
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

2 SEPTEMBER 2021

Present:

MEMBERS:

Councillor Beauchamp (Chair) Wyatt-Lowe (Vice Chair) Councillors, Durrant, Hobson, Maddern, McDowell, Douris, Hollinghurst, Allen, Anderson and Stevens

Councillor also attended

OFFICERS:

Hutton (Legal Governance Team Leader (Planning and Property)), H Edey (Trainee Planning Officer), L Fowell (Corporate & Democratic Support Officer), J Gardner (Planning Officer), N Gibbs (Lead Planning Officer), C Lecart, P Stanley (Interim Group Manager) D Terry (Planning Officer) and N Vernal (Trainee Planning Officer)

The meeting began 7.00pm

1 MINUTES

The minutes of the meeting held on 5 August were confirmed by the Members present. Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Guest (Substitute Cllr Beauchamp)
Apologies were received from Cllr Uttley (Substitute Cllr Stevens)
Apologies received from Cllr Woolner (Substitute Cllr Allen)
Apologies were received from Cllr Williams (Substitute Cllr Anderson)
Cllr Oguchi was not present

3 DECLARATIONS OF INTEREST

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

4 PUBLIC PARTICIPATION

Councillor Beauchamp advised that members of public have registered to speak at this meeting and reminded any members of the public viewing the meeting about the rules of doing so

5 INDEX TO PLANNING APPLICATIONS

The running order of items was changed to allow for speakers and items deferred from the previous meeting to be heard first.

a 21/00737/FUL - Change of use to house of multiple occupancy - 40 Valleyside Hemel Hempstead Hertfordshire HP1 2LN

The report was introduced by the case officer Nigel Gibbs

There was no proposer or seconder for the officer recommendation so the committee moved to an alternative motion to refuse.

It was proposed by Councillor Maddern and seconded by Councillor Wyatt-Lowe that it be Refused

Vote:

For: 9 against: 0 Abstained: 2

Resolved; Refused

Reason(s):

1. It has not been demonstrated that the application site could provide more than one off-street parking space to serve the occupiers of the proposed development, which could include double occupancy of some rooms taking into account their size. The resulting displacement of parking needs onto the surrounding highway network would cause significant harm by exacerbating existing parking stress in the locality and is contrary to Policy CS12 (b) of the Dacorum Borough Core Strategy (2013) and Dacorum's Car Parking Standards as outlined in Appendix A of the Dacorum Borough Council 'Parking Standards' Supplementary Planning Document

b 21/01483/FUL - Demolition of existing bungalows, construction of 8 semi-detached houses and associated access, parking and landscaping - 45 - 46 Chesham Road Bovingdon Hertfordshire HP3 0EA

This item was deferred until a future meeting

c 21/02260/FUL - Construction of two detached dwellings - Annapurna Hogsbottom Flaunden Hemel Hempstead Hertfordshire HP3 0PX

The report was introduced by the case officer Daniel Terry

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Hobson that the application be **Granted**

Vote:

For: 10 against: 0 Abstained: 1

Resolved: **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 carried out in accordance with the following approved plans/documents:**

**110 REV C
200 REV A
201 REV B
202 REV B
210 REV B
211 REV B**

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

3. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

4. **Prior to the commencement of the development hereby permitted details of the foul water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation and shall be thereafter retained.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and 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 Paragraph 169 of the National Planning Policy Framework (2021).

5. **No development (excluding demolition/ground investigations) shall take place above slab level 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.**

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. **No development shall take place above slab level until details of proposed sustainability measures within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 154 and 157 of the National Planning Policy Framework (2021).

7. **No development shall take place above slab level 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:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure;**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
- **Retained historic landscape features and proposals for restoration, where relevant.**

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 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).

8. **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).

9. **The parking spaces shown on the approved Site Plan hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling[s] and their visitors and for no other purpose.**

Reason: In accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Section 9 of the National Planning Policy Framework (2021).

10. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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:**

Classes A and E of Part 1, Schedule 2.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS5, CS11 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraphs 130, 137 and 138 of the National Planning Policy Framework (2021)

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to

improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

2. Construction Hours of Working - (Plant & Machinery) Informative

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 - 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 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.

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. Contaminated Land Informative 1:

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

6. Contaminated Land Informative 2:

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

7. Thames Water Informative:

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

8. Thames Water informative:
With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
9. Thames Water informative:
The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.
10. 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.
11. 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 freepassage 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.

12. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

- d **20/03194/MFA - Use of land for film making to include earth works to remove 'bund' and construction of 3 permanent studios & creation of 'backlot space' to allow for construction of temporary studios with associated support services and parking. Use of former control tower as office space and/ or as film set. Construction of security building at entrance. - Bovingdon Airfield Chesham Road Bovingdon Hemel Hempstead Hertfordshire HP5 3RR**

This item was deferred to a future meeting

- e **21/02104/FUL - Replacement dwellinghouse - Garden Cottage, Kingshill Way, Berkhamsted, Hertfordshire, HP4 3TP**

Cllr Stevens declared an interest and did not take part in the discussion or voting

The report was introduced by the case officer Daniel Terry

It was proposed by Councillor Anderson and seconded by Councillor Wyatt-Lowe that the application be **Granted**

Vote:

For: 8 against: 1 Abstained: 1

Resolved: **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 development hereby permitted shall be carried out in accordance with the following approved plans/documents:
2270/02G;
2270/03G;
2270/04B;
2270/05B.**

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

- 4. Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

- 5. No development shall take place above slab level until details of biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to occupation of the dwelling.**

Reason: In the interests of improving biodiversity in the Borough and delivering a biodiversity net gain in accordance with paragraph 174 of the National Planning Policy Framework (2021).

6. **The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing 2270/02F. The Electric Vehicle Charging points and associated infrastructure shall thereafter be retained 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. **The dwelling hereby permitted shall not be occupied 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:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure;**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
- **retained historic landscape features and proposals for restoration, where relevant.**

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 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).

8. **The development hereby permitted shall be carried out in accordance with the submitted and approved Sustainable Development Checklist.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 154 and 157 of the National Planning Policy Framework (2021).

9. **The rooflights at first floor level in the north-western elevation of the dwelling hereby permitted shall be permanently fitted with obscured glass and non-opening unless the parts of the window that can be opened are a minimum of 1.7m above the finished floor level.**

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 130 (f) of the National Planning Policy Framework (2021).

10. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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:**

Classes A, B, C and E of Part 1, Schedule 2.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

3. As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
4. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.
5. 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.
6. 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 freepassage 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.
7. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

8. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

9. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

f 21/00072/FUL - New dwelling - 5 Highbarns Hemel Hempstead Hertfordshire HP3 8AF

Cllr Maddern declared that she was a member of the parish council and comes to this with an open mind

The report was introduced by the case officer Colin Lecart

It was proposed by Councillor Hobson and seconded by Councillor McDowell that the application be **Granted**

Vote:

For: 4 against: 5 Abstained: 2

The committee moved to an alternative motion to refuse

It was proposed by Councillor Stevens and seconded by Councillor Hollinghurst that the application be **Refused**

Vote:

For: 4 against: 2 Abstained: 5

Resolved: **Refused**

Reason(s):

1. The development would have a rear garden depth of approximately 7.8m and, therefore, does not meet the depth required for private amenity space by Saved Appendix 3 of the Dacorum Local Plan (2004). Furthermore, it is considered that open space to the northeast is not in close proximity to the site to justify the reduction in garden depth. Therefore, the proposal would not provide an adequate level of outdoor private amenity space for future occupiers, contrary to Saved Appendix 3 (ii) of the Dacorum Borough Local Plan (2004).
2. As a result of its layout, site coverage and resulting proximity to the boundary with Pond Road, it is considered the development would have a detrimental impact on the character of the street scene and therefore would not comply with Policy CS12 (f) and (g) of the Dacorum Borough Core Strategy (2013).

g 20/01889/FUL - New Dwelling - Land At Birch Lane To Side Of Annexe Of 96/97 Flaunden Flaunden Hertfordshire HP3 0PT

The report was introduced by the case officer Heather Edny

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Durrant that the application be **Granted**

Vote:

For: 3 against: 5 Abstained: 2

The committee moved to an alternative motion to refuse

It was proposed by Councillor Anderson and seconded by Councillor McDowell that the application be **Refused**

Vote:

For: 5 against: 2 Abstained: 3

Resolved: **Refused**

Reason(s):

1. By reason of the absence of built form along the frontage of the site and land to its north, it is not considered that the proposed development constitutes limited infilling in villages. Consequently, the proposed two-storey dwelling is inappropriate development in the Green Belt and is, by definition, harmful to the Green Belt. There are no very special circumstances that would justify the proposed development. Therefore, the proposals fail to comply with Policy CS5 of the Dacorum Bore Core Strategy (2013) and the National Planning Policy Framework.

2. By virtue of the formal separation of No.94 from its private amenity space to the north, and in particular through the requirement of this application to relocate No.94's refuse bin storage requirements into No.94's remaining and very small rear courtyard area, the proposals would not provide an adequate level of outdoor private amenity space for future occupiers of No.94, contrary to Saved Appendix 3 (ii) of the Dacorum Borough Local Plan (2004).

h 20/03929/RET - Retention of agricultural building and glasshouse - Land East Of Delmer End Lane Flamstead St Albans Hertfordshire AL3 8ER

This item was deferred to a future meeting

i 21/01882/FHA - Alteration to boundary wall including removal of a 3m section of 2.4m high garden wall at the rear of 17 Castle St. Replacement wall to be built on new boundary line - 17 Castle Street Berkhamsted Hertfordshire HP4 2BQ

Cllr Stevens declared an interest and did not take part in the debate or voting

The report was introduced by the case officer Natasha Vernal

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Durrant that the application be **Granted**

Vote:

For: 6 against: 0 Abstained: 3

Resolved: **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 carried out in accordance with the following approved plans/documents:**

- 04
- Existing and Proposed Plans
- Design and Access Statement

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 development hereby permitted shall match the existing building in terms of size, colour and texture. All new bricks, brick bond and mortar shall match the existing materials.**

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (2021).

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.

6 PLANNING ENFORCEMENT REPORT

The report was noted

7 ADDENDUM

The Meeting ended 22:40pm