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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT**

**27 SEPTEMBER 2018**

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Present:

**MEMBERS:**

Councillor Guest (Chairman) Councillors, Birnie, Maddern, Riddick, Ritchie, C Wyatt-Lowe (Vice-Chairman), Fisher and Tindall

Councillor also attended

**OFFICERS:**

B Curtain (Lead Planning Officer), R Freeman (Lead Planning Officer), Gardner (Planning Officer), C Gaunt (Legal Governance Team Leader), N Gibbs (Lead Planning Officer), Johnston (Corporate and Democratic Support Officer), A Parrish (Lead Planning Officer), Robbins (Planning Officer) and S Whelan (Group Manager - Development Management and Planning)

The meeting began at 7.00 pm

**84 MINUTES**

The minutes of the meeting held on 6 September 2018 were confirmed by the Members present and were then signed by the Chairman.

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:

<https://democracy.dacorum.gov.uk/ieListDocuments.aspx?CIId=159&MIId=1729>

**85 APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillor Matthews. Councillor Bateman, Councillor Whitman, and Councillor Conway.

**86 DECLARATIONS OF INTEREST**

Councillor Fisher declared an interest in item 90 as she had registered to speak on this item

**87 PUBLIC PARTICIPATION**

Councillor Guest reminded the members and the public about the rules regarding public participation.

88            4/01459/18/RES        -    SUBMISSION OF RESERVED MATTERS (SECONDARY ACCESSES, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR A FIRST PHASE OF 150 FLATS AND 294SQM ANCILLARY RETAIL FLOORSPACE) TO OUTLINE PLANNING PERMISSION 4/03624/14/MOA (RESIDENTIAL DEVELOPMENT (UP TO 207 UNITS) AND ANCILLARY RETAIL UNIT (UP TO 375SQM) - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR THE STRATEGIC ACCESS ONTO COMBE STREET). LAND ADJACENT TO THE FORUM AND DACORUM WAY, HEMEL HEMPSTEAD, HP1 1HL

R Freeman introduced the report to members and said it had been referred to committee because the application site is subject to a development agreement with the Borough Council and would have a significant impact on the environment.

Cllr Tindall proposed for extra electric charge points and solar panels to buildings. It was seconded by Cllr Wyatt-Lowe.

Vote

For:    8            Against:        0            Abstained:    0

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

No	Condition
1	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>21687-XX-07-099 Revision D (GA Lower Ground Floor Plan)  21687-XX-07-100 Revision D (GA Upper Ground Floor Plan)  21687-XX-07-101 Revision D (Level 01 Plan)  21687-XX-07-102 Revision D (Level 02 Plan)  21687-XX-07-103 Revision D (Level 03 Plan)  21687-XX-07-104 Revision D (Level 04 Plan)  21687-XX-07-105 Revision D (Level 05 Plan)  21687-XX-07-106 Revision D (Roof Plan)  21687-XX-07-110 Revision D (North Elevation)  21687-XX-07-111 Revision D (East Elevation)  21687-XX-07-112 Revision D (South Elevation)  21687-XX-07-113 Revision D (West Elevation)  21687-XX-07-114 Revision D (Gade Block (A) North Elevation)  21687-XX-07-115 Revision D (Gade Block (A) East Elevation)  21687-XX-07-116 Revision D (Gade Block (A) South Elevation)  21687-XX-07-117 Revision D (Gade Block (A) West Elevation)  21687-XX-07-118 Revision D (Central Block (B) North Elevation)  21687-XX-07-119 Revision D (Central Block (B) East Elevation)  21687-XX-07-120 Revision D (Central Block (B) South Elevation)  21687-XX-07-121 Revision D (Central Block (B) West Elevation)  21687-XX-07-122 Revision D (Marlowes Block (C) North Elevation)  21687-XX-07-123 Revision D (Marlowes Block (C) East Elevation)  21687-XX-07-124 Revision D (Marlowes Block (C) South Elevation)  21687-XX-07-125 Revision D (Marlowes Block (C) West Elevation)  21687-XX-07-126 Revision D (Typical Bay - Gade Block)  21687-XX-07-127 Revision D (Typical Bay - Central Block)  21687-XX-07-128 Revision D (Typical Bay - Marlowes Block)  21687-XX-07-130 Revision D (Section A-A and B-B)  21687-XX-07-131 Revision D (Section C-C and D-D)</p>

	<p>21687-XX-07-140 Revision D (Location Plan) 21687-XX-07-142 Revision D (Site Plan)</p> <p>471318-PEP-SWFWDS - Version 1.1 (Drainage Strategy) 471318-PEP-00-ZZ-DR-C-1200 (Below Ground Drainage) 471318-PEP-00-ZZ-DR-C-1201 (Drainage Layout to Upper Ground Floor Podium Deck) 471318-PEP-00-ZZ-DR-C-1202 (Drainage Roof Level) 471318-PEP-00-ZZ-DR-C-1205 (Storm and Foul Drainage Manhole Schedule) 471318-PEP-00-ZZ-DR-C-1206 (Drainage Construction Details)</p> <p>Arboriculture Method Statement TM341R06 D (Landscape Design Report - August 2018) TM341R08 (Landscape Management and Maintenance Plan Revision A - June 2018) TM341L01 B (Illustrative Landscape Plan) TM341L04 B (Materials GA - RMA Phase 1) (Hard Landscaping) TM341L05 B (Planting GA - RMA Phase 1) TM341L06 B (Levels GA - RMA Phase 1)</p> <p>14027-1-C (Lighting Strategy Layout Diagram by DW Windsor)</p> <p>ESS/TG/201805- BC (Energy &amp; Sustainability Statement by NRG Consulting - May 2018)</p> <p>The 'GADE' Logistics and Phasing Plan by Hill Transport Management Plan (TMP) by Hill Site Waste Management Plan (SWMP) by Hill</p> <p>M1 R1 (Basement Services Routing by Hill)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
2	<p>Notwithstanding the landscaping details hereby approved, further details of the fencing, entrance gates and railings shall be submitted to and approved in writing by the local planning authority prior to the occupation of any residential unit.</p> <p>The landscaping works shall be implemented in accordance with a programme of implementation included in the Construction Management Plan unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To ensure the implementation of the approved landscaping scheme and a satisfactory appearance to the development in accordance with Policies CS12 and CS13 of the Core Strategy.</p>

**89            4/03275/17/FUL        -    CHANGE OF USE FROM NURSERY TO RESIDENTIAL. REDEVELOPMENT OF SITE TO PROVIDE THREE NEW DWELLINGS. WOODVIEW NURSERIES, TINKERS LANE, WIGGINTON, TRING, HP23 6JB**

B Curtain introduced the report to members and said it had been referred to committee because it called in by Ward Councillor (Stan Mills).

Suzanne Trueman spoke in support of the application

Nick Hollinghurst spoke in objection of the application.

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

Vote

For: **6**          Against:          **0**          Abstained: **2**

Resolved

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>Other than site clearance and grounds works, no above ground development shall take place, until samples of the materials proposed to be used on the external walls/roofs of the development shall have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy Cs12 of the Core Strategy 2013.</p> <p>Reason: In the interests of the visual amenities of the Chilterns Area of Outstanding Natural Beauty in accordance with Policy CS27 of the Core Strategy 2013.</p>
3	<p>Prior to the occupation of the dwellings hereby approved 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:</p> <p>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; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc);</p> <p>The approved landscape works shall be carried out fully in accordance with the details agreed and thereafter maintained as such.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies Cs12 and CS27 of the Core Strategy 2013.</p>

4	<p>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:</p> <p>Schedule 2 Part 1 Classes A, B, C, D, E, F &amp; G Part 2 Classes A, B and C</p> <p>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.</p>
5	<p>1a). Contaminated Land Condition</p> <p>Other than site clearance works (not demolition) no development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a 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.</p> <p>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.</p>

	<p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).</p> <p>Informative: Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a></p>
6	<p>Other than site clearance works, no demolition/development shall 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:</p> <ol style="list-style-type: none"> <li>1. The programme and methodology of site investigation and recording</li> <li>2. The programme for post investigation assessment</li> <li>3. Provision to be made for analysis of the site investigation and recording</li> <li>4. Provision to be made for publication and dissemination of the analysis and records of the site investigation</li> <li>5. Provision to be made for archive deposition of the analysis and records of the site investigation</li> <li>6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.</li> </ol> <p>Reason: To safeguard archaeological features of interest in accordance with Policy CS27 of the Core Strategy 2013.</p>
7	<p>i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition 6.</p> <p>ii) The development shall not be occupied 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 6 and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p> <p>Reason: To safeguard archaeological features of interest in accordance with Policy CS27 of the Core Strategy 2013.</p>
8	<p>Prior to the occupation of the dwellings hereby approved, all buildings and structures, storage containers and goods stored externally (including those structures not substantially completed), other than those shown for retention on the approved plans or permitted by this permission, shall be demolished / removed and the materials arising from demolition / clearance permanently removed from the site.</p> <p>Reason: In the interests of maintaining the open character of the Green Belt and AONB in accordance with Policies CS5 and CS24 of the Core Strategy 2013.</p>
9	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times</p>

	<p>for the parking of vehicles associated with the residential occupation of the dwellings hereby approved and they shall not be converted or adapted.</p> <p>Reason: In the interests of highway safety and to safeguard the appearance of this part of the Green belt and AONB in accordance with Policies CS5, CS8 and CS24 of the Core Strategy 2013.</p>
10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>1180/AG(0)01 - Location Plan  1180/AG(0)02 Rev A - Existing Site Plan  1180/AG(0)03 Rev B - Proposed Site Plan  1180/AG(0)04 Rev A - Plot 1  1180/AG(0)05 Rev A - Plot 2  1180/AG(0)06 Rev A – Plot 3  1180/AG(0)07 Rev A - Street Elevations</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35;</p> <p>Un-expected Contaminated Land Informative  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 with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p> <p>I hope the above clarify our position on the submitted application?</p> <p>Should you have any further query in respect of the application, please do not hesitate contact me on Ext 2719 quoting Flare reference 551456.</p>

**90            4/03109/17/MFA        -    PROPOSED DEMOLITION OF ALL EXISTING BUILDINGS. IMPROVEMENTS TO EXISTING ACCESS, CONSTRUCTION OF FOUR 3-BED AND SIX 2-BED COTTAGES WITH ASSOCIATED CAR PARKING AND ACCESS ROAD WITH WASTE AND CYCLE STORAGE R/O 49 - 53, HIGH STREET, NORTHCHURCH, BERKHAMSTED, HP4 3QH**

J Gardner introduced the report to members and said it had been referred to committee because of Contrary views of Northchurch Parish Council

Richard Dell spoke in support of the application.

Parish Councillor Brian Shepherd spoke in objection of the application.

J Gardner read an email from Councillor Terry Douris to Parish Councillor Brian Shepherd which included verbatim content advice from a HCC Highways officer, following a meeting they (Parish Councillors) had on site and following this further discussions Councillor Douris had with Hertfordshire County Council.

It was proposed by Councillor Ritchie and seconded by Councillor W Wyatt-Lowe to defer the application as it was a potential risk for pedestrians, more info on highways re: footpath and investigate the potential risks.

Vote

For: **8**      Against: **0**      Abstained: **0**

Resolved

That planning permission be **DEFERED** as there were concerns that there were not enough detail re: footpath, want more photos, plans etc. Potential road safety impact.

**91            4/01003/18/FUL - DEMOLITION OF EXISTING OUTBUILDINGS AND CONSTRUCTION OF A NEW DETACHED DWELLING. CHURCH STREET, HEMEL HEMPSTEAD, HP2 5AD**

Councillor Fisher declared an interest in this item as she would be speaking on objection. She took no part in the discussion or voting of this item.

S Robins Introduced the report to members and said it had been referred to committee because it was called in by Councillor Fisher on the grounds of overdevelopment, shortage of parking in the area and harm to the residential amenity of neighbouring properties.

Councillor Fisher Spoke in objection of the application.

Heather Blackwood spoke in support of the application.

It was proposed by Councillor W Wyatt-Lowe and seconded by Councillor Birnie to Grant the application in line with the officer's recommendation.

Vote

For: **6**      Against: **0**      Abstained: **1**

Resolved

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

No	Condition
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, other than groundworks and demolition, until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to 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 a satisfactory appearance to the development, in accordance with Core Strategy (2013) policy CS12.
3	<p>No development, other than groundworks and demolition, shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>a) Hard surfacing materials  b) Means of enclosure  c) Boundary treatment  d) Soft landscape works which shall include planting plans, written specifications and schedules of plants trees to be retained and measures for their protection during construction works  e) Proposed finished levels or contours  f) Car parking layouts and other vehicle and pedestrian access areas  g) Refuse storage.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
4	<p>The windows at first floor level on the rear (southeast) elevation on drawing ref. 7286/02H of the dwelling hereby permitted shall be non-opening below 1.7m above floor level and shall be permanently fitted with obscured glass unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: In the interests of the amenity of adjoining residents, in accordance with Core Strategy (2013) Policy CS12.</p>
5	<p>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:</p> <p>Schedule 2 Part 1 Classes A, B and C</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the surrounding dwellings, in accordance with Core Strategy (2013) Policy CS12.</p>
6	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>7286/01F  7286/02H</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with Core Strategy (2013) Policy CS12.</p> <p>Article 35</p> <p>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</p>

<p>accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p><b>INFORMATIVES</b></p> <p>1. 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:  <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</p> <p>2. 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  <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</p>
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**92            4/01496/18/FUL - THE RETENTION OF 4 NO. STORAGE CONTAINERS AND THE PLACEMENT OF 3 NO. ADDITIONAL STORAGE CONTAINERS (USE CLASS B8) WOODLAND WORKS, WATER END ROAD, POTTEN END, BERKHAMSTED, HP4 2SH**

B Curtain introduced the report to members and said it had been referred to committee because there was an Objection from Potten End Parish Council

Susan Collyer, Richard Bousfield and Parish Councillor Dina Westenholz-Smith spoke in objection of the application.

It was proposed by Councillor W Wyatt-Lowe and seconded by Councillor Fisher to Grant the application in line with the officer’s recommendation.

Vote

For:    **2**            Against: **4**            Abstained: **2**

Having there been no majority to grant the application in line with the officer’s recommendation, it was proposed by Councillor Birnie and seconded by Councillor Madden to **REFUSE** the application.

Vote

For:    **4**            Against: **0**            Abstained: **4**

Resolved

That planning permission be **REFUSED** due to the following reasons:

1. **The application site is located within a selected small village in the Green Belt (Potten End). Paragraph 145 of the National Planning Policy Framework (NPPF) 2018 states that a Local Planning Authority should regard new buildings in the Green Belt as inappropriate development. It goes on to set out exceptions to this and includes e) limited infilling in villages. The NPPF however fails to define 'in-filling'.**

**Policy CS6 of the Core Strategy 2013 echoes the NPPF and permits a limited range of development in the small villages of the Green Belt. Policy CS6 however does define infilling and specifies that within small villages 'limited in-filling with affordable housing for local people' will be permitted.**

**The proposal for seven containers for storage purposes associated with the existing builders yard is not limited in-filling for affordable housing. As such the proposal would amount to inappropriate development in the Green belt. No very special circumstances have been submitted to justify the development.**

**The proposal is therefore contrary to Policy CS6 of the Core Strategy 2013.**

2. **The application site is accessed only via Browns Spring; a residential road. In addition, the entrance to the site is shared with the adjacent MOT test centre. The siting of seven metal containers for storage associated with the builders yard would result in an intensification in the use of the site in terms of large vehicle movements into and out of the site. Given the restricted access arrangements these movements would have an adverse impact on the safety and operation of the adjacent highways.**

**The proposal is contrary to Core Strategy Policies CS8 and CS12 and policies 57, and 58 of the Dacorum Borough Local Plan (1999-2011).**

Article 35;

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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 2015.

**93            4/01413/18/FUL            - EXTENSION OF THE EXISTING CAR PARK INTO THE FIELD/PARKLAND TO CREATE 22 NEW PARKING BAYS. THE VILLAGE HALL SIDE CAR PARK, LEVERSTOCK GREEN VILLAGE CENTRE, HEMEL HEMPSTEAD, HP3 8QG**

N Gibbs Introduced the report to members and said it had been referred to committee because the land is owned by this Council and objections received

It was proposed by Councillor Madden and seconded by Councillor W Wyatt-Lowe to **GRANT** the application in line with the officer’s recommendation

Vote

For: **7**            Against: **0**            Abstained: **1**

Resolved

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The car park shall be surfaced in accordance with details submitted and approved in writing by the local planning authority.</p> <p>Reason: In the interests of visual amenity in accordance with Policy CS12 of Dacorum Core Strategy.</p>
3	<p>The planting around the whole perimeter of the car park shown by Drawing No.DBC/1018/003/REV A1B shall be carried out in the planting season following the first use of the car park hereby permitted fully in accordance with the planting details also subject to this condition. For the purposes of this condition the planting season is between 1 October and 31 March. Details of the precise details of the planting shall be submitted within 6 months of this decision.</p> <p>Reason: In the interests of the appearance of the locality and biodiversity in accordance with Policies CS 11, CS12, CS26 and CS29 of Dacorum Core Strategy.</p>
4	<p>The planting subject to Condition 3 which if within a period of ten years 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 another section of hedge of the same species and size as that originally planted at the same place in the next planting season. For the purposes of this condition the planting season is between 1 October and 31 March.</p>

	Reason: In the interests of the appearance of the locality and biodiversity in accordance with Policies CS11, CS12, CS26 and CS29 of Dacorum Core Strategy.
5	<p>The car park hereby permitted shall not be brought into use until all of the perimeter fence referred to by Drawing No.DBC/ 1018/003/REV A1B has been installed fully in accordance details approved in writing by the local planning authority. Thereafter the approved fence shall be retained at all times.</p> <p>Reason:In the interests of visual amenity in accordance with Policy CS12 of Dacorum Core Strategy.</p>
6	<p>The car park hereby permitted shall not be brought into use until a scheme for its exterior lighting in conjunction with improvements to the existing car park have been submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained and maintained fully in accordance with approved details.</p> <p>Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.</p>
7	<p>Subject to the requirements of the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans :</p> <p>LOCATION PLAN DBC/ 1018/003/REV A</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant 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 2015.</p> <p>Informatives Highways</p> <p>1. 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 willfully 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: <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300</p>

1234047.

2. 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 <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

#### Un-expected Contaminated Land Informative

Our contaminated land record shows that the land is located on a tip of a former contaminated land use i.e. garage and within a very close proximity of Smithy and former petrol station, there is a possibility that these activities may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works where applicable on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

#### Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

#### Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

#### Ecology

In order to protect breeding birds, their nests, eggs and young, tree-felling or pruning should only be carried out during the period October to February. If this is not possible then a pre-development (same-day) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed.

**SEMI-DETACHED DWELLINGS. WOODLANDS, NOAKE MILL LANE,  
WATER END, HEMEL HEMPSTEAD, HP1 3BB**

A Parish 1 introduced the report to members and said it had been referred to committee due to the Contrary views of the Parish Council

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

Vote

For: **6**      Against: **1**      Abstained: **1**

Resolved

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>No development other than demolition, site preparation, groundworks and footings shall take place until a sample panel at least 1 metre by 1 metre of the materials proposed to be used on the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. The panel shall include details of pointing and the finished colour of the timber cladding. The approved materials shall be used in the implementation of the development.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area in accordance with saved Policy CS12 of the Dacorum Core Strategy September 2013.</p>
3	<p>All rainwater goods shall be finished black with a round profile and, notwithstanding any details submitted, no development other than demolition, site preparation, groundworks and footings shall take place until 1:20 details of the following (including materials and finished colour) shall have been submitted to and approved in writing by the local planning authority.</p> <p>Doors and windows Rooflights Eaves and other joinery Bin storage enclosure;</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of</p>

	<p>the visual amenities of the area in accordance with saved Policy CS12 of the Dacorum Core Strategy September 2013.</p>
4	<p>Development shall take place in accordance with the approved site plan PRJ/18/003/002 rev B and notwithstanding any details shown, no hard or soft landscaping of the site shall take place until full details of landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials;  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;  sustainable urban drainage measures;  proposed finished levels or contours;  minor artefacts and structures (e.g. signs, lighting etc);  proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years 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 to be approved by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.</p>
5	<p>The development shall be carried out in accordance with the approved levels shown on Drg. No. PRJ/18/003/002 rev B.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013.</p>
6	<p>No development shall take place until an updated CS29 sustainability checklist shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be provided before the development is first occupied.</p> <p>Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Core Strategy September 2013 and adopted Supplementary Planning Guidance. The details are required before commencement of development as if they are deferred until after the development has begun, the</p>

	design will already have been agreed and finalised, and the materials potentially ordered and used, thereby undermining the control of the local planning authority in respect of achieving a sustainable form of development and potentially increasing costs and delays for the applicant if they have to be changed.
7	<p>No development shall take place until evidence has been submitted to show that a diversion order for public footpath 57 has been approved and that a 2 metre wide surfaced path, to Hertfordshire County Council's Rights of Way specification, has been agreed and implemented in respect of the length of footpath as indicated on Drg. No. PRJ/18/003/002 rev B.</p> <p>Reason: To ensure that the footpath diversion is in place and that the full site area is available before any part of the development is commenced and, if approved, to offset the loss of public space as a result in accordance with Policies CS12 and CS26 of the Dacorum Core Strategy September 2013.</p>
8	<p>No development shall take place until a Construction Logistics Plan has been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority.</p> <p>Reason: To minimise the impact of construction works upon highway safety and to show how deliveries, weight and size of HGVs will negotiate what is a narrow access lane in the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy September 2013. The details are required before commencement of development to ensure that a plan is in place and approved before traffic movements in connection with demolition works takes place.</p>
9	<p>No demolition or roof stripping shall take place unless the local planning authority has been provided with:</p> <p>a) an updated survey based on the methodology contained in the recommendations in the approved ecological report (Cherryfield ecology 19/04/2018)  b) if bats or their roosts are found, a copy of the licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead.</p> <p>All required compensatory measures must be fully installed before first occupation of the development and the measures thereafter retained.</p> <p>Reason: To ensure that appropriate provision is made for the protection of bats in accordance with Policies of the Development Plan and EU Directives.</p>
10	<p>The development shall not be occupied until a scheme has been submitted to and approved in writing by the local planning authority for the provision of a fire hydrant(s) to serve the development and the approved scheme of fire hydrant(s) has been installed.</p> <p>Reason: In the interests of the safety of the occupants of the development.</p>
11	Visibility splays of not less than 2.4 m x 25 m shall be provided to each side of the accesses where they meet the highway before any part of the development hereby

	<p>permitted is first brought into use, and they shall thereafter be maintained, in both directions from the crossover, within which there shall be no obstruction to visibility between a height of 0.6 m and 2.0 m above the carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 54 of the Dacorum Borough local Plan 1991-2011.</p>
12	<p>The development shall not be occupied until the car parking areas have been laid out, constructed and surfaced. The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.</p> <p>Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent lane, or the amenities and convenience of existing local residents and businesses in accordance with Policy 58 of the Adopted DBLP 1991-2011.</p>
13	<p>The windows at first floor level in the north east and south west elevations of the development hereby permitted shall be permanently fixed shut and fitted with obscured glass.</p> <p>Reason: In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
14	<p>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:</p> <p>Schedule 2    Part 1 Classes A, B, C and E                            Part 2 Class A                            Part 14 Class A</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of the openness of the Green Belt and the character and appearance of the rural area and because rooflights, dormer windows and solar panels could undermine the settled 'barn-like' appearance of the development.</p>
15	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>PRJ-18-003-001  PRJ-18-003-002 rev B  PRJ-18-003-100  PRJ-18-003-101  13-4811-01 received 10/09/18  001-002  001-001 rev 1  Reigate Security Plan</p>

	<p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the pre-application process and during the determination stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVE:</p> <p>The Byway Open to All Traffic BOAT Great Gaddesden 058 as shown on the Definitive Map of Public Rights of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement &amp; concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges. If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works. <a href="https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Anchor_8">https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Anchor_8</a></p>
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**95            4/01559/18/FHA        - TWO STOREY SIDE EXTENSION AND PART SINGLE, PART TWO STOREY REAR EXTENSION WITH REAR ROOFLIGHT AND FRONT PORCH 80 WESTFIELD ROAD, BERKHAMSTED, HP4 3PW**

B Curtain introduced the report to members and said it had been referred to committee due to an Objection from Berkhamsted Town Council

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

Vote

For: **6** Against: **0** Abstained: **2**

Resolved

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

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A100 Rev A A101 Rev A A102 Rev A A103 Rev A A104 Rev A A105 Rev A A106 Rev A</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>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.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p> <p>Article 35 Statement</p> <p>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 2015.</p>

**96 4/01599/18/FUL - CHANGE IN USE OF SITE TO COMPRISE A MIXED USE FISHBREEDING ENTERPRISE AND RESIDENTIAL PREMISE WITH THE CONSTRUCTION OF ONE POLYTUNNEL AND 4 SHALLOW PONDS AND RETENTION OF 1 DRAINAGE POND, 1 POLYTUNNEL, 2 SHALLOW PONDS, EXISTING SHED AND STABLE BUILDING SHANTOCK COTTAGE, SHANTOCK LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NG**

R Marber introduced the report to members and said it had been referred to committee due to contrary views of Bovingdon Parish Council. R Marber highlighted that had been late neighbour representations and a change to conditions which were announced prior to the officer's presentation.

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

It was agreed by the committee to reword condition 3 to make clear all visitors by appointment only during hours mentioned. To be a "named consent".

Councillor Birnie left at 10:20pm so took no part in voting.

Vote

For: **4**      Against: **1**      Abstained: **2**

Resolved

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

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

**Supporting statement 24<sup>th</sup> June 2018**

**Detailed plan, showing existing site and proposed developments received 25/09/18**

**26ft commercial polytunnel**

**Elevation drawing- each shallow pond 4th February 2018**

**Location plan showing existing and proposed structures received 27/09/18**

**Location plan showing only proposed structures received 27/09/18**

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

- 2 **No deliveries shall be taken at or despatched from the site outside the hours of 9:00am to 17:30pm on Mondays to Saturdays, nor at any time on Sundays, Bank or Public Holidays.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings; in accordance with Policy CS12 of the Core Strategy (2013).

- 3 **Customers of the fish breeding enterprise will be by private appointment only. Customer access to the site shall be restricted to Mondays - Saturday during the hours of 9:00am and 17:30pm.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings; in accordance with Policy CS12 of the Core Strategy (2013).

Article 35 Statement

Planning permission 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 (paragraph 41) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

- 4 **This permission shall not endure for the benefit of the land and the use hereby permitted shall cease when Byer Koi Farm cease to use the land as a fishbreeding enterprise.**

Reason: In order for the LPA to retain control of the site and result harm to the Green Belt and as a result of the very special circumstance required to justify approval; in accordance with Policy CS5 of the Core Strategy (2013) and NPPF (2018).

**97 4/01635/18/FHA - CAR PORT WITH GARDEN STUDIO ABOVE THE HOIST, 2 MASONS YARD, CHAPEL STREET, BERKHAMSTED, HP4 2EA**

R Marber Introduced the report to members and said it had been referred to committee due to Contrary views of Berkhamsted Town Council

Olywn Cossins spoke in support of the application.

Tim Oldham spoke in objection of the application.

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

Vote

For: **5** Against: **0** Abstained: **3**

Resolved

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

No	Condition
1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2	The development hereby permitted shall be carried out in accordance with the following approved plans/documents:  PA01 01 PA01 02.B

	<p>Arboricultural Impact Assessment &amp; Method Statement 14th June 2018 DS/20318/AC Design &amp; Access Statement with Planning and Heritage Statement</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development shall take place above damp proof course level until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of the visual amenities of the Conservation Area; in accordance with Policies CS12 and CS27 of the Core Strategy (2013).</p> <p>Informative</p> <p>Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p>
4	<p>The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Hoist, 2 Masons Yard.</p> <p>Reason: To ensure that the car port structure is not severed from the main dwelling to provide a self-contained dwelling unit, since this would be out of character with the area, and contrary to the provisions of policy CS4, CS11, CS12 and CS27 of the Core Strategy (2013).</p>
5	<p>In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 from the date of the occupation of the building for its permitted use.</p> <p>(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.</p> <p>(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.</p> <p>(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be</p>

	<p>altered, nor shall any excavation be made, without the written consent of the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area; in accordance with Saved Policies 99 and 100 of the Local Plan (2004).</p> <p>Informative</p> <p>Any tree works will require a tree application to be submitted, including the felling of trees outline within this application.</p> <p>Article 35 Statement</p> <p>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 and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>
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**98            4/01624/18/FUL        - CHANGE OF USE FROM AMENITY LAND TO RESIDENTIAL LAND. CONSTRUCTION OF 1800MM HIGH CLOSE-BOARD FENCE TO SOUTH BOUNDARY HOLLYBUSH LANE, HEMEL HEMPSTEAD, HP1 2PQ**

N Gibbs Introduced the report to members and said it had been referred to committee because the land is owned by this Council and there is a local objection to the application

It was proposed by Councillor Tindall and seconded by Councillor Maddern to **GRANT** the application in line with the officer’s recommendation

Vote

For:    **5**        Against:        **0**        Abstained:        **2**

Resolved

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

<b>No</b>	<b>Condition</b>
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>All of the fence's outer edge facing Pulleys Close shall be maintained at all times only fully in accordance with in a finish submitted to and approved in writing by the local</p>

	<p>planning authority. These details shall be submitted before the first use of the land as residential garden.</p> <p>Reason: In the interests of the appearance of the locality in accordance with Policy CS12 of Dacorum Core Strategy.</p>
3	<p>The planting shown by Drawing No.2224 P1B shall be carried out fully in accordance with the specified details in the planting season following the first use of the land as residential garden . For the purposes of this condition the planting season is between 1 October and 31 March.</p> <p>Reason: In the interests of the appearance of the locality and biodiversity in accordance with Policies CS11, CS12, CS26 and CS29 of Dacorum Core Strategy.</p>
4	<p>The planting subject to Condition 3 which if within a period of ten years 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 another section of hedge of the same species and size as that originally planted at the same place in the next planting season. For the purposes of this condition the planting season is between 1 October and 31 March.</p> <p>Reason: In the interests of the appearance of the locality and biodiversity in accordance with Policies CBS 11, CS12, CS26 and CS29 of Dacorum Core Strategy.</p>
5	<p>No vehicular access shall be installed between the land subject to this planning permission and the highway.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS12 of Dacorum Core Strategy.</p>
6	<p>Subject to the requirements of the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans :</p> <p>Site Location Plan Plan 2224 P1B</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant 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 2015.</p> <p>Highway Informatives</p> <p>1. The Highway Authority requires any works in the public highway to be carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with this development requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and</p>

	<p>requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this.</p> <p>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 willfully 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: <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</p> <p>3. 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 <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047</p>
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**99            4/01703/18/FHA        - LOFT CONVERSION INCLUDING REAR DORMER WINDOW AND FOUR ROOF LIGHTS TO FRONT ELEVATION; SINGLE-STOREY REAR EXTENSION REPLACING EXISTING ATTACHED OUTBUILDING 8 BRYFIELD COTTAGES, FLAUNDEN LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0PD**

S Robins introduced the report to members and said it had been referred to committee because of contrary views of Bovingdon Parish Council

It was proposed by Councillor Maddern and seconded by Councillor Fisher to **GRANT** the application in line with the officer’s recommendation.

Vote

For:    **6**            Against:                            Abstained: 1

Resolved

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

<b>No</b>	<b>Condition</b>
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The materials to be used in the construction of the external surfaces of the rear dormer window and single storey rear extension hereby permitted shall match in size, colour and texture those used on the existing building.</p>

	Reason: To ensure a satisfactory appearance to the development, in accordance with Core Strategy (2013) Policy CS12.
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>490-A1-102 Revision A</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with Core Strategy (2013) Policy CS12.</p> <p>Article 35  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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p>

**100 APPEALS UPDATE**

That the following appeals were noted:

- A. LODGED**
- C. FORTHCOMING INQUIRIES**
- E. DISMISSED**
- F. ALLOWED**

The Meeting ended at 10.35 pm