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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT CONTROL**

**28 APRIL 2016**

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Present:

**MEMBERS:**

Councillor D Collins (Chairman) Councillors, Guest (Vice-Chairman), Birnie, Maddern, Matthews, Riddick, Ritchie, C Wyatt-Lowe, Tindall, Bateman, Mrs Bassadone and Mills

Councillor G Sutton, Herbert Chapman and Marshall also attended

**OFFICERS:**

K Mogan (Member Support Officer), N Gibbs (Lead Planning Officer), M Stickley (Planning Officer), S Whelan (Group Manager - Development Management and Planning), C Gaunt (Solicitor), A Parrish (Lead Planning Officer) and Harman (Planning Officer)

The meeting began at 7.00 pm

**239 MINUTES**

The minutes of the meeting held on 7 April 2016 were confirmed by the Members present and were then signed by the Chairman.

**240 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Clark, Conway, Fisher, R Sutton and Whitman.

Councillor Bassadone substituted on behalf of Councillor Conway, Councillor Bateman substituted on behalf of Councillor R Sutton and Councillor Mills substituted on behalf of Councillor Clark.

Councillor D Collins gave his best wishes on behalf of himself and the committee to Councillor Clark.

**241 DECLARATIONS OF INTEREST**

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

**242 PUBLIC PARTICIPATION**

The Chairman also reminded the members and public about the rules regarding public participation.

**243            4/00276/16/FUL - WOODTHORPE, 1B BOXWELL ROAD, BERKHAMSTED, HP4 3ET**

A Parrish introduced the report and said it had been referred to committee due to the contrary views of Berkhamsted Town Council.

Councillor Matthews arrived at 7.10pm so took no part in the discussion or voting of this item.

Ben Dalton spoke in support of the application.

Town Councillor Garrick Stevens spoke in objection to the application.

Councillor Bateman arrived at 7.27pm so took no part in the discussion or voting of this item.

It was proposed by Councillor Guest and seconded by Councillor Bassadone 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:

- 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 until samples and / or details of the materials proposed to be used on the external walls and roofs of the development hereby permitted 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.**

Reason: To ensure a satisfactory appearance to the development in the interests of the character and appearance of the Berkhamsted Conservation Area in accordance with saved Policy 120 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the design will already have been agreed and finalised, and the materials potentially ordered and used, thereby undermining the control of the local planning authority and potentially increasing costs and delays for the applicant if they have to be changed.

- 3        The development shall be carried out in accordance with the approved plans**

and elevations and no development shall take place until 1:20 details of the design of the following shall have been submitted to and approved in writing by the local planning authority:

- all new windows, roof lights, doors and openings (including materials, finishes, cills, window headers and vertical cross sections through the openings);
- eaves joinery and bargeboards;
- Front boundary wall and railings.

**The development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the character and appearance of the Berkhamsted Conservation Area in accordance with Policies CS12 and 27 of the Dacorum Core Strategy (September 2013) and saved Policy 120 of the Dacorum borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, the design will already have been agreed and finalised, and the materials potentially ordered and used, thereby undermining the control of the local planning authority and potentially increasing costs and delays for the applicant if they have to be changed.

4 **Notwithstanding any details submitted, 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:**

- 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;
- trees to be retained and measures for their protection during demolition and construction works;
- proposed finished levels or contours;
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);

**The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.**

**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.**

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. The details are required before commencement of development as if they are deferred until after the development has begun, the design will already have been agreed and finalised, and the materials potentially ordered and used, thereby undermining the control of the local planning authority and potentially increasing costs and delays for the applicant if they have to be changed.

- 5 **No development / demolition shall take place until details of measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.**

Reason: To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013) and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, the building will already have been demolished and the materials disposed of, thereby undermining the control of the local planning authority in respect of achieving a sustainable form of development.

- 6 **No development shall take place until plans and details showing how the development will provide for sustainable urban drainage shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

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 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 **The development hereby permitted shall be carried out in accordance with the approved CS29 Sustainability Checklist.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 and Para. 18.22 of the Dacorum Core Strategy September 2013.

- 8 **The gradient of the vehicular access shall not exceed 1:20 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.**

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with saved Policies 51 and 54 of the Dacorum Borough local

- 9 **Prior to the first occupation of the development hereby permitted pedestrian visibility splays shall be provided in full accordance with the details indicated on the approved plan 15066\_AL(0)010 G and 15066\_AL(0)011 G. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway.**

Reason: In the interests of highway safety in accordance with saved Policy 51 and 54 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 10 **Prior to the first occupation of the development hereby permitted the vehicular accesses and driveways shall be provided and thereafter retained in the position shown on the approved plan 15066\_AL(0)010 G, in accordance with Roads in Hertfordshire. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the carriageway.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities, satisfactory access into the site and to avoid the carriage of extraneous material or surface water into the highway in the interests of highway safety in accordance with saved Policies 51, 54 and 58 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.

- 11 **The window at second floor level in the North East elevation of the development hereby permitted as indicated on Drg. No. 15066\_AL(0)017 E shall be non opening and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 12 **The windows at first and second floor level in the South West elevation of the development hereby permitted as indicated on Drg. No. 15066\_AL(0)019 D shall be non opening and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.

- 13 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1 Classes A, B, C and D  
Part 2 Class A**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character and appearance of the Berkhamsted Conservation Area and in the interests of ensuring adequate car parking provision in accordance with Policies CS12 and 27 of the Dacorum Core Strategy (September 2013) and Policies 58 and 120 of the Dacorum Borough Local

Plan 1991-2011.

- 14 **The permission hereby granted shall be limited to the provision of no more than 4 bedrooms to each of the two dwellings, and no additional bedrooms shall be created without the further specific permission of the local planning authority by way of a separate planning application.**

Reason: For the avoidance of doubt, and to ensure control over the development in the interests of limiting the demand for additional parking on the highway and associated congestion and highway safety issues, in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 58 of the Dacorum Borough local Plan 1991-2011.

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

**15066\_AL(0)001 Rev A  
15066\_AL(0)002 Rev A  
15066\_AL(0)003 Rev A  
15066\_AL(0)004 Rev A  
15066\_AL(0)005 Rev A  
15066\_AL(0)006 Rev A  
15066\_AL(0)007 Rev A  
15066\_AL(0)008 Rev A  
15066\_AL(0)009 Rev A  
15066\_AL(0)010 Rev G  
15066\_AL(0)011 Rev G  
15066\_AL(0)012 Rev D  
15066\_AL(0)013 Rev E  
15066\_AL(0)014 Rev C  
15066\_AL(0)015 Rev F  
15066\_AL(0)016 Rev D  
15066\_AL(0)017 Rev E  
15066\_AL(0)018 Rev B  
15066\_AL(0)019 Rev D  
15066\_AL(0)020 Rev D**

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

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the pre-application stage and 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 2012.

INFORMATIVES:

Thames Water

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water

courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### Highway Authority

S278 Agreement: Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Mud on the Road: 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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

#### Environmental Health

##### 1) Piling Works

If piling is considered the most appropriate method of foundation construction. Prior to commencement of development, a method statement detailing the type of piling and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority.

All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with and to comply with Dacorum Borough Councils Policies

2) 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. And the best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.

3) 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: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays

4) Dust

As advised within the application documentation, 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*.

5) Bonfires

Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.

**244 4/00167/16/FUL - 20-22 HIGH STREET, BOVINGDON, HEMEL HEMPSTEAD, HP3 0HG**

M Stickley introduced the report on behalf of the relevant case officer. It has been referred to committee due to the contrary views of Bovingdon Parish Council.

Brian Fitzgerald spoke in support of the application.

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

Vote

For: 8                  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        **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 shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

- 3        **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:**

- **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;**

**The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policy CS12 of the adopted Core Strategy.

- 4        **Prior to the first occupation of the development hereby permitted a pedestrian visibility splay measuring 2m x 2 metres shall be provided to each side of the accesses where it meets the highway and such splays shall thereafter be**

**maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: In the interests of highway safety in accordance with policy CS8 of the Core Strategy.

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

**A\_8002 Rev D**

**A\_8003 Rev B**

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

Informatives

Highways

AN1) Where works are required within the public highway to facilitate the new vehicle access or modify an existing (no works planned at present but the applicant needs to be made aware), the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

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

**245 4/00639/16/LBC - OAK COTTAGE, LEIGHTON BUZZARD ROAD, WATER END, HEMEL HEMPSTEAD, HP1 3BH**

A Parrish introduced the report and highlighted that the officer's recommendation was to refuse the application. It had been referred to committee due to the contrary views of Great Gaddesden Parish Council.

Councillor Mills arrived at 7.50pm so took no part in the discussion or voting of this item

Lucy Lowie (applicant) and Louise Fanthorpe (Vice Chair of Water End and Great Valley Conservation Society) spoke against the officer's recommendation.

Councillor Chapman in his role as Ward Councillor spoke against the officer's recommendation.

Having there been no proposer to refuse this application in line with the officer's recommendation, it was proposed by Councillor Tindall and seconded by Councillor Birnie that the officer's decision be overturned and the application be granted and delegated to the Group Manager to set the conditions.

Vote

For: 10                      Against: 0                      Abstained: 1

Resolved

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

- 1. The works for which this consent is granted shall be begun before the expiration of three years from the date of this consent.**

Reason: To comply with section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2. No development shall take place until samples of the materials proposed to be used on the external walls and roofs of the development hereby permitted 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.**

Reason: To safeguard the the architectural and historic character and interest of the Listed Building in accordance with Policy CS27 of the Dacorum Core Strategy September 2013, and saved Policy 119 of the Dacorum Borough Local Plan 1991-2011.

- 3. None of the fenestration shall be installed until samples and / or full details of the design and finish of windows, rooflights and doors (external and internal) to the existing listed building, and attached structures, shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled drawings of the windows and doors at a scale of 1:20 and shall be accompanied by horizontal and vertical cross sections shown in relation to the surrounding fabric / openings, along with moulding and glazing bar detail shown at a scale of 1:2. The works shall then be carried out in accordance with the approved details.**

Reason: To safeguard the architectural and historic character and interest of the Listed Building in accordance with Policy CS27 of the Dacorum Core Strategy September 2013, and saved Policy 119 of the Dacorum Borough Local Plan 1991-2011.

- 4. Notwithstanding the details hereby approved, no works relating to the wood burning stove shall be commenced until full details relating to the installation of the wood burning stove (including flue liner and any external flue terminal) shall have been submitted to and approved in writing by the local planning authority. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

- 5. Notwithstanding the details hereby approved no works shall be commenced until full details relating to the installation of mechanical ventilation for the first floor bathroom shall have been submitted to and approved in writing by the local planning authority. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure that the works are compatible with the setting of the existing listed building to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and the saved Policy 119 of the Dacorum Borough Local Plan.

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

**1420-PL-05 REV F  
1420-PL-01 REV L  
1420-PL-02 REV T  
1420-SV-01  
1420-SV-02  
1420-SV-03  
1420-SV-04 REV A  
1420-SV-06**

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

**246            4/00158/16/FHA - 30 ELM TREE WALK, TRING, HP23 5EJ**

A Harman introduced the report and said it had been referred to committee due to the contrary views of Tring Town Council.

Andy Walkers spoke in support of the application.

David Griffiths and Tracey Doyle spoke in objection to this application.

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: 8                  Against: 2                  Abstained: 2

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:**

**110  
200 E  
201C**

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

3. **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.

4. **The window at first floor level in the North East elevation of the extension hereby permitted shall be non-opening and shall be permanently fitted with obscured glass unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of the amenity of adjoining residents in accordance with saved Appendix 3 and Adopted Core Strategy CS12

**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) (Amendment No. 2) Order 2015.

**247                  4/00173/16/FUL - 115 COWPER ROAD, HEMEL HEMPSTEAD, HP1 1PF**

M Stickley introduced the report and said it had been called in to committee by Councillor Marshall.

Mark Mills spoke in support of the application.

Gill Broadbent and David Cochrane spoke in objection to this application.

Councillor Marshall in her role as Ward Councillor spoke in objection to this application.

Paragraph 64 of the National Planning Policy Framework (NPPF) states that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.” The cramped and contrived form of development by reason of overdevelopment would not improve the character and quality of the surrounding area. The proposal conflicts with the objectives of Policy CS12(g) of Dacorum’s adopted Core Strategy. The proposal also fails to achieve the Counters End Character Area Appraisal (HCA 8) development principles by virtue of size, layout and density. It is therefore considered that the proposal conflicts with the aims of the NPPF (Paragraph 64), Policy CS12(g) of the Core Strategy and the Counters End Character Area Appraisal (HCA 8).

Having there been no proposer to grant this application in line with the officer’s recommendation, it was proposed by Councillor Guest and seconded by Councillor Maddern that the officer’s decision be overturned and the application be refused.

Vote

For: 7                  Against: 0                  Abstained: 5

Resolved

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

**The proposal would by reason of its cramped and contrived layout result in the overdevelopment of the site. This would result in a prominent form of development that would harm the character and quality of the surrounding area, contrary to policies CS11 and CS12 of the Dacorum’s adopted Core Strategy, Counters End Character Area Appraisal (HCA 8), the NPPG and the NPPF.**

**248                  4/00050/16/FHA - 14 NEW MILL TERRACE, TRING, HP23 5ET**

M Stickley introduced the report on behalf of the relevant case officer. It had been referred to committee due to the contrary views of Tring Town Council.

Hannah Duggen spoke in support of the application.

David Cameron spoke in objection to the application.

It was proposed by Councillor Mills and seconded by Councillor Maddern to grant this application in line with the officer’s recommendation.

Vote

For: 11          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 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 CS12 of the adopted Core Strategy.

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

**CR-216R.02**

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

**249          4/02930/15/FUL - THE CROWN, 145 HIGH STREET, BERKHAMSTED, HP4 3HH**

N Gibbs introduced the report and said it had been referred to committee due to the contrary views of Berkhamsted Town Council.

Members were concerned about opening times and had questions regarding smoking hours and cut off times for the beer garden.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Tindall to defer the application to allow for a representative from Wetherspoons to answer members questions.

Vote

For: 11          Against: 0          Abstained: 1

Resolved

That the application be **DEFERRED** to allow for representation from Wetherspoons to be present to answer committee member's questions.

**250          4/03720/15/FHA - 24 CHARLES STREET, BERKHAMSTED, HP4 3DG**

Councillor Tindall declared a personal interest in this item so did not speak or vote.

This application had been referred to committee as a Councillor was the occupier of the property.

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

#### Vote

For: 10          Against: 0          Abstained: 2

#### 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 constructed in accordance with the materials specified on the approved application form.**

Reason: To safeguard the character and appearance of the un-designated heritage asset and in the interests of the visual amenities of the Conservation Area in accordance with Policy CS27 of the Dacorum Borough Core Strategy and saved Policy 120 of the Dacorum Borough Local Plan.

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

**Proposed Elevation (no reference - received 20th November 2015)**

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) (Amendment) Order 2015.

#### **251          4/00205/16/FUL - LITTLE HAY GOLF COMPLEX, BOX LANE, HEMEL HEMPSTEAD, HP3 0XT**

This application had been brought to the committee due to the land being owned by Dacorum Borough Council.

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

Vote

For: 11          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 buildings subject to this application shall only be used for storage purposes ancillary to the use of the Golf complex.**

Reason: For the avoidance of doubt and to ensure the use is compatible to its green belt setting, supports the rural economy and to accord with Policy CS5 and CS12.

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

site location plan  
floor plans

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

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

**252          APPEALS**

The following appeals were noted:

1. Lodged
2. Forthcoming inquiries

The Meeting ended at 10.45 am