
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

10 JANUARY 2019

Present:

MEMBERS:

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

Councillor also attended

OFFICERS:

A Horner, A Parrish, N Gibbs, S Robins, W Collier, R Marber, J Reid, B Curtain, S Wheelan, N Sultan, K Johnston

The meeting began at 7.00 pm

141 MINUTES

The minutes of the meeting held on 13 December 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/documents/b6615/Addendum%2010th-Jan-2019%2019.00%20Development%20Management.pdf?T=9>

142 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillor Fisher.

143 DECLARATIONS OF INTEREST

Councillor C Wyatt-Lowe asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application. Cllr Matthews declared an interest in item 5a as he knew one of the speakers. Cllr Maddern and Birnie also declared an interest in item 5g as they both knew a speaker.

144 PUBLIC PARTICIPATION

Councillor C Wyatt-Lowe reminded the members and the public about the rules regarding public participation.

145 Item 5a- 4/00871/18/FUL - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF THREE DWELLINGS - AMBERLEY, HEMP LANE, WIGGINTON, TRING, HP23 6HF

AMBERLEY, HEMP LANE, WIGGINTON, TRING, HP23 6HF

Joan Reid Introduced the report to members and said it had been referred to committee because of contrary views to the Parish Council.

Charles Dunn spoke in support of the application.

Steve Cannon and Ward Councillor Stan Mills spoke in objection of the application.

Having there been no majority to grant the application It was proposed by Councillor Matthews and seconded by Councillor Conway to overturn the officer's recommendation and **REFUSE** the application.

Vote

For:	Against:	Abstained:
7	0	0

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

The proposed development by reason of it's scale, layout, design and density would result in overdevelopment, harming the character and appearance of the small village in the Green Belt and Area of Outstanding Natural Beauty. In addition, the cramped layout is emphasised by the positioning of the car parking and the removal of the hedging and positioning of the car ports would further detract from the established character of the road. The proposal is therefore contrary to Policies CS6, CS11, CS12 and CS24 of the Dacorum Core Strategy (2013) and policies 97 and 99 of the saved local plan .

146 Item 5b - 4/01841/18/FHA - NEW OUTBUILDING - BLUEFRIARS HOUSE, GOLF CLUB ROAD, LITTLE GADDESSEN, BERKHAMSTED, HP4 1LY

BLUEFRIARS HOUSE, GOLF CLUB ROAD, LITTLE GADDESSEN, BERKHAMSTED, HP4 1LY

Andrew Parrish Introduced the report to members and said it had been referred to committee because of contrary views of Little Gaddesden Parish Council

It was proposed by Councillor Birnie and seconded by Councillor Tindall in line with officer recommendations to **REFUSE** the application.

Vote

For:	Against:	Abstained:
8	1	0

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

The site falls within the Rural Area and is within the designated Chilterns Area of Outstanding Natural Beauty. The proposed annex, being a detached outbuilding is contrary in principle to Rural Area Policy CS7 which does not cover outbuildings. The above notwithstanding, the proposed outbuilding given its size, siting and design would significantly extend and enlarge the amount of built development between the house and the side boundary, visually infilling the current open gap that exists between the main house and the garage block / side boundary thereby urbanising the site and harming the open setting of the dwelling and the rural character of the area. In these terms the proposal would harm the rural character of the area and the natural beauty of the AONB, thereby contrary to Policies CS7, CS12, CS27, saved Policy 97 and the Chilterns Buildings Design Guide. Furthermore, insufficient information has been submitted to demonstrate that there would be no harm to existing trees on the boundary and is therefore contrary to Policy CS12 and saved Policy 99.

147 Item 5c - **4/02240/18/FHA - REPLACEMENT OF KITCHEN WINDOW WITH GLAZED DOOR AND SIDELIGHT - 11 THE BARNS, WEST LEITH, TRING, HP23 6JJ**

11 THE BARNS, WEST LEITH, TRING, HP23 6JJ

Nigel Gibbs Introduced the report to members and said it had been referred to committee because the recommendation is contrary to the response of Tring Town Council.

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

Vote

For:	Against:	Abstained:
8	0	1

Resolved: That planning permission be **GRANTED** for the following reasons;

1 **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 :**

18/0034/03

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

ARTICLE 35 STATEMENT

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning

Appendix 1

Tring Town Council

The Council recommended refusal of this application on the grounds that the proposed development was out-of-keeping with its location within a conversion of farm buildings. The design of the conversion had a uniformity that was sympathetic to the original buildings. This proposed development compromises the original design statement, especially bearing in mind the location in the Chilterns A.O.N.B.

147 Item 5d - **4/02361/18/FUL - CHANGE OF USE FROM 6 PERSON HMO (C4 USE) TO A 7 PERSON HMO (SUI GENERIS) - 86 ALEXANDRA ROAD, HEMEL HEMPSTEAD, HP2 4AQ**

86 ALEXANDRA ROAD, HEMEL HEMPSTEAD, HP2 4AQ

Birony Curtain introduced the report to members and said it had been referred to committee because it was called in by Cllr Fisher.

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

Vote

For: Against: Abstained:
7 0 2

Resolved: Resolved: That planning permission be **GRANTED** for the following reasons;

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: ARHH-201P02 ARHH-202P02 ARHH-203P02 ARHH-204P01 LOCATION PLAN Reason: For the avoidance of doubt and in the interests of proper planning.

	<p>Article 35;</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>
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148 Item 5e - **4/02449/18/FUL - DEMOLITION OF EXISTING 20 GARAGES. REPLACEMENT WITH TWO SEMI DETACHED 3 BEDROOM DWELLINGS, COMPLETE WITH OFF STREET PARKING AND PRIVATE REAR GARDENS. IMPROVEMENT OF VEHICULAR ACCESS - GARAGE SITE, PULLEYS LANE, HEMEL HEMPSTEAD**

GARAGE SITE, PULLEYS LANE, HEMEL HEMPSTEAD

Sally Robins Introduced the report to members and said it had been referred to committee because there was an application that the Council has an interest in AND received objections

Mr Morgan spoke in objection to the application.

Richard Winfield and Ransford Stewart spoke in support of the application.

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

Vote

For:	Against:	Abstained:
4	3	2

Resolved: That planning permission be **GRANTED** for the following reasons:

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 shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should consider all phases of the development. The development shall be carried out in accordance with the approved Construction Management Plan which shall include details of:</p>

	<p>a) Demolition Method Statement b) Construction vehicle numbers, type, routing c) Traffic management requirements d) Construction and storage compounds (including areas designated for car parking) e) Siting and details of wheel washing facilities f) Cleaning of site entrances, site tracks and the adjacent public highway g) Timing of construction activities to avoid school pick up/drop off times h) Provision of sufficient on-site parking prior to commencement of construction activities i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway j) Construction or demolition hours of operation k) Dust and noise control measures l) Asbestos control measures where applicable.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.</p>
3	<p>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>

4	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 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 (2018).</p>
5	<p>No development, other than demolition and groundworks, shall take place until a scheme of tree works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ul style="list-style-type: none"> i) Tree works to enhance sunlight penetration and remove potential tree related hazards along the western boundary of the application site ii) Crown reductions of approximately 30% and pruning back of any overhanging foliage of all trees along the western boundary of the application site iii) Tree safety works to remove any canopy deadwood, any dead trees or any tree defects which could present a hazard to the development site, or persons therein. <p>Prior to occupation of the development the scheme shall be implemented as approved.</p> <p>Reason: In order to provide a safe and satisfactory means of access for all users and to provide appropriate management of the trees adjacent to the site, in accordance with Core Strategy (2013) Policy CS12 and Saved Policy 101 of the Local Plan (2004).</p>
6	<p>No development, other than demolition and groundworks, shall take place 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. 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 Core Strategy (2013) Policy CS12.</p>
7	<p>No development, other than demolition and groundworks, shall take place until further details of landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p>

	<p>means of enclosure soft landscape works which shall include planting plans trees to be retained and measures for their protection during construction works electric vehicle charging points including siting, type, the energy sources and the strategy/management plan of supplying and maintenance of the electric charging points.</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, to safeguard the visual character of the immediate area and to comply with sustainable design, in accordance with Core Strategy (2013) Policies CS12 and CS29.</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>100_PL1 REV PL2 101_PL1 REV PL2 102_PL1 REV PL1</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 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> <p>INFORMATIVES</p> <p>Highway Safety</p> <p>1. In order to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980, the developer should be aware of the required standards regarding the maintenance of the public right of way and safety during construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.</p> <p>Contaminated Land</p> <p>2. 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</p>

<p>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 www.dacorum.gov.uk</p> <p>3. 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>

Ecology

4. Any vegetation and building clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest

149 **Item 5f - 4/02576/18/FUL - INSTALLATION OF AN ATM UNIT - BOVINGDON SERVICE STATION, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0EB**

BOVINGDON SERVICE STATION, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0EB

Will Collier Introduced the report to members and said it had been referred to committee by the officer for recommendation due to contrary to Parish objection.

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

Vote

For: Against: Abstained:
6 1 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>17.009/031</p>

	<p>17.009/032 17.009/033</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Engineers in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements'.</p> <p>Reason: So that drivers of vehicles along the adjacent public highway are not dazzled or distracted, leading to interference to the free and safe flow of traffic along the highway.</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>

150 Item 5g - 4/02726/18/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00726/17/FUL (TWO THREE BED DETACHED DWELLINGS (AMENDED SCHEME) - LAND R/O 76-78, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9PP

LAND R/O 76-78, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9PP

Rachel Marber Introduced the report to members and said it had been referred to committee due to a call in from Cllr Birnie on grounds of highway safety and over development.

Alan Mortimer and Katherine Harper spoke in objection to the application.

Nigel Wingrove spoke in support of the application.

There were no proposer for the officer recommendation.

It was proposed by Councillor Matthews and seconded by Councillor Birnie to **REFUSE** the application.

Vote

For:	Against:	Abstained:
6	0	3

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

The proposed two units by reason of their bulk and mass would result in overdevelopment, eroding the spacious character of the area. This would also result in the proposal failing to achieve sufficient separation distances to neighbouring residents. As a result, the proposed dwellings would appear cramped within its plot and would fail to maintain or enhance the quality and character of the surrounding area and fail to secure good standards of amenity for existing and future occupiers of land and buildings. The development is, therefore, contrary to Saved Appendix 3 of the Dacorum Local Plan (2004) and Policies CS11 and CS12 of the Core Strategy (2013), the National Planning Policy Framework (2018).

151 Item 5h - **4/02890/18/FHA - HIP TO GABLE ROOF EXTENSION, REAR DORMER AND FRONT ROOFLIGHTS TO FACILITATE LOFT CONVERSION. SINGLE STOREY REAR EXTENSION AND TWO STOREY SIDE EXTENSION - 146 BRIDGEWATER ROAD, BERKHAMSTED, HP4 1EE**

BRIDGEWATER ROAD, BERKHAMSTED, HP4 1EE

Birony Curtain Introduced the report to members and said it had been referred to committee due to contrary views of Berkhamsted Town Council

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

Vote

For: Against: Abstained:
8 0 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	The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building. Reason: To ensure a satisfactory appearance to the development in accordance with Policy 12 of the Core Strategy 2013.
3	The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

<p>BR PA 03A BR PA 02C BR PA 01B</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35;</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>

152 APPEALS UPDATE

APPEALS UPDATE

That the following appeals were noted:

1. Lodged
2. Withdrawn
3. Forthcoming inquiries
4. Dismissed

The Meeting ended at 9.40 pm