three retail units each of which would be up to 100 sq.m (A1, A2, A3, A4 and A5), a community facility of up to 175 sq.m (D1), a medical facility or other use of up to 100 sq.m (A1, C3 and D1), a children's day nursery of up to 450 sq.m (D1), a shared car park. The full application details which are submitted comprise of - a new vehicular access to Long Chaulden, a new vehicular access extension from The Avenue, emergency access to Chaulden Lane, new vehicular access from Chaulden Lane serving only the land for up to a seven pitch gypsy and traveller site and access to a foul drainage pumping station, a foul drainage pumping station to Chaulden Lane and the associated connecting sewer, the creation of the first phase of 350 new dwellings and associated landscaping (including affordable housing); together with associated public open space and associated landscaping, roads, footpaths and cycleways, ecological mitigation, sustainable drainage systems, earthworks, and one associated Local Equipped Area of Play (LEAP)**

### **LA3, LAND AT WEST HEMEL HEMPSTEAD**

James Doe, Assistant Director of Planning, Development and Regeneration introduced the application.

He said good evening to the Chairman and Members.

James Doe said that there was a lot to get through so he would be brief.

He said that as Members would know, this was a very significant development for Hemel Hempstead. In terms of the number of new homes proposed and the land area covered, it represented the largest expansion of the town since the last major neighbourhood area – Woodhall Farm – was built in the 1970s.

The proposal to expand Hemel Hempstead to the west through the LA3 area went back to the early part of the decade when the Council was preparing its development plan for the Borough, the Core Strategy. The definitive development plan itself went through extensive public consultation and a public examination, before it was adopted by the Borough Council in 2013.

The site received further scrutiny through the Site Allocations Development Plan Document which was adopted as formal policy in 2017. The adoption of the document confirmed its removal from the Green Belt and paved the way for planning application proposals to come forward, the results of which were before Members.

A masterplan for the site, which involved engagement with the local community, was adopted by the Council in July 2017.

The site had therefore been for a number of years Council policy as a key part of its plans to increase the housing supply in Dacorum and meet housing needs. As the Council was entering the next phase of development planning – with a new Local Plan scheduled for publication the following year, and with the level of local housing need increasing substantially, it was imperative that the sites that it had already confirmed as suitable for development in adopted policy were delivered.

The planning application under consideration was submitted to the Council in late December 2018.

The report before Members comprised the outcome of extensive negotiations between their officer team and the applicants over the past eleven months, and a high level of public engagement as the responses in the report and its appendices demonstrated.

In doing so, consultation had been carried out in accordance with the Council's adopted policy – the Statement of Community Involvement – and had gone beyond its requirements through meetings with the West Hemel Action Group, Bourne End Village Association and the Dacorum Environmental Forum.

Officers were happy to confirm that the proposals complied with the policies adopted by the Council.

There had been a number of objections relating to the scale of the development at 1100 new homes plus the proposed care home in the second phase of the scheme, in that it went beyond the 900 homes contemplated in the Core Strategy.

That in itself did not conflict with adopted policies, which make it clear that 900 homes was not a maximum. The applicants had proposed a higher level and this had to be considered, and their role was to determine whether this was acceptable in relation to material planning factors including the layout and design of the scheme, its environmental impact and traffic and transport considerations, to name a few.

Officers had determined that taking all factors into account, the scheme was acceptable and brought with it a number of significant benefits to the community.

Ross Herbert would be going through the key aspects of the scheme.

The pressures on Dacorum for new housing are very high, which means that they must make the best use of the land that they have available for development, given that their main settlements were constrained by the Green Belt. The Officers concluded that the additional development proposed than originally anticipated was a positive outcome in helping to meet pressing housing needs and reducing the pressure on Green Belt in the future.

Through the progress of the application Officers had negotiated a package of community benefits which now had the agreement of the applicants.

These include:

- 40% of the new homes to be affordable – complying with policy
- A new two-form entry primary school to the value sought by the County Council, valued at £8.9m and the land at nil cost
- Contributions to the County Council for temporary schooling accommodation in the early stages of the development
- Further contributions to the County Council for additional school capacity beyond 2FE to meet additional expected demand for a seven year period
- Contributions of £850,000 to the County Council for supporting bus services into the site
- The required contribution sought by Herts Valleys CCG to expand Parkwood Drive Surgery to meet added demand as a result of the development.
- A package of off-site highway improvements at key junctions on the western side of the town.

Furthermore, the scheme will bring with it:

- A new community hub with local shopping, a child care nursery and community hall
- Extensive new areas of open space and play areas
- A range of sustainability features including sustainable drainage systems

With all this, delivery of much of these items will be subject to appropriate triggers in the s106 agreement with the applicants to ensure they are provided, and at the right times.

James Doe said that in the short introduction it was not possible to cover all aspects of the proposals but he hoped this provided a good background and context to what was now in front of the Committee. Officers therefore recommended that the application was approved subject to the recommendation on the agenda, and he handed over to Mr Herbert to take them through the proposals in more detail.

The Case Officer, Ross Herbert, introduced the report to Members and said that the application had been referred to the committee due to S106 Agreement.

Ross Herbert went through some of the key plans and said that the site had been part of adopted policy for some time. He went through the proposed development summary and said that it was a hybrid application.

He said that the application included outlined and detailed plans including a community hub and showed the main points of access. He showed parameter plans, one which showed movement where pedestrians and cyclists were given priority in hierarchy. He said that it was a mixed-use development with the community hub in the centre, at the heart of the development. He said that it worked with the landscape-led masterplan to provide multi-functional open space.

Ross Herbert showed a hydrology parameter plan with on-site sustainable drainage solutions. He said that the pumping station would come into action after the first 100 homes were built. He said that building heights ranged from 2-storey to 4-storey. He indicated where the reptile receptor site would be.

He said that there were full details of Phase 1 and that it was a high-quality scheme. He said that there were 122 affordable houses in Phase 1 and that there was more parking than the current standards required. He said that the refuse plan had also been agreed for Phase 1.

Ross Herbert said that the houses would be built from a variety of materials and showed street scenes which showed different character across the site. He showed what the proposed gateway would look like.

He said that offsite junction improvements would be undertaken following transport assessments. He said that LA3 would not add Highway traffic and said that it would improve some areas. He said that there would be widening of some roads to provide additional lanes and he went through emergency access to the site as well as passing bays.

Ross Herbert then showed different viewpoints of the site and said that the hedgerows were being retained. He said that there would be different identity areas under the Urban Design Framework. He showed artist's impressions of the gateway, community hub, rural edge and valley area and Pouchen Park.

He said that it had been a summary of conclusions and was on balance after 2 years of work. He said that the recommendation was to **DELEGATE** the application **WITH A VIEW TO APPROVAL**.

Councillor Fiona Guest spoke in objection of the application.

She said that a lot of questions had been raised that had not been answered. She said that the SUDs to prevent flooding were welcome but that she knew of a previous site that had not been maintained which flooded. She asked who would be responsible for the maintenance.

Councillor Fiona Guest said that it had been stated that connecting with surrounding areas would increase biodiversity. She asked how this would be achieved.

She said that the report stated that there had been no recorded incidences of flooding but that she was aware of local accounts of flooding and that records needed to be rechecked.

Councillor Fiona Guest said that the woodland entrance was good but raised concerns about ancient and important trees being lost.

She noted section 9.13 of the report and raised concerns about the wildlife corridor not being wide enough. She also noted paragraph 9.13.30 of 3 species of tree to be planted. She said that the report did not state the location and proximity of these trees raising concerns about root damage, in addition to concerns about tree species that attract aphids.

Councillor Fiona Guest asked about the displacement of birds with the S106 agreement and whether a site had been identified.

She said that there were concerns about there not being enough water for the site. She asked how this would be alleviated and whether there would be enough water for residents. She also questioned the capacity of the sewer.

Councillor Fiona Guest recommended that the application was deferred or refused.

Councillor Graeme Elliot spoke in objection of the application.

He introduced himself as a Ward Councillor for Chaulden and Warners End. He said that he would speak about traffic congestion in relation to the application. He said that it would result in an extra 2,500 vehicles and would cause an increase in rush hour traffic. He said that the surrounding roads could not cope with 900 homes, let alone 1,100. He said that the pressures anticipated were even greater at 44%. He said that the transport assessment proposed mitigations, for example on Fishery Road, and that he understood that they were trying to get people out of their cars. He raised concerns about the traffic of Camelot Rugby Club. He also said that there were cottages on the road with no footpaths and that the lane would lose character.

Councillor Graeme Elliot raised concerns about the surrounding roads becoming rat-runs.

He noted policies about infrastructure, including mobile homes. He raised concerns about the separate access to the gypsy and traveller site creating a 'them and us' scenario.

Councillor Graeme Elliot asking for the Committee to defer the application in order to receive an up to date traffic assessment.

Philip Hughes and Lee Royal of WHAG spoke in objection of the application.

They said that there were more homes on the application than originally identified and that the infrastructure was not adequate for Phase 1. They raised concerns about schools and that 150 children from Phase 1 would need school places. They said that there were no details or timetable about the surgery and that overcapacity would be to the detriment of the existing community.

Philip Hughes and Lee Royal raised concerns about Chaulden Lane and that access was supposed to be stopped.

They noted the idea of an 'inclusive community' but questioned the separate entrance to the gypsy and traveller site and suggested it being accessed through the central spine road.

Philip Hughes and Lee Royal drew attention to the County Council's policy on rural roads and said that the application would disrupt the rural character of Chaulden Lane.

They said that driving was a nightmare already and that junction improvements were not enough and raised concerns about the pressure on local services.

Philip Hughes and Lee Royal asked the committee to defer the application.

John Mawer and Michael Pritchard spoke in objection of the application on behalf of Bourne End Village Association.

John Mawer said that they had gone along with the masterplan but that this was not what was presented. He said that gypsy and traveller sites were complex and there was the risk of causing alienation and antagonism.

He referenced CS22 and 'inclusion' and said that gypsies and travellers wanted and should have access to health, education and other services. He also referenced the Equalities Act and quoted Councillor Andrew Williams.

John Mawer said that the gypsy and traveller site should be part of the development and not bolted onto the edge. He also raised concerns about access to the site and stated that the footpath does not provide 'inclusion'.

He added that the development would be ripping apart Chaulden Lane.

John Mawer emphasised the importance of engaging travellers and asked the Committee to vote against the officer recommendation.

Michael Pritchard stated that all dwellings have an impact on traffic and that this would feed into Winkwell resulting in rat-runs for the A41 and the A425. He said that developments causing rat-runs should be resisted. He added that the widening of roads and the increased volume and speed of traffic did not preserve the nature of rural roads.

Mr Michael Ridley spoke in objection of the application on behalf of Dacorum Environment Forum.

He said that the application did not comply with the Core Strategy and reference CS10 and CS26.

Mr Michael Ridley raised concerns about the wildlife corridor and the consultation with Martin Hicks, Herts Ecology. Mr Michael Ridley said that this was not a wildlife corridor and that one could be achieved if there was not an increase in dwellings from 900 to 1,100.

He raised concerns about swift-boxes and hedgehog gaps.

Mr Michael Ridley also asked about sustainable housing and carbon neutralising.

He said that there were inadequate plans to decrease congestion.

Mr Michael Ridley referenced CS31(e) concerning extra demand for water and referred to the motion at Council regarding chalk streams.

Carol Elvin spoke in objection of the application.



She said she was not against the building of housing in principle but that she had concerns about the main access road and said that the gradient was 16% when the maximum adoptable gradient for rural roads is 10%. She said that this was a breach of health and safety.

Carol Elvin said that a 25-30m entrance would mean taking down hedgerows and said that a stretch of more than 20m of hedgerow was protected by common law.

She said that there was no explanation as to the location of the gypsy and traveller site.

Carol Elvin said that the widening of Chaulden Lane gave no consideration of surrounding areas.

John Kelly of Taylor Wimpey and Andy Moore of Barratt David Wilson spoke in support of the application.

They said that they wanted to build a successful and sustainable community. They said that timing needed to be carefully managed, for example, the school opening after the completion of the first phase, as advised by County.

John Kelly and Andy Moore said that the surgery was going to be expanded. They said that they were making a contribution of £10.5million to infrastructure.

They said that they would be providing a range of homes in line with 40% affordable homes. They said that the site would be extensively landscaped including play areas.

John Kelly and Andy Moore said that the site would be rich in wildlife and that there would be a biodiversity net gain.

They said that there would be a 7-pitch gypsy and traveller site with dedicated access from Chaulden Lane and improvements and laybys on this road. They said that they had been working with the Liaison Officer in sourcing a registered provider for these pitches.

John Kelly and Andy Moore said that there would be cycling and footpath routes throughout the site and that bus routes would be established with contributions from them. They said that incentives would be introduced for car sharing and subsidised bikes and bus tickets. They also said that there would be improvements of existing roads and that contributions would be made to County to avoid rat-runs following a traffic assessment.

John Kelly and Andy Moore thanked the Chair and Committee for the opportunity.

### Housing

Councillor Beauchamp queried the residential care home and asked whether the 70 units were part of Phase 1 and whether this brought the total number of units up to 350.

Ross Herbert said that the residential care home was in the community hub which is not in Phase 1 and that it was indicative. He clarified that the residential care home had 70 beds and that this was not 70 units.

Councillor Beauchamp asked for clarification if the residential care home was part of the wider scheme.

Ross Herbert confirmed that it was and that 70 referred to the number of beds not dwellings.

Councillor Stevens asked about the scale of the houses and that most were 2-storey, some were 2.5-storey and some were 3.5-storey. He asked about the reference to 4-storey buildings and also asked whether the 15m-high building was the sports hall. He asked whether a condition could be added at the end to confirm that building heights would not be used as a precedent.

Ross Herbert said that the Phase 1 dwellings were mainly 2-storey and that the 4-storey buildings were in and around the community hub which was following urban design principles as the hub was at the heart of the site. He said that the vast majority of building heights were 2.5-storey and that taller buildings were along key roads or points. He said that the 15m was the sports hall specification at schools.

Councillor Uttley asked about the consternation about the change from 900 dwellings to 1,100.

James Doe said that this was to do with master-planning which outlined a minimum number of dwellings and that from the proposal to the application architects provide more detail on the number of dwellings that could be provided on a site. He continued that an application could not be rejected based on the number of dwellings alone and that the Committee had to make a decision based on what was in front of them and whether this would cause harm.

Councillor Hobson said that knowing why the number had increased could make it easier to make a decision.

Councillor Stevens asked about the dwelling space at the south of the site.

Ross Herbert said that there was not enough time to go through everything in the presentation as the detail is in the report.

Councillor Woolner asked about the south-east corner called Horse's Field and what had happened to it.

James Doe said that it was not owned by the applicants and was not part of the application to be considered.

Councillor Stevens said that one of the respondents had asked why no land had been allocated for self-builds.

James Doe said that there was not a policy on self-builds and that this was to be picked up through the NPPF.

## Design

No questions or comments were asked specifically on design, these were covered in the housing questions

## Transport

Councillor Hobson said she used the road around the site and was struck by the consistency of concerns raised. She referred to the access on Chaulden Lane and asked why it has to be separate and why hedgerows had to be moved. She asked about the gypsy and traveller site and access to this. She also asked about congestion and what the boundaries were in terms of making a decision and her concerns about grid-locked roads. She asked whether the site was within tolerances of what is acceptable regarding traffic. She also raised cycle routes and noted that there were none to the station or to town. She said that these were important issues and asked whether the Committee had any authority about what was outside of the application site.

James Doe said that regarding the parameters of making a decision they could not address current problems and could only mitigate them. He said that under the disciplines of the Core Strategy this related to traffic sites and pressure. He said that in a larger development it can be accommodated. He added that Hertfordshire County Council were supporting the scheme.

Nick Gough, HCC Highways Development Manager for S & W Hertfordshire, explained that the benchmark or bar when assessing the impact of the road network came from the NPPF paragraph 109 and that this only prevented applications concerning Highway Safety and whether the impact in traffic terms was likely to be severe. He said that in terms of safety they studied accident data. He said that congestion could be an issue and there were ways in which planning inspectors judged 'severe' but that there was no government guidance on this. He said that at individual junctions there was no severe impact. He said that the likely impact of the development would be that the junctions would be busy at peak hours. He added that in order to mitigate he development a substantial contribution would be made towards buses etc. He said that it was important to make connections, for example, with bus routes and that this would serve as mitigation on the highway network. Nick Gough also mentioned other projects HCC are working on separate to this proposal.

Councillor Hobson thanked James Doe and Nick Gough for being clear. She said that cycling was a no-brainer as the pathways would be wide and that she would recommend having cycle paths.

Councillor Beauchamp asked about the delivery of large mobile homes along Chaulden Lane as he said that the lane narrowed significantly towards the gypsy and traveller site. He said that he was aware that the movement of traveller sites happened every 3-4 years. He asked how this could be mitigated and how the mobile homes would be offloaded. He also raised vehicle access on Chaulden Lane and suggested a width restriction to avoid large vehicles going down the lane. He added that Pouchen End Lane was less than 4m in width and that it narrowed to 2m. He suggested preventing vehicles going down the lane. He asked whether the footpaths were designated and queried other forms of transport. He said that the Chiltern Way was not suitable for cyclists, horses etc. currently and asked about future footpaths.

Nick Gough said that laybys and passing places had been designed to enable 4x4s to go down Chaulden Lane and access the gypsy and traveller site. He said that there would probably be police escorts or road closures for delivery of the mobile homes. He added that regarding turning, it was possible for this to be modelled by computer as part of the design process. He said that they had met Bourne End Village Association concerning Pouchen End Lane and Chaulden Lane. He said that the applicants would be making a payment to HCC Highways for any Traffic Regulation Order that might be

needed to back up the traffic management scheme for Winkwell that they are investigating.

Councillor Beauchamp said that mobile homes were significantly wide. He said that he wanted footpaths to only be for pedestrians or segregated for pedestrians.

Ross Herbert said that concerning public rights of way he was satisfied with the footpaths and that their function was going to be very different than they were currently. He said that they would encourage walking and cycling and that they would not be bridleways or deregulated. He said that there were many benefits of improving footpaths.

Councillor Beauchamp asked if they would be remaining as footpaths and public rights of way.

Ross Herbert confirmed that they would remain as footpaths and public rights of way and that there would be some cycleways.

Councillor McDowell asked whether the wildlife corridor on the Chiltern Way was being upgraded and asked whether it would be paved.

Ross Herbert said that the Chiltern Way was outside of the application site and that there would be no upgrade to this. He said that it would be part of a wider corridor. He said that more footpaths that cross the site would be upgraded.

Councillor McDowell asked for clarification on the contribution towards bus routes.

Nick Gough said that this had been calculated to support extensions of the current bus networks and would include new bus stops. He said that this would be until there was enough patronage to enable the service to become viable and that it would be subsidised.

Councillor McDowell asked about the location of the gypsy and traveller site.

Nick Gough said that Highways did not have a view on this and were only asked if the access would work.

Councillor McDowell asked if Chaulden Lane would be widened.

Nick Gough said that laybys would be put in.

Councillor Oguchi asked about the mitigation of traffic if there was to be an extra 2000 cars. She said that she understood that the application site was designed in a way that people do not have to use cars. She noted that if buses ran the same as buses do in Hemel Hempstead now then it would not work and what more could be done?

Nick Gough said that nothing more could be offered than what was in the application. He added that, concerning the wider area that this was the busiest part of Hertfordshire but that this was beyond the scope of the discussion. He said that the scheme had been in gestation for a long time. He said that the HCC countywide comment traffic model (TRICS data) was being updated and that developments were being assessed in great detail. He said that the applicant had employed transport consultants from a traffic assessing authority and that they had looked at rush hours. He said that the figure of 2000 cars and the idea that everyone would be driving in the morning was an assumption and that many people worked from home now. He said

that assessments had been based on other similar developments measuring actual traffic and involving calculations to predict the likely change in traffic. He said that mitigations and improvements were to reduce the impact so that it was not severe. He added that discussions about the Plough roundabout were beyond this development.

James Doe said that car usage was high and that transport modelling recognises this. He said that the Council would be working together with South West Herts on the growth and transport plan, spate to this planning application. He added that the new Local Plan on sustainability would also look at this again separate to this planning application.

Councillor Oguchi said that if plans were still in the works why they could not wait until there were solid plans.

James Doe said that there was a pressing housing need now and that work with Highways will continue and that the application tonight was realising a policy objective that had already been agreed.

Councillor Stevens said that residents from Bourne End had raised concerns about the increased traffic through Winkwell and the worry about it becoming a rat-run. He added that as the development would progress slowly this would be incremental and not huge, or all at once. He asked about the roads on the site itself and how much of this would be adopted by highways and how much would be privately owned.

Nick Gough said that Hertfordshire County Council only adopts roads that are of public interest and that they would only be adopting link roads and character areas and not individual roads and cul-de-sacs and that these would be under management companies.

Councillor Stevens said that he knew of another developments where the roads were very narrow. He noted that the growth of traffic would be phased with around 110 houses being built a year which he said was fairly modest.

Nick Gough said that developers are advised to build all roads to adoptable standards.

Sara Whelan said that the width of the roads would come under reserved matters.

James Doe said that there was planning in terms of the application in front of the Committee that night but some of the discussions were regarding planning in the long-term future.

Councillor Wyatt-Lowe said that Hertfordshire County Council only adopts major roads and that new developers source management companies in managing smaller roads. She said that this was not an unusual arrangement, for example at Swallowfields.

Councillor Woolner asked for clarification with Highways on the gradient at the access to the G&T site.

Nick Gough said that drawings have convinced them that the gradient will not be anything like 16%.

Councillor Beauchamp asked about the entrance on Chaulden Lane and asked whether the road would be elevated to prevent flooding referencing concerns about a maintenance programme to prevent flooding.

Ross Herbert said that this was a main primary road and would have a causeway effect. He said that as there would be a bus route that County would adopt this road. He added that due to the raised entrance there was no flood risk.

Councillor Beauchamp asked whether the main road would be adopted including the maintenance of this.

Nick Gough confirmed that Highways would be responsible for the maintenance of the drainage and the road.

James Doe said that concerning the main entrance this was about two separate things, one being adoption of roads and the other being open spaces. He added that further maintenance detail would be given at a later stage after the Committee meeting.

Councillor Hobson asked about the Chaulden Lane access and her discomfort over this. She questioned the safety of its other uses for walkers and cyclists. She suggested the option to enable big transits to use Chaulden Lane but that it would be closed for everyday traffic and that all other traffic should go through the main site.

Ross Herbert said that there was no ability to change the access point as it was part of the detail of the scheme. He said that they had consulted with the Gypsy and Traveller Liaison Officer regarding inclusivity and that he had said that the gypsy and traveller culture meant that they wanted to be connected to facilities which were part of the LA3 development but they also wanted privacy. He said that the masterplan showed the gypsy and traveller site with a separate access point. He added that the access was part of Phase 1.

Sara Whelan said that the masterplan included the location of the emergency access and that this was always subject to Highways.

The meeting adjourned at 9:11pm.

The meeting reconvened at 9:23pm.

Councillor Wyatt-Lowe said that as a County Councillor gypsy and traveller inclusion had been under her remit and she said that the officer reported directly to her. She said that gypsies and travellers do want to be educated and want to be near shops and other facilities but that they also wish to retain their own identity. She said that the majority of gypsies and travellers liked to be part but apart. She said that the best thing to do was to respect that wish.

Councillor Hobson said that the gypsy and traveller site was far removed from the main site and that for road access they would have to go all the way around.

Councillor Uttley said that she did not know why the access location was chosen. She said it gave the sense of partial integration and wished to understand this.

Councillor Wyatt-Lowe said that she had been speaking more generally from her experience.

Councillor Uttley referred to the buses being prioritised and the bus route being 6.7m wide. She asked about on-street parking and safety concerning this and asked whether there would be laybys for buses.

Nick Gough said that the detailed locations of bus stops were still to be determined but that parking would be arranged around buses and routes.

Councillor Uttley asked for clarification on the bus route being introduced at the end of Phase 1.

Ross Herbert said that the developers would be upgrading existing bus stops within 400m of the site before full occupation and enough patronage for the bus route to penetrate.

Councillor Uttley asked how strict they were regarding the 400m and whether the bus route would be delivered in a timely manner.

Nick Gough said that one of the main targets was bus accessibility.

#### Gypsy and Traveller Site

Councillor Woolner asked about the pumping station, whether it was underground and what the effect of it would be.

Ross Herbert said that the pumping station was an above ground facility and that it was located at the lowest part of the site. He said that additional capacity was required for the site. He said that the pumping station would follow national guidance of a 15m minimum buffer zone to existing dwellings. He said that the pumping station more than met the guidance. He added that the impact on future dwellings would come under a reserve matter.

Councillor Hobson asked whether the gypsy and traveller pitches would also be outside the 15m buffer zone.

Ross Herbert confirmed that they would be and that this was indicative and would be addressed when laying out where the pitches would be.

Councillor McDowell asked whether there had been a previous consultation with gypsies and travellers and asked what their requirements were.

Ross Herbert said that gypsies and travellers had the same access to consultation as any other member of the public. He added that the Gypsy and Traveller Liaison Officer had been involved in pre-application discussions.

Councillor McDowell asked whether the officer had been involved in discussions relating to the widening of Chaulden Lane.

Ross Herbert said that the Gypsy and Traveller Liaison Officer could not comment on Highways and that Highways were responsible for this.

Councillor Hobson raised Councillor Adeleke's concerns about gypsy and traveller integration with Bourne End Community rather than with the LA3 community.

Ross Herbert said that there were more forms of movement than just by car and that the gypsy and traveller site was part of the LA3 site. He said that the masterplan had been designed to integrate the site with LA3.

Councillor Uttley asked about the distance of pitches from the railway and estimated this to be around 50m.

Ross Herbert said that he did not have the actual measurements but agreed that it was close. He said that the Environmental Community Protection Officer was satisfied with noise impacts and that this would be subject to conditions.

Councillor McDowell said that he was struggling to believe that the gypsy and traveller site would be integrated and said that this was not a material reason.

#### Provision of Non-Residential Development

Councillor Hobson asked about the medical facility.

Ross Herbert said that it was part of the adopted masterplan and that this would be a satellite GP surgery or a contribution to expand the closest GP surgery. He said that the CCG NHS England would much prefer an expansion of Parkwood Drive and ensuring a suitable contribution for this. He said that the original proposal was for either a satellite surgery or for expansion of an existing surgery.

Councillor Beauchamp asked about the development of Parkwood Drive in relation to the phased development.

Ross Herbert said that the trigger points were still being negotiated but that the contribution had been agreed.

James Doe said that the expansion was the preferred route of CCG NHS England and that it was up to them to decide. He said that this was a separate matter to be resolved.

Councillor Uttley asked about the school and the timings of this.

Ross Herbert said that there was no education expert from County present but that it was a balancing act to be struck. He said that the County Council would be delivering the school and that they want there to be enough residents to support a viable school. He said that this came under trigger points but that funds would be delivered while Phase 1 was happening. He said that the school would open when there were sufficient children living on the development. He said that £8.9million would be provided to the education authority and providing funding and places at close schools in the meantime.

Councillor Hobson asked whether a management company or the Council would be adopting the public spaces. She asked if all options were being discussed and whether this came under reserved matters. She gave the example of the community centre and the running of this.

Ross Herbert confirmed that discussions would take place once the community had been adequately established and that the developer or other could adopt this and that options were being discussed.



Councillor Stevens asked about primary school places and whether County was making the decision for initial residents. He also asked about the standards on amenity space and how it stacked up concerning sports spaces.

Ross Herbert said that this was covered in the report and that concerning open space, there was substantially more than the current policy required, however, the topography does not allow for formal sports pitch. He said that the NEAP and LEAP would be constructed by standards agreed by the Council and had been agreed with the Clean, Safe and Green team.

Councillor Stevens asked about the shortage of football pitches.

Ross Herbert asked if Councillor Stevens was referring to a formal sport space.

Councillor Stevens confirmed that he was.

Ross Herbert said that the topography does not allow for formal sports pitch the proposal would include an off-site contribution to improve existing facilities as part of S106.

Councillor Uttley asked about the community gardens and orchards and asked what would happen if no-one adopted the assets.

Ross Herbert said that this would have to be in reserved matters in terms of management and who this would be and what function this would have. He said the S106 and reserved matters would not let the assets be abandoned.

#### Environmental Considerations

Councillor McDowell referred to the 800 new trees being planted and 300 protected. He said that there was supposed to be one new tree per dwelling to equal 1,100.

Ross Herbert said that there were a large number of trees and that this was part of the indicative phase. He said that this was part of the green infrastructure strategy. He said that the amount of trees planted included substantial hedgerows.

Councillor McDowell noted CS29 (j) and (h).

Ross Herbert said that they were assessing the scheme in accordance with the current development plan and that the Local Plan was coming but they had to use the masterplan as it was a live plan.

Luke Johnson, Dacorum Trees and Woodlands Team Leader, said that the number of trees will be increased and that the figure previously mentioned did not include trees in the green corridors.

Councillor McDowell asked about chalk streams and there not being enough water. He asked how 1,100 houses were to be accommodated with water.

Ross Herbert said that this would come under the informatives and conditions and that both Affinity Water and Thames Water had to be contacted by the developers. He said that hydrology had been assessed and that it would not impact the Bulbourne Valley in a negative way and would be part of conditions. He said it had been deemed acceptable with the Environment Agency and the flooding authority.

James Doe stated that Affinity Water had said that there was sufficient water for the area.

Councillor Uttley asked about the difference between green area and where the off-site ecology improvement would be.

Ross Herbert said that this was subject to negotiation and S106. He said that mitigation had been identified and funding secured and that Hertfordshire Ecology agree.

Sara Whelan invited Luke Johnson to comment on lime trees.

Luke Johnson said that the lime tree was a native tree species but other native species could be planted.

Councillor Oguchi asked about the drains and who was going to manage this.

Ross Herbert said that the pumping station would meet adoptable standards and whoever adopted the public open space would be responsible for SUDs. He said that foul water came under Thames Water.

Councillor Oguchi said that whoever adopts, then maintains.

Councillor Beauchamp asked about the existing wildlife and whether the fences that will border properties would have gaps for wildlife to use.

Ross Herbert confirmed that they would, including hedgehog holes and swift and bat boxes. He said that the developers were incorporating these and would be sought in conditions.

Councillor McDowell asked about the outline permission in relation to the Climate Emergency. He said they should be asking for more efficient homes and hoped they would exceed what building control were asking. He asked if this was something that could happen.

James Doe said that there was a remaining 750 dwellings from the outline and that if this was after the Local Plan was adopted then new policies would apply at that time.

Councillor Wyatt-Lowe stated that as a Council they are all totally committed to environmental concerns and that standards will rise.

Councillor Hobson asked about birds being displaced and whether an alternative location had been found.

Ross Herbert said that an alternative location had not yet been found but that they were looking for one and that this would probably be a landowner to negotiate with. He said that Martin Hicks, ecology consultant, had been involved in discussions regarding new planting and hedgerows.

Councillor Stevens asked about the energy on site and referred to CS 18 and 16 and district heating schemes.

Ross Herbert said that the site does not include this. He said that consideration was to be given to what the developers had put forward and that bigger sites would include this.

Councillor Hobson said that she understood that the Committee had to consider what was in front of them but asked about the access on Chaulden Lane.

Ross Herbert said that the access points were part of the full detailed scheme. He said that another access would need its own planning permission.

Councillor Hobson asked for clarification that the access could not be changed.

Sara Whelan said that the access point was part of the plan.

Councillor Hobson asked if the path could be changed to a road as a new access point.

Sara Whelan said that if the applicants were to change this a new application would be needed.

Councillor McDowell asked if the officer recommendation, to delegate with a view to approval, meant that things could be added.

Councillor Wyatt-Lowe said that suggestions would be taken on board to be considered.

Sara Whelan said that any conditions would have to be clarified. She clarified that in approving the proposal this would include granting consent for all vehicles to access the Gypsy and Traveller site to Chaulden Lane.

Councillor McDowell suggested granting access to Chaulden Lane for the gypsy and traveller site large vehicles only.

Councillor Hobson said that she would suggest a condition limiting access only for the gypsy and traveller site. She said it was important to work with the community in making sure it worked for everybody.

Councillor Hobson clarified that the mobile homes were to use Chaulden Lane to get in and then for bollards to go up so that there was no access at all. She said that cars should go through the LA3 site to access the gypsy and traveller site.

The meeting adjourned at 10:23pm.

The meeting reconvened at 10:31pm.

Sara Whelan said that Chaulden Lane with Councillor Hobson's suggestion would still require passing lanes. She said that Highways information submitted and assessed to support the application was based on daily access. She said that a change to this would be a material change to the application. She requested that the applicants were asked to respond to this.

Councillor Wyatt-Lowe asked the developers to come forward to speak.

Nargis Sultan confirmed that the Chair was perfectly entitled to ask the applicant to come forward for clarification.

The developers, John Kelly and Andy Moore, said that they were prepared to accept Councillor Hobson's suggestion on the basis that it was looked at in reserved matters and was not made a condition.

Sara Whelan clarified that the suggestion would be considered but that it would not form a condition and wanted to clarify this for Members. She said that they would be making a decision on what was in front of them, including access for all vehicles associated with gypsy and traveller site.

Councillor Hobson said that some developments were constructed from one access and then this access was closed.

Sara Whelan said that this would not be the case with this proposal.

Councillor Stevens asked about the Winkwell junctions and wanted assurance from County that they would be revisiting Pouchen End Lane to Chaulden Lane regarding weight restrictions and speed restrictions.

Nick Gough said that those matters would be in the scope of the investigation.

Councillor McDowell asked whether there would be a condition that the only access to the gypsy and traveller site was from Chaulden Lane.

Sara Whelan confirmed this.

Councillor McDowell asked about the involvement of Affinity Water.

Sara Whelan said that this would be an informative.

Councillor Wyatt-Lowe stated the importance of considering all material matters.

It was proposed by Councillor Uttley and seconded by Councillor Beauchamp to **DELEGATE** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation.

Vote:

For: 6

Against: 2

Abstained: 2

Resolved: That planning permission be **DELEGATED TO THE GROUP MANAGER OF DEVELOPMENT MANAGEMENT WITH A VIEW TO APPROVAL**, subject to the completion of a S106 Agreement and agreement of final planning conditions.

The Meeting ended at 10.46 pm

# Public Document Pack

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## **DACORUM BOROUGH COUNCIL**

### **DEVELOPMENT MANAGEMENT**

**17 DECEMBER 2019**

\*\*\*\*\*

Present:

#### **MEMBERS:**

Councillor Guest (Chairman), Maddern, C Wyatt-Lowe (Vice-Chairman), Beauchamp, Durrant, McDowell, Uttley, Woolner, Hobson, R Sutton and Stevens

#### **OFFICERS:**

F Bogle (Team Leader - Development Management), R Freeman (Lead Planning Officer), Lecart, E Palmer (Planning Officer), Polden (Environmental Health Officer), Powell (Legal Officer), Robertson (Assistant Team Leader - Conservation) and Simmonds (Legal Governance Team Leader) and C Webber (Corporate & Democratic Support Officer)(Minutes)

The meeting began at 7.00 pm

#### **1 MINUTES**

The minutes of the meeting held on 28 November were not yet confirmed by the Members present as they were still under review by planning officers.

#### **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Oguchi, Riddick and Symington.

Councillor Stevens substituted for Councillor Symington.

Councillor Durrant arrived at 7:13pm.

#### **3 DECLARATIONS OF INTEREST**

Councillor Guest asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application.

#### **4 PUBLIC PARTICIPATION**

Councillor Guest reminded Members and the public about the rules regarding public participation as follows:

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

Items were heard in the following order: 5b, 5c, 5f, 5a, 5d, 5e, prioritising those items with public speakers on first.

**5b 4/02033/19/FUL - Conversion of existing dwelling into two dwellings & development of two 3 bed dwellings - 39A Adeyfield Road Hemel Hempstead HP2 5DP**

Councillor Durrant arrived at 7:13pm and, therefore, did not participate or vote on this item.

Robert Freeman introduced the report to Members on behalf of the Case Officer.

Michael Caldwell spoke in objection to the application.

Theo Naylor spoke in support of the application.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 7

Against: 0

Abstained: 3

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

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. No above ground development shall take place until details of the materials to be used in the construction of the external surfaces of the semi-detached pair of dwellings 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).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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, B, C, D, E, F.

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 127 of the National Planning Policy Framework (2019).

4. No above ground development shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

Hard surfacing materials;

Means of enclosure;

Bin storage facilities

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;

Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

5. No development, other than the conversion works to the existing building 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 178 and 180 of the National Planning Policy Framework (2019).

6. All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 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 178 and 180 of the National Planning Policy Framework (2019).

7. Prior to the occupation of the development hereby approved full details of fire hydrants and other measures to protect the development from fire will be submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. As there is insufficient access and turning facilities, a rising main or suppressing system must be installed for Plots 3 & 4. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details and thereafter maintained as such.

Reason: To enable appropriate development to occur, ensure a safe, sustainable form of development which provides for its own infrastructure for fire emergencies in accordance with core strategy policies CS1, CS4, CS12 & CS29.



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

NT/ADY/002  
NT/ADY/003  
NT/ADY/004  
NT/ADY/005  
NT/ADY/006  
NT/ADY/007  
NT/ADY/008

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

**Informatives:**

1. 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**5c 4/02277/19/FUL - Install 13 parking bays on amenity land - Amenity Green Opp. 7 Elm Green Hemel Hempstead HP1 3PX**

Councillor Guest declared a personal interest as it was in her ward. She said that she had been approached by the person speaking in objection but had given no view and had told them how to register to speak.

The Case Officer, Colin Lecart, introduced the report to Members.

Dr Robert Baker-Glenn spoke in objection to the application.

It was proposed by Councillor Stevens and seconded by Councillor Hobson to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 6                      Against: 4                      Abstained: 1

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

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:  
DBC/019/007

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

3. Before being brought in to use the new parking areas hereby approved shall be surfaced in porous paving or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately into a soakaway so that it does not discharge onto the highway.

Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety in accordance with Policy CS31 of the Core Strategy (2013).

4. No work (including site clearance) in relation to the development hereby approved shall be undertaken until full details setting out how retained trees shall be protected, in accordance with BS5837:2012 (Trees in relation to design, demolition and construction), have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
  - o A scaled Tree Protection Plan showing the approved development layout and retained trees (surveyed in accordance with BS5837:2012), to include their accurate crown spreads and root protection areas (RPAs).
  - o The position and specification of tree protection fencing in accordance with BS5837:2012 (as applicable).
  - o The position and specification of ground protection in accordance with BS5837:2012 (as applicable).

There shall be no excavation, changes in levels, storage of materials or access within the RPA of retained trees unless previously specified and agreed.

The works must then be carried out according to the approved details.

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

#### **Informatives:**

1. Planning permission 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

**5f 4/00718/19/FUL - Change of use from agricultural land to dog walking paddock with associated car parking and new vehicle crossover. - Land South The Brambles, Flaunden Lane, Bovington**

The Case Officer, Elspeth Palmer, introduced the report to Members.

Alan Wrigley spoke in objection to the application.

David Carroll spoke in support of the application.

It was proposed by Councillor McDowell and seconded by Councillor Durrant to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 10

Against: 0

Abstained: 1

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 dog walking paddock shall only be open to customers between 8am – 4pm weekdays and weekends in Winter and 8am – 6pm in the Summer.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings and to comply with CS12.

**3. Within 4 months of this planning permission the vehicular access shall be provided, the construction of such works to be undertaken to the Highway Authority satisfaction and specification, and by a contractor who is authorised to work in the public highway. The vehicular access thereafter shall be retained at the position shown on the approved plan drawing number 1852-001\_BOUND[2654] Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Core Strategy Policy 12.

**4. Within 4 months of this planning permission visibility splay (shown on the approved plan drawing number 1852-001\_BOUND[2654]) measuring 2.4 x 66 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Core Strategy Policy 12.

**5. Within 4 months of the date of this planning permission any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards set back and thereafter retained a minimum distance of 5.5 metres from the edge of the highway.**

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Core Strategy Policy 12.

**6. The maximum number of dogs to use the approved dog walking paddock at any one time is 4.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings and to comply with CS12.

**7. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**location and site plan**

**visibility splays Drawing No. 1852-001\_BOUND[2654]**

**proposed car parking area**

**Environmental Noise Survey Prepared by AAD Applied Acoustic Design on 4th September, 2019**

**Design and access statement revision A**

**CIL**

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

#### Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the 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.

#### Informatives:

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

AN1) 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 website <https://www.hertfordshire.gov.uk/services/highways-roads->

[and-pavements/business-and-developer-information/business-licences/business-licences.aspx](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx) or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 Mud on highway

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

**5a 19/02543/FHA - Rear ground floor single storey extension with internal modifications, dormer roof extension with new internal staircase. - 40 Elizabeth II Avenue Berkhamsted Hertfordshire HP4 3BF**

Councillor Stevens declared his interest in this item and said that he is the Chair of the Town Planning Committee. He, therefore, did not participate or vote on this item.

The Case Officer, Robert Freeman, introduced the report to Members.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Beauchamp to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 7                      Against: 2                      Abstained: 1

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

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be provided in accordance with those specified on drawings:

TWS-1904-00-30 Revision 01

TWS-1904-00-31 Revision 01

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

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

TWS-1904-00-30 Revision 01 and TWS-1904-00-31 Revision 01

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

**5d & e 4/02266/19/FHA & 4/02267/19/LBC - Retention of existing shed in Garden.  
- 65 St Johns Road Hemel Hempstead HP1 1QQ**

Councillors from the Liberal Democrat Group declared that they know the Councillor whose application this was personally but that it had not been discussed and that they would be approaching the application with an open mind.

The Case Officer, Neil Robertson, introduced the report to Members.

It was proposed by Councillor Durrant and seconded by Councillor Maddern to **GRANT** the application, both planning permission and Listed Building Consent in line with the officer's recommendation.

Vote:

For: 8

Against: 0

Abstained: 3

Resolved: That planning permission and Listed Building Consent be **GRANTED**.

**6 APPEALS**

That the following appeals were noted:

- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING HEARINGS**
- E. DISMISSED**
- F. ALLOWED**

The Meeting ended at 8.39 pm