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## **DACORUM BOROUGH COUNCIL**

### **DEVELOPMENT MANAGEMENT**

**11 JUNE 2020**

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Present:

#### **MEMBERS:**

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

#### **OFFICERS:**

J Hutton (Legal Governance Team Leader - Planning and Property), J Doe (Assistant Director - Planning, Development and Regeneration), H Edey (Planning Officer), R Freeman (Lead Planning Officer), J Gardner (Lead Planning Officer), C Lecart (Planning Officer), P Stanley (Development Management Team Leader), M Stickley (Lead Planning Officer), S Whelan (Group Manager - Development Management and Planning) and C Webber (Corporate & Democratic Support Officer)(Minutes)

The meeting began at 6.30 pm

#### **1 MINUTES**

The minutes of the meeting held on 21 May were confirmed by the Members present. Hard-copy minutes will be signed by the Chair when restrictions are lifted.

#### **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor R Sutton.

Councillor Graham Sutton was supposed to be substituting for Councillor Rosie Sutton but apologies for absence were also received from Councillor Graham Sutton.

#### **3 DECLARATIONS OF INTEREST**

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

#### 4 PUBLIC PARTICIPATION

Councillor Guest 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.

#### 5a 20/00212/FUL - DEMOLITION OF GARAGES, TWO-STOREY EXTENSION AND ALTERATIONS TO EXISTING MEDICAL CENTRE, AND ASSOCIATED WORKS. - DOCTORS SURGERY PARKWOOD DRIVE HEMEL HEMPSTEAD HERTFORDSHIRE HP1 2LD

Councillors Guest declared that she and her husband were both patients at the Parkwood Drive Doctors Surgery. Councillor Hobson also declared that she was a patient at the Parkwood Drive Doctors Surgery.

Legal Advisor, Jacqueline Hutton, confirmed that these constituted personal, not prejudicial, interests and, therefore, Councillors Guest and Hobson participated and voted on this item.

The Case Officer, James Gardner, introduced the report to Members and said that the application had been referred to the Committee due to objection received and DBC has an interest in land.

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

#### Vote:

For: 12                      Against: 0                      Abstained: 0

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

#### Conditions

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:**

102\_1 Rev. I  
125\_D Rev. E  
126\_B Rev. B  
110\_B Rev. B  
111\_B Rev. B

R3\_3751019\_LA01

**778225-MLM-ZZ-XX-RP-J-0001 22/01/2020**  
**Proposed GP Surgery Extension Parkwood Drive, Hemel Hempstead**  
**Travel Plan (dated January 2020)**  
**1944-TEW-ZZ-XX-DR-E-4000-120-S0-P01**  
**1944-TEW-RP-E-External lighting calculations -S0-P01**

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

3. (a) **The Local Planning Authority is of the opinion that the Phase 1 Contamination Assessment submitted at the planning application stage (Document Reference: Assura Aspire Ltd 778225-MLM-ZZ-XX-RP-J-0001 22/01/2020) indicates a reasonable likelihood of harmful contamination and so 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 and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

4. **Any contamination, other than that reported by virtue of Condition 3 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 and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

5. **Prior to the first occupation of the development hereby permitted the proposed access, on-site car 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 area and to ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy.

6. **The approved travel plan, “Proposed GP Surgery Extension Parkwood Drive, Hemel Hempstead Travel Plan”, (dated January 2020) shall be implemented at all times.**

Reason: In order to ensure that sustainable methods of transport are considered in the interests of highway safety, in accordance with Policy CS8 of the Dacorum Core Strategy.

7. **The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan/Statement and the approved details are to be implemented throughout the construction programme.**

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 CS8 and CS12 of the Dacorum Core Strategy.

8. **No lighting other than that shown on 1944-TEW-ZZ-XX-DR-E-4000-120-S0-P01 ("Proposed site plan indicative lighting layout and calculation" dated Jan 2020) shall be installed without the prior written approval of the local planning authority. The lighting shall only be operated in accordance with 1.0 (General) of document: 1944-TEW-RP-E-External lighting calculations -S0-P01.**

Reason: In the interests of the visual amenities of neighbouring properties in accordance with saved Policy 113 of the Dacorum Local Plan and Policy CS12 of the Dacorum Core Strategy.

9. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until 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 170 of the National Planning Policy Framework (2019).

10. **The planting shown on drawing no. R3\_3751019\_LA01 shall 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 1 year 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.**

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. **The window(s) at ground and first floor level in the northern elevation of the extension hereby permitted shall be non-opening below 1.7 metres from finished floor level and permanently fitted with obscured glass (minimum of level 3 on the Pilkington Scale).**

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 127 (f) of the National Planning Policy Framework (2019).

12. **The boundary treatment in respect of the northern boundary, as shown on drawing no. 102\_I, shall be fully constructed prior to first occupation of the development hereby approved.**

Reason: In the interests of the amenity of the neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy.

13. **The D1 use hereby permitted shall not take place other than between the hours of:**

- (a) Mondays, Thursdays and Fridays: 08:30 - 21:00**
- (b) Tuesdays and Wednesdays: 07:00 - 21:00**
- (c) Saturdays: 09:00 - 18:00**
- (d) Sundays: 09:00 - 13:00**

Reason: To protect the residential amenities of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

#### **Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive 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. 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.
3. 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.
4. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

**5b 19/03134/FUL - DEMOLITION OF EXISTING BUNGALOW TO BE REPLACED BY THE ERECTION OF A TERRACED ROW OF FOUR RESIDENTIAL DWELLINGS, TO INCLUDE ALL ASSOCIATED WORKS. - 96 LONGFIELD ROAD TRING HERTFORDSHIRE HP23 4DE**

The Case Officer, Heather Edey, introduced the report to Members and said that the application had been referred to the Committee as the recommendation was contrary to the views of Tring Town Council.

Tring Town Councillor Christopher Townsend spoke in objection to the application.

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

Councillor Maddern declared that she had lost connection during the item and, therefore, did not vote.

Vote:

For: 3

Against: 6

Abstained: 2

Councillor Guest noted that the officer recommendation fell and asked for a motion to **REFUSE**.

It was proposed by Councillor McDowell and seconded by Councillor Beauchamp to **REFUSE** the application on the grounds that the proposed development, by reason of its cramped layout, density and design would result in overdevelopment of the plot,

causing harm to the character and appearance of the streetscene. The proposal is therefore contrary to the aims of Policies CS11 and CS12 of the Core Strategy (2013).

Vote:

For: 6

Against: 3

Abstained: 2

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

**5c 20/00150/FUL - PROPOSED 20M MAST AND ASSOCIATED CABINETS AT CORNER OF SHENLEY ROAD AND ELSTREE ROAD TO REPLACE EXISTING 14.70M MAST AND CABINETS ON SHENLEY ROAD" - LAND ADJ 1 ELSTREE ROAD HEMEL HEMPSTEAD HERTFORDSHIRE HP2 7NE**

Councillor Guest stated that this application had been deferred to the Development Management Committee meeting scheduled to take place on Thursday 2<sup>nd</sup> July 2020.

**5d 20/00273/FUL - REMOVAL OF DOUBLE-DECKER BUS AND ARCHERY AREA AND PLACEMENT OF TWO FIELD SHELTERS AND ONE SHIPPING CONTAINER ON CAMPING AND LEISURE LAND. - 10 BROWNLOW FARM BARNS, POUCHEN END LANE, HEMEL HEMPSTEAD HERTFORDSHIRE, HP1 2SN**

Councillor Durrant declared his interest in this item as he was the applicant. He did not participate or vote on this item.

The Case Officer, Martin Stickley, introduced the report to Members and said that the application had been referred to the Committee as the applicant is a Councillor.

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

Councillor Symington declared that she had lost connection during the item and, therefore, did not vote.

Vote:

For: 9

Against: 0

Abstained: 1

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

**0854/01C**  
**0854/02C**

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

3. **Prior to the first use of any structures hereby permitted the double-decker bus as shown on the existing site plan (reference: 0854/01, March 2020) shall be permanently removed from site.**

Reason: In the interest of the openness, character and appearance of the Green Belt in accordance with Policies CS1 and CS5 of the Dacorum Core Strategy (2013)

**Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led 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.

The meeting adjourned at 8:06pm

The meeting reconvened at 8:20pm

**5e 20/00419/FUL - DEMOLITION OF THE EXISTING BUNGALOW AND CONSTRUCTION OF A NEW DWELLING AND GARAGE - TWO BAYS, LONG LANE, BOVINGDON, HERTFORDSHIRE. HP3 0NE**

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

Steven Cosgrave-Attwell spoke in objection to the application.

James Cosgrave spoke in support of the application.

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

Vote:

For: 10

Against: 0

Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the conditions set out below:



Condition(s) and Reason(s):

No	Condition
1	<p><b>The development hereby permitted shall begin before the expiration of three years from the date of this permission.</b></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><b>The development hereby permitted shall be constructed in accordance with the materials specified on drawing 8 and the application form.</b></p> <p><u>Reason:</u> 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)</p>
3	<p><b>No construction of the superstructure shall take place until details of proposed sustainability measures, including sustainable drainage 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.</b></p> <p><u>Reason:</u> 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 150 and 153 of the National Planning Policy Framework (2019).</p>
4	<p><b>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:</b></p> <p><b>Schedule 2 Part 1 Classes A and E</b></p> <p><u>Reason:</u> To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).</p>
5	<p><b>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</b></p> <p><b>Drawing numbers 1 to 8</b></p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>

**5f 20/00460/FHA - TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND BALCONY - CLOVERLEAF, CHAPEL CROFT, CHIPPERFIELD**

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

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

Vote:

For: 10

Against: 0

Abstained: 2

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

**Conditions**

**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 constructed in accordance with the materials specified on the approved plans and 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).

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

**NAJ 004 F 2020 (Elevations - Scheme C)**

**NAJ 004 F (Ground Floor Plan)**

**NAJ 004 G (First Floor Plan)**

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

**5g 20/00566/RET - RETENTION OF TIMBER ENCLOSURE/FENCING. - 33 BULBOURNE COURT TRING HERTFORDSHIRE HP23 4TP**

The Case Officer, Heather Edey, introduced the report to Members and said that the application had been referred to the Committee as the recommendation was contrary to the view of Tring Town Council.

Tring Town Councillor Rosemarie Hollinghurst spoke in objection to the application.

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

Councillor Oguchi declared that she had lost connection during the item and, therefore, did not vote.

Vote:

For: 3                      Against: 5                      Abstained: 3

Councillor Guest noted that the officer recommendation fell and asked for a motion to **REFUSE**.

It was proposed by Councillor McDowell and seconded by Councillor Symington to **REFUSE** the application by reason of its poor design, the existing fencing/enclosure would appear an intrusive feature, failing to integrate with the streetscape character. The development would therefore be contrary to Policies CS11 and CS12 of the Core Strategy (2013).

Vote:

For: 6                      Against: 3                      Abstained: 2

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

**5h                      20/00524/FHA - PROPOSED GROUND FLOOR REAR AND SIDE INFILL EXTENSION, FLOOR PLAN REDESIGN AND ALL ASSOCIATED WORKS. - 7 QUEENS ROAD BERKHAMSTED HERTFORDSHIRE HP4 3HU**

The Case Officer, Colin Lecart, introduced the report to Members and said that the application had been referred to the Committee due to objection received from Berkhamsted Town Council.

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

Vote:

For: 11                      Against: 0                      Abstained: 1

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

**103-01  
104-01**

203-01  
204-01  
302-01  
401-01 A

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

3. **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).

## **6 APPEALS**

That the following appeals were noted:

- A. LODGED**
- B. DISMISSED**
- C. ALLOWED**
- D. WITHDRAWN**

The Meeting ended at 9.42 pm