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DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

2 JULY 2020

Present:

MEMBERS:

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

OFFICERS:

J Hutton (Legal Governance Team Leader - Planning and Property), B Curtain (Lead Planning Officer), R Freeman (Lead Planning Officer), J Gardner (Lead Planning Officer), C Lecart (Planning Officer), J Miller (Planning Officer), E Palmer (Planning Officer), J Reid (Development Management Team Leader), P Stanley (Team Leader - Development Management), M Stickley (Lead Planning Officer) N Vernal (Trainee Planning Officer) and C Webber (Corporate & Democratic Support Officer)

The meeting began at 6.30 pm

1 MINUTES

The minutes of the meeting held on 11 June were confirmed by the Members present.

Hard-copy minutes will be signed by the Chair when restrictions are lifted.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence or substitutions.

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 20/00150/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 Beauchamp declared a personal interest in this item, such that it would be considered a prejudicial interest, and, therefore, did not participate or vote on this item.

Councillor Wyatt-Lowe declared that she had called this item in and that she would be speaking in objection to it. She did not, therefore, participate or vote on this item.

Councillor Hobson declared a personal interest in this item, as in the past she had worked on mobile telecoms policy.

Legal Advisor, Jacqueline Hutton, confirmed that Councillor Hobson's interest was not considered prejudicial and, therefore, Councillor Hobson did participate and vote on this item.

The Case Officer, James Gardner, introduced the report to Members and said that the application had been referred to the Committee as it had been called-in by a Ward Councillor.

Michael and Tina Moore spoke in objection to the application.

Councillor Colette Wyatt-Lowe spoke in objection to the application.

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

Councillor Oguchi declared that she had not been present for the entire presentation and, therefore, did not vote.

Vote:

For: 3 Against: 4 Abstained: 3

Councillor Guest noted that the officer recommendation fell and asked for an alternative motion.

It was proposed by Councillor Maddern and seconded by Councillor Uttley to **DEFER** the application in order to obtain further information.

Vote:

For: 4 Against: 3 Abstained: 3

Resolved: That the application be **DEFERRED**.

**5b 20/01109/FUL - CONSTRUCTION OF NEW DWELLING - LONGFIELD
AYLESBURY ROAD TRING HERTFORDSHIRE HP23 4DH**

The Case Officer, Martin Stickley, introduced the report to Members and said that the application had been referred to the Committee as it had been called in by Councillor Christopher Townsend.

Simon Gilbert and Ian Hines spoke in objection to the application.

Councillor Christopher Townsend spoke in objection to the application.

Emma Guy spoke in support of the application.

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

Vote:

For: 10 Against: 2 Abstained: 1

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

3. **No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o all external hard surfaces within the site;
- o other surfacing materials;
- o means of enclosure;
- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; and
- o minor artefacts and structures (e.g. sheds/outbuildings, refuse or other storage units, etc.).

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 3 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.

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. **Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks) works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013). The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.

5. **Prior to the first occupation of the development hereby permitted the proposed access, on-site car and cycle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan drawing no 1906_GA_02_A and retained thereafter available for that specific use. No buildings and/or structures shall be erected in these areas.**

Reason: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

6. **Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

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 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

7. **Pedestrian visibility splays of .65m x .65m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.**

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 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

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

**1906_GA_01_A
1906_GA_02_B
1906_GA_03_C
1906_GA_04_B**

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

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 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. 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.
3. 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.

4. 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.
5. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>
6. The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

5c 20/00884/FUL - CONSTRUCTION OF A GENERAL PURPOSE AGRICULTURAL BUILDING - GLENDALE FARM, FLAUDEN BOTTOM, FLAUDEN, HERTFORDSHIRE. HP5 1GA

Councillor Riddick declared that this application fell within his Ward but that he would be approaching it with an open mind. He did, therefore, participate and vote on this item.

The Case Officer, Robert Freeman, introduced the report to Members and said that the application had been referred to the Development Management Committee given the recommendation of Flaunden Parish Council and at the request of Cllr Riddick. Cllr Riddick was concerned that the proposals constituted inappropriate development and were by definition harmful to the Green belt.

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Durrant to **GRANT** the application in line with the officer recommendation with an added condition to ensure that the building remains for agricultural purposes in accordance with Policy CS5 of the Dacorum Borough Core Strategy.

Vote:

For: 10

Against: 0

Abstained: 3

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:**

Drawing Nos 19-30-01 Revision B (Site Plan),
19-30-02 Revision A (Site Location Plan) and
19-30-03 Revision B

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

- 3. No development 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).

- 4. No construction of the superstructure shall take place until full details 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 and details of the finished floor level in relation to existing topographical information.**

The planting scheme 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 species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by Policies CS11, CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Dacorum Borough Local Plan (2004)

- 5. The building hereby permitted shall only be used for agricultural storage of the following items associated with the weanling / beef operation on Glendale Farm:**

- a) Hay or straw;
- b) Tractors and trailers;
- c) Bagged hard feed;
- d) Additives such as mineral supplements and protein supplements required by livestock;
- e) Medicines, wormer and other treatments for livestock;
- f) Spray chemicals;
- g) Clothing associated with agricultural activity;
- h) Tools associated with the agricultural activity; and
- i) Any miscellaneous items.

Reason: To ensure that the building remains for agricultural purposes in accordance with Policy CS5 of the Dacorum Borough Core Strategy.

INFORMATIVE

BADGERS

Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped."

The meeting adjourned at 8:49pm.

The meeting reconvened at 9pm.

5d 20/00631/FUL - CONSTRUCTION OF NEW DWELLING WITH ACCESS VIA EXISTING DRIVEWAY. DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO NEW DETACHED DOUBLE GARAGES. - FULLERS CROSS OAK ROAD BERKHAMSTED HERTFORDSHIRE HP4 3NA

The Case Officer, Joan Reid, introduced the report to Members and said that the application had been referred to the Committee due to objection from the Town Council.

Malcolm Allen spoke in objection to the application.

Berkhamsted Town Councillor Anthony Armytage spoke in objection to the application.

Christina Burgess spoke in support of the application.

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

Vote:

For: 11

Against: 1

Abstained: 1

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

**9518/11
9518/12
9518/13
9518/14
9518/15
9518/16
9518/17
9518/18
9518/19
9518/20
9518/21**

Arboricultural Report dated 14th Oct 2019

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

3. **No development 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).

4. **The development hereby approved shall not be occupied until a properly scaled swept path diagram demonstrating that the proposed access /on-site turning /waiting area is accessible to Fire and utility vehicles in order to service the new property and enter and leave the highway in forward gear or (plans for alternative fire hydrant provision) has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

Reason: In the interests of highway safety in accordance with policy CS8 and CS12.

5. **Construction of the development hereby approved shall not commence until a detailed refuse collection plan in line with the regulations set out in Roads in Hertfordshire has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan**

Reason: In the interests of maintaining highway efficiency and safety in accordance with policy CS8 and CS12

6. **No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure;
- specific details of the method of construction of the driveway

Any tree or shrub which forms part of the approved Arboricultural report 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, safeguard amenity of neighbouring properties and character of the area, 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 of the Dacorum Borough Council Core Strategy (2013).

7. **The tree protection plan and methodology as contained within the arboricultural report shall be fully implemented prior to any demolition or clearance of the site and tree protection shall remain in situ during the whole period of construction.**

Reason: To improve the appearance of the development, safeguard amenity of neighbouring properties and character of the area, 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 of the Dacorum Borough Council Core Strategy (2013).

8. **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:
Classes A, B, C 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 Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

9. **The windows at first floor level in both side elevations of the new dwelling hereby permitted shall be non-opening below a height of 1.7m and permanently fitted with obscured glass.**

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).

10. **The two detached double garages hereby permitted shall both solely be used for the parking of vehicles and for no other purpose.**

Reason: To ensure an appropriate amount of off-street parking is retained for both dwellings without compromising the turning areas within the site in the interests of maintaining emergency vehicle access and highway safety and in accordance with Policy CS12 (a and b) of the Dacorum Borough Council Core Strategy (2013).

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.
2. Highways :
 - a) 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.
 - b) 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.
 - c) 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-licences/business-licences.aspx> or by telephoning 0300 1234047.

3. It is possible that bats or other protected species may be using areas of the existing site. UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;
Recklessly disturb bats;
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present or other protected species, a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

5e 4/02072/19/FUL - DEMOLITION OF BARN AND STABLE BUILDINGS & CONSTRUCTION OF 4 BEDROOM SINGLE STOREY DETACHED DWELLING. - CHEQUERS HILL NURSERIES DELMER END LANE FLAMSTEAD ST ALBANS AL3 8ER

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 the Parish Council.

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

Vote:

For: 10 Against: 0 Abstained: 3

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:**

Application form (section 7 - Materials)
3818_L3F (Proposed Site Layout)
3818_P2D (Proposed Plans and Elevations)

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

3. **Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

Reason: In the interest of highway safety in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004).

4. **Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure the permanent availability of the parking area, in the interests of highway safety in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004).

5. **The development shall not be brought into use until the altered vehicle crossover has been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.**

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004).

6. **No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure (heights)**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- **position (tree and height) and details (box model) of bird/bat boxes to be placed on the site or building**

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), Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 170 (b & d) of the NPPF (2019).

7. **The boundary treatments to the western side of the development, as shown on plan 3818_L3F, shall erected/planted prior to occupation of the new dwelling and be permanently retained thereafter. Changes to the boundary treatments shall not be made without the written permission of the Local Planning Authority.**

Reason: To maintain a clear distinction between the residential use and the open land to the west in order to protect against further encroachment into the Green Belt and maintain its openness in accordance with Policy CS5 of the Core Strategy (2013).

8. **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:
A, B and E**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt in accordance with Policy CS5 of the Core Strategy (2013). Also, to enable the Local Authority to retain control of the development to safeguard the outdoor amenity space of the development and safeguard against spatial pressure to the retained trees on site in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 99 of the Local Plan (2004)

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.
2. 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.

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

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>.

The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/5>.

3. 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. Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost - nesting sites.

Any vegetation 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 vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

Item 5h on the agenda was heard next as there were registered speakers on this item.

5h 20/00758/FHA - TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS - 24 FINCH ROAD BERKHAMSTED HERTFORDSHIRE HP4 3LH

Martin Stickley introduced the report to Members, on behalf of the Case Officer, and said that the application had been referred to the Committee due to the contrary view of Berkhamsted Town Council.

Frank Klimaszewski spoke in objection to the application.

Berkhamsted Town Councillor Peter White spoke in objection to the application.

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

Councillor Maddern declared that she had not been present for the entire item and, therefore, did not vote.

Vote:

For: 4 Against: 6 Abstained: 2

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

It was proposed by Councillor Hobson and seconded by Councillor Woolner to **REFUSE** the application as the proposed two-storey side/rear extension by virtue of its layout, scale, bulk and height would result in significant visual intrusion and loss of sunlight to No.22 Finch Road, thereby significantly harming the residential amenity of this neighbouring property, and being contrary to Policy CS12 (c) and (g) of the Dacorum Borough Local Plan (September 2013).

Vote:

For: 6 Against: 3 Abstained: 3

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

5f 19/02521/FHA - SINGLE STOREY FRONT EXTENSION, TWO STOREY SIDE AND REAR EXTENSION - 15 NEW ROAD WILSTONE TRING HERTFORDSHIRE HP23 4NZ

Item 5f was deferred.

5g 20/01038/FHA - SINGLE STOREY REAR EXTENSIONS, FRONT PORCH CANOPY AND ALTERATIONS TO FRONT, REAR AND SIDE FENESTRATION (AMENDED SCHEME) - 12 PULLER ROAD HEMEL HEMPSTEAD HERTFORDSHIRE HP1 1QL

Item 5g was deferred.

5i 20/00771/FHA - TWO STOREY SIDE AND REAR EXTENSIONS AND NEW FRONT PORCH - AUTUMN TINTS 4 RAMBLING WAY POTTEN END BERKHAMSTED HERTFORDSHIRE HP4 2SE

Item 5i was deferred.

6 APPEALS

That the following appeals were noted:

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

The Meeting ended at 10.26 pm