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**DACORUM BOROUGH COUNCIL**

**DEVELOPMENT CONTROL**

**16 JUNE 2016**

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Present:

**MEMBERS:**

Councillor D Collins (Chairman) Councillors, Guest (Vice-Chairman), Birnie, Clark, Conway, Maddern, Matthews, Riddick, Ritchie, Whitman, C Wyatt-Lowe, Fisher, Tindall and Imarni

**OFFICERS:**

L Collins (Member Support Officer), M Stickley (Planning Officer), N Gibbs (Lead Planning Officer) and P Newton (Planning Casework Team Leader)

The meeting began at 7.30 pm

**22 MINUTES**

The minutes of the meeting held on 26 May 2016 were confirmed by the Members present and were then signed by the Chairman.

**23 APOLOGIES FOR ABSENCE**

None.

**24 DECLARATIONS OF INTEREST**

None.

**25 PUBLIC PARTICIPATION**

None.

**26 4/00506/16/FUL - LAND ADJ TO BROWNLOW FARM BARNES, HEMEL HEMPSTEAD HP1 2SW**

**LAND ADJACENT TO BROWNLOW FARM BARNES, POUCHEN END LANE, HEMEL HEMPSTEAD, HP1 2SW**

Martin Stickley introduced the report to the committee. The application is referred to the Development Control Committee at the request of Councillor Graeme Elliot due to concerns raised by the neighbouring residents.

Nigel Durrant, Jane Senior and Peter Allen all spoke in support to this application.

Mrs Elaine Walker and Mike Walker both spoke in objection to this application.

Councillor Guest declared a personal Interest for this application because of one the speakers in support was known to her, and reserved her right to both speak and vote.

It was proposed by Councillor Birnie and seconded by Councillor Fisher to Grant the application in line with the officer's recommendation.

Vote:

For: 8

Against: 2

Abstained: 4

Resolved:

That planning permission be **GRANTED** due to the following reasons:

- 1 **This permission is for a limited period expiring on the 23th October 2017 by which time the change of use shall have ceased and the teepees and ancillary equipment shall be removed from the site and the land restored to its former condition unless otherwise agreed with the Local Planning Authority.**

Reason: To enable the local planning authority to review the position in the light of circumstances prevailing at the end of the period.

- 2 **No camping shall take place on the site apart from in the designated 'teepee area (44.5 x 25m)' as defined on drawing 0624/01E. Camping on the site shall be restricted to a total of three teepees and no other tents/mobiles/caravans shall be sited on the land other than shown on the approved plan.**

Reason: To safeguard the amenity of the neighbouring residents in accordance with Policy CS12 of the Dacorum Borough Core Strategy, for the avoidance of doubt and to accord with the details provided by the applicant.

- 3 **Prior to the commencement of the use hereby permitted, visibility splays in accordance with the guidance given in Hertfordshire County Council's 'Highway Design Guide - Roads in Hertfordshire' shall be provided to each side of the new access where it meets the highway by moving the adjacent fence 500mm into the site. These splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. These visibility splays will be agreed in writing with the Local Planning Authority and shown on a scaled plan.**

Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum's adopted Core Strategy (2013).

- 4 **The development hereby permitted shall not be carried out other than in accordance with the following approved plans:**

**0624/01E**

**0624/02**

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

### **Article 35 Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015.

### **Highways Advisory Notes**

AN1) Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

**27            4/03428/15/RET   -   BOVINGDON   AIRFIELD,   BOVINGDON,   HEMEL  
HEMPSTEAD**

### **BOVINGDON AIRFIELD, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD**

Nigel Gibbs introduced the report. The application is referred to the Development Control Committee due to the contrary views of Bovingdon Parish Council following two consultations.

It was proposed by Councillor Matthews and seconded by Councillor C Wyatt-Lowe to grant the application in line with the officer's recommendation.

### Vote

For:    13                            Against: 1                            Abstained: 0

Resolved:

That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 **Use of the vehicular access hereby permitted shall only be used for agricultural vehicles and shall not be used for any access to Bovingdon Market subject to Planning Permission 4/01889/14/MFA for the relocation of market from east/west runway to north-west/south-east runway, reconfiguration of associated car parking areas, installation of office and toilets, and formation of landscaping (including new bund).**

Reason: In the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy, to accord with the details submitted with the application and for the avoidance of doubt.

- 2 **Notwithstanding the submitted details the vehicular access hereby permitted shall not be used until it is constructed fully in accordance with Roads in Hertfordshire Design Guide 3rd Edition.**

Reason: To ensure satisfactory access into the site and to avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy CS12 of the Dacorum Core Strategy.

- 3 **The vehicular access hereby permitted shall at all times be served by visibility splays measuring 2.4 x 120 metres to southwest and 2.4 x 90 metres to northeast to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2 metres above the level of the adjacent highway carriageway.**

Reason: In the interests of highway safety in accordance with Policy CS12 of the Dacorum Core Strategy.

- 4 **The access gate (and any associated bollard, chain or other means of obstruction) shall be hung to open inwards at all times and maintained at a minimum distance of 6 metres from the near channel edge of the adjacent carriageway. Any sidewalls / fences / hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the (outside) gateposts to the front boundary of the site.**

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction in accordance with Policy CS12 of the Dacorum Core Strategy.

- 5 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

JR-DM-2.0  
JR-DM-3.0  
JR - DM -4.0 : Site Plan  
JR-DM-4.0 : Visibility Plan  
JR-DM-4.0 : Elevations Plan  
JR-DM -1.1

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

#### ARTICLE 35 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

#### INFORMATIVES

##### Highway Works

Section 278 Agreement: Work within the highway boundary must be secured and approved via a S278 Minor Works Agreement with Hertfordshire County Council Highways Authority.

Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1.

##### Contamination

The developer should keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

#### **28                    4/01183/16/ADV - THE CEMETERY, RECTORY LANE, BERKHAMSTED**

##### **THE CEMETERY, RECTORY LANE, BERKHAMSTED**

M Hinkley introduced the report. It had been referred to the committee as the applicant is employed by Dacorum Borough Council.

Councillor Matthews declared a personal interest. He reserved his right to speak but not vote.

It was proposed by Councillor Whitman and seconded by Councillor Tindall to grant the application in line with the officer's recommendation.

##### Vote

For: 13      Against: 0      Abstained: 1

Resolved

That Advertisement Consent be **GRANTED** for the reasons referred to above and subject to the following conditions;

**1. This consent is granted for a period of one year commencing on the date of this notice.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**3. No advertisement shall be sited or displayed so as to: -**

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**4. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

**5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

**6. Where an advertisement is required under these Regulations to be removed,**

**the site shall be left in a condition that does not endanger the public or impair visual amenity.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

**7. The advertisements hereby approved shall not be illuminated.**

Reason: To safeguard users of the adjacent highway in accordance with Policy 56 of the Dacorum Borough Local Plan.

#### Article 35

Advertisement consent 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

## **29 APPEALS**

The following appeals were noted:

1. Lodged
2. Forthcoming inquiries
3. Dismissed
4. Allowed

## **30 EXCLUSION OF THE PUBLIC**

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 item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to an ongoing enforcement investigation and proposed action by the Council in connection with the investigation into an alleged breach in planning control, being also a criminal offence under Section 224 of the Town and Country Planning Act 1990. (LGA 1972 Schedule 12A Part 1 Paragraph 7 as amended by The Local Government (Access to Information) (Variation) Order 2006

The Meeting ended at 8.15pm