
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

23 JULY 2020

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe (Vice-Chairman), Beauchamp, Durrant, Hobson, Maddern, McDowell, Oguchi, Riddick, R Sutton, Uttley and Tindall and Taylor (substitute)

Councillor also attended

OFFICERS:

B Curtain (Lead Planning Officer), R Freeman (Lead Planning Officer), Gardner (Planning Officer), Miller (Planning Trainee), E Palmer (Planning Officer), J Reid (Assistant Team Leader - Development Management), Robbins (Planning Officer), P Stanley (Development Management Team Leader), Sultan (Lead Litigation Lawyer) and S Whelan (Group Manager - Development Management and Planning)
K Johnston (Corporate & Democratic Support Officer) (Minutes)
C Webber (Corporate & Democratic Support Officer)

The meeting began at 6.30 pm

15 MINUTES

A minutes silences was honoured in respect for Cllr Taunton who was a previous Portfolio Holder and Committee Member who has sadly passed.

The minutes of the meeting held on 2 July were confirmed by the Members present. Hard-copy minutes will be signed by the Chair when restrictions are lifted.

16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Woolner. Councillor Taylor substituted for Councillor Woolner.

17 DECLARATIONS OF INTEREST

None

18 PUBLIC PARTICIPATION

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

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

19 20/01038/FHA - SINGLE STOREY REAR EXTENSIONS, FRONT PORCH CANOPY AND ALTERATIONS TO FRONT, REAR AND SIDE FENESTRATION (AMENDED SCHEME) - 12 PULLER ROAD HEMEL HEMPSTEAD HERTFORDSHIRE HP1 1QL

The Case Officer, Briony Curtain, introduced the report to Members and said that the application had been referred to the Committee as the applicant is a spouse of a DBC employee.

It was proposed by Councillor Uttley and seconded by Councillor Wyatt-Lowe to **Grant** the application.

Vote:

For: 10 Against: 0 Abstained: 1

Resolved: That planning permission be **Granted**.

Condition(s) and Reasons:

- 1. The development hereby permitted shall begin 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:**

- 02A - 12PR - Block Plans
- 03A - 12PR - Proposed Ground Floor Plan
- 04A - 12PR - Propsoed Front Elevation
- 05A - 12PR - Proposed Rear Elevation
- 06A - 12PR - Proposed South Elevation
- 07A - 12PR - Proposed North Elevation
- 08A - 12PR - Proposed roof Plans

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

- 3. The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

Informative:

1. 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.

20 20/00771/FHA - TWO STOREY SIDE AND REAR EXTENSIONS AND NEW FRONT PORCH - AUTUMN TINTS, 4 RAMBLING WAY, POTTEN END, BERKHAMSTED

The Case Officer, Elspeth Palmer, introduced the report to Members and said that the application had been referred to the Committee due to the applicant being a DBC employee.

It was proposed by Councillor Beauchamp and seconded by Councillor Hobson to **Grant** the application.

Vote:

For: 10 Against: 0 Abstained: 1

Resolved: That planning permission be **Granted**.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin 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 application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

3. **The 4 new velux windows in the western roof slope of the extension hereby permitted shall be non-opening and permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

4. **The dormer window on the east elevation of the new roof extension hereby permitted shall be permanently fitted with obscured glass and top hung.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

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

Proposed Location and Site Plan PL/001 Rev A
Proposed Floor Plans PL/004
Proposed Elevations PL/005 Rev B

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

Informatives:

1. 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.
2. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
3. Dust from operations on the site should be minimised by spraying with water or 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.
4. 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 - 07:30 to 18:30 on Monday to Saturday, no works are permitted at any time on Sundays or bank holidays.
5. 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.

6. Works affecting the roof of the building or bird box should take place outside of the period 1st March - 31st August to avoid impacts on nesting birds. If this is not possible, a nesting bird check should take place immediately prior to works commencing, with active nests retained until the young have fledged."
7. The developed site can be enhanced for the bat species observed to be foraging and commuting across the site during the surveys by installing of a minimum of two bat boxes on mature tree or the retained building e.g. Schwegler 2F Bat Box Schwegler 1FF Bat Box Schwegler 2FN Bat Box Improved Cavity Bat Box.

Bat boxes should be positioned 3-5m above ground level facing south or south-westerly with a clear flight path to and from the entrance. Bat boxes should also be positioned away from any artificial light sources.

21 19/02521/FHA - SINGLE STOREY FRONT EXTENSION, TWO STOREY SIDE AND REAR EXTENSION - 15 NEW ROAD, WILSTONE, TRING, HERTFORDSHIRE

The Case Officer, Jane Miller, introduced the report to Members and said that the application had been referred to the Committee as it was contrary to the views of Tring Rural Parish Council.

Tring Rural Parish Councillor S Godwin spoke in objection to the application.

It was proposed by Councillor Wyatt Lowe and seconded by Councillor Hobson to **Grant** the application.

Vote:

For: 10 Against: 0 Abstained: 1

Resolved: That planning permission be **Granted**.

Cllr Pearl Oguchi arrived at 19:05

Conditions and Reasons:

1. **The development hereby permitted shall begin 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 (excluding demolition/ground investigations) shall take place until details of the materials and brick bond to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices.**

Materials should be kept on site and arrangements made with the Planning Officer for inspection.

Reason 1: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

Reason 2 : To preserve or enhance the character and appearance of the designated heritage asset in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CS27 of the Dacorum Borough Core Strategy (2013).

3. **No construction of the superstructure shall take place until details of how the existing hung tiles are to be re-used and/or matched on a like for like basis in the new side elevation hereby permitted have been submitted and approved in writing by the Local Planning Authority.**

These details shall include:

- o **A plan showing how the re-used tiles will be placed on the approved side elevation and how they relate to any new tiles; and**
- o **Details and photos of the matching tiles.**

Development shall be carried out in accordance with the approved plan and details.

Reason: To preserve or enhance the character and appearance of the designated heritage asset in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CS27 of the Dacorum Borough Core Strategy (2013).

4. **Notwithstanding the details shown on Drawing 19/0088/02 Rev E proposed plans and elevations, both first floor side windows within the gable end side elevation of the development hereby permitted shall be permanently fitted with obscure-glazing and non-opening below a height of 1.7m from finished floor level.**

Reason: In the interests of safeguarding residential amenity in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

5. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:
19/0088/01 existing floor plans and elevations
19/0088/02 Rev E proposed floor plans, elevations, and site plans**

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

Informatives:

1. Ecology Informative
If bats, or evidence for them, are discovered during the course of works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
2. Noise on Construction / Demolition Sites Informative
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.

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: Monday - Friday 07:30am to 17.30pm, Saturdays 08.00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.

3. Construction Dust Informative
Dust from operations on the site should be minimised by spraying with water or 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.
4. Noise on Construction / Demolition Sites Informative
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.
5. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

22 20/00003/FUL - CHANGE OF USE FROM OFFICE TO DAY NURSERY WITH ASSOCIATED ALTERATIONS, INCLUDING INTERNAL RECONFIGURATION AND NEW OPENINGS AND REVISED EXTERNAL LAYOUT - ARDENOAK HOUSE, 101 HIGH STREET, TRING, HERTFORDSHIRE

The Case Officer, Sally Robbins, verbally updated Members with a late representation received from a local resident. Sally introduced the report to Members and said that the application had been referred to the Committee as it was contrary to the view of Tring Town Council.

Keith Baker and Fiona McNamara spoke in objection to the application.

Tring Town Councillor Roxanne Ransley spoke in objection to the application.

Hayden Todd spoke in support of the application.

It was proposed by Councillor Durrant and seconded by Councillor Riddick to **Grant** the application on the condition that the number of children are reduced from 80 to 60. (amend condition 8)

Vote:

For: 8 Against: 2 Abstained: 2

Resolved: That planning permission be DELEGATED with a VIEW to APPROVAL subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin 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 commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:**

i) **A safe pedestrian access route to the site, potentially using existing High Street accesses.**

ii) **Swept paths to demonstrate that vehicles are able to leave the site in a forward gear and that cars are able to safely manoeuvre into the car parking spaces in the northern car parking area, closest to High Street.**

iii) **All car parking spaces are a minimum of 2.4m x 4.8m, with parallel parking spaces being a minimum of 6m in length.**

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

3. **No development shall commence 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:**

- o **all external hard surfaces within the site**
- o **other surfacing materials**
- o **extent of play area**
- o **means of enclosure including acoustic fencing**
- o **soft landscape works including a planting scheme for the new hedges**
- o **minor artefacts and structures (e.g. play equipment, signs, refuse or other storage units, etc.)**

The planting must be carried out within one planting season of completing the development.

Any hedge which forms part of the approved landscaping scheme which within a period of 5 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 similar species, size and maturity.

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).

4. **At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be**

submitted and approved in writing by the Local Planning Authority. The approved Travel Plan Statement shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

5. **Prior to the first use of the development hereby approved, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include provision for periodic monitoring and mitigation together with a log of complaints and corrective actions to be undertaken.**

The approved Noise Management Plan shall be implemented at first occupation and for the lifetime of the use hereby approved.

Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

6. **Prior to the first use hereby permitted the vehicular access on Langdon Road will be the only vehicular access to the site, with no other accesses being used for vehicular use.**

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. **The hours of site operation shall be restricted to Monday-Friday, 07:00 - 19:00 hours and no site activity on Saturday, Sundays or Bank Holidays. There shall be no use of the external play area outside of 09:00 - 17:00 hours.**

Reason: To protect the residential amenities of the locality, having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

8. **The number of children using the nursery hereby approved shall be limited to 80 in total each operational day.**

Reason: In order to protect the amenities of adjoining occupiers and to ensure adequate parking provision, having regard to saved Appendix 5 of the Dacorum Borough Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

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

3028/A4/20 (Location Plan)

3028/1/4G (Block Plan - Existing and Proposed)

3028/2/2B (Outbuilding as Proposed)

3028/2/1D (Plans as Proposed)

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

Informatives:

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Extent of Highway: 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.

3. 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-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. 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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

23 19/02662/FUL - CHANGE OF USE FROM OFFICE TO DAY NURSERY, SINGLE STOREY FRONT EXTENSION, ALTERATIONS AND REVISED EXTERNAL LAYOUT - 1 HEMPSTEAD ROAD, KINGS LANGLEY, HERTFORDSHIRE, WD4 8BJ

The Case Officer, Elspeth Palmer, introduced the report to Members and said that the application had been referred to the Committee due to the contrary view of the Parish Council.

Gerard Sheldon and Angela Hodder spoke in objection to the application.

Councillor Alan Anderson spoke in objection to the application.

Hayden Todd spoke in support of the application.

Councillor Madden arrived at 20:24 but could not take part in voting as she wasn't part of the presentation or discussion.

Councillor Uttley did not take part in the voting as she lost connection and could not hear the speaker.

It was proposed by Councillor McDowell and seconded by Councillor Durrant to **Grant** the application.

Vote:

For: 5 Against: 5 Abstained: 1

Chairman, Cllr Guest had the casting vote.

Councillor Guest voted in support of the application

Resolved: That planning permission be **Granted**.

1. **The development hereby permitted shall begin 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 application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

3. **A scheme of sound insulation shall be submitted to and approved by the Local Planning Authority to upgrade the separating element between ground and first floor areas of the proposed nursery to the adjacent residential receiver. This shall include structurally independent wall linings at ground and first floor levels and control any weak insulating flanking elements. The approved scheme shall be implanted prior to the operation coming into use and retained thereafter.**

Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

4. **A Noise Management Plan shall be submitted to an approved by the LPA and implemented before the development hereby approved comes into operation and continue to be implemented throughout the life of the use hereby approved.**

Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

1. **At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The Travel Plan Statement should include a Parking Management Strategy to ensure that on-street parking in the vicinity of the site is avoided. The approved Travel Plan Statement shall be implemented at all times.**

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018) and to comply with Core Strategy Policy 12.

6. **Prior to the first use of the development hereby permitted the vehicular access and associated highway works shall be provided and thereafter retained at the position shown on the approved plan drawing number**

PL01 Rev C. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. The highway footway and a full height kerb shall be reinstated where the vehicle access is no longer required, in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the relocated access.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to comply with Core Strategy Policy 12.

7. **Prior to commencement of the approved use a gated access to the building will be provided along with a low (.9m) picket fence separating the car park from the playground access.**

Reason: For the avoidance of doubt and in the interests of proper planning and to comply with Core Strategy 12.

8. **The hours of site operation shall be restricted to Monday-Friday (07:00 - 19:00) hours. No site activity on Saturday, Sundays or Bank Holidays. No external amenity use outside of 09:00 - 17:00 hours.**

Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

9. **The number of children using the nursery hereby approved shall be limited to a maximum of 40 in total in any one day.**

Reason: In order to protect the amenities of adjoining occupiers and to ensure adequate parking provision, having regard to saved Appendix 5 of the Dacorum Borough Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

10. **The number of staff working at the nursery hereby approved at any one time shall be limited to a maximum of 10 in total.**

Reason: In order to protect the amenities of adjoining occupiers and to ensure adequate parking provision, having regard to saved Appendix 5 of the Dacorum Borough Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

11. **Any external play area shall not be a soft landscaped area of a type that could result in the users of the site coming into contact with the underlying ground, unless and until a land contamination risk assessment has been undertaken and submitted in writing to, and agreed by, the LPA.**

Reason: to ensure that no development takes place that would introduce a risk to health of the site users that is associated with the potential presence of

ground contamination. To ensure a satisfactory development in accordance with Core Strategy (2013) Policy CS32.

12. **Protective fencing will be erected around the protected Yew tree during the renovation works. As there is already a car park in this location new gravel only will be added to the top of the existing parking space, which will not result in any additional harm.**

The new fence will have a 3m wide section over the middle of the tree with no posts being placed in the root zone. Posts will be carefully installed and if any roots are found the hole will be moved.

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).

13. **Prior to the use commencing Cycle storage as shown on approved plan 1907-066 SKO2 Rev B must be provided and retained in perpetuity.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 104 (d) of the National Planning Policy Framework (2019).

14. **No use hereby permitted shall be occupied or the use commenced until the general waste and nappy bin, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building that form part of the application site. No refuse shall be stored or placed for collection on the public highway or pavement, except on the day of collection.**

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent obstruction to pedestrian movement in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

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

Proposed Access, Egress and Parking Arrangement, Plan drawing number PL01 Rev C

Swept Path Analysis of drop off only bays 1907-066 DRG No. SK04

Heritage Statement prepared by Barker-Mills Conservation, 13.3.20

Proposed elevations and site plan wren naj 44c 2019, Rev C

Technical Note - Response to Highways 1907-066/TN/03 prepared by TPA, June 2020

Potential Internal Site Layout, For Information, SK02, Rev B - showing general waste and nappy bin location, safe access to the play area from the building and fencing adjacent to the TPO's Yew tree.

Follow up Noise Report prepared by soundsolution consultants dated 1.5.20 in response to comments from ECP.

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

Informatives:

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. The above contaminated land condition is considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land.

3. 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.
4. 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-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
6. Construction standards for works within the highway: 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 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. If any of the works associated with the construction of the access affects or requires the removal

and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. 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.

7. The Planning Authority should be notified if any further historic fabric is exposed during the approved works.

24 20/00589/FUL - CONSTRUCTION OF 7NO. 3 BEDROOM TERRACED FAMILY DWELLINGS, WITH ASSOCIATED CAR PARKING PROVISION OF 16NO SPACES AND LANDSCAPING. PARKING PROVISION OF 7 PUBLIC SPACES AND 2NO DESIGNATED SPACES (ONE IN EXISTING GARAGE) FOR STAFF OF SPICE VILLAGE RESTAURANT - CAR PARK TO REAR OF, THE SPICE VILLAGE, CHAPEL CROFT, CHIPPERFIELD

Robert Freeman introduced the report to Members on behalf of the Case Officer and said that the application had been referred to the Committee as the recommendation was contrary to the views of Chipperfield Parish Council.
Chipperfield Parish Councillor Bryant spoke in objection to the application.
Simon Rowberry spoke in support of the application.

Councillor Oguchi and Councillor Uttley did not maintain connection so could not take part in the voting.

Having there been no proposer to grant the application in line with the officer's recommendation, It was proposed by Councillor Tindall and seconded by Councillor Riddick to **Refuse** the application due to over development.

Vote:

For: 8 Against: 1 Abstained: 2

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

The proposed development, in view of its layout, site coverage, density and design, is considered to result in a cramped over development of the site which is harmful to the character and appearance of the Chipperfield Conservation Area. As such the proposals would be contrary to Policies CS11, CS12 and CS27 of the Core Strategy and Saved Policy 120 and Appendix 3 of the Local Plan 1991-2011

25 20/00700/FHA - REFURBISHMENT OF EXISTING PROPERTY, INCLUDING FIRST FLOOR EXTENSION, REAR SINGLE STOREY EXTENSION AND REMODELLING OF FACADES - VIEWPOINT, FELDEN LANE, HEMEL HEMPSTEAD, HERTFORDSHIRE

The Case Officer, James Gardner, introduced the report to Members and said that the application had been referred to the Committee as it had been called in by Councillor Riddick.

Matthew Bugden spoke in objection to the application.

Richard Dines and Daniel Bavington spoke in support of the application.

It was proposed by Councillor Beauchamp and seconded by Councillor Wyatt-Lowe to **Grant** the application.

Vote:

For: 7 Against: 0 Abstained: 6

Resolved: That planning permission be **Granted** with the following recommendation. That the construction working hours informative was amended as it did not match the up to date informative on the Council's website.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin 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:**

**DB/RD/02 REV 2
DB/RD/03 REV 2
DB/RD/04 REV 3
DB/RD/05 REV 3
DB/RD/06 REV 3
DB/RD/07 REV 2**

VIEWPOINT FELDEN LOCATION PLAN

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

3. **The flat roofed areas of the dwelling at first floor level shown on drawing no DB/RD/02 REV 2 shall not be used as balconies, roof gardens or similar amenity areas without the grant of further specific permission from the Local Planning Authority. The roof can be used to escape in an emergency.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

Informatives:

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. 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 - 07:30 to 18:30 on Monday to Saturday, no works are permitted at any time on Sundays or bank holidays.

26 APPEALS

That the following appeals were noted:

- A. LODGED**
- B. DISMISSED**
- C. ALLOWED**
- D. WITHDRAWN**

27 QUARTERLY ENFORCEMENT REPORT

Philip Stanley provided Members with a Quarterly Enforcement Update.
Linda Felton made a statement relating to representations on Gable End.

EXCLUSION OF THE PUBLIC – PART 2

The meeting ended at 22:37.