

\*\*\*\*\*

**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT**

**11 NOVEMBER 2021**

\*\*\*\*\*

Present:

**MEMBERS:**

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe, Beauchamp (Vice-Chairman), Durrant, Maddern, Oguchi, Douris and Stevens

Councillor also attended

**OFFICERS:**

B Curtain (Lead Planning Officer), Fowell (Corporate & Democratic Support Officer), R Freeman (Lead Planning Officer), J Reid (Assistant Team Leader - Development Management) and Arnold

The meeting began at 7.00 pm

**1 MINUTES**

Cllr Guest announced that Cllrs Uttley and Cllr Woolner had resigned their positions as Councillors therefore were no longer part of the Development Management Committee.

The minutes of the meeting held on 11 October were confirmed by the Members present.

Hard-copy minutes were signed by the Chair

**2 APOLOGIES FOR ABSENCE**

Apologies received from Cllr Hobson (Substitute Cllr Stevens)

Apologies were received from Cllr Williams

Apologies were received by Cllr McDowell

Apologies were received by Cllr Hollinghurst

Cllr Maddern gave apologies for lateness and arrived at 19:23

Cllr Oguchi gave apologies for lateness and arrived at 19:56

### 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 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

- a **20/03557/FUL - Demolition of existing dwelling and construction of 7 flats (1 x 1 bed and 6x 2 bed) and associated landscaping - 1 Park Road, Hemel Hempstead**

The report was introduced by the case officer Robert Freeman

There were no proposer or seconder for the officer's recommendation. There was an alternative motion to refuse.

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

Vote:

For: 6      against: 0      Abstained: 0

Resolved; **Refused**

The development by reason of the layout, bulk, site coverage and mass constitutes overdevelopment, which is out of keeping with the character of the surrounding area and fails to provide sufficient onsite car parking provision. The development thereby fails to comply with Policies CS8 (h) and CS12 (b) (g parts i, iii, iv and vi), Car Parking SPD and saved appendix 3 of the local plan.

- b **21/01870/FUL - Relocation of existing dilapidated drying shed and construction of 2no. two bedroom houses with parking, gardens and all**

**ancillary works. The works also includes roadway improvements/ alterations to those approved under permission 4/02850/18/FUL - Drying Shed Akeman Business Park Akeman Street Tring Hertfordshire HP23 6AF**

The report was introduced by the case officer Robert Freeman

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Durrant that it be **Granted**.

Vote:

For: 6      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:**

**PL-01**

**PL02 Rev A**

**PL-03 Rev A3**

**PL-04 Rev A3**

**PL-07 Rev A3**

**PL-08 Rev A3**

**PL-09**

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).

4. **No construction of the superstructure shall take place until full details of soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **a planting scheme with the number, size, species and position of trees, plants and shrubs;**

**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).

5. **Prior to commencement of the development of the development hereby permitted, a scheme noting the numbering of the drying shed's timbers, its careful dismantling by hand, their storage at a secure and dry location, repair works in matching timber, timetable for re-erection to the rear of the site and a scheme for the long term management and maintenance of the drying shed in perpetuity shall be agreed in writing by the Local Planning Authority.**

**The works shall be carried out in accordance with the approved scheme(s) and completed prior to the occupation of the dwellinghouses hereby granted.**

**The management and maintenance of the drying shed shall be carried out in accordance with the approved scheme.**

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced and for the retention of the non-designated heritage asset on site 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).

- 6. The development hereby permitted shall not be occupied, or brought into use, until:**
- i) All works which form part of the WDE Remedial Strategy, Central Yard, Akeman Business Park, Akeman Street, Tring (20863R6 issue C) dated November 2021 have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
  - ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

- 7. Any contamination, other than that reported by virtue of Condition 6 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily**

**suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

- 8. The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing PL-09A. 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).

- 9. The window at first floor level in the side elevations of the dwellings 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 130 (f) of the National Planning Policy Framework (2021).

- 10. The development hereby approved shall not be occupied until a plan demonstrating that there is adequate access and circulation space to enable vehicles to access and exit those spaces beneath the drying shed has been submitted to and approved in writing by the local planning authority. The access and circulation areas required to utilise these parking spaces shall thereafter be retained for the purposes of access and circulation.**

Reason: In the interests of highway safety and in accordance with Policies CS8 and CS12 of the Dacorum Borough Council Core Strategy (2013)

**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. In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
3. Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <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.
4. 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.

5. 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.

6. 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.

7. 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](http://www.dacorum.gov.uk) by searching for contaminated land.

**c 21/01829/OUT - Construction of an Agricultural Barn for the storage of hay and maintenance of farm machinery - Marshcroft Farm, Marscroft Lane, Tring.**

The report was introduced by the case officer Robert Freeman on behalf of Colin Lecart

It was proposed by Councillor Maddern and seconded by Councillor Durrant that the application be **Granted**

Vote:



For: 5 against: 0 Abstained: 2

Resolved: **Granted**

### **Conditions**

- 1. Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2. The development hereby permitted shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 3. The details of appearance and layout to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include:**

- Full elevations of the proposed building**
- Finished slab, eaves and ridge heights in relation to existing and proposed site levels and**
- Samples of the materials to be used in the construction of the building hereby approved.**

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

Reason: To ensure a satisfactory appearance and functioning of the development in accordance with Policies CS5, CS12 and CS24 of the Dacorum Core Strategy September 2013

- 4. The footprint of the development hereby approved shall not exceed 200 square metres.**

Reason: To ensure that the proposed development has a satisfactory impact upon the visual amenities of the Green Belt and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS12 and CS26 of the Dacorum Core Strategy 2013.

- 5. The height of the building hereby approved shall not exceed 4.5m.**

Reason: To ensure that the proposed development has a satisfactory impact upon the visual amenities of the Green Belt and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS12 and CS26 of the Dacorum Core Strategy 2013.

- 6. The details of landscaping to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include:**

- **Details of any tree protection measures to be erected prior to works to construct the building hereby approved and to be maintained for the duration of construction.**
- **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; and**
- **proposed finished levels or contours;**

**The approved landscape works shall be carried out in accordance with the agreed programme of implementation. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12 and CS26 of the Dacorum Core Strategy September 2013.

- 7. The building hereby approved shall only be used for the storage of agricultural equipment and machinery, hay or other animal feed.**

Reason: To ensure the adequate protection of the countryside in accordance with Policies CS5 and CS26.

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

**MB21-0001A and  
MB21\_0002**

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

- d 21/02742/FHA - Proposed single storey side/front and first floor front extensions, roof alteration and loft conversion with dormer projections - Falaise 34 Chesham Road, Bovington, Hertfordshire, HP3 0EE**

**This item was removed from the agenda as no comments were received from the Parish Council on the revised scheme.**

- e 21/02998/FHA - Rear dormer, change in roof shape from hipped to gable with flat roof component and single storey rear extension. - 11 Seymour Crescent Hemel Hempstead Hertfordshire HP2 5DS**

The report was introduced by the case officer Briony Curtain on behalf of Elspeth Palmer

It was proposed by Councillor Beauchamp and seconded by Councillor Douris that the application be **Granted**

Vote:

For: 6          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 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 window at first floor level in the southern elevation (facing No. 13) of the development hereby permitted shall be non-opening and permanently fitted with obscured glass below 1.7 metres from internal floor level 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 130 (f) of the National Planning Policy Framework (2021).

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

Site Location Plan

Plan and Elevations showing 45 deg lines - 1012 Rev P01

Ground Floor Plan - 1003 Rev P02

Front Elevation & Elevation from No. 9 - 1007 Rev P02

Rear Elevation & Elevation from No. 13 - 1008 Rev P02

First Floor Plan - 1004 Rev P02

Proposed Loft Floor Plan - 1005 Rev P02

Roof Plan - 1006 Rev P02

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 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.

**f 21/03107/FHA - Part single, part two storey rear extension, two storey side and front extension, raised ridge height to accommodate a loft conversion. - 28 Langley Hill Kings Langley Hertfordshire WD4 9HE**

The report was introduced by the case officer Briony Curtain on behalf of Heather Edey

It was proposed by Councillor Maddern and seconded by Councillor Stevens that the application be **Granted**

Vote:

For: 7      against: 0      Abstained: 1

Resolved: **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 and approved plans.**

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 windows at first floor level in the west elevation of the extension hereby permitted shall be non-opening and permanently fitted with obscured glass to a minimum of privacy level three 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 130 (f) of the National Planning Policy Framework (2021).

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

**21015.00.100 Rev D**

**21015.00.101 Rev B**

**21015.00.001 Rev A**

**21015.00.201 Rev A**

**21015.00.102 Rev A**

**Design and Access Statement**

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

**6 HEMEL HEMPSTEAD TOWN CENTRE' ARTICLE 4 CONFIRMATION OF ARTICLE 4 DIRECTION MADE 29TH JULY 2021**

Alex Robinson ran through the report and was happy to take questions.

There were no questions.

It is recommended that the Council confirm the Direction to ensure the protection it affords to the Article 4 Area will continue in effect beyond 29 January 2022.

It was proposed by Councillor Durrant and seconded by Councillor Beauchamp that the application be **confirmed**

Vote:

For: 8      against: 0      Abstained: 0

Resolved: **Confirmed**

**7 PLANNING ENFORCEMENT REPORT NOVEMBER**

Ed Arnold ran through the report and was happy to take questions.

There were no questions

**8            ADDENDUM**

The Meeting ended at 8.26 pm