
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

16 MARCH 2023

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe, Beauchamp (Vice-Chairman), Durrant, Hobson, Maddern, Douris, Williams, Stevens, Tindall and Riddick

OFFICERS:

P Stanley (Head of Development Management)
B Curtain (Development Management Assistant Team Leader - East Team)
S Robbins (Lead Planning Officer)
N Sultan (Legal Governance Team Leader (Litigation))
K Johnston (Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00 pm

1 MINUTES

The minutes of the meeting held on Thursday 23rd February 2023 were confirmed by the Members present.

Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

Apologies received from Councillor Hollinghurst

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

5d
5a
5b
5c
5e

5a **22/02805/FUL - REPLACEMENT DWELLING - THE WOODLANDS
WAYSIDE CHIPPERFIELD KINGS LANGLEY HERTFORDSHIRE WD4 9JJ**

Councillor Riddick declared a personal interest in the item, as he knew the applicant. He took no part in the debate or voting.

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

It was proposed by Councillor Tindall and seconded by Councillor Hobson to **GRANT** the application in line with officer's recommendations.

Vote:

For: **9** Against: **0** Abstained: **1**

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

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. No development (excluding demolition/ground works) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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).

- 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 competition 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. No development (other than demolition and ground works) shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.**

These details shall include:

- 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
- Refuse and recycling storage units.

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. During the demolition and construction periods of the development hereby approved, no floodlighting, security lighting or other external means of lighting shall be used.**

Reason: To ensure that the lighting is designed to minimise impacts on foraging and commuting bats, on general biodiversity and to avoid unnecessary light pollution in accordance with Policy CS26 and Paragraph 174 of the National Planning Policy Framework (2021).

- 6. Any external means of illumination required for the development hereby permitted shall be low-lux downlighters (3 lux maximum) and any security lighting shall not exceed 75w in power. There shall be no illumination of the trees on the site.**

Reason: To ensure that the lighting is designed to minimise impacts on foraging and commuting bats, on general biodiversity and to avoid unnecessary light pollution in accordance with Policy CS26 and Paragraph 174 of the National Planning Policy Framework (2021).

- 7. The development hereby approved shall be carried out in accordance with the recommendations and enhancements detailed within the Preliminary Ecological Assessment by 4 Acre Ecology Limited (dated 04/07/2022)**

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 Policy CS26 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

8. **The window at first floor level on the south west elevation (shown on drawing no. 2804.31) of the dwelling hereby approved shall be fitted with obscured glass and thereafter retained as such in perpetuity.**

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).

9. **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:**

Schedule 2, Part 1, Classes A, B, C, D and E

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 and CS12 of the Core Strategy (2013).

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

2804.21 - Location Plan

2804.28 - Proposed Floor Plans

2804.29 - Proposed Roof Plan

2804.30 - Proposed Elevations - Sheet 1

2804.31 - Proposed Elevations - Sheet 2

2804.32 - Proposed Site Plan (Front Area)

Planning Statement (ref. PN/AT/2020.043/Rpt01)

Preliminary Ecological Appraisal by 4 Acre Ecology Ltd dated 04/07/2022

Dusk Bat Emergence Survey by 4 Acre Ecology Ltd dated 08/08/2022

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

Informatives:

1. **Nesting birds:** All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
2. **Protected species:** It is an offence to take or disturb the breeding or resting location of protected species, which include: all bats, badger, otter, hazel dormouse, water vole, reptiles (common lizard, slow-worm, grass snake), great

crested newt, wild birds and Roman snail. Precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately and advice sought as to how to proceed. This may be obtained from Natural England: 0300 060 3900 or a suitably qualified ecological consultant.

3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
6. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

5b 22/03818/FUL - INSTALLATION OF 2 ANPR CAMERAS TO BE MOUNTED ON A SINGLE POLE TOGETHER WITH MODIFICATIONS TO FRONTAGE FENCING –

**THE BRIDGEWATER ARMS CAR PARK NETTLEDEN ROAD NORTH
LITTLE GADDESSEN BERKHAMSTED HERTFORDSHIRE HP4 1PD**

Item 5b was removed from the agenda prior to the meeting as Little Gaddesden Parish Council (LGPC) withdrew their objection. The reason for the withdrawal is that Savills have advised LGPC that they are happy with the Officers report. LGPC will not be sending any Councillors to the meeting is discuss this.

5c 22/03819/ADV - JOINT APPLICATION FOR FULL PLANNING PERMISSION FOR 2NO. ANPR CAMERAS MOUNTED ON A SINGLE POLE TOGETHER WITH MODIFICATIONS TO FRONTAGE FENCING AND EXPRESS CONSENT FOR 5NO. INFORMATION SIGNS RELATING TO PARKING CONTROL MEASURES (AMENDED SCHEME) –

**THE BRIDGEWATER ARMS CAR PARK NETTLEDEN ROAD NORTH
LITTLE GADDESSEN BERKHAMSTED HERTFORDSHIRE HP4 1PD**

Item 5c was removed from the agenda prior to the meeting as Little Gaddesden Parish Council (LGPC) withdrew their objection. The reason for the withdrawal is that Savills have advised LGPC that they are happy with the Officers report. LGPC will not be sending any Councillors to the meeting is discuss this.

5d 23/00139/FHA - SINGLE STOREY FRONT EXTENSIONS AND ALTERATIONS, PART TWO AND PART SINGLE STOREY REAR EXTENSION –

31 CEMETERY HILL HEMEL HEMPSTEAD HERTFORDSHIRE HP1 1JF

The Case Officer, Briony Curtain introduced the report to Members on behalf of Nicole Quinn and said that the application had been referred to the Committee as it was called in by Cllr Allen who has concerns about the adverse impact on adjacent properties.

Briony informed the committee of the additional comments and photos from the Ward Councillor which were included in the addendum.

Philip Owen spoke in objection to the application.

It was proposed by Councillor Riddick and seconded by Councillor Williams to **GRANT** the application in line with Officer's recommendations.

Vote:

For: **2** Against: **6** Abstained: **3**

Having there been no majority to grant the application it was proposed by Councillor Stevens and seconded by Councillor Beauchamp to overturn the Officer's recommendation and **REFUSE** the application.

For: **7** Against: **1** Abstained: **3**

Resolved: That planning permission be **REFUSED**, for the following reasons:

By virtue of the levels difference, and its bulk, scale and height, the proposed two-storey rear extension would be visually intrusive on the neighbour at No.29 Cemetery Hill and would result in a loss of daylight and overshadowing. The development therefore fails to accord with Policy CS12(c) of the Dacorum Core Strategy (September 2013).

5e 23/00102/FHA - DEMOLITION OF EXISTING REAR EXTENSION, NEW SIDE INFILL SIDE EXTENSION WITH ROOFLIGHTS AND ORIEL WINDOW SEAT. RELANDSCAPING OF REAR GARDEN WITH NEW LEVELLED PATIO.

CONVERSION OF ATTIC TO ACCOMMODATE A BEDROOM/STUDY. NEW REAR DORMER AND FRONT AND REAR ROOFLIGHTS –

11 NORTH ROAD BERKHAMSTED HERTFORDSHIRE HP4 3DU

The Chair informed the committee that Berkhamsted Town Council had withdrawn their objection prior to the meeting and that the application has been determined under delegated powers.

The Meeting ended at 7.46 pm