
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

5 SEPTEMBER 2019

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, Maddern, Riddick, C Wyatt-Lowe (Vice-Chairman), Beauchamp, Durrant, Oguchi, McDowell, Uttley, Woolner and Taylor

OFFICERS:

B Curtain (Lead Planning Officer), Dunn-Lwin (Lead Planning Officer), Robbins (Planning Officer), M Stickley (Lead Planning Officer), Sultan (Lead Litigation Lawyer), Webber and S Whelan (Group Manager - Development Management and Planning)

The meeting began at 7.00 pm

261 MINUTES

The minutes of the meetings held on 15 August were confirmed by the Members present and were then signed by the Chairman.

262 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Symington.

Councillor Taylor substituted for Councillor Symington.

Apologies for lateness were received from Councillor Uttley and Councillor Oguchi.

Councillor Oguchi arrived at 7:07pm.

Councillor Uttley arrived at 7:24pm

263 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.

264 PUBLIC PARTICIPATION

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

	<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 Policy CS32 of the Dacorum Borough Core Strategy (2013).</p>
3	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 2 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>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>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013).</p>
4	<p>Prior to first occupation of the development hereby permitted, full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>Raised hump relocated to the entrance to private access road rather than on the highway in Long Arrotts (this will allow the carriageway on the private access road to be raised to match the height of the existing footway and enable the shared access area to be created without interfering with the highway at the end of the cul-de-sac).</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 Policies 51 and 54 of the</p>

	Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).
5	<p>Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plan and retained thereafter available for that specific use.</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 Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).</p>
6	<p>The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.</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 Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).</p>
7	<p>A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> a) Location, number and type of ecological enhancements; b) Specifications of species and seed mixes used in landscaping plans; c) Method statement as to how vegetation and enhancements are to be managed and maintained for the benefit of wildlife. <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).</p>
8	<p>Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. It should follow guidance from the Bat Conservation Trust and CIE 150:2017 Warm-white (long wavelength) lights with UV filters should be fitted as close to the ground as possible. Lighting units should be angled below 70° and equipped with movement sensors, baffles, hoods, louvres and horizontal cut off units at 90°.</p> <p>Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).</p>
9	Prior to the commencement of the development, a reptile survey shall be carried out

	<p>within the site by a suitably qualified and experienced ecologist. A report of the findings, including a suitable mitigation/compensation strategy should reptiles be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).</p>
10	<p>Construction of the superstructures for the block of flats and bungalow hereby approved shall not take place until full details of both hard and soft landscape works for their respective curtilages (either side of the access road) has been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <p>all external hard surfaces within the site; other surfacing materials; means of enclosure; soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and parking spaces allocations including visitor spaces.</p> <p>The landscape works shall be carried out in accordance with the approved details prior to first occupation of the respective buildings.</p> <p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of 3 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.</p> <p>Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).</p>
11	<p>Prior to the first occupation of the block of flats hereby permitted, full details of privacy screening to the balconies on Plots 4 and 6 (as annotated on Drawing RT17075/105, Revision PL2) shall be provided and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation and shall be thereafter retained.</p> <p><u>Reason:</u> To safeguard residential amenity and prevent direct overlooking to the private amenity space associated with the property Keeper's Cottage, in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013).</p>
12	<p>Prior to first occupation of the development hereby permitted, a lighting and signage strategy to ensure pedestrian safety within the site shall be provided and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation and shall be thereafter retained.</p>

	<p><u>Reason:</u> In order to protect pedestrian safety in accordance with Policy CS12 of the Dacorum Borough Core Strategy.</p>
13	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>RT17075_LA_100 (Revision PL7) – Proposed Site Plan RT17075_LA_101 (Revision PL4) – Proposed Elevations RT17075_LA_102 (Revision PL2) – Proposed Flat Block Elevations RT17075_LA_103 (Revision PL4) – Proposed Floor and Roof Plan RT17075_LA_104 (Revision PL2) – Proposed Flat Block Plan (Level 0) RT17075_LA_105 (Revision PL2) – Proposed Flat Block Plan (Levels 1 and 2) MR/170304/FULL/sh – Development Site Impact Assessment & Method Statement MR/170304TPP – Tree Protection Plan MR/170304TCP – Tree Constraints Plan 15500/KL Rev A – Sustainable Drainage Strategy</p> <p><u>Reason:</u> 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 pre-application engagement and and early engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Informatives</p> <p>Ecology</p> <p>Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water.</p> <p>Any vegetation 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.</p> <p>Any limbs and tree sections which exhibit potential roost features (such as knot holes, cavities, etc.) shall be slowly lowered and cushioned, under the direct supervision of a suitably qualified ecologist, thereby reducing the impact on these tree sections as they are brought to the ground. Tree sections shall be left on the ground overnight before removal from the site. In the unlikely event that any bats are roosting this will allow them to disperse.</p>

Highways	<p>The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.</p> <p>Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx</p>
Environmental & Community Protection	<p>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 www.dacorum.gov.uk.</p>

266 4/01172/19/MFA - CHANGE OF USE FROM OFFICE (CLASS B1(A)) TO RESIDENTIAL (CLASS C3) AND UPWARD EXTENSION TO CREATE TWO ADDITIONAL LEVELS, TO PROVIDE 33 APARTMENTS COMPRISING 18 ONE-BEDROOM AND 15 TWO-BEDROOM DWELLINGS WITH ASSOCIATED CAR PARKING, BICYCLE AND REFUSE STORAGE - CHARTER COURT, MIDLAND ROAD, HEMEL HEMPSTEAD, HP2 5RL

Councillor Oguchi arrived at 7:07pm and, therefore, did not participate or vote on Item 5b.

Councillor Uttley arrived at 7:24pm and, therefore, also did not participate or vote on Item 5b.

Councillor Beauchamp declared his interest in Item 5b but stated that he had not pre-judged the application and would be approaching it with an open mind. He did, therefore, participate and vote on Item 5b.

The Case Officer, Sally Robbins, introduced the report to Members and said that the application had been referred to the committee as it had been called in by Councillor Beauchamp due to concerns with residential amenity, parking and overdevelopment.

John Cowley spoke in objection of the application.

Sam Galvin spoke in support of the application.

Councillor Beauchamp read out a statement.

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

There was an equality of votes for the Chairman exercised her casting vote and voted for the officer recommendation, so the application was granted.

Vote:

For: 5 Against: 4 Abstained: 0

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

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 shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ul style="list-style-type: none"> a. Construction vehicle numbers and type b. Access arrangements to the site c. Traffic management requirements d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas) e. Cleaning of site entrances, site tracks and the adjacent public highway f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway h. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements. <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 Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (2018) and Core Strategy (2013) Policy CS8.</p>
3	<p>Prior to occupation of the development hereby approved a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.</p> <p>Reason: In the interests of maintaining highway efficiency and safety, in accordance with Core Strategy (2013) Policies CS8 and CS12.</p>

4	<p>No development (other than demolition works) shall take place until details of vehicle tracking of a standard vehicle to/from the parking spaces to demonstrate that the proposed disabled parking bays meet the required number and dimensions.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (2018) and Core Strategy (2013) Policy CS12.</p>
5	<p>No development (other than demolition works) 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 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.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Core Strategy (2013) Policy CS12.</p>
6	<p>No development (other than demolition works) 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>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.</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, in accordance with Core Strategy (2013) Policy CS12.</p>
7	<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 Core Strategy (2013) Policy CS12.</p>
8	<p>Prior to the occupation of the development hereby permitted details of the Mechanical Ventilation with Heat Recovery (MVHR) system and a scheme for its maintenance shall be submitted to and approved in writing by the Local Planning Authority. The MVHR system details and scheme for its maintenance shall be provided for the following residential units:</p> <ul style="list-style-type: none"> - Ground Floor flats 1, 2, 8 and 9 - First Floor flats 10, 11, 17 and 18 - Second Floor flats 19, 25 and 26

	<p>- Third Floor flats 27, 32 and 33</p> <p>Development shall be carried out in accordance with the approved MVHR system details prior to first occupation of the above listed residential units.</p> <p>Reason: In order to safeguard the residential amenity of the occupants of the development from external noise sources and to ensure that the residential units are adequately ventilated, in accordance with Core Strategy (2013) Policies CS12 and CS32.</p>
9	<p>Prior to first occupation of the development, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:</p> <ul style="list-style-type: none"> - Details of car parking allocation and distribution - Methods to minimise on-street car parking - Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority. <p>The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.</p> <p>Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport, in accordance with Core Strategy (2013) Policy CS8.</p>
10	<p>Prior to the occupation of the development hereby permitted, details of the obscure glazing to the east elevation shown on drawing number A021 Rev P4 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently retained.</p> <p><u>Reason:</u> To protect the residential amenity of the residents of Mosaic House, and to preserve the mutual privacy of Charter Court and Mosaic House, in accordance with Core Strategy (2013) Policy CS12.”</p>
11	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A001 REV P3 (Location Plan) A010 REV P2 (Proposed Site Plan)</p> <p>A011 REV P4 (Proposed Plans Basement and Ground Floor) A012 REV P4 (Proposed Plans First and Second Floor) A013 REV P4 (Proposed Plans Third Floor and Roof Plan)</p> <p>A020 REV P3 (Proposed Elevations) A021 REV P4 (Proposed Elevations) A022 REV P2 (Proposed Street View)</p>

	<p>A023 REV P2 (Proposed Sections)</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 early 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES</p> <p>1. Construction Hours of Working - (Plant & Machinery) - 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 1730hrs on Monday to Friday, 08:00hrs to 1300hrs Saturday, and no noisy works permitted at any time on Sundays or bank holidays.</p> <p>2. Construction Dust - 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.</p> <p>3. Noise on Construction/Demolition Sites - The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p>
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**267 4/01558/19/FHA - TWO STOREY SIDE, FRONT AND REAR EXTENSION -
26 ASHTREE WAY, HEMEL HEMPSTEAD, HP1 1QS**

Councillor Wyatt-Lowe left the room mid-way through the item, and therefore, did not participate or vote on Item 5c.

The Case Officer, Briony Curtain, introduced the report to Members and said that the application had been referred to the committee as it had been called in by Councillor Allen.

Michael Caterer and Andrew Watson spoke in objection of the application.

Jamie Waterman spoke in support of the application.

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

Vote:

For: 6

Against: 1

Abstained: 3

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

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 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 in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>06/19/26A WWHH-201 REV A 06/19/26A WWHH-202 REV A 06/19/26A WWHH-203 REV A 06/19/26A WWHH-204 REV A 06/19/26A WWHH-205</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. 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 National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

268 4/00611/19/FHA - CONSTRUCTION OF 1.5 STOREY SIDE/FRONT EXTENSION, DEMOLITION OF EXISTING REAR SINGLE STOREY CONSERVATORY. REPLACEMENT SINGLE STOREY REAR EXTENSION AND FRONT HIP TO GABLE ROOF EXTENSION. INSTALLATION OF REAR ROOF WINDOWS. - 74 SCATTERDELLS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EX

The Case Officer, Sally Robbins, introduced the report to Members and said that the application had been referred to the committee as it was contrary to the view of the Parish Council.

Chipperfield Parish Councillor G Bryant spoke in objection of the application.

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

Vote:

For: 8

Against: 0

Abstained: 3

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

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 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, in accordance with Core Strategy (2013) Policy CS12.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>LOCATION PLAN & BLOCK PLAN 74SCLN102 (Proposed Ground Floor Plan) 74SCLN104 (Proposed First Floor Plan) 74SCLN106 (Proposed Roof Plan) 74SCLN107 (Existing & Proposed Front Elevation) 74SCLN108 (Existing & Proposed Rear Elevation) 74SCLN109 Revision A (Existing & Proposed Left Side Elevation) 74SCLN110 Revision A (Existing & Proposed Right Side Elevation) 74SCLN111 (Existing and Proposed Site 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. 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> <p>Japanese Knotweed Informative</p> <p>The applicant is advised that the removal, disposal and spread of soil or plant material contaminated with non-native and invasive plant species, including Japanese knotweed, is set out under the Environmental Protection Act 1990 and Wildlife and Countryside Act 1981. It is an offence to plant or cause Japanese knotweed to spread under the Wildlife and Countryside Act 1981 and all waste containing Japanese knotweed comes under the control of Part II of the Environmental Protection Act 1990.</p>

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269 4/01218/19/RET - RETENTION OF USE OF BUILDING AS A DWELLING - HUNTERS LODGE, DELMEREND LANE, FLAMSTEAD, ST ALBANS, AL3 8ES

Briony Curtain introduced the report to Members on behalf of the Case Officer and said that the application had been referred to the committee in view of the objections of Flamstead Parish Council.

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

Vote:

For: 8 Against: 1 Abstained: 2

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

Conditions

No	Condition
1	<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 and F</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of the visual amenity of the locality.</p>
2	<p>The residential use of the building and site hereby permitted shall only extend to the use of the area outlined in red on drawing wren naj 36a 2019</p> <p>Reason:For the avoidance of doubt and to safeguard the visual amenity of the Green Belt in this locality.</p>

270 4/01698/19/FHA - SINGLE STOREY PART SIDE PART REAR EXTENSION - 115 GEORGE STREET, BERKHAMSTED, HP4 2EJ

Briony Curtain introduced the report to Members on behalf of the Case Officer and said that the application had been referred to committee due to the contrary views of Berkhamsted Town Council.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application.

Vote:

For: 9 Against: 0 Abstained: 2

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

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><u>Reason:</u> 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>20191.004 20191.005</p> <p><u>Reason:</u> 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><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p> <p><u>Article 35 Statement</u></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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

261.

271 4/01557/19/FUL - DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF A PAIR OF SEMI-DETACHED DWELLINGS. - HILLCREST, KINGSHILL WAY, BERKHAMSTED, HP4 3TP

Councillor Woolner declared her interest and stated that she would not be taking part as she had sat on the Berkhamsted Town Council planning committee regarding Item 5g.

The Case Officer, Simon Dunn Lwin, introduced the report to Members and said that the application had been referred to committee due to the contrary view of Berkhamsted Town Council.

Berkhamsted East Town Councillor Garrick Stevens spoke in objection of the application.

Peter Baker spoke in support of the application.

Reposition of the garages was discussed in the meeting to demonstrate satisfactory turning space within the site to allay the committee's concerns.

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

Vote:

For: 6 Against: 3 Abstained: 1

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

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>11798(L) 00-100 - Site Location Plan 11798(L) 00-101B - Proposed Site Plan 11798(L) 00-102A - Proposed Block Plan 11798(L) 00-103 - Proposed Floor Plans 11798(L) 00-104A - Proposed Roof Plan 11798(L) 00-105D - Proposed Plots A and B Elevations 11798(L) 00-106A - Existing Block Plan with Proposed Overlaid 11798(L) 00-107A - Proposed Plots A & B garage Elevations BAT REPORT DESIGN AND ACCESS CIL Form V3</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <ul style="list-style-type: none"> a. Construction and storage compounds (including areas designated for car parking); b. Siting and details of wheel washing facilities; c. Cleaning of site entrances, site tracks and the adjacent public highway; d. Timing of construction activities to avoid school pick up/drop off times; <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way Core Strategy Policy CS8.</p>
4	<p>No development 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</p>

	<p>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 and comply with Core Strategy Policy CS12.</p>
5	<p>No development shall take place until 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> <ul style="list-style-type: none"> • 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 and hedges to be retained and measures for their protection during construction works; • proposed finished levels or contours; • car parking and garage layouts and other vehicle and pedestrian access and circulation areas; • minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, 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); • retained historic landscape features and proposals for restoration, where relevant. <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 to comply with Core Strategy Policy 12.</p>
6	<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, E, F and G Part 2 Classes A and B.</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>

7	<p>The development shall not be occupied until the area to the front of the garages shown on approved Drawing No. 11798(L) 00-101B has been drained and surfaced, as approved under Condition 5 of this permission, and that area shall not thereafter be used for any purpose other than the parking of vehicles.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities to comply with Core Strategy Policy CS8.</p> <p>Informatives:</p> <p>Article 35 Statement</p> <ol style="list-style-type: none"> 1. 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) (Amendment No. 2) Order 2015. 2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047. 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 http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047. 4. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx 5. In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and
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<p>experienced Ecologist or Natural England.</p> <p>6. Any demolition of the building or clearance of vegetation 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 two 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.</p>
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272 APPEALS

That the following appeals were noted:

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

The Meeting ended at 9.46 pm