
DACORUM BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

28 MAY 2015

Present

MEMBERS:

Councillor D Collins (Chairman); Councillors Conway, Clark, Maddern, Matthews, Riddick, Rithchie, R Sutton and Whitman.

Councillors Marshall, G Sutton and Williams also attended

OFFICERS:

J Doe (Assistant Director of Planning, Development and Regeneration), S Clark (the Interim Group Manager of Development Management and Planning, F Bogle, A Parrish, J Reid, P Stanley, B Curtain, C Watson, N Weeks, T Lawson.

The meeting began at 7.00 pm

001. INTRODUCTIONS

Councillor D Collins (Chairman) introduced himself and the officers present and went through the fire safety procedure. Councillor D Collins asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application. He also reminded the members and public about the rules regarding public participation.

Councillor D Collins announced that he would change the order of the applications being considered and bring forward the applications with Public Participation. The applications are minuted numerically to accord with the agenda.

An addendum to the agenda was circulated before the meeting. A copy of the addendum can be found on the DBC website on the following link:

002. MINUTES

The minutes of the meeting held on 29 April 2015 were confirmed by the Members present and were then signed by the Chairman

003. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Birnie, Guest, C Wyatt-Lowe and Tindall.

Councillor Mrs P Hearn substituted for Councillor Birnie.

004. PLANNING APPLICATIONS

The Committee considered applications for planning permission as set out below and reached the decisions therein.

005. 4/00424/15/MOA - CONSTRUCTION OF CLASS A1 RETAIL DEVELOPMENT (TO INCLUDE CONVENIENCE AND COMPARISON RETAIL FLOORPLACE AND ANCILLARY CAFE) AND CLASS A3 DRIVE-THRU CAFE/RESTAURANT UNIT (WITH ANCILLARY TAKEAWAY) TOGETHER WITH ACCESS, CAR PARKING, SERVICE YARD AND ASSOCIATED WORKS

JARMAN PARK, JARMAN WAY, HEMEL HEMPSTEAD

Fiona Bogle introduced the report and advised that there had been a late report received today from the Lead Local Flood Authority advising that the flood risk assessment does not comply and further information is required.

The development was debated with concerns being raised by Members with regards to the impact the development would have on the Town Centre.

There was no proposer for the officer's recommendation, so the Officer's recommendation overturned – application **REFUSED**.

Voting:

5 for and 4 abstentions;

whereupon it was:

Resolved:

That the application be refused for the following reason:

The proposal has a substantially harmful impact on the vitality and viability of Hemel Hempstead Town Centre, contrary to policy CS 16 of the Core Strategy.

006. 4/03584/14/MOA - OUTLINE APPLICATION FOR THE CONSTRUCTION OF 50 ONE BEDROOM FLATS WITH CAR PARKING AND VEHICULAR ACCESS

LAND AT APSLEY MILLS ADJ. THE COTTAGE, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD

Neville Spiers, the applicants' agent, and Jacky Bennett, Chairman of the Trustees made statements in support of the application.

It was proposed by Councillor Matthews and seconded by Councillor P Hearn to refuse the application.

Voting:

5 for, 2 against and 2 abstentions;

whereupon it was:

Resolved:

That the application be refused for the following reasons:

- 1 **The site is located within Flood zones 1, 2 and 3 and the proposal is identified as being more vulnerable in the NPPF. It is considered the detail submitted do not demonstrate that the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework are met . The proposal does not therefore accord with policy CS31 of the Core Strategy or the NPPF in terms of flood risk and impact.**

- 2 **In accordance with policy CS12 and CS27 of the adopted Core Strategy and policy 119 of the local plan, the scheme fails to demonstrate an acceptable relationship can be achieved in the built form that would not harm the character and setting of the adjacent listed building.**

- 3 **The scheme fails to demonstrate that an acceptable relationship in terms of adequate privacy can be achieved for future occupiers in accordance with policy CS12 of the adopted Core Strategy and saved Appendix 3 of the saved DBLP 1991-2011.**

**007. 4/01632/15/ROC - VARIATION OF CONDITION 5 (CILL HEIGHTS)
ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF
FOUR SEMI-DETACHED HOUSES)**

LAND AT 15 AND R/O 14, STATION ROAD, TRING, HP23 5NG

Nigel Ozier, the applicants' agent, made a statement in Support of the application.

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

Voting:

8 for and 1 abstention

Whereupon it was:

Resolved:

That planning permission be granted, subject to the following conditions:-

- 1 **The development hereby permitted shall be begun 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:**

Location Plan 1:1250

H 03 13 Site Survey

BBH 002 01 Rev D - Proposed Site Plan and Street Scene Elevation

BBH 002 02 Rev D - Proposed plans and Elevations

BBH 002 03 Rev D - Proposed Longitudinal Sections Through The Site

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

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings and statements.**

Reason: To ensure a satisfactory appearance to the development and to comply with Policy CS12 of the Core strategy.

- 4 **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 5 **All of the roof lights to the rear roof slopes hereby approved shall have a cill height of not less than 1.6m above the internal floor level of the second floor.**

All of the roof lights to the side roof slopes hereby approved shall have a cill height of not less than 1.2m above the internal floor level of the second floor.

Reason: To safeguard the privacy of the occupiers of neighbouring dwellings.

- 6 **Notwithstanding condition 2, prior to the first occupation of the dwellings to Plots 1 and 4 the first floor windows to their side elevations shall be of a top hung fan light opening only and fitted with obscured glass and retained in that condition thereafter.**

Reason: To safeguard the residential amenities of adjacent dwellings.

- 7 **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;**

Schedule 2 Part 1 Classes A, B, C, D, 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 and to accord with Policy CS12 of the Core Strategy 2006-2031.

- 8 **Prior to the first occupation of the dwellings hereby permitted the areas shown on drawing No. BBH/002/01 Rev D for the parking of vehicles, and for vehicles to manoeuvre so that they may enter and leave the site in a forward gear, shall be laid out and those areas shall not thereafter be used for any purpose other than the parking and manoeuvring of vehicles.**

Reason: In the interests of highway safety and to accord with Policy CS12 of the Core Strategy 2006-2031..

- 9 **The refuse storage area as shown on Drawing No BBH/002/01 Rev D shall be used for collection purposes only.**

Reason: In the interests of highway safety and the residential amenity of adjacent properties.

Article 31

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

008. 4/01633/15/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)

LAND AT 15 AND R/O 14, STATION ROAD, TRING, HP23 5NG

Nigel Ozier, the applicants' agent, made a statement in Support of the application.

It was proposed by Councillor Conway and seconded by Councillor Clark to grant the application in line with the officer's recommendations

Voting:

Unanimously agreed

whereupon it was:

Resolved:

That planning permission be granted, subject to the following conditions:-

- 1 **The development hereby permitted shall be begun 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:**

Location Plan 1:1250

H 03 13 Site Survey

BBH002/01 C - Proposed Site Plan and Street Scene Elevation

BBH002/02 C- Proposed plans and Elevations

BBH002/03 C - Proposed Longitudinal Sections Through The Site

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

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings and statements.**

Reason: To ensure a satisfactory appearance to the development and to comply with Policy CS12 of the Core strategy.

- 4 **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 5 **All of the roof lights to the rear roof slopes hereby approved shall have a cill height of not less than 1.6m above the internal floor level of the second floor.**

All of the roof lights to the side roof slopes hereby approved shall have a cill height of not less than 1.2m above the internal floor level of the second floor.

Reason: To safeguard the privacy of the occupiers of neighbouring dwellings.

- 6 **Notwithstanding condition 2, prior to the first occupation of the dwellings to Plots 1 and 4 the first floor windows to their side elevations shall be of a top hung fan light opening only and fitted with obscured glass and retained in that condition thereafter.**

Reason: To safeguard the residential amenities of adjacent dwellings.

- 7 **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;**

Schedule 2 Part 1 Classes A, B, C, D, 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 and to accord with Policy CS12 of the Core Strategy 2006-2031.

- 8 **Prior to the first occupation of the dwellings hereby permitted the areas shown on drawing No. BBH/002/01 Rev C for the parking of vehicles, and for vehicles to manoeuvre so that they may enter and leave the site in a forward gear, shall be laid out and those areas shall not thereafter be used for any purpose other than the parking and manoeuvring of vehicles.**

Reason: In the interests of highway safety and to accord with Policy CS12 of the Core Strategy 2006-2031..

- 9 **The refuse storage area as shown on Drawing No BBH/002/01 Rev C shall be used for collection purposes only.**

Reason: In the interests of highway safety and the residential amenity of adjacent properties.

Article 31

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

009. 4/01653/15/FUL - CONSTRUCTION OF TWO SEMI DETACHED HOUSES LAND TO THE REAR OF 17 STATION ROAD, TRING, HP23 5NG

Nigel Ozier, the applicants' agent, made a statement in Support of the application.

It was proposed by Councillor P Hearn and seconded by Councillor Clark to grant the application for the reasons set out above and subject to the following conditions:

Voting:

Unanimously agreed;

whereupon it was:

Resolved:

That planning permission be granted subject to the following conditions:-

- 1 **The development hereby permitted shall be begun 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 drawings and statement

Location Plan 1:1250

H 03 13 Site Survey

BBH003/01 Rev B - Proposed Site Plan and Street Scene Elevation

BBH003/02 Rev A- Proposed plans and Elevations

Reason: To ensure a satisfactory appearance to the development and to comply with Policy CS12 of the Core strategy.

- 3 No development 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:**

- (i) hard surfacing materials;**
- (ii) means of enclosure;**
- (iii) bin storage and refuse collection;**
- (iv) 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;**
- (v) trees to be retained and measures for their protection during construction works;;**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development , to safeguard the visual character of the immediate area and to accord with Policy CS 12 of the Core Strategy.

- 5 All of the roof lights to the rear roof slopes hereby approved shall have a cill height of not less than 1.6m above the internal floor level of the second floor.**

All of the roof lights to the side roof slopes hereby approved shall have a cill height of not less than 1.2m above the internal floor level of the second floor.

Reason: To safeguard the privacy of the occupiers of neighbouring dwellings.

Reason: To safeguard the residential amenities of adjacent properties.

- 6 Prior to first occupation of the dwellings to Plots 5 & 6 the first floor windows to their side elevations shall be top hung fan light opening only and fitted with obscure glass and retained in that condition thereafter.**

Reason: To safeguard the residential amenities of adjacent dwellings and to accord with Policy CS 12 of the Core Strategy.

- 7 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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;**

Schedule 2 Part 1 Classes A, B, C, D, 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 and to accord with Policy CS 12 of the Core Strategy.

- 9 **Prior to the first occupation of the dwellings hereby permitted the areas shown on DRawing No. BBH/003/01 Rev B for the parking of vehicles, and for vehicles to manoeuvre so that they may enter and leave the site in forward gear, shall be laid out and those areas shall not thereafter be used for any other purpose than the parking and manoeuvring of vehicles.**

Reason: In the interests of highway safety.

- 10 **Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.**

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;**
- (ii) an assessment of the potential risks to:**
 - (vi) human health,**
 - (vii) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
 - (viii) adjoining land,**
 - (ix) groundwaters and surface waters,**
 - (x) ecological systems,**

(xi) archeological sites and ancient monuments;

- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

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. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with

Condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Core Strategy.

INFORMATIVE:

The applicant is advised that a guidance document relating to land contamination is available in the Council's website:

<http://www.dacorum.gov.uk/default.aspx?page=2247>

Article 31

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

010. 4/00987/15/FHA - PART SINGLE, PART TWO STOREY FRONT SIDE AND REAR EXTENSION WITH FRONT PORCH EXTENSION. LOFT CONVERSION WITH REAR DORMER AND EXTENSION OF EXISTING RAISED PATIO

37 HAZEL ROAD, BERKHAMSTED, HP4 2JN

Councillor Ritchie declared a personal interest in this application. Councillor Ritchie was previously a member of Berkhamsted Town council Planning Committee and has previously spoken in favour of this application. On advice of N Weeks Councillor Ritchie withdrew from the meeting whilst this application was discussed.

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

It was proposed by Councillor Conway and seconded by Councillor R Sutton to grant the application.

Voting:

7 for and 2 abstentions

whereupon it was:

Resolved

That planning permission be granted, subject to the following conditions:-

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development and to comply with the requirements of Policy CS12 of the Core Strategy.

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

139 su1.01
139 pa2.01
139 pa2.02
139 pa2.03
139 pa2.04
139 pa2.05
139 pa2.06
139 pa2.07

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

**011. NEW DETACHED DWELLING AND GARAGE WITH VEHICULAR ACCESS FROM
ST JOHNS WELL COURT
328 HIGH STREET, BERKHAMSTED, HP4 1HT**

Penny Ingam, applicant, spoke in support of the application.

It was proposed by Councillor Whitman and seconded by Councillor P Hearn to grant the application in line with the officer's recommendations.

Voting:

7 for and 1 against;

whereupon it was:

Resolved:

That planning permission be granted, subject to the following conditions:-.

- 1 **The development hereby permitted shall be begun 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 fully in accordance with the materials specified by Drawing No. 271 Revision B and all the windows and doors shown by this drawing (other than the aluminum patio doors) shall be of stained timber and all rainwater gutters and downpipes shall be of black painted metal timber.**

Reason: In the interests of the character and appearance of the Conservation Area to accord with Policy CS 279 of Dacorum Core Strategy .

- 3 **Before the occupation of the dwellinghouse hereby permitted the access and all the blocked paved area shown on Drawing No. HSI11 272 Revision A shall be upgraded fully in accordance with the specified details on the plans hereby approved. Once carried out the upgraded paved area, bollards and exterior lighting shall all be retained and maintained at all times in accordance with the approved details.**

Reason: In the interests of highway safety and crime prevention in accordance with Policies CS9, CS12, CS29 and CS32 of Dacorum Core Strategy and saved Policies 51, 54 62, 63, 113 and Appendix 8 of Dacorum Borough Local Plan.

- 4 **Before the first occupation of the dwellinghouse hereby permitted the landing window in the west elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.**

Reason: To safeguard the residential amenity of the existing dwellinghouse and No.330 High Street to accord with the requirements of Policy CS12 of the Dacorum Core Strategy.

- 5 **a) The development hereby permitted shall be carried out in accordance with the approved Written Scheme of Investigation for archaeological Strip, Map and Record and Watching Brief submitted in support of planning application.**

b) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard the site archaeology to accord with the requirements of Policy CS27 of the Dacorum Core Strategy and saved Policy 117 of Dacorum Borough Local Plan.

- 6 **Notwithstanding the details specified by the submitted Sustainable Design and Construction Statement, the development hereby permitted shall be carried out in accordance with the respective requirements of criteria (h) and (j) of Policy CS 29 (Sustainable Design and Construction) of Dacorum Core Strategy**

requiring:

- 1. The planting of one new tree following the first occupation of the dwellinghouse hereby permitted , and**
- 2. The installation of bird and bat boxes.**

Reason: To ensure the sustainable development of the site in accordance with the relevant sustainable construction biodiversity and landscaping criteria subject to Policy CS 29 of Dacorum Core Strategy .

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

Drawing Nos. 272 B, 271B and 272 C.

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

ARTICLE 31 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Informative

It is recommended that there are improvements to the visibility for the existing access serving the existing parking area serving no. 328 High Street by altering the boundary fence as previously approved.

012. 4/03763/14/MFA - CHANGE OF USE OF FOUR LONG TERM VACANT RETAIL UNITS AT PODIUM LEVEL OF BLOCKS C AND D TO A TOTAL OF 15 ONE AND TWO BEDROOM CLASS C3 APARTMENTS

IMAGE DEVELOPMENT, LEIGHTON BUZZARD ROAD, HEMEL HEMPSTEAD

John Richards spoke in support of the application.

John Harris spoke in objection to the application.

Councillor Marshall as Ward Councillor made a statement in objection to the application.

It was proposed by Councillor Conway and seconded by Councillor Matthews to defer the application:

Voting:

Unanimously agreed

Whereupon it was:

Resolved:

The application be **DEFERRED** to enable further information to be provided regarding the marketing of the units, the offer price of the floorspace and the prospects of attracting retail tenants in this location. Information was also sought on the precise location of the car parking spaces for the proposed residential units.

013. 4/00513/15/FUL - CONVERSION OF BUILDING FROM B1(C) TO A RESIDENTIAL DWELLING (C3) WITH REPLACEMENT WINDOW WITH A NEW DOOR (NORTHWEST ELEVATION)

LOWER FARM END, LUTON ROAD, MARKYATE, ST. ALBANS, AL3 8PZ

It was proposed by Councillor Whitman and seconded by Councillor P Hearn to grant the application for the reasons set out above.

Voting:

Unanimously agreed;

whereupon it was:

Resolved:

That planning permission be granted, subject to the following conditions:-.

- 1 **The development hereby permitted shall be begun 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 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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:**

Schedule 2 Part 1 Classes A, B and E.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the openness and visual amenity of the Green Belt in accordance with Policy CS5 of the Dacorum Borough Core Strategy (September 2013).

- 3 **The development hereby permitted shall be carried out in accordance with the submitted CS29 Checklist and the additional sustainability information**

submitted in point 2 of the e-mail from the Agent dated 15/05/15.

Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Borough Core Strategy (September 2013).

4 No development shall take place until full details of the following means of enclosure have been submitted to and approved in writing by the local planning authority:

- **means of enclosure, separating the garden area from the tree belt along the north-west boundary;**
- **means of enclosure, separating the side and rear garden areas from the area in front of the building.**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS5 of the Dacorum Borough Core Strategy (September 2013).

5 No development shall take place until full details of the car parking layout and other vehicle and pedestrian access and circulation areas have been submitted to and approved in writing by the Local Planning Authority.

No vehicles shall be parked in any area other than the approved designated parking area. The designated parking area shall only be used for the parking of vehicles ancillary to the approved residential use of the site.

The approved parking layout and circulation works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory provision of off-street parking for the new dwelling in accordance with Policy 58 of the Dacorum Borough Local Plan (1991-2011).

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

**Site Location Plan
DWG 3 (15/05/2015)
55.14.1**

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

ARTICLE 31 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**014. 4/00586/15/RET - RETENTION OF RAISED DRIVEWAY WITH A RETAINING WALL
22 MANORVILLE ROAD, HEMEL HEMPSTEAD, HP3 0AP**

It was proposed by Councillor Conway and seconded by Councillor R Sutton to grant the application for the reasons set out above.

Voting:

Unanimously agreed

Whereupon it was

Resolved:

That planning permission be granted, subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.

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

**Proposed elevations - no reference (received 28-Apr-15),
Proposed floor plans - no reference (received 28-Apr-15).**

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

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**015. 4/00661/15/FHA - INSERTION OF FOUR SMALL CONSERVATION WINDOWS TO
REAR ROOF SLOPE
BANK MILL WHARF, 2 BANK MILL LANE, BERKHAMSTED, HP4 2NT**

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

It was proposed by Councillor Matthews and seconded by Councillor Whitman to grant the application for the reasons above.

Voting:

8 for and 1 abstention

Whereupon it was

Resolved

That planning permission be granted subject to the following conditions:-

- 1 **The development hereby permitted shall be begun 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 drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To safeguard the character and appearance of the curtilage Listed Building and to accord with adopted Core Strategy Policies CS12 and CS27.

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

**P-21 Site Location Map;
P-10 Rev A;
P-11 Rev A;
P-12 Rev A;
P-29.**

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

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**016. 4/00662/15/LBC - INSERTION OF 4 SMALL CONSERVATION ROOF WINDOWS TO REAR ROOF SLOPE AND ASSOCIATED INTERNAL ALTERATIONS
BANK MILL WHARF, 2 BANK MILL LANE, BERKHAMSTED, HP4 2NT**

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

It was proposed by Councillor Whitman and seconded by Councillor Matthews to grant the application for the reasons above.

Voting:

8 for and 1 against

Whereupon it was:

Resolved

That planning permission be granted, subject to the following conditions:-.

- 1 **The works for which this consent is granted shall be begun before the expiration of three years from the date of this consent.**

Reason: To comply with section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To safeguard the character and appearance of the curtilage Listed Building and to accord with adopted Core Strategy Policies CS12 and CS27.

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

**P-21 Site Location Map;
P-10 Rev A;
P-11 Rev A;
P-12 Rev A;
P-29.**

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

Article 31 Statement

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

017. 4/00756/15/FUL - CHANGE OF USE TO PRIVATE DWELLING, REPLACEMENT WINDOWS AND DOORS, INTERNAL WORKS

LAND R/O SARACENS HEAD, 47 HIGH STREET, KINGS LANGLEY, WD4 9HU

It was proposed by Councillor Matthews and seconded by Councillor R Sutton to grant the application for the reasons above.

Voting:

8 for and 1 abstention

Whereupon it was:

Resolved

That planning permission be granted, subject to the following conditions:-.

- 1 The development hereby permitted shall be begun 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 and details specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To safeguard the character and appearance of the Listed Building and Conservation Area in accordance with Policies CS12 and 27 of the Dacorum Core Strategy September 2013 and saved Policies 119 and 120 of the Dacorum Borough Local Plan 1991-2011.

- 3 The development hereby permitted shall be carried out in accordance with the approved C-Plan Sustainability Statement.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 and Paragraph 18.22 of the Dacorum Core Strategy September 2013.

- 4 If it has not already been removed, the existing cement render plynth shall be removed from the building before first occupation.**

Reason: To safeguard the character and appearance of the Listed Building and Conservation Area in accordance with Policies CS12 and 27 of the Dacorum Core Strategy September 2013 and saved Policies 119 and 120 of the Dacorum Borough Local Plan 1991-2011.

- 5 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:**

**Schedule 2 Part 1 Class A, C, D, G, H
Part 2 Class C.**

Reason: To enable the local planning authority to retain control over the

development in the interests of safeguarding the character and appearance of the Listed Building and Conservation Area in accordance with Policies CS12 and 27 of the Dacorum Core Strategy September 2013 and saved Policies 119 and 120 of the Dacorum Borough Local Plan 1991-2011.

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

**9189-L-00-LP
9189-L-00-01
9189-L-00-02
9189-L-00-03B**

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

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

INFORMATIVE:

The applicant is advised that a watching brief should be undertaken during any associated ground works for potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

**018. 4/00757/15/LBC - CHANGE OF USE TO PRIVATE DWELLING, REPLACEMENT WINDOWS AND DOORS, INTERNAL WORKS.
LAND R/O SARACENS HEAD, 47 HIGH STREET, KINGS LANGLEY, WD4 9HU**

It was proposed by Councillor P Hearn and seconded by Councillor Whitman to grant the application.

Voting:

8 for and 1 abstention

Whereupon it was

Resolved

That planning permission be granted subject to the following conditions:-

- 1 The works for which this consent is granted shall be begun before the expiration of three years from the date of this consent.**

Reason: To comply with section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 **The development hereby permitted shall be constructed in accordance with the materials and details specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To safeguard the character and appearance of the Listed Building in accordance with Policy 27 of the Dacorum Core Strategy September 2013 and saved Policy 119 of the Dacorum Borough Local Plan 1991-2011.

- 3 **The existing cement render plinth shall be removed from the building before first occupation.**

Reason: To safeguard the character and appearance of the Listed Building in accordance with Policy CS27 of the Dacorum Core Strategy September 2013 and saved Policy 119 of the Dacorum Borough Local Plan 1991-2011.

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

**9189-L-00-LP
9189-L-00-01
9189-L-00-02
9189-L-00-03B**

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

Article 31 Statement

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

**019. 4/00909/15/FHA - SINGLE STOREY REAR CONSERVATORY, SINGLE STOREY EXTENSION TO GARAGE AT FRONT/SIDE, CANOPY OVER FRONT ENTRANCE DOOR, WOODEN GARDEN SHED TO REAR GARDEN.
7 SHELDON WAY, BERKHAMSTED, HP4 1FG**

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

Summary

It was proposed by Councillor P Hearn and seconded by Councillor R Sutton to grant the application for the reasons above

Voting:

5 for and 4 against

Whereupon it was:

Resolved

That planning permission be delegated with a view to approval subject to period and subject to the following conditions:-

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development and to accord with Core Strategy Policy CS12.

- 3 **There shall be no side windows inserted within the conservatory hereby permitted.**

Reason: In order to protect the amenities of neighbouring properties and to accord with Policy CS12 of the Core Strategy.

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

1:1250 site location plan, 1:500 block plan, 27226/1, existing and proposed floorplans, technical specification of shed, photographs of shed

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

- 5 **Details of the replacement garage door are to be submitted to and approved by the Local Planning Authority:**

Reason: To ensure a satisfactory appearance to the development and to accord with core strategy policy CS12.

020. APPEALS

Noted the following reports:

- 1.Appeals Lodged;
- 2.Appeals Allowed
- 3.Appeals Dismissed
- 4.Decisions on Appeals

The meeting ended at 10.30pm