



**DEVELOPMENT CONTROL COMMITTEE**  
**THURSDAY 5th SEPTEMBER 2013 AT 7.00 PM**

**ADDENDUM SHEET**

5.1

**4/00994/13/MFA - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO FORM 48 ONE AND TWO BED SHELTERED APARTMENTS FOR THE ELDERLY INCLUDING COMMUNAL FACILITIES (CATEGORY II TYPE ACCOMMODATION), ACCESS, CAR PARKING AND LANDSCAPING  
APPLICANT: CHURCHILL RETIREMENT LIVINGLTD**

**Additional Comments**

Chiltern Society

The provision of only 19 car parking spaces for 48 apartments and the attached staff is far too low. Many people over 60 are still driving cars. We know that Berkhamsted town is seriously under provided with car parking for the existing shops and offices, and no parking can be added to the High Street since it has been given double yellow lines on both sides. A new multi-story car park has been proposed by the Council but this has not yet been provided for in the budget. The kind of people who can afford these flats will have a car.

The proposed buildings' roofs have central valleys over the corridors which will be a rainwater problem in the future. This could be altered.

There is only one lift provided, in the exact opposite corner of the buildings to the only space allocated for recycling bin storage. This is liable to be a hygiene problem. There should be a lift near to the bin stores.

Hertfordshire County Council Fire Protection

It was unclear from the online plans where the nearest hydrant was, as the development is located in Berkhamsted High Street there may be one nearby that falls into the category of point 5.

Access and Facilities

Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), section B5, sub-section 16.

Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes.

Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

## Water Supplies

Water supplies should be provided in accordance with BS 9999.

This authority would consider the following hydrant provision adequate:

- Not more than 60m from an entry to any building on the site.
- Not more than 120m apart for residential developments or 90m apart for commercial developments.
- Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
- Not less than 6m from the building or risk so that they remain usable during a fire.
- Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
- Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.

In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

## Amended Plans

Amended plans have been submitted which reduce the width of the parapet roof to middle building along the High Street frontage in line with comments from the conservation officer.

### Condition 16 amended as follows:

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

40012BK-PL01  
40012BK-PL02 B  
40012BK-PL08 A  
40012BK-PL07 A  
40012BK-PL05 B  
40012BK-PL04 B  
40012BK-PL09 B  
40012BK-PL06 B  
40012BK-PL03 B  
17725 Rev 1  
1461-0002 02  
12348-BT2

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

## Additional condition imposed

Condition 17

No demolition shall commence until a strategy for the clearance of the site of any trees above the height of 50cm shall be submitted and approved by the local planning authority.

The strategy shall include either the time of year for clearance or details of a person who will supervise the works. The development shall be implemented in accordance with the approved strategy.

Reason: In the interests of biodiversity and in accordance with policy 102 of the local plan and CS26 of the emerging core strategy.

**New Ownership Certificate**

An amended certificate of ownership has been signed and submitted to the LPA. The agent only recently discovered that a small piece of the land on the site was unregistered land. Therefore certificate C has now been signed and the agent will take reasonable efforts to ascertain the owner of this land.

**RECOMMENDATION CHANGED**

1. That the application be **DELEGATED** to the Group Manager - Development Management & Planning with a view to approval subject to:
  - a) the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 within the specified time outlined in the committee report
  - b) the expiry of the required notification period under Certificate C
  - c) the draft list of conditions outlined in the published agenda.
  
2. That in the absence of a completed planning obligation securing the figures set out in recommendation 1 being in the Council possession before the 28 October 2013, the Group Manager - Development Management & Planning be given delegated powers, should it be considered appropriate, to refuse the planning application for the reason set out below:

*In accordance with the Council's adopted Planning Obligations Supplementary Planning Document (SPD), The Hertfordshire County Council Planning Obligations Toolkit, and proposal TWA8 of the Borough Plan, financial contributions and other obligations should be provided in respect of a number of matters in order to mitigate the impacts of the development in this case and secure the improvements sought by TWA8. An undertaking under s106 of the Town and Country Planning Act 1990 has not been completed. In the circumstances, no legal mechanism is in place to secure the contributions and undertakings necessary in order to mitigate the impacts of the development. The proposal is therefore contrary to Policy 13 of the Dacorum Borough Local Plan 1991-2011 and its adopted SPD April 2011.*

\*\*\*\*\*

5.2

**4/02209/12/OUT – REDVELOPMENT OF 23 DOMESTIC GARAGES TO PROVIDE FOUR RESIDENTIAL UNITS WITH PRIVATE PARKING AND FURTHER UNALLOCATED PARKING SPACES  
GARAGE SITE ON CORNER OF TEESDALE AND WESTERDALE M, HEMEL HEMPSTEAD, HP2**

**APPLICANT - DACORUM BOROUGH COUNCIL**

Page 45 of the report, 3<sup>rd</sup> paragraph.

There is a typing error in the report wherein the 7 void garages are stated. Wherein there is actually 5 void garages.

This does not impact on the assessment of the application as the following paragraph considers the occupied garages (18) against the parking provision provided in the proposed development (14) rather than making reference to the void garages.

RECOMMENDATION – as per published report

\*\*\*\*\*

5.3

**4/01038/13/FUL – CONSTRUCTION OF ONE 2 BEDROOM DWELLING WITH ASSOCIATED CAR PARKING LAND AT IVYCOTE, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9JP  
APPLICANT: Mr S Wright-Browne**

Re-number conditions 7-12 to 6-11.

Pg 57 in Response to Neighbour notification insert after “The main reasons for the objection is:”

- The site has recently been redeveloped with three new houses built, with the two existing cottages any further development would make the site overdeveloped and create highway issues.
- Visual intrusion (views enjoyed from the Bungalow will be lost).
- Overlooking/Loss of privacy (40-50 primary aged children that attend daily religious classes).
- Highway Safety (access to Mosque is used by primary aged children and other members of the community).
- Adequacy of parking/turning (there is currently a bus stop in front of the 2 current cottages).
- Loss of trees (a 2 bed dwelling will have significant impact on the front downstairs of the mosque compared to the current 1<sup>st</sup> floor dwelling/shed).
- On behalf of the regular users of the facilities and amenities at the adjacent Mosque site the petition was previously filed highlighting the concerns of members. Hard copies of a signed petition from 307 people, who were also strongly opposed to the further re-development on this site. Petition was hand delivered on Monday 4 March 2013.
- The site has recently had 3 new houses developed.

1 Letter in response to amendments re-iterating previous concerns stated above.

RECOMMENDATION – as per published report

\*\*\*\*\*

5.4

**4/01038/13/FUL – EXTENSION OF CHURCHYARD ONTO AMENITY LAND  
LAND ADJ ST PAULS CHURCHYARD, THE COMMON, CHIPPERFIELD, KINGS  
LANGLEY  
APPLICANT: Chipperfield Project Group- Mr T Briselden**

Additional Comments

Initially the Environment Agency recommended refusal as explained below. However in reviewing the situation the EA is now expected to recommend a condition overcoming the objection. It is expected that this condition will substitute recommended Condition 7. Members will be updated at the meeting.

The EA’s objections were based upon the application’s failure to provide assurance that the risks of pollution are understood, as a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk) has not been provided. This approach is necessary because:

- The burial of human remains results in the release of a variety of substances and organisms into the subsurface. It is therefore of upmost importance that all risks are fully understood and managed accordingly in line with Policies CS31 and CS32,
- This site is located within the Mid-Chilterns Chalk, a Drinking Water Protected Area, currently at poor chemical status. Under the Thames River Basin Management Plan you must have regard to this when determining planning applications. It is not acceptable to permit development where this may prevent achievement of water body objectives, and
- The site is also located in a Source Protection Zone 3 which means that groundwater here ultimately forms part of the public drinking water supply. If pollution reaches the groundwater then this may result in the loss of that abstraction point.

**RECOMMENDATION CHANGED**

That planning permission is granted with an alternative to recommended Condition 7 to be reported at the meeting.

\*\*\*\*\*

5.5

**4/01345/13/FUL – ELEVEN PARKING BAYS AT AMENITY GREEN OPPOSITE 8  
MIDDLEKNIGHTS HILL, HEMEL HEMPSTEAD, HP1 3NA  
APPLICANT: Dacorum Borough Council – Mrs G Barber**

Amendments to Conditions

Condition 3: to reflect updated landscaping details

**The development shall take place fully in accordance with the details of tree planting as shown on drawing DBC/015 Rev.A. The approved tree planting shall be provided in the next planting season after the date of the granting of this planning permission.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy 11 of the Dacorum Borough Local Plan 1991 - 2011 and Policy CS12 of the Dacorum Borough Core Strategy (Pre-Submission with Modifications January 2013).

Condition 5: to reflect updated landscaping details

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

**Site Location Plan 1:1250  
DBC/015 Rev.A**

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

RECOMMENDATION – as per published report

\*\*\*\*\*

5.6

**4/00853/13/FHA – GARAGE CONVERSION, FRONT INFILL EXTENSION, PART TWO-STOREY/PART SINGLE STOREY REAR/SIDE EXTENSION,FRONT PARKING FACILITIES, AND REAR PATIO (WITH DWARF RETAINING WALL) AT 2 ARCHER CLOSE, KINGS LANGLEY, WD4 9HF  
APPLICANT: Mrs Kim Griffiths**

No update required.

RECOMMENDATION – as per published report

\*\*\*\*\*