
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

1 FEBRUARY 2024

Present:

MEMBERS:

Councillor Stevens (Chairman) Councillors, Guest, C Wyatt-Lowe, Durrant, Maddern, Bristow, Cox, Patterson, Riddick, Silwal, Mitchell, Stewart and Weston

Councillor also attended

OFFICERS:

- P Stanley (Head of Development Management)
- R Freeman (Lead Planning Officer)
- N Sultan (Legal Governance Manager) (Litigation)
- K Johnston (Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00 pm

1 MINUTES

The minutes of the meeting held on 11 January 2024. Were confirmed by the Members present.
Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

Apologies received from Councillor Hobson. Councillor C Link and Councillor Mottershead. Councillor Stewart substituted for Councillor Link and Councillor Weston substituted for Councillor Mottershead.

3 DECLARATIONS OF INTEREST

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

4 PUBLIC PARTICIPATION

Councillor Stevens 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.

5a.
23/02639/FUL
Conversion of Two Residential Units to form 4

Land to the rear of 76-78 Belswains Lane, Hemel Hempstead

The Case Officer, Robert Freeman, introduced the report and the changes to Conditions within the Addendum to Members and said that the application had been referred to the Development Management Committee at the request of Councillor Deacon. Councillor Deacon is concerned with regards to the impact of the development on matters of highways safety and given a shortage of parking at the site.

Alan Morton spoke in objection to the application.

Nigel Wingrove and Robert Murray spoke in support of the application.

It was proposed by Councillor Guest and seconded by Councillor Weston to DELEGATED with a view to APPROVAL.

Vote:

For: **8** Against: **4** 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 securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) and subject to the following planning conditions.

Conditions and Reasons:

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 not be occupied until a Remediation Method Statement report has been submitted to and approved by the Local Planning Authority**

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

3. **The development hereby permitted shall not be occupied until:**

- (i) **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition 2 above 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 to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

4. **The development hereby permitted shall not be occupied until a visibility splay measuring some 2.4m x 43m has been provided to the east of the access within which there shall be no obstruction between 0.6m and 2m above the carriageway level.**

Reason: In the interests of highways safety and in accordance with Policies CS8 and CS12 of the Core Strategy and Car Parking Standards SPD (2020)

5. **The development hereby permitted shall not be occupied until full details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **Details of the size, species and density of any soft landscaping to be provided on the site including the planting of a single new tree per residential unit,**
- **Details of hard surfacing materials**
- **Details of any means of enclosure and**
- **Details of any minor artefacts or structures including exterior lighting columns.**

The approved landscaping works shall be implemented in full within a single planting season post occupation of the development and shall thereafter be maintained for a period of five years.

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).

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

**Location Plan
76BLHH-SITE Revision F
76BLHH-601A
76BLHH-602A
76BLHH-603A
76BLHH-604A**

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

7. **The development hereby permitted shall not be occupied until details of the sustainable construction measures incorporated within the**

development have been submitted to and approved in writing by the local planning authority. The development shall be carried out fully in accordance with the approved details prior to occupation.

Reason: To ensure that appropriate sustainable construction measures are incorporated in the design of the proposals in accordance with Policy CS29 of the Core Strategy.

- 8. 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 Class A

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).

INFORMATIVE

Article 35

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

Working Hours Informative

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

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.

Waste Management Informative

Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.

Invasive and Injurious Weeds - Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

5b.

23/02781/ROC

Removal of Conditions 4 and 5 attached to planning permission 21/03742/FHA (Single Storey Rear and Side Extension and Loft Conversion)

17 Vicarage Lane, Kings Langley, Hertfordshire

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

Ward Councillor Alan Anderson spoke in objection to the application.
Andrew Smith spoke in support of the application.

It was proposed by Councillor Patterson and seconded by Councillor Weston to **GRANT** the application, removing conditions 4 & 5.

Vote:

For: **12** Against: **0** Abstained: **1**

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

7.1 That permission is **GRANTED** for the removal of conditions 4 and 5 attached to planning permission 21/03742/FHA.

7.2 That permission is **GRANTED** subject to the following condition:

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

- **192_PP-001-3_P1 Site Location Plan**
- **192_PP-002-3_P1 Proposed Block Plan**
- **192_PP-110-3_P2 Proposed Ground and First Floor Plans**
- **192_PP-111-3_P3 Proposed Loft Floor and Roof Plans**
- **192_PP-211-3_P3 Proposed North and South (side) Elevations**
- **192_PP-210-3_P3 Proposed Rear Elevation**

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

6 APPEALS UPDATE

P Stanley gave the committee an update on appeals. Cllr Riddick asked about the progress of the The Old Oak appeal. P Stanley explained that this appeal is being held in abeyance to allow for the consideration and determination of a Lawful Development Certificate, which is considering the lawful use(s) on the land.

The report was noted.

7 UPDATE TO THE CONSTITUTION

P Stanley introduced the report and provided the committee with the context behind the change to the Constitution being sought. The purpose of the report is to update the proposed changes to DBC constitution which will be presented to Cabinet on 13th February and Council on 28th February 2024 for approval.

The recommendation is to note the report and provide feedback to Sara Whelan, Assistant Director of Planning by 8th February 2024.

The Meeting ended at 8.10 pm