
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

26 SEPTEMBER 2019

Present:

MEMBERS:

Councillors Guest (Chairman), C Wyatt-Lowe (Vice-Chairman), Maddern, Riddick, Beauchamp, Oguchi, McDowell, Uttley, Woolner, Symington, Hobson and R Sutton

OFFICERS:

W Collier (Planning Officer), B Curtain (Lead Planning Officer), N Gibbs (Lead Planning Officer), S O'Donnell (Lead Planning Officer), E Palmer (Planning Officer), P Stanley (Development Management Team Leader), C Gaunt (Legal Governance Team Leader) and C Webber (Corporate & Democratic Support Officer)(Minutes)

The meeting began at 7.00 pm

273 MINUTES

The minutes of the meeting held on 5 September were confirmed by the Members present and were then signed by the Chairman.

274 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Durrant.

Apologies for lateness were received from Councillor Guest.

Councillor Wyatt-Lowe took the Chair until Councillor Guest arrived.

Councillor Guest arrived at 7:44pm.

Apologies for lateness were received from Councillor Maddern.

Councillor Maddern arrived at 7:41pm.

275 DECLARATIONS OF INTEREST

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

276 PUBLIC PARTICIPATION

Councillor Wyatt-Lowe reminded Members and the public about the rules regarding public participation as follows:

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

Items on the Agenda were heard in the following order: 5c, 5d, 5a, 5b, 5e, 5f, prioritising those items with public speakers on to be heard first.

277 4/01430/19/FUL - DETACHED AGRICULTURAL BARN - LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE

The Case Officer, Nigel Gibbs, introduced the report to Members and said that the application had been referred to the committee as the recommendation is contrary to the response of Bovingdon Parish Council.

Scott Wiggins spoke in objection of the application.

Ken Baker, Christine Brown and Mrs Hunt spoke in support of the application.

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

Vote:

For: 7 Against: 1 Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following conditions:

Conditions

No	Condition
1	<p>The building hereby permitted shall only be used for non-commercial equestrian or agricultural purposes and therefore excludes any residential use.</p> <p><u>Reason:</u> To safeguard the Green Belt and the residential amenity of the locality in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy 2013 and for the avoidance of doubt.</p>
2	<p>There shall be no additional floor space formed within the building hereby permitted (and therefore no first floor shall be formed) and no external alterations to the approved design of the building hereby permitted.</p> <p><u>Reason:</u> To safeguard the Green Belt and the local environment in accordance with Policies CS5, CS12 and CS29 of the Dacorum Core Strategy 2013.</p>
3	<p>The building hereby permitted shall be constructed in the materials specified on Drawing No. DRG 1819/1E.</p> <p><u>Reason:</u> In the interests of the visual amenity in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy 2013.</p>

4	<p>The development hereby permitted shall be served by a sustainable drainage system at all times.</p> <p><u>Reason:</u> To ensure that the development is subject to an acceptable drainage system in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy 2013 and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy 2013.</p>
5	<p>The building hereby permitted shall at all times feature a bat roost unit (tubes) integrated within the fabric of the new barn and designed/installed under the guidance of a suitably experienced ecologist.</p> <p><u>Reason:</u> To ensure biodiversity benefit in accordance with Policy CS29 of Dacorum Core Strategy 2013.</p>
6	<p>Prior to the first use of the building hereby permitted details of all exterior lighting to be installed to serve the building shall be submitted to and approved in writing by the local planning authority. The approved exterior lighting shall be installed within three months following the first use of the building hereby permitted and thereafter retained fully in accordance with the approved details.</p> <p><u>Reason:</u> To safeguard the local environment in accordance with the requirements of Policies CS5, CS12, CS24 , CS29 and CS32 of the Dacorum Core Strategy 2013 and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.</p>
7	<p>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:</p> <p>1819/1E 1819/3D 1819/3E 1819/2B</p> <p><u>Reason:</u> To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p><u>NOTE 1: ARTICLE 35 STATEMENT</u></p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the agent during the determination process which led to improvements to the scheme.</p> <p>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.</p> <p><u>INFORMATIVES</u></p> <p>Bats</p> <p>UK and European Legislation makes it illegal to:</p> <p>Deliberately kill, injure or capture bats; Recklessly disturb bats;</p>

	<p>Damage, destroy or obstruct access to bat roosts (whether or not bats are present).</p> <p>Contacts:</p> <p>English Nature 01206 796666 UK Bat Helpline 0845 1300 228 (www.bats.org.uk) Herts & Middlesex Bat Group 01992 581442 Bats : Condition 6 The bat feature should be designed/installed under the guidance of a suitably experienced ecologist.</p> <p>Un-expected Contaminated Land Informative In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p> <p>Construction Hours of Working – (Plant & Machinery) Informative 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: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p><u>Noise on Construction/Demolition Sites Informative</u> 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.</p>
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278 4/01713/19/FUL - DEMOLITION OF DWELLING & CONSTRUCTION OF REPLACEMENT DWELLING INCLUDING REMOVAL OF IDENTIFIED SMALL SCALE TREES - 11 BARNCROFT ROAD, BERKHAMSTED, HP4 3NL

Councillor Maddern arrived at 7:41pm and, therefore, did not take part on this item.

Councillor Guest arrived at 7:44pm and also, therefore, did not take part on this item.

The Case Officer, Will Collier, introduced the report to Members and said that the application had been referred to the committee as it was contrary to the views of Berkhamsted Town Council.

James Holmes spoke in objection of the application, on behalf of Andrew Boothby.

Berkhamsted Town Councillor Garrick Stevens spoke in objection of the application.

Emma Adams spoke in support of the application.

It was proposed by Councillor Hobson and seconded by Councillor R Sutton to **GRANT** the application in line with the officer's recommendation with the addition of a Condition relating to replacement tree planting.

Vote:

For: 6

Against: 3

Abstained: 1

Resolved: That planning permission be **GRANTED** subject to the following conditions.

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> 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.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>2760.03 A 2760.04 2760.05 A 2760.06 2760.07 A 2760.08 A 2760.09 2760.11</p> <p>Bat Report dated 16/7/19 Arbicultural Methods Statement (dated 17th July 2019 by Arbtech). Email regarding materials by Shaun Andrews Design and Architecture dated 23/9/19</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The tree protection measures described in the approved Arboricultural Methods Statement (dated 17th July 2019 by Arbtech) shall be put in place prior to the commencement of the development hereby permitted and shall be retained throughout the duration of the construction of the development.</p> <p><u>Reason:</u> To ensure the protection and retention of existing/remaining protected trees in accordance with saved Policy 99 of the Dacorum Borough Local Plan.</p>
4	<p>The development hereby permitted shall be constructed in accordance with the materials specified in the email dated 23rd September by Shaun Andrew Design and Architecture.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the adopted Dacorum Borough Core Strategy.</p>
5	<p>Following the submission of revised side elevations removing the first floor bedroom windows on the northern elevation, there are only two windows to be obscure-glazed. The windows condition has been revised to read as follows:</p> <p>The following windows of the dwelling hereby permitted shall be permanently fitted with obscured glazing to a minimum of Level 3 on the Pilkington scale of privacy or equivalent and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed:</p>

	<ul style="list-style-type: none"> • First floor en-suite bathroom window for bedroom 4 on the north-east elevation. • First floor en-suite window for bedroom 2 on the south-west elevation. <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
6	<p>Prior to the first occupation of the development hereby permitted a Replacement Tree Planting Plan shall be submitted to and approved in writing by the Local Planning Authority. The Replacement Tree Planting Plan shall include details of the location, species and stock size / height of the replacement trees. The Replacement Tree Planting Plan shall be implemented in full by the end of the first planting season after the first occupation of the development hereby permitted. Any tree which forms part of the approved Replacement Tree Planting Plan which within a period of five 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 species, size and maturity to be approved by the local planning authority.</p> <p><u>Reason:</u> In the interest of visual amenity and ecology in accordance with Policies CS12 and CS26 of the adopted Dacorum Core Strategy and saved Policy 99 of the Dacorum Local Borough Plan.</p>

Councillor Guest resumed her position as Chair.

Councillor Wyatt-Lowe resumed her position to Vice-Chair.

279 4/00931/19/FUL - DEMOLITION OF GARAGES AND THE CONSTRUCTION OF 4 DWELLINGS COMPRISING 1X THREE BEDROOM HOUSE, 1 X ONE BEDROOM FLAT AND 2 X TWO-BEDROOM DWELLINGS AND ASSOCIATED LANDSCAPING AND PARKING AND REMOVAL OF CROSS OVER/ REINSTATEMENT OF THE PEDESTRIAN FOOTPATH TO THE NORTH PART OF THE SITE - GARAGE SITE, MIDDLEKNIGHTS HILL, HEMEL HEMPSTEAD

The Case Officer, Elspeth Palmer, introduced the report to Members and said that the application had been referred to the committee in view of the Council's financial interest in the site.

It was proposed by Councillor Maddern and seconded by Councillor Beauchamp to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 11 Against: 0 Abstained: 1

Resolved: That planning permission be **GRANTED** subject to the following conditions.

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> 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.</p>
2	<p>Prior to the erection of any structure above ground level, 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.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to comply with CS12.</p>
3	<p>No development (other than demolition/site preparation works) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; proposed finished levels or contours; scaled plans showing garden shed/bicycle storage and design of bin store; car parking layouts and other vehicle and pedestrian access and circulation areas; and proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc).</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to comply with CS12.</p>
4	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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:</p> <p>Schedule 2 Part 1 Classes A, B, and E</p> <p><u>Reason:</u> To enable the local planning authority to retain control over the development</p>

	<p>in the interests of safeguarding the residential and visual amenity of the locality and to comply with CS12. The properties are sited on a compact site with limited amenity space and close relationships with neighbouring dwellings.</p>
5	<p>No development above ground level shall commence until a Construction Management Plan (or Construction Method Statement) 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:</p> <ul style="list-style-type: none"> a. Construction vehicle numbers and 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. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times; h. Provision of sufficient on-site parking prior to commencement of construction activities; i. Post construction restoration/reinstatement of the working areas; j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements. <p>Development shall be carried out in accordance with the approved Management Plan.</p> <p><u>Reason:</u> 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) and to comply with Core Strategy Policy 12.</p>
6	<p>Prior to the commencement of any above ground development details of any front boundary treatment shall be submitted and approved by the local planning authority. Development shall be constructed in accordance with the approved details.</p> <p><u>Reason:</u> To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to comply with Core Strategy Policy CS12.</p>
7	<p>Prior to the first occupation of the development hereby permitted, vehicular access to and egress from the adjoining highway shall be limited to the accesses shown on drawing number 407-320 P2 only. Any other access shall be permanently closed, and the footway and a full height kerb shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access. Prior to use arrangements 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.</p> <p><u>Reason:</u> To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to comply with Core Strategy</p>

	Policy 12.
8	<p>Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p><u>Reason:</u> 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) and to comply with Core Strategy Policy 12.</p>
9	<p>The windows at first floor level in the side elevations of unit 3 & 4 hereby permitted shall be fixed with obscure glass and top opening light 1.7 metres from the internal finished floor level.</p> <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings along Plantation Walk and Fennycroft Road and to comply with CS12.</p>
10	<p>The windows at first floor level in the rear elevation of Units 1 & 2 hereby permitted shall be top hung and permanently fitted with obscured glass.</p> <p><u>Reason:</u> In the interests of the amenity of adjoining residents along Fennycroft Road and Spencer Way and to comply with CS12.</p>
11	<p>Parking space P5 shown on approved plan 407-321 Rev P2 shall be kept solely and permanently for the use of Unit 2 (the 3 bedroom dwelling hereby permitted on the north-western side of Middleknights Hill)</p> <p><u>Reason:</u> To ensure adequate parking for the 3 bedroom dwelling and to comply with Core Strategy Policy 12 and Saved Appendix 5 Parking Provision of the Dacorum Borough Local Plan.</p>
12	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>407/301 Rev P2 Site as Existing 407/312 Location Plan 407/320 Rev P2 Site as Proposed 407/321 Rev P2 Proposed ground floor plans in context 407/322 Rev P1 Proposed first floor plans in context 407/323 Rev P1 Plans as Proposed - floor plans 407/324 Rev P1 Elevations as proposed Units 3 & 4 407/325 Rev P2 Elevations as proposed Units 1 & 2 407/326 Rev P1 Proposed site sections showing 25 degree test Planning Statment dated August 2019 prepared by Litmus Planning and Development Consultancy Design and Access Statement Rev 1-21/08/2019 prepared by Evolution Chartered Architects Phase 1 Desk Study Report dated August 2019 prepared by Earth Environmental and Geotechnical Phase 1 Desk Study Report Part Two Ref GS-5619504 prepared by Groundsure Location Intelligence</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>

Informatives:

Highways

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. 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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

REFUSE / WASTE COLLECTION: Provision has been made for on-site refuse/recycling stores within 30m of each dwelling and within 25m of the kerbside/bin collection and not stored on the highway, the arrangements of which are considered to be acceptable by HCC as Highway Authority. The collection method must be confirmed as acceptable by DBC waste management.

EMERGENCY VEHICLE ACCESS: The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellings'.

Thames Water

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Ecology

Any building clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

The inclusion of gardens within the development will provide net gain for biodiversity.

	<p>Any enhancements for wildlife, in the form of native planting, wildflower planting, garden pond, bat and bird boxes, etc, would be welcomed. Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage and positive engagement 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>
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280 4/01378/19/FUL - CHANGE OF USE OF EXISTING BUILDING FROM B1 (OFFICE & LIGHT INDUSTRIAL) TO C A3 (CAFE) WITH PLAY AREA AND ASSOCIATED CAR PARKING - DOODLE CABOODLE, UNIT 21, SILK MILL INDUSTRIAL ESTATE, BROOK STREET, TRING, HP23 5EF

Councillor McDowell declared that he had been present at the Tring Town Council Planning Committee meeting concerning Item 5b but that he had not taken part in the discussion or voting and, therefore, he would be approaching the application with an open mind.

The Case Officer, Will Collier, introduced the report to Members and said that the application had been referred to the committee as it was contrary to the objection of the Town Council.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application in line with the officer’s recommendation.

Vote:

For: 9 Against: 1 Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following conditions.

Conditions

No	Condition
1	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Design and Access Statement Odour Management Plan August 2019 (Revised version) PL102 (Revision A) PL106 PL201</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>
2	<p>The Cafe (A3) use hereby permitted shall operate at all times in accordance with the Revised Odour Management Plan dated August 2019.</p> <p><u>Reason:</u> For the avoidance of doubt and to ensure no harm from pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise or noxious substances in accordance with Policy CS32 of</p>

	<p>the adopted Dacorum Borough Core Strategy.</p> <p><u>Article 35 Statement:</u></p> <p>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.</p>
3	<p>Informative</p> <p>The applicant is advised they are required by law (Environmental Protection Act 1990) to dispose of their waste properly and to keep records. The website http://www.rightwasterightplace.com provides useful information for establishments and businesses so that they can ensure they are complying with the law.</p>

The meeting adjourned at 9:20pm.

The meeting reconvened at 9:25pm.

281 4/01534/19/FUL - DEMOLITION OF EXISTING COMMERCIAL/ANCILLARY RESIDENTIAL OUTBUILDING AND CONSTRUCTION OF TWO, ONE AND A HALF STOREY THREE BED SEMI DETACHED DWELLINGS - WOODLANDS, NOAKE MILL LANE, WATER END, HEMEL HEMPSTEAD, HP1 3BB

The Case Officer, Briony Curtain, introduced the report to Members and said that the application had been referred to the committee due to the Parish Council objection.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 11 Against: 0 Abstained: 1

Resolved: That planning permission be **GRANTED** subject to the following conditions.

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> 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.</p>
2	<p>No development other than demolition, site preparation, groundworks and footings shall take place until samples 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.</p>

	<p>Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection. A sample panel at least 1m by 1m shall be prepared for inspection and shall include details of the pointing and the finished colour of the timber cladding.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.</p>
3	<p>Notwithstanding the details submitted, no development other than demolition, site preparation, groundworks and footings shall take place until 1:20 details of the following (including materials and finished colour) shall have been submitted to and approved in writing by the Local Planning Authority.</p> <ul style="list-style-type: none"> • doors and windows • rooflights • eaves and other joinery • bin storage enclosure <p>All rainwater goods shall be finished black with a round profile.</p> <p>The development shall be carried out fully in accordance with the approved details.</p> <p><u>Reason:</u> to ensure a satisfactory appearance to the development in the interests of the visual amenities of the area in accordance with Policy Cs12 of the Core Strategy 2013.</p>
4	<p>Notwithstanding any details shown, full details of the following shall be submitted to and approved in writing by the Local Planning Authority.</p> <ul style="list-style-type: none"> • hard surfacing materials; • means of enclosure; • soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; • trees to be retained and measures for their protection during construction works; • proposed finished levels or contours; • sustainable urban drainage measures • minor artefacts and structures (e.g. signs, lighting); • proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5years 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 species, size and</p>

	<p>maturity to be approved by the Local Planning Authority.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Saved Policy 99 and 100 of the Dacorum Borough Local Plan 1991-2011.</p>
5	<p>The development shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a fire hydrant(s) to serve the development and the approved scheme has been implemented. The hydrants shall be installed in accordance with the approved details and thereafter maintained as such.</p> <p><u>Reason:</u> In the interests of the occupants of the development.</p>
6	<p>The development shall not be occupied until the car parking areas shown on drawing no. PRJ/19/006/001 have been laid out, constructed and surfaced. The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.</p> <p><u>Reason:</u> To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent lane, or the amenities and convenience of existing local residents and businesses in accordance with Policy 58 of the Adopted DBLP 1991-2011.</p>
7	<p>The windows at first floor level in the north-east and south-west elevations of the development hereby permitted shall be permanently fixed shut and fitted with obscured glazing to a minimum of Level 3 on the Pilkington scale of privacy or equivalent.</p> <p><u>Reason:</u> In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
8	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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:</p> <p>Schedule 2 Part 1 Classes A, B, C and E Part 2 Class A Part 14 Class A</p> <p><u>Reason:</u> To enable the local planning authority to retain control over the development in the interests of the openness of the Green Belt and the character and appearance of the rural area and because rooflights, dormer windows and solar panels could undermine the settled 'barn-like' appearance of the development.</p>
9	<p>Prior to occupation the Ecological enhancements set out in section 4.3 table 6 of the submitted Emergence and Activity Bat Survey (EBS) should be implemented in full and thereafter maintained as such.</p> <p><u>Reason:</u> to ensure appropriate provision is made for the protection of bats in accordance with Policies of the Development Plan and EU Directives.</p>

10

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

PRJ/19/006/100 - Dwellings A & B proposed plans

PRJ/19/006/101 - dwellings A & B proposed dwelling Elevations and perspectives

PRJ/19/006/001 - Site Location Plan and proposed site plan

Cherryfield Ecology Ecological Reports (dated 19/04/18 & 21/05/19)

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

Article 35:

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

RIGHT OF WAY INFORMATIVE:

Great Gaddesden Public Footpath No; 57 abuts the application site. The legal extent of the footpath varies from a width of 2.4m at the southern end to 9m at the northern end. An area of 240sqm. The full extent of the footpath needs to be free from obstruction at all times. The applicant is reminded that no part of the development should encroach onto this footpath.

The Byway Open to All Traffic BOAT Great Gaddesden 058 as shown on the Definitive Map of Public Rights of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges. If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works. https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Anchor_8

HIGHWAY INFORMATIVES

1. Obstruction of public highway land: 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 website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. The Byway Open to All Traffic BOAT Great Gaddesden 058 as shown on the Definitive Map of Public Rights of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

3. 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 during construction of the development 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

4. 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>.

ECOLOGY INFORMATIVES

In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.'

282 4/00171/19/FUL - DEMOLITION OF EXISTING EQUESTRIAN FACILITIES AND CONSTRUCTION OF ONE FOUR-BEDROOM DWELLING, ONE THREE-BEDROOM HOLIDAY LET, ONE WORKSHOP/BARN/CARPORT BUILDING, WITH ASSOCIATED SOFT LANDSCAPING, HARDSTANDING, AND FENCING - 1 WOODEND COTTAGES, LITTLE WOODEND, MARKYATE, ST ALBANS, AL3 8AX

The Case Officer, Shane O'Donnell, introduced the report to Members and said that the application had been referred to the committee due to objection by the Parish Council.

It was proposed by Councillor Maddern and seconded by Councillor Uttley to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 10

Against: 1

Abstained: 1

Resolved: That planning permission be **GRANTED** subject to the following conditions.

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> 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.</p>
2	<p>Prior to development above ground level, samples of the all materials including roofing, weatherboarding and bricks, rainwater goods (black painted metal), windows, glazing and doors, and any paving materials shall be submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p><u>Reason:</u> To safeguard the character and appearance of the Listed Building and the Area of Outstanding Natural Beauty in accordance with Core Policies 24 and 27 of Dacorum's Core Strategy.</p>
3	<p>Prior to the occupation of proposed development details of the following shall be submitted to and approved in writing by the local planning authority: details of the proposed means of enclosure within and around the site whether by means of walls, fences or hedges/trees. Development shall be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To safeguard the character and appearance of the Listed Building and the Area of Outstanding Natural Beauty in accordance with Core Policies 24 and 27 of Dacorum's Core Strategy.</p>
5	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>ATK/19/RA/001/TP9</p>

ATK/10/RA/001/TP2B
ATK/ 10/RA/001/TP3B
ATK/ 10/RA/001/TP4B
ATK/19/RA/001/TP6A
ATK/19/RA/001/TP7A
ATK/19/RA/001/TP8A
ATK/ 10/RA/001/TP5
ATK/10/RA/001/TP2
DESIGN AND ACCESS STATEMENT
Supporting Statement

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through application stage and the pre-application stage with the applicant to resolve issues with the scheme. The Council has therefore acted in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives

1. Obstruction of public highway land: 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 website:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
2. 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 during construction of the development 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047
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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer->

283 APPEALS

That the following appeals were noted:

- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING HEARINGS**
- E. DISMISSED**
- F. ALLOWED**

The Meeting ended at 9.46 pm