

**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT MANAGEMENT COMMITTEE**

**11 AUGUST 2022**

**Present:**

**MEMBERS:**

Councillors Beauchamp (Chair), Douris, Durrant, Foster, Peter, Riddick, Stevens, Timmis, and Wyatt-Lowe (Vice-Chair)

**OFFICERS:**

Fiona Bogle	Development Management Team Leader
Nigel Gibbs	Lead Planning Officer
Joan Reid	Development Management Team Leader
Neil Robertson	Assistant Team Leader
James Gardner	Planning Officer
Kayley Johnston	(Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00PM

**1. MINUTES**

The minutes of the meeting held on 14 July 2022 were confirmed by the Members present. Hard-copy minutes were signed by the Chair

**2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies received from Councillor Guest, Councillor Peter will be Substituting. Councillor Beauchamp will be Chairing the meeting and Councillor Wyatt-Lowe is acting as Vice-Chair.

Councillor Tindall gave apologies and Councillor Foster is substituting.

Apologies from Councillor Maddern and Councillor Hobson

Councillor Timmis will be substituting on behalf of Councillor Williams

**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. The order of applications were changed to allow for anyone wanting to speak on an application to be heard.

The order of applications were therefore as follows.

**Item**

**5a.**

**5b**

**5f**

**5c**

**5d**

**5e**

**6**

**5a. 21/04352/MFA Demolition of existing light industrial building. Construction of mixed use development comprising 2 storey commercial building, with foodbank, bike workshop, office space and cafe area. Seven storey residential building (6 storey from main entrance plus lower ground floor to access ancillary spaces and parking) comprising 56 residential units, mix of 1 and 2 bedrooms, bin store, cycle store and parking. Associated parking spaces, scooter store and landscape**

**Unit 4 The Hub Paradise Hemel Hempstead Hertfordshire HP2 4TF**

The Case Officer, James Gardner introduced the report to Members and said that the application had been referred to the Committee as the application has been submitted by Dacorum Borough Council's Housing Development Team.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Douris to **DELEGATED** with a view to **APPROVAL**.

Vote:

For: 6                  Against:                  2                  Abstained: 1

Resolved: That planning permission be **GRANTED**

**RECOMMENDATION**

That planning permission be **DELEGATED** with a view to **APPROVAL** subject to an appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwoods Special Area of Conservation (SAC) through financial contributions secured by legal agreement; drainage matters being satisfactorily addressed in conjunction with the Council's independent drainage consultants, and entering into a section 106 agreement for the purpose of securing affordable housing provision.

**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:**

**5b. 22/01067/ROC                  Variation of Conditions 6 (Landscaping), 8 (Parking and Circulation), 9, 10 (Drainage) and 16 (Approved Plans) attached to planning permission 4/01922/19/MFA (Comprehensive redevelopment of the site to provide 21,726 square metres of flexible B1 c) B2 or B8 floorspace with ancillary offices, parking and landscaping)  
3A Blossom Way, Hemel Hempstead, Hertfordshire**

Council Douris declared an interest in this item and declared that he is coming with an open mind.

The Case Officer Fiona Bogle introduced the report on behalf of Robert Freeman and said that the application had been referred to the Committee as the application is a large scale major application linked to a recent S.106 Agreement under Section 106 of the Town and Country

Planning Act 1990 (As Amended) and as such is excluded from consideration at the officer level in accordance with the Scheme of Delegation

It was proposed by Councillor Durrant and seconded by Councillor Riddick to Grant application.  
Vote:

For: 8 Against: 0 Abstained: 1

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

#### **RECOMMENDATION**

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:**

284474 ARP-00-01R-DR-A-00001 Revision P05 – Site Layout  
284474 ARP-00-01R-DR-A-00010 Revision P05 – Proposed Site Plan  
284474-ARP-00-00L-DR-A-00015 Revision P05 – Car Parking Layout  
284474-ARP-00-XX-DR-A-00024 Revision P04 – Security Fence Layout  
284474- ARP-00-00-DR-A-02000 Revision P05 – GA Ground Floor  
284474-ARP-00-02R-DR-A-02250 Revision P04 – Roof Plan  
284474 ARP-01-XX-DR-A-04000 Revision P04 – Colour Elevations  
284474-ARP-01-XX-DR-A-04001 Revision P05 – Proposed Elevations  
28744 -ARP-04-XX-DR-A-04002 Revision P02 – Security Hut  
2874474 -ARP-00-XX-DR-A-02050 Revision P01 – First/Second floor admin block  
284474-ARP-01-XX-DR-A-05000 Revision P05 – Sections  
SK-ARP-CH-01 Revision P04 – Levels Plan  
SK-ARP-CD-01 Revision P05 - SWD Plan  
2255-22-01 Revision L– Landscape Concept Plan  
2255-22-02 Revision C – Landscape Concept Sections  
ARP -001- Planning Statement  
ARP-002 – Design and Access Statement  
ARP-003 – Landscape Design Statement  
ARP-004 – Transport Assessment  
ARP-005 – Flood Risk Assessment and Drainage Strategy  
ARP-006 – Air Quality Assessment  
ARP-007 Revision E – External Lighting Design Report  
ARP-008 – Acoustic Noise Impact Assessment

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

2. **All hard and soft landscape works shall be carried out in accordance with drawings 2255-22-01 Revision L (Landscape Concept Plan) 2255-22-02 Revision C (Landscape Section Plan) 284474-ARP-00-00L-DR-A-00015 P05 (Car Parking Layout) and 284474-ARP-00-XX-DR-A-00024 Revision P04 (Fence Layout). The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12 and CS13 of the Core Strategy and Saved Policies 99 and 100 of the Local Plan.

3. **A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.**

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 CS13 of the Core Strategy.

- 4     **The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No. 284474\_ARP-00-01R-DR-A-00001 Revision P05 and 284474-ARP-00-00L-DR-A-00015 Revision P05 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51, 54, 58 and Appendix 5 of the Local Plan 1991-2011

5.     **The development permitted shall not be occupied until the drainage works have been carried out in accordance with the Drainage Strategy (ARP-05) and drawing SK-ARP-CD-01 Revision P05**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policies CS28 and CS31 of the Core Strategy.

6.     **Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

Reason: To protect the water environment, including groundwater in accordance with Policy CS31 and CS32 of the Core Strategy

**5c.     22/01040/ROC Variation of Condition 2 (Approved plans) attached to planning permission 20/01754/MFA (Construction of 28 residential units with associated access, parking and landscaping)  
Land off Tring Road, Wilstone**

The Case Officer, Joan Reid presented the report on behalf of Robert Freeman and said that the application had been referred to the Committee due to the committee's previous refusal of planning application 20/01754/MFA.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Peter to **DELEGATED** with a view to **APPROVAL**

Vote:

For: 8                      Against: 0                      Abstained: 1

Resolved: That planning permission be **DELEGATED** with a view to **APPROVAL**.  
**RECOMMENDATION**

That planning permission be **DELEGATED** with a **view to APPROVAL** subject to appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC)

**Condition(s) and Reason(s):**

1. **The development hereby permitted shall begin before the 25<sup>th</sup> August 2023**

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:**

#### **Plans**

**P220 BS 01 (Bike Store)**  
**P220 DG 01 (Detached Garage)**  
**P220 LP 01 Revision B (Location Plan)**  
**P220 SP 01 Revision R (Proposed Site Plan)**  
**P220 SP 03 Revision D (Proposed Materials Plan)**  
**P220 SP 04 Revision C (Proposed Parking Plan)**  
**P220 T 553 01 Revision B (Elevations to Plots 8 to 11)**  
**P220 T 553 02 Revision A (Floor Plans to Plots 8 to 11)**  
**P220 T 754 851 01 Revision A (Elevations to Plots 6 and 7)**  
**P220 T 754 851 02 (Floor Plans to Plots 6 and 7)**  
**P220 T 851 01 Revision A (Elevations to Plots 12 to 14)**  
**P220 T 851 02 (Floor Plans to Plots 12 to 14)**  
**P220 T 851 03 Revision B (Elevation to Plots 17 and 18)**  
**P220 T 851 04 (Floor Plans to Plots 17 and 18)**  
**P220 T 953 02 Revision A (Elevations to Plots 19 and 20)**  
**P220 T 953 03 Revision A (Floor Plans to Plots 19 and 20)**  
**P220 T 974 01 Revision C (Elevations to Plots 2, 21 and 24)**  
**P220 T 974 02 Revision B (Floor Plan to Plots 2, 21 and 24)**  
**P220 T 974 03 Revision B (Elevation to Plot 15)**  
**P220 T 974 04 Revision B (Elevation to Plot 16)**  
**P220 T 974 5 Revision B (Elevation to Plot 25)**  
**P220 T 974 06 Revision B (Floor Plan to Plots 16 and 25)**  
**P220 T 974 07 Revision A (Floor Plan to Plot 15)**  
**P220 T 1003.01 Revision B (Elevations to Plots 4 and 5)**  
**P220 T 1003.02 Revision A (Floor Plans to Plots 4 and 5)**  
**P220 T 1334 01 Revision B (Elevations to Plots 3)**  
**P220 T 1334 02 Revision B (Floor Plans to Plots 3)**  
**P220 T 1334 03 Revision A (Elevation to Plot 27)**  
**P220 T 1334 04 Revision A (Floor Plan to Plot 27)**  
**P220 T 1334 05 Revision \* (Floor Plan to Plot 26)**  
**P220 T 1334 06 Revision \* (Elevations to Plot 26)**  
**P220 T 1760 01 Revision B (Elevation to Plot 1)**  
**P220 T 1760 02 Revision A (Floor Plan to Plot 1)**  
**P220 T 1760 03 Revision B (Elevation to Plots 22 and 28)**  
**P220 T 1760 04 Revision B (Elevation to Plot 23)**  
**P220 T 1760 05 Revision B (Floor Plans for Plots 22, 23 and 28)**

#### **Documents**

**Arboricultural Report (May 2020) by Sylva Consultancy**  
**Flood Risk and Drainage Statement (June 2020) and Technical Note (October 2020) by Glanville**  
**Heritage Assessment (May 2020) by Albion Archaeology**  
**Preliminary Ecological Appraisal (June 2020) by Windrush Ecology Limited**  
**Transport Statement (April 2020) by Glanville**

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

3. **No development shall take place until 1:20 details of the new external joinery including glazing pattern, vertical and horizontal cross section details and finish. These drawings shall show the window set within the surround. These shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.

4. **The development hereby approved, shall not be used, until the means of access, parking and circulation areas have been provided fully in accordance with drawings P220 SP 01 Revision R and P220 SP 04 Revision C**

Reason: To ensure the provision and retention of adequate access and parking facilities for the site in accordance with Policies CS8 and CS12 of the Core Strategy.

5. **The development hereby permitted shall not be occupied until the offsite highway improvement works, footpath works and farm access works discharged under planning reference 21/04350/DRC shall be completed in accordance with the approved details.**

Reason: In the interests of highways safety and in accordance with Policies CS8, CS12 and CS26 of the Core Strategy.

7. **Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan number 8180891/6101 B (included within the Transport Statement, dated April 2020). The splays shall thereafter be retained at all times and be kept free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

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

8. **The development hereby approved shall be undertaken in accordance with the Construction Management Plan approved under planning reference 21/04531/DRC**

Reason: In the interests of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy.

9. **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:**

- means of enclosure, including the materials and/or hedging plants to be used for any enclosures, together with the location of any hedgehog gates;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- finished levels and contours in relation to existing site levels, eaves and ridge heights of neighbouring properties;
- any exterior lighting works and
- the siting and design of any bird boxes, bat boxes and other habitat creation.

**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 ensure the adequate landscaping of the site in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

- 10. No development shall take place until the measures for the protection of trees have been provided in accordance with the Tree Protection Plan within the Arboricultural Report by Sylva Consulting dated May 2020 Ref 20058. All protective measures shall remain in-situ and be free from the storage of construction material, plant and machinery for the duration of the construction period.**

Reason: To ensure the adequate protection of trees and landscaping features in accordance with Policy CS12 and Saved Policy 99 of the Local Plan 1991-2011.

- 12. The development hereby approved shall not be occupied until a plan for the management, maintenance and ecological improvement of the public open space and site boundaries has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be maintained, and improvements implemented fully in accordance with the approved details.**

Reason: To ensure the satisfactory management of open space in the interests of visual amenity and biodiversity and in accordance with Policies CS12 and CS26 of the Core Strategy.

- 13. Prior to the commencement of the development, a Risk Assessment and Method Statement shall be submitted and agreed by the Local Planning Authority which includes:**

**a) details of any proposed protective fencing to be erected to safeguard the waterway infrastructure and canal towpath boundary**

**b) a method of preventing pollution of the ditch and canal (if hydraulically linked) from overland flows or polluted groundwater and**

**c) an assessment of the risk to canal assets and if piling methods are to be used the need for vibration monitoring to protect the canal and lock infrastructure during the course of construction.**

**All works shall be carried out in accordance with the approved details.**

Reason: To comply with paragraph 170 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc entering the canal.

- 14. Piling and other deep foundation designs using penetrative methods shall not be carried out other than with the written permission of the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To safeguard the structural integrity of the grade II canal bridge and to ensure that there is no pollution of the watercourse in accordance with Policies CS27 and CS31 of the Core Strategy

15. **The development, hereby approved, shall not be occupied until full details of the Electric Vehicle Charging Points including the type of charger, power supply and a scheme for the maintenance and management of charging points has been 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 thereafter be retained.**

Reason: In the interests of access and highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD.

16. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 1995 (As Amended) or any revisions thereto there shall be no development falling within the following schedules to the specified units without the express planning permission of the local planning authority**

**Schedule 2 Part 1 Class A – All plots**

**Schedule 2 Part 1 Classes B and C - Plots 1, 2, 3, 15, 16, 19, 20, 24, 25, 26 and 27**

**Schedule 2 Part 2 Class A – All plots**

Reason: In the interests of the visual amenity of the area and residential amenity in accordance with Policy CS10, CS11 and CS12 of the Core Strategy.

17. **The development, hereby approved, shall not be occupied until a footpath link to the Grand Union Canal has been provided in accordance with the details submitted under application 21/04350/DRC. The approved footpath shall be constructed in accordance with the approved details and retained thereafter.**

- 5d. **21/04246/FUL Retention of the existing marquee for a maximum of 30 events each calendar year.  
The Watermill Hotel London Road Bourne End Hemel Hempstead Hertfordshire HP1 2RJ**

The Case Officer, Nigel Gibbs introduced the report to Members and said that the application had been referred to the Committee as in the opinion of the Assistant Director, given the decision to grant temporary permission in respect of application 4/00206/17/MFA was taken by DMC, the extension to the temporary grant of permission be also taken by Development Management Committee.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Stevens to **GRANT** the application.

Vote:

For: 5                  Against: 2                  Abstained: 2

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

#### **RECOMMENDATION**

That planning permission be **Delegated with a view to approval** subject to notification being sent to the Secretary of State in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 and subject to the following conditions:

**Condition(s) and Reason(s):**



1. **The marquee hereby permitted shall be totally dismantled and permanently removed from the site on or before 1 September 2024.**

Reason: In the interests of safeguarding the Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy. The marquee represents inappropriate development in the Green Belt. Such development is by definition harmful to the Green Belt. There are very special circumstances for the local planning authority to support this inappropriate development in the Green Belt for this specified period.

2. **The marquee hereby permitted shall only be used for the holding of functions by the Watermill Hotel for a maximum of 30 events in each calendar year, with 18 events until 24.00 hours (midnight) and 12 events until 23.00 hours. There shall be no use between 24.00 hours and 9.00 hours.**

Reason: To safeguard the character of this part of the Green Belt countryside and its local environment, including the residential and canalside amenity, in accordance with Policies CS 5 (criteria ii), CS10, CS12 and CS25 of the Dacorum Core Strategy ( 2013) and saved Policy 106 of Dacorum Borough Local Plan (2004).

3. **Following the last use of the marquee subject to this planning permission the land used for the installation of the marquee shall be reinstated by re-seeding grass during the planting season starting 1 October 2024. Following this, an ecological management plan for the land the area shall be carried out fully in accordance with a scheme submitted to and approved in writing by the local planning authority.**

Reason: In the interests of safeguarding character and appearance of this part of the Green Belt and biodiversity in accordance with Polices CS5, CS25 and CS29 of the Dacorum Core Strategy (2013).

4. **Prior to the first use of the marquee hereby permitted a written Noise Management Plan shall be submitted and agreed by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The Noise Management Plan shall include, but not be restricted to, the use and operation of a noise limiting device. Thereafter, the use shall not commence or continue until the approved Noise Management Plan has been fully implemented.**

**The music noise level at any noise sensitive receptor shall not exceed the levels set out in Table 3 of the Assessment of Potential Noise Impact report prepared by 24 Acoustics Limited (reference R8764-1 Rev 0 dated 27/10/2020) at any time.**

**The rating noise level from plant or other equipment shall not exceed the levels set out in Table 5 of the Assessment of Potential Noise Impact report prepared by 24 Acoustics Limited (reference R8764-1 Rev 0 dated 27/10/2020) at any noise sensitive receptor. All measurements, computations, and corrections shall have regard to the latest version of BS4142.**

Reason: To safeguard the character of this part of the Green Belt countryside and its local environment, including the residential and canalside amenity, in accordance with Policies CS 5 (criteria ii), CS12 and CS 32 of the Dacorum Core Strategy (2013) and saved Policy 106 of Dacorum Borough Local Plan (2004).

5. **The marquee hereby permitted shall only be used in accordance with an approved emergency planning and rescue evacuation plan which shall include all the Environment Agency's and Hertfordshire Fire and Rescue's operational requirements.**

Reason : To ensure that in the public interest that the marquee and the associated land is only used at all times in accordance with all safety expectations of the Environment

Agency and Hertfordshire Fire & Rescue Service in accordance with Policies CS8, CS9 and CS12, saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004) and Paragraph 112 (d) of the National Planning Policy Framework (2021).

6. **The plan subject to Condition 5 shall include full details of the emergency access route from the existing car park to the edge of the river bridge. All of this access route shall be subject to approved emergency warning signage and at all times during the use of the marquee to be demarcated to ensure that it is free from any customer/ visitor parking.**

Reason: In the interests of ensuring that all times during the use of the marquee this emergency access route is kept clear of any obstruction to prevent access by emergency vehicles. This is to ensure that in the public interest that the marquee and the associated land is only used at all times in accordance with all the safety expectations of the Environment Agency and Hertfordshire Fire & Rescue Service in accordance with Policies CS8, CS9 and CS12 of Dacorum Core Strategy (2013) and saved Policies CS51 and CS54 of the Dacorum Borough Local Plan (2004) and Paragraph 112 (d) of the National Planning Policy Framework (2021).

7. **The additional exterior lighting in the interests of public safety in accordance with the requirements of Condition 5 shall be installed and maintained at all times fully in accordance with details submitted to and approved in writing by the local planning authority. All the approved lighting shall be removed permanently from the site in accordance with the requirements of Condition 1.**

Reason: To safeguard the character and appearance of the locality, the local environment, in the interests of biodiversity, road and rail safety to accord with the requirements of Policies CS5, CS12, CS25, CS26, and CS32 of the Dacorum Core Strategy (2013), Policy 113 and Appendix 8 of the Dacorum Borough Local Plan (2004) and Paragraph 112 (d) of the National Planning Policy Framework (2021).

8. **Land hatched by the approved drawing shall be used for no more than 30 times each calendar year for car parking to serve the hotel marquee hereby permitted and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2016 (Class B Temporary Uses of Land: any Order amending or re-enacting that Order with or without modification) the land crosshatched by this drawing shall not be used for any temporary purpose without the prior written approval of the local planning authority.**

Reason: In the interests of safeguarding the Green Belt and the residential amenity of the locality in accordance with Policy CS5 of the Dacorum Core Strategy (2013).

9. **At least 1 month prior to the first use of the approved development a detailed Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development hereby permitted is used.**

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), Policy CS8 of the Dacorum Core Strategy (2013) and Part 9 of the National Planning Policy Framework (2021).

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

**1002A  
1001B**

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

**5e. 22/00919/FUL Demolition of existing outbuilding and construction of new dwelling, with new access and associated works  
Land Adjacent To Finch Cottage Tower Hill Chipperfield Kings Langley Hertfordshire  
WD4 9LN**

The Case Officer, Joan Reid presented the report on behalf of Patrick Doyle, and said that the application had been referred to the Committee as DMC previously refused scheme on same site

It was proposed by Councillor Douris and seconded by Councillor Durrant to **DELEGATED** with a view to **APPROVAL**

Vote:

For: 7 Against: 0 Abstained: 2

Resolved: That planning permission be **DELEGATED** with a view to **APPROVAL**.

**RECOMMENDATION**

That planning permission be **GRANTED**, subject to conditions.

**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. **Prior to the demolition (or any roof works) of any of the existing buildings on site, bat survey(s) shall be undertaken by a qualified professional to establish the presence or absence of bats in the internal roof space and submitted to and approved in writing by the Local Planning Authority. Should bats be found, the appropriate mitigation measures and contingency plans shall be implemented in accordance with the approved details.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policies CS26 and CS29 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

3. **Notwithstanding the details shown on the plans, 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).

4. **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:**

- the proposed garden shed;
- 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).

5. **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 Policies CS5, CS6, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021) and to ensure that the building does not become materially larger than the one it replaces and preserve the openness of the green belt and the purposes of including land within it consistent with Core Strategy policies CS1, CS5 and CS6 and section 13 of the NPPF (2021)

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

**FP21871-02A AMENDED PROPOSED PLANS AND ELEVATIONS  
FP21871-10A AMENDED PROPOSED SITE LAYOUT  
FP21871-21A AMENDED PROPOSED SITE BLOCK PLAN AND LOCATION PLAN**

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

**5f. 21/04555/FUL Construction of 3x 2 bedroom and 3x 3 bedroom dwellings with associated site works and landscaping.  
Land R/o 21 Water End Road Potten End Berkhamsted Hertfordshire**

Councillor Douris declared an interest in the item, as he is the ward Councillor. He is aware of the discussions around this application, but declared he is coming with an open mind.

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

Eileen Howard Dave Newman and Nettleden Parish Councillor Dina Westenholz-Smith spoke in objection to the application.

Having there been no proposer and seconder to **DELEGATED** with a view to **APPROVAL** the Chair asked the committee to vote, who was in favour of the application.

Having there been no majority to **DELEGATED** with a view to **APPROVAL** the application falls.  
Vote:

For: 0 Against: 8 Abstained: 1

Having there been no majority to delegate with a view to approval in line with Officers recommendations, It was proposed by Councillor Douris and seconded by Councillor Durrant to overturn the Officer's recommendation and **REFUSE** the application

Vote:

For: 8 Against: 0 Abstained: 1

Resolved: That planning permission be **REFUSED**

*By virtue of its width, length and the number of dwellings it would serve, the access road would not be suitable for its intended purpose and potentially result in vehicles reversing on to Water End Road. In addition, it has not been demonstrated that there would be sufficient manoeuvrability for a refuse collection vehicle to enter the proposed development, turn, and exit in a forward gear.*

*As a result, the access road and the layout of the development is such that it would not provide a safe and satisfactory means of access for all users and be detrimental to highway safety, contrary to Policy CS12 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).*

## ITEM 6 PART 2.

(see part 2 minutes)

The meeting ended at 10:13.