
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

11 MARCH 2021

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, Beauchamp, Durrant, Hobson, Maddern, McDowell, Oguchi, Riddick, Woolner, Tindall and Taylor

Councillor also attended

OFFICERS:

Gardner (Planning Officer), E Palmer (Planning Officer), M Stickley (Lead Planning Officer), Sultan (Lead Litigation Lawyer) and S Whelan (Group Manager - Development Management and Planning)

The meeting began at 6.30 pm

1 MINUTES

The minutes of the meeting held on 18 February 2021 were confirmed by the Members present.

Hard-copy minutes will be signed by the Chair when restrictions are lifted

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr R Sutton. Cllr C Wyatt-Lowe and Cllr Uttley. Cllr Peters will be substituting for Cllr Uttley and Cllr Taylor will be substituting for Cllr Uttley.

Cllr Durrant will join later along with Cllr Guest who are in another meeting.

3 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.

4 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.

5 INDEX TO PLANNING APPLICATIONS

5. Councillor Beauchamp informed the committee that the items will not be held in order as we take items with public participation first.
The items were heard in the following order:

5a
5c
5b.

Cllr Beauchamp Chaired item 5a then Cllr Guest took over.
Cllr Guest and Durrant arrived at 6.50pm and took part in item 5a.
Cllr Guest took over as Chair

a 20/03492/FUL - Conversion of existing public house (A4) to form three residential dwellings (C3), including a single storey extension above the existing single-storey element of the building, utilising existing access with associated hard and soft landscaping and vehicular parking. (AMENDED SCHEME) -The Crystal Palace Station Road Berkhamsted Hertfordshire HP4 2EZ

**20/03492/FUL –
Conversion of existing public house (A4) to form three residential dwellings (C3), including a single storey extension above the existing single-storey element of the building, utilising existing access with associated hard and soft landscaping and vehicular parking. (AMENDED SCHEME) –**

The Crystal Palace Station Road Berkhamsted Hertfordshire HP4 2EZ

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

Parish Cllr Anthony Armytage, Ward Cllr Stephen Claughton and Sarah Caradec spoke in objection to the application.

Jake Russell spoke in support of the application.

Cllr Oguchi arrived slightly later so took no part in voting.

It was proposed by Councillor Durrant and seconded by Councillor Hobson to **GRANT** the application with the conditions of allocated parking.

Vote:

For: 3 Against: 5 Abstained: 1

Having there been no majority to grant the application it was proposed by Councillor Woolner and seconded by Councillor Taylor to overturn the officer's recommendation and REFUSE the application.

Vote:

For: 5 Against: 1 Abstained: 3

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

The Crystal Palace is locally listed, within the Berkhamsted Conservation Area and opposite the locally listed Station Road Railway Bridge. The Berkhamsted Conservation Area Appraisal notes that public houses are an important part of the character of the conservation area. They play an important community role often associated with a longstanding presence in the community. The closure of a pub can therefore compromise the vibrancy of an area and its associated diversity and attractiveness as a place to live.

The existing public house makes a significant contribution to the character and appearance of the conservation area and the loss of the public use of the building would harm the character and appearance of the conservation area contrary to the NPPF paras. 91, 92 Section 16, Core Strategy Policy 23 and 27, Berkhamsted Conservation Area Appraisal and Saved Policy 120 of the Dacorum Borough Local Plan (1991-2011).

Cllr Hobson arrived at 8:09pm and Cllr Maddern arrived at 8:30pm and took part in item 5b.

b 20/03732/FUL - Demolition of 18 residential garages and construction of 4 no. dwelling houses - Land Off Beechfield Kings Langley Hertfordshire WD4 8EE

**20/03732/FUL - Demolition of 18 residential garages and construction of 4 no. dwelling houses
Land Off Beechfield Kings Langley Hertfordshire WD4 8EE**

The Case Officer, Martin Stickley introduced the report to Members and said that the application had been referred to the Committee as the site is owned by the Borough Council.

There were no speakers on item 5b.

It was proposed by Councillor Durrant and seconded by Councillor Beauchamp to **GRANT** the application.

Vote:

For: **10** Against: **0** Abstained: **1**

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

- As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage in a block earmarked for disposal will be offered an alternative garage in a neighbouring block. Further detail can be found here:
<https://democracy.dacorum.gov.uk/Data/Cabinet/20140916/Agenda/Cabinet-16-09-2014-Garages%20Report-Part%201.pdf>

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 take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted the Flood Risk Assessment and Drainage Strategy reference M03001-04_DG01 dated November 2020 prepared by McCloy Consulting. The scheme shall also include:**

1. **Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.**

2. **Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**

3. **Implement drainage strategy to include permeable paving and attenuation tank.**

4. **Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.**

5. **Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.**

6. **Exceedance routes and details of any informal flooding areas for all events over the 1 in 30 year rainfall event.**

7. **Maintenance and management plan for the SuDS features.**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraphs 163 and 165 of the National Planning Policy Framework (2019).

3. **No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

For the purposes of this condition:

- (i) **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.**

(ii) 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.

(iii) 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

- 4. All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.**

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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

- 5. No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

Reason: 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).

- 6. Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

7. **No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; and**
 - **minor artefacts and structures (e.g. bike stores, street furniture, play equipment, signs, refuse or other storage units, etc.).**

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

Any tree or shrub which forms part of the approved landscaping scheme which within a period of three 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).

8. **The flank window at first-floor level in the northern elevation of Plot 4 hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

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).

9. **Prior to the occupation of development hereby approved, the trees identified as T1-T5 in the Arboricultural Report by John Cromar's Arboricultural Company Limited (referenced S230-J1-IA-1 and dated 2nd September 2020) shall be reduced by three metres in height. The other tree works identified in the Schedule (Appendix 9) shall be carried out concurrently. All work shall be carried out in accordance with B.S.3998:2010 "Tree Work Recommendations".**

Reason: In order to mitigate nuisance issues owing to lack of sunlight in the garden and leaf drop for future residents, preserving residential amenity in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

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

DBC-IW-BEE-00-DR-A-0010
DBC-IW-BEE-00-DR-A-0100
DBC-IW-BEE-XX-DR-A-2202
DBC-IW-BEE-XX-DR-A-2201
S230-J1-IA-1
S230-J1-P1 v1
S230-J1-P2 v2
S230-J1-P3 v2

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

- c **20/03189/RET - Retention of Works: Balustrade to main house patio, terraced garden areas, raised lower lawn area and retaining structure. Installation of electric gate. - Lanresse Rucklers Lane Kings Langley**

Hertfordshire WD4 9NQ

20/03189/RET

Retention of Works: Balustrade to main house patio, terraced garden areas, raised lower lawn area and retaining structure. Installation of electric gate.

Lanresse Rucklers Lane Kings Langley Hertfordshire WD4 9NQ

The Case Officer, James Gardner introduced the report to Members and said that the application had been referred to the Committee due to the Contrary to the view of Kings Langley Parish Council

Sue and Alan Anderson spoke in objection to the application.

Jatinder Singh spoke in support of the application.

It was proposed by Councillor Hobson and seconded by Councillor Woolner to **GRANT** the application.

Cllr Beauchamp lost connect so took no part in voting and Cllr Maddern wasn't present for item 5c.

Vote:

For: **5** Against: **3** Abstained: **1**

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

Condition(s) and Reason(s):

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

1172 SK500E Existing and Proposed Landscape Works

002 Rev A Plan & 3D Views

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

6 APPEALS

The Chair informed the committee that the appeals will be coming to the committee on a quarterly basis.

7 ADDENDUM

The Meeting ended at 8.54 pm