
DACORUM BOROUGH COUNCIL

DEVELOPMENT CONTROL

4 FEBRUARY 2016

Present:

MEMBERS:

Councillors, Guest (Vice-Chairman), Birnie, Clark, Conway, Matthews, Riddick, Ritchie, R Sutton, Whitman, C Wyatt-Lowe, Fisher and Tindall

Councillor G Adshead and G Sutton also attended

OFFICERS:

A Parrish (Lead Planning Officer), Rennie (Lead Planning Officer), Seed (Lead Planner), P Stanley (Development Management Team Leader), S Whelan (Group Manager - Development Management and Planning), C Gaunt (Solicitor) and K Mogan (Member Support Officer)

The meeting began at 7.00 pm

187 MINUTES

The minutes of the meeting held on 14 January 2016 were confirmed by the Members present and were then signed by the Chairman.

188 APOLOGIES FOR ABSENCE

Apologies were received from Councillor D Collins and Councillor Maddern.

Councillor Bateman substituted on behalf of Councillor D Collins. Councillor Guest (Vice-Chair) chaired the meeting due to the absence of the Chairman.

189 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

190 PUBLIC PARTICIPATION

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

191 4/03674/15/FUL - 296-298 HIGH STREET, BERKHAMSTED, HP4 1AH

J Seed introduced the report and stated that the officer's recommendation was to grant the proposal. The application had been referred to the committee due to the contrary views of Berkhamsted Town Council.

Mr Pugsley spoke in support of the application.

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

Vote

For: 11 Against: 1 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 development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

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

- 3 **No works shall commence on site until a scheme for the refuse collection has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: To ensure the provision of adequate refuse collection that meets the needs of occupiers in accordance with Core Strategy Policy CS12.

- 4 **Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Saved Policy 51 of the DBLP.

- 5 **The ancillary accommodation hereby approved shall only be tenanted by staff directly employed by the operators of the primary use at ground floor level.**

Reason: To ensure that the accommodation remains ancillary to the main use to ensure that the benefits of the proposal are delivered in accordance with economic growth objectives as promoted by the NPPF.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

192 4/03915/15/FUL - 24 TANNFIELD DRIVE, HEMEL HEMPSTEAD, HP2 5LG

A Parrish introduced the report and stated that the officer's recommendation was to refuse this application. The application had been called in by Ward Councillor G Adshead so it had been brought to the committee.

Mr Wolstencroft and Mr Gurnett, as neighbours to the application, spoke in objection stating concerns about the size of the two new dwellings.

Councillor G Adshead in his role as Ward Councillor spoke in objection of this application.

Mr Holmes spoke in support of the application on behalf of the applicants.

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

Vote

For: 11 Against: 0 Abstained: 2

Resolved:

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

- 1 **The existing site is too restricted in its size and width to accommodate the development of two dwellings as proposed which, by reason of its height, size, design, layout and appearance, would appear unduly cramped on the site, obtrusive and out of keeping in its design, would fail to provide adequate soft landscaping, would result in intrusive car parking accommodation and hard surfacing on the frontage, would potentially result in overspill parking in the surrounding street, and would not be in keeping with the established detached character or form of surrounding residential development. The proposal would be an over-development of the site and harmful to the appearance of the street scene. The proposal is therefore contrary to Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013, saved Policies 100 and 111 of the Dacorum Borough Local Plan 1991-2011 and advice and guidance in**

Appendices 3 and 5 of the Local Plan and in the Character Area development principles in HCA23.

- 2 The proposed development, by reason of the height and positioning of the development, would result in a loss of light to the window serving the dining area of No. 20 Tannsmore Close. The proposal would therefore be contrary to Policy CS12(c) of the Dacorum Borough Core Strategy September 2013.**

Article 31 Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through early engagement with the applicant at the pre-application stage of the previous application. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraphs 186 and 187) have been met and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

193 4/03254/15/FHA - 5 EGGLETON DRIVE, TRING, HP23 5AJ

T Rennie introduced the report and stated that the officer's recommendation was to grant the application. It had been referred to committee due to the contrary views of Tring Town Council.

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

Vote

For: 10 Against: 2 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 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 and to accord

with adopted Core Strategy Policy CS12.

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

Drawing No. 3 Rev 2:

Drawing No. 5 Rev 2;

Drawing No. 7 Rev 2.

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 at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE:

If bats or any evidence of them is discovered during the course of any works, works should stop immediately and advice sought as to how to proceed. This may be obtained from: A suitably qualified ecological consultant; Natural England: 0845 6014523; The UK Bat Helpline: 0845 1300228 or Herts & Middlesex Bat Group: www.hmbg.org.uk ;

- 194 4/03473/15/FUL - 74 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1 1TJ**

T Rennie introduced the report and stated that the officer's recommendation was to grant the application. It had been referred to committee due to the land being owned by Dacorum Borough 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: 12 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 **Prior to the commencement of the use hereby permitted the proposed on-site car parking space shall be laid out, demarcated and levelled in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

- 3 **The parking space shall be constructed in permeable surfacing or shall incorporate a sustainable drainage system for the disposal of surface water from the parking area.**

Reason: To ensure the satisfactory disposal of surface water in accordance with Policies CS8, CS29 and CS31 of the Dacorum Core Strategy (September 2013).

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

Drawing No. 2 Rev C.

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

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

195 4/03673/15/FUL - HEMEL HEMPSTEAD BOWLS CLUB, GADEBRIDGE PARK, LEIGHTON BUZZARD ROAD, HEMEL HEMPSTEAD, HP2 5HT

T Rennie introduced the report and stated that the officer's recommendation was to grant the application. It had been referred to committee due to the land being owned by Dacorum Borough Council.

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

Vote

For: 12 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 development hereby permitted shall be carried out in accordance with the following approved plans:**

**Shed Details Sheet Nos. 1(A); 1(B); 1(C);
Location Plan Sheet No. 2.**

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

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

With the additional condition:

The metal storage shed hereby permitted shall be constructed with a dark green external finish, and thereafter the external finish shall be permanently maintained in dark green.

Reason: In the interests of the visual amenities of the surrounding area and the Green Belt in accordance with Policies CS5 and CS12 of the Dacorum Borough Core Strategy (September 2013).

196 APPEALS

The following appeals were noted:

1. Lodged
2. Forthcoming inquiries
3. Allowed

197 EXCLUSION OF THE PUBLIC

Resolved:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt

information relating to an ongoing enforcement investigation and proposed action by the Council in connection with the investigation into an alleged breach in planning control, being also a criminal offence under Section 224 of the Town and Country Planning Act 1990. (LGA 1972 Schedule 12A Part 1 Paragraph 7 as amended by The Local Government (Access to Information) (Variation) Order 2006

198 PART 2 - BREACH OF ADVERTISEMENT CONTROL

Full details in Part 2 minutes

199 PART 2 - BREACH OF ADVERTISEMENT CONTROL

Full details in Part 2 minutes

The Meeting ended at 8.35 pm