
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

31 OCTOBER 2024

Present:

MEMBERS:

Councillor Stevens (Chairman) Councillors, Guest (Vice-Chairman), Bristow, Cox, Hobson, Patterson, Smith-Wright, Walker, C Wyatt-Lowe, Anderson and Silwal

Councillor also attended

OFFICERS:

- P Stanley (Head of Development Management)
- K Shirley (Lead Planning Officer)
- R Freeman (Lead Planning Officer)
- J Gardner (Development Management Assistant Team Leader)
- A Stapleton (Principal Property Lawyer)
- K Johnston (Corporate & Democratic Support Officer) (Minutes)

The meeting began at 7.00 pm

1 MINUTES

The minutes of the meeting held on 3 Oct 2024 were confirmed by the Members present. Hard-copy minutes were signed by the Chair

2 APOLOGIES FOR ABSENCE

Apologies received from Councillor Mitchell, Riddick, Durrant and Maddern. Councillor Silwal substituted on behalf of Councillor Mitchell and Councillor Anderson substituted on behalf of Councillor Riddick.

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.
24/01239/MFA**

**Change of use from agricultural land to Suitable Alternative Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping
Land at Nettleden Road, Potten End, Berkhamsted, Hertfordshire**

Councillor Anderson declared an interest in the item, he confirmed that he would take no part in the discussion or voting.

Philip Stanley presented the report on behalf of the Case Officer, Sally Robbins, and said that the application had been referred to the Committee as it was called in by the Ward Cllr & is contrary to the views of the Parish Councils.

Ward Councillor Jane Timmis, Parish Councillor Mark Griffin, John Berry and Alison McDougal from Nettleden and Frithsden Society and resident Paul Rayment and Sunil Chandarana spoke in objection to the application.

The applicant's Agent Roger Smith spoke in support of the application.

It was proposed by Councillor Bristow and seconded by Councillor Guest to **DELEGATE with a view to APPROVAL.**

Vote:

For:	Against:	Abstained:
2	6	2

Having there been no majority to GRANT the application in line with the officer's recommendation, it was proposed by Councillor Hobson and seconded by Councillor Patterson to REFUSE the application.

For:	Against:	Abstained:
6	2	2

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

- 1) By virtue of the impact of the car park, the stock-proof fencing and the sub-division of the land the proposed development would have a significant detrimental impact on the special qualities of the Chilterns National Landscape, contrary to the clear objectives of para.182 of the National Planning Policy Framework, Policy CS24 of the Dacorum Core Strategy (September 2013), and Saved Policy 97 of the Dacorum Borough Local Plan 1991-2011.
- 2) By virtue of the intensification of use of the site and insufficient measure of protection, particularly in relation to the impact of free running dogs, the proposed development would have a significant detrimental impact on the ancient woodland (Heizdin's Wood), an irreplaceable habitat, contrary to para.184 of the National Planning Policy Framework.

5b.

24/01740/MFA

The demolition of existing structures and redevelopment for E(g)(iii) Industrial Processes, B2 General Industrial and B8 Storage and Distribution Uses (applied flexibly) with hard and soft landscaping, servicing and associated works.

Hemel One, Boundary Way, Hemel Hempstead, Hertfordshire, HP2 7YU

The Case Officer, Kirsty Shirley introduced the report to Members and said that the application had been referred to the Committee as it's a large scale major application subject to a proposed Section 106 agreement as defined in the Council's constitution.

It was proposed by Councillor Anderson and seconded by Councillor Hobson to **DELEGATE with a view to APPROVAL**.

Vote:

For:	Against:	Abstained:
10	0	1

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

That planning permission is **DELEGATED** with a **VIEW TO APPROVAL** subject to the completion of a legal agreement to secure Biodiversity Net Gain and appropriate contributions for the Travel Plan and Maylands Urban Realm Infrastructure and subject to satisfactorily addressing the LLFA objection.

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 granted by this notice must not begin unless a Biodiversity Gain Plan has been submitted to and approved in writing by the planning authority. The development shall thereafter be carried out in accordance with the approved Plan. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.**

Reason: To ensure that the development provides biodiversity net gain in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 180 of the National Planning Policy Framework (2023). These details are required prior to commencement to ensure that the ecological and biodiversity enhancements can be achieved before construction works begin.

- 3. Prior to the commencement of development hereby approved, a Species Enhancement Plan for bats, birds and invertebrates shall be submitted to and approved in writing by the LPA. This should show the location, number and type of enhancement and how their biodiversity value will be sustained over time. The Species Enhancement Plan should also be informed by the lighting strategy and the ecological report by the Ecological appraisal By Aspect Ecology July 2024. All approved features shall be installed prior to first occupation of the dwelling and be maintained and retained thereafter.**

Following completion of the development and prior to their first occupation, a report from an appropriately qualified ecologist confirming that all the proposed features have been installed as per previously

agreed specifications and locations together with photographic evidence shall be submitted to and approved in writing by the LPA.

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).

- 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. 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 180 of the National Planning Policy Framework (December 2023).

- 5. A) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
- i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
 - ii. The results from the application of an appropriate risk assessment methodology.**
- B) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.**
- C) This site shall not be occupied, or brought into use, until:**
- i. All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) 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.

- 6. Any contamination, other than that reported by virtue of Condition 5 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 to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

7. **No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:**
- a) **Construction vehicle numbers, type;**
 - b) **Access arrangements to the site;**
 - c) **Traffic management requirements**
 - d) **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
 - e) **Siting and details of wheel washing facilities;**
 - f) **Timing of construction activities (including delivery times and removal of waste)**
 - g) **Measures to mitigate dust**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

8. **No development (excluding demolition/ground investigations) 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. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

9. 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).

No above ground development shall take place 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. Includes above ground development

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 159 and 162 of the National Planning Policy Framework (December 2023).

- 10. No construction of the superstructure shall take place until full details of the 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).

- 11. Prior to occupation of the development hereby permitted the proposed access, parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.**

Reason: To ensure permanent availability of the parking / manoeuvring areas and 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).

- 12. Within one month of substantially completing the development, active Electric Vehicle Charging Points and associated infrastructure shall be provided for 17 car parking spaces shown in approved drawing H100-CMP-SI-ZZ-DR-A-00100 and shall be permanently retained thereafter.**

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)

- 13. Within one month of substantially completing the development, passive Electric Vehicle Charging provision shall be constructed / installed as part of the development on all other car parking spaces that do not have active Electric Vehicle Charging provision. The passive Electric Vehicle Charging provision shall remain permanently retained thereafter.**

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)

- 14. Full details for the provision of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of the relevant part of the development to which they relate and retained thereafter.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 110 (d) of the National Planning Policy Framework (December 2023).

- 15. The total time for persons to be in the Development Proximity Zone should not exceed 2 hours in any 24 hour period.**

Reason: In the interests of safety from hazards and risks due to the possible presence of hazardous substances that require hazardous substances planning consent.

- 16. The external lighting details shall be carried out in accordance with the submitted details within the External Lighting Assessment report (July 2024) and shown on approved drawing 24008-MBA-EX-SP-DR-E-0001 rev PL3 within one month of substantially completing the development.**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Local Plan Policy 113 (2004) and Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013)

- 17. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 26 July 2024, REF 40168-BGL-XX-XX-RP-D-0001) and drawings (dated 23 July 2024, REF 40168-BGL-XX-XX-DR-C-00210-P03),**

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and chapter 14 of the National Planning Policy Framework (2023)

- 18. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (dated 26 July 2024, REF 40168-BGL-XX-XX-RP-D-0001) and Drawings (dated 23 July 2024, REF 40168-BGL-XX-XX-DR-C-00210-P03) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.**

Reason: To ensure that the development achieves a high standard of sustainability and to comply with. Policy CS31 of the Dacorum Core Strategy (2013) and chapter 14 of the National Planning Policy Framework (2023)

- 19. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the**

sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation**
- ii. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.**
- iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.**

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with. Policy CS31 of the Dacorum Core Strategy (2013) and chapter 14 of the National Planning Policy Framework (2023)

- 20. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 2. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and chapter 14 of the National Planning Policy Framework (2023)

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

**24008-MBA-EX-SP-DE-E-0001 rev PL3
H100-CMP-SI-ZZ-DR-A-00030 rev PL1
40168-BGL-XX-XX-DR-C-00210 rev P03
H100-CMP-U1-00-DR-A-00100 rev PL1
H100-CMP-U1-00-DR-A-00120 rev PL1
H100-CMP-U1-01-DR-A-00101 rev PL1
H100-CMP-U1-02-DR-A-00102 rev PL1
H100-CMP-U1-02-DR-A-00122 rev PL1
H100-CMP-SI-ZZ-DR-A-00100 rev PL1
H100-CMP-U1-RL-DR-A-00103 rev PL1
H100-CMP-SI-ZZ-DR-A-00250 rev PL1
H100-CMP-U1-ZZ-DR-A-00250 rev PL1
H100-CMP-SI-ZZ-DR-A-00101 rev PL1
H100-CMP-U1-ZZ-DR-A-00200 rev PL2**

H100-CMP-U1-ZZ-DR-A-00201 rev PL2

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

INFORMATIVES

1. Article 35

Planning permission has been granted for this proposal. Advice given to the applicant at the pre-application stage has been followed. 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. 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.

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. 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.

5. 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>

6. Protected Species

If European Protected Species (EPS), including bats and great crested newts, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

7. Contamination

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.

In the event that ground contamination is encountered 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 because, the safe development and secure occupancy of the site lies with the developer.

5c.
24/00504/FUL
Construction of Agricultural Barn
Kiln Meadow, Chesham Road, Wigginton

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 recommendation of the Parish Council

The applicant, Viv Pollard, spoke in support of the application.
It was proposed by Councillor Hobson and seconded by Councillor Patterson to **REFUSE** the application.

Vote:

For:	Against:	Abstained:
6	4	1

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

That planning permission is REFUSED for the following reasons.

- 1) The proposed building in view of its siting, scale, bulk, and height is considered to result in significant harm to the open character and appearance of the Green Belt contrary to the NPPF and Policy CS5 of the Core Strategy.
- 2) The proposed building in view of its siting, scale, bulk, and height is considered to result in significant harm to the character and appearance of the Chilterns National Landscape contrary to the NPPF, Policies CS10, CS12, CS24 and CS25 of the Core Strategy, Saved Policy 97 of the Local Plan 1991-2011 and the Chilterns Building Design Guide SPD

5d.
24/01768/FUL
Proposed new build detached four-bedroom dwelling upon the unused side garden to the west of no.22 Verney Close, including rear garden and associated car parking.
22 Verney Close, Berkhamsted, Hertfordshire, HP4 3JS

Councillor Garrick declared an interest in the item as he spoke in objection. He confirmed that he would take no part in the discussion and voting and stepped down as Chair. Councillor Guest stepped up as Vice-Chair for this item.

The Case Officer, Kirsty Shirley introduced the report to Members and said that the application had been referred to the Committee due to the contrary views of Berkhamsted Town Council in respect of overdevelopment of the site and car parking stress in the area.

Town Councillor Garrick Stevens spoke in objection to the application.

Christian Pinchin spoke in support of the application.

It was proposed by Councillor Patterson and seconded by Councillor Bristow to **DELEGATE with a view to APPROVAL.**

Vote:

For:	Against:	Abstained:
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Resolved: That planning permission be **DELEGATE with a view to APPROVAL.**
RECOMMENDATION

12.1 That planning permission is DELEGATED with a VIEW TO APPROVAL subject to the completion of a legal agreement to secure appropriate contributions towards SAMM and SANG in accordance with the Chiltern Beechwoods Mitigation Strategy and the following planning 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. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**0453-002 REV P01
 0453-106 REV P02
 0453-107 REV P02
 0453-108 REV P02
 0453-109 REV P02
 0453-104 REV P02
 0453-105 REV P02
 0453-103 REV P02
 0453-102 REV P02**

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

3. **Prior to the commencement of any below ground construction works including the erection of any foundations a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should consider all phases (excluding demolition) of the development. The construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:**

- o **construction vehicle numbers, type and routing;**
- o **traffic management requirements;**
- o **construction and storage compounds (including areas designated for car parking);**
- o **siting and details of wheel washing facilities;**
- o **cleaning of site entrances, site tracks and the adjacent public highway;**
- o **timing of construction activities (to avoid school pick up/drop off times);**

- o **post construction restoration/reinstatement of the working areas and temporary access to the public highway;**
- o **construction or demolition hours of operation; and**
- o **dust and noise control measures.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 114 and 116 of the National Planning Policy Framework (December 2023).

4. **No development (excluding demolition/ground investigations) 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. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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).

5. **The first and second floor windows within the rear elevation annotated as 'obs' on submitted and approved plan 0453-107 REV P02 shall be permanently fitted with obscured glass with a minimum of privacy level three and shall be non-opening below 1.7m from 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 135 (f) of the National Planning Policy Framework (December 2023).

6. **No construction of the superstructure shall take place until details for the provision of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of the relevant part of the development to which they relate and retained thereafter.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 110 (d) of the National Planning Policy Framework (December 2023).

7. **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 AA, A, B 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 CS12 of the Dacorum Borough Core Strategy (2013) and chapter 12 of the National Planning Policy Framework (2023).

8. **No construction of the superstructure shall take place 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 159 and 162 of the National Planning Policy Framework (December 2023).

Informatives:

1. 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.
2. Dust from operations on the site should be minimised by spraying with water or 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.
3. 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 - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.
4. 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. 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>.

6. Under no circumstances should waste produced from the development 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.

e 24/01360/FHA Proposed part two-storey rear extension; loft conversion; new front porch; new windows and doors and extended terrace. Angle Place Cottage, Montague Road, Berkhamsted, Hertfordshire

5e.

24/01360/FHA

Proposed part two-storey rear extension; loft conversion; new front porch; new windows and doors and extended terrace.

Angle Place Cottage, Montague Road, Berkhamsted, Hertfordshire, HP4 3DZ

Councillor Garrick declared an interest in the item as he spoke in objection. He confirmed that he could take no part in the discussion and voting and stepped down as Chair. Councillor Guest stepped up as Vice-Chair for this item.

The Case Officer, Harry Coleman, introduced the report to Members and said that the application had been referred to the committee due to the contrary views of Berkhamsted Town Council in respect of overdevelopment and harm to residential amenity (particularly overlooking and privacy).

Nick Wood and Ward Councillor Garrick Stevens spoke in objection to the application.

The applicant, Vicky Bodhani, spoke in support of the application.

It was proposed by Councillor Patterson and seconded by Councillor Anderson to **GRANT** the application.

Vote:

For:	Against:	Abstained:
7	2	1

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

RECOMMENDATION

That planning permission be **GRANTED**, subject to the conditions below:

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:**

Site Location Plan

Amended Existing and Proposed Roof-Site Plan - 1064-P01 RC

Amended Proposed Plans - 1064-P03 RB
Amended Existing and Proposed Front Elevation - 1064-P04 RA
Amended Existing and Proposed Rear Elevation - 1064-P05 RB
Amended Existing and Proposed Side Elevations - 1064-P06 RB
Planning Design and Access Statement - 1064-PS01 rev0

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. **The repositioned door at ground floor level in the east-side elevation of the existing dwelling hereby permitted shall be permanently fitted with obscured glass with a minimum of privacy level three.**

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 135 (f) of the National Planning Policy Framework (December 2023).

5. **Prior to the first use of the terrace balcony over the new single storey rear extension hereby approved, a minimum of 1.80 metre obscure glazed balustrade shall be permanently installed on the north-east and south-west sides of the terrace balcony and retained thereafter.**

Reason: To accord with the approved plans and in the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 of the Dacorum Borough Council Core Strategy (2013) and Paragraph 135 (f) of the National Planning Policy Framework (December 2023).

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.

5f.

24/01797/FHA

Single storey rear extension

24 Merling Croft, Northchurch, Berkhamsted, Hertfordshire, HP4 3XB

Philip Stanley presented the report on behalf of Jane Miller.

It was proposed by Councillor Guest and seconded by Councillor Anderson to **GRANT** the application.

Vote:

For:	Against:	Abstained:
9	0	2

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

RECOMMENDATION

That planning permission be GRANTED, subject to the conditions below:

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 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.**

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:**

240701/PL101C existing and proposed plans and elevations.

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

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.

g 24/00258/ADV Display of an illuminated fascia sign affixed to the front of the restaurant premises and projecting non illuminated sign.5 - 7 Lower Kings Road, Berkhamsted, Hertfordshire, HP4 2AE

5g.

24/00258/ADV

Display of an illuminated fascia sign affixed to the front of the restaurant premises and projecting non illuminated sign.

5 - 7 Lower Kings Road, Berkhamsted, Hertfordshire, HP4 2AE

The item was determined under delegated powers prior to the meeting due to Berkhamsted Town Councillor retracting their objection.

6 PLANNING ENFORCEMENT QUARTERLY REPORT

Philip Stanley introduced the report, stating that there had been 10 new Notices served since the beginning of July, and also going through the three main areas of focus for Planning Enforcement:

1. To first visit all new enforcement sites in time (in accordance with priority level of case).
2. To reduce the number of historical cases and to take formal action where appropriate.
3. To deal with proactively with large major planning permissions.

The report was noted.

7 EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, as the report contains information, which could be subject to a claim for legal professional privilege. (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 5).

8 RESPONSE TO NOTIFICATION OF APPEAL OF COUNCIL REFUSAL OF PLANNING PERMISSION

See part 2 minutes

The Meeting ended at 10.40 pm