



DEVELOPMENT CONTROL COMMITTEE
Thursday 5th FEBRUARY 2015 AT 7.00 PM

ADDENDUM SHEET

5.1

4/03241/14/MFA – PROPOSED DEVELOPMENT OF LAND AT DURRANTS LANE /SHOOTERSWAY, BERKHAMSTED TO PROVIDE FOR 92 DWELLINGS TOGETHER WITH ACCESS FROM SHOOTERSWAY, ASSOCIATED HIGHWAY WORKS, FORMAL SPORTS PITCH PROVISION, SCHOOL DROP OFF AREA, CAR PARK, AMENITY SPACE AND LANDSCAPING (AMENDED SCHEME) LAND AT JUNCTION OF DURRANTS LANE & SHOOTERSWAY, BERKHAMSTED

Amended scheme changes compared to the application currently at appeal

- The mix of dwellings has changed as below:

| Dwelling Size | Previous scheme | | Current scheme | |
|---------------|-----------------|-------------|----------------|-------------|
| | Market | Social rent | Market | Social Rent |
| 2 bedroom | 0 | 14 | 0 | 14 |
| 3 bedroom | 16 | 9 | 18 | 9 |
| 4 bedroom | 34 | 1 | 36 | 1 |
| 5 bedroom | 18 | 0 | 14 | 0 |
| | 68 | 24 | 68 | 24 |

- The layout has been revised to include a central area of open space.
- Pedestrian linkages through to the playing fields south of Egerton Rothesay School.

Additional Comments received - Shootersway Lane Residents Association.

Summary of comments

The increase in traffic on Shootersway caused by the additional homes being built by Taylor Wimpey will automatically result in increased traffic on the private road, Shootersway Lane.

Shootersway Lane is a private road and the cost of maintenance and repair borne is by the residents on the lane and the adjoining cul-de-sacs. Although there is a tarmac surface there is no metalled base and the road surface is easily damaged by the vehicles, which currently use the lane as a cut through from Shootersway to and

from the local schools, residential areas and the town centre. It is also used to avoid the congestion on the approaches to and from the town, all of which will be exacerbated if this development is allowed to proceed.

The lane is single carriageway with no lights or pavements and is totally unsuited to the current level of usage never mind the increase arising from this development. The lane is very narrow, with soft grass verges and an unsupported road edge which is easily damaged. There are a number of very tight blind bends and vehicles have to be driven with extreme caution and can only pass one another in a limited number of places. It should also be noted that the residents have to restrict the size of delivery vehicles as the lane is totally unsuited to Heavy Goods Vehicles. Without pavements, pedestrians including school children have to walk on the single carriage way or on the grass verges to allow traffic to pass.

In addition to raising objections to this development we would also seek your advice as to how we can reduce the impact of traffic on the lane. We have clear signs stating "Private Road Access Only" as a way of demonstrating that the lane has not been dedicated to the public. We are currently installing on the grass verges at Shooterway end of the Lane, wooden gates locked in the open position, to reinforce the private road status and to differentiate the Lane from the surrounding public roads.

The residents of Shootersway Lane are extremely concerned that the increased traffic will have an unacceptable impact on the road surface as well as reducing road safety for pedestrians and vehicles.

The Association on behalf of the owners of the 74 houses in Shooters Lane and cul de sacs, most strongly urge that due consideration is taken of this submission, when the application for this application is assessed.

Changes to published Heads of Terms

Removal of requirement for Management plan of public open space and SuDs infrastructure as this requirement has been dealt with under condition 27.

Update to published conditions

Condition 10 to be amended to require the development to be constructed in accordance with the agreed materials to be used for hardsurfaced areas.

Condition 11 to be amended to include a reason: The following is to be added to condition 11 "Reason: to ensure adequate capacity from Thames Water is secured in accordance with policy CS29 of the adopted Core Strategy".

Recommendation

As per the published report

5.2

4/03355/14/MFA

DEMOLITION OF LIBRARY AND CONSTRUCTION OF PUBLIC SERVICE QUARTER BUILDING AND ASSOCIATED INFRASTRUCTURE LIBRARY AND ADJACENT LAND, COMBE STREET, HEMEL HEMPSTEAD, HP1

Amend condition 14 to change the final sentence to read “ The building shall not be brought into use until the works for the disposal of surface water have been constructed in accordance with the approved details”

Recommendation

As per the published report with the above amendment to Condition 14

5.3

4/03176/14/RET

**RETENTION OF SINGLE STOREY SIDE EXTENSION, LOFT CONVERSION AND EXTENSION. EXTENDED AND ALTERED DRIVEWAY
8 MANOR ROAD, TRING, HP23 5DA**

Additional comments received

3 Manor Road

This development has been built with only roof tiles on the front bays not in place. I reiterate my original comments about parking, the overdevelopment of the site and not being with the environment.

Living opposite, with it overlooking my garden, I was always concerned about the loss of privacy, now with the gable end, on the front elevation, being built higher than the ridge on the rest of the development, it is even more domineering and visually a carbuncle. I also note on the plans the re-instation of the rear dormers on the rear dormers when velux windows were to be used.

Recommendations

As per the published report

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5.4

4/02503/14/FUL

CONVERSION OF 4 FARM BUILDINGS TO PROVIDE 3 NEW DWELLINGS, STUDIO ANNEXE, PLUS CONSTRUCTION OF STABLES.SOUTHINGS FARM, GADDESSEN ROW, HEMEL HEMPSTEAD, HP2 6HX

No further comments.

Recommendation

As per the published report

5.5

4/03142/14/FUL

**DEMOLITION OF EXISTING DWELLING AND ERECTION OF THREE NEW DWELLINGS
7 PICKFORD ROAD, MARKYATE, ST. ALBANS, AL3 8RS**

Minor Amendment to Report:

On page 128 of the agenda above 'Site Layout' Insert 'Considerations'

Recommendation

As per the published report

5.6

4/03091/14/FUL

CHANGE OF USE FROM A1 TO A5 USE CLASS WITH OPENING HOURS MONDAY TO SATURDAY 11AM - 11PM AND SUNDAYS AND BANK HOLIDAYS 11AM - 10PM. INSTALLATION OF AN EXTERNAL EXTRACTION FLUE AT ENTREAT, GOSSOMS END, BERKHAMSTED, HP4 1DD

No further comments.

Recommendation

As per the published report

5.7

**4/03673/14/FUL CHANGE OF USE OF AMENITY LAND TO GARDEN.
12 BELMERS ROAD, WIGGINTON, TRING, HP236ER**

No further comments.

Recommendation

As per the published report

5.8

**4/03379/14/FHA SINGLE STOREY SIDE EXTENSION
1 BROWNLOW FARM BARN, POUCHEN END LANE,
HEMEL HEMPSTEAD, HP1 2SN**

Representation received from Cllr Graeme Elliot (29/01/15):

The redundant Brownlow Farm Barns complex was converted to residential use in 2004. The Planning Permission condition no. 4 removed permitted development rights – the reason given: “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”.

The Barns buildings are not Listed, however they are considered to be ‘non designated heritage asset’ or in other words ‘locally listed’. They do not appear to have any intrinsic architectural quality, but they do retain a not unattractive rural agricultural character within a prominent setting.

The site is not a Conservation area and does not fall within an Area Of Outstanding Natural Beauty. It is however Metropolitan Green Belt.

The original layout of the farm complex would appear to have been almost symmetrical in floor plan. However the built form is anything but symmetrical, with two storey elements in differing positions. Indeed at the Eastern end of the layout the buildings are long single

storey, whereas the application site – No.1 at the Western end is fully two storeys, so the existing buildings are clearly unbalanced.

It is relevant to this application to appreciate that **80%** of the existing Barns complex are single storey buildings, constructed mainly in brickwork, with pitched roofs. Only **20%** of the complex is two storey buildings.

I have visited the Barns complex many times and walking around you do-not get any sense of symmetry at all. What you do see are many examples of single storey and two storey buildings abutting in an identical way as to what is being proposed under this application. The single storey Eastern end of the complex has a blank end gable adjoining a blank two storey gable – as proposed here.

I cannot see how the proposal could be considered out of keeping in any way nor do I see how it be considered to harm the character and integrity of the Barns complex.

Since the conversion works were completed in 2004 and with the removal of permitted development rights there has been many planning applications within the complex for relatively minor matters – such as additional Velux windows, gates and fencing, wooden garden decking etc. With all of the planning applications it appears the determining consideration for officers - is whether or not proposals harm the character and integrity of the 'non designated heritage asset'.

6 of the planning applications within the Barns complex have been refused permission of these three have gone to Appeal, with the Inspectors subsequently granting Planning permission for all three and stating: “ ... the original character and integrity of the complex has inevitably changed with residential occupation and use” and further found that “the appeal proposal would not materially harm the character, appearance or significance of the building complex”.

In terms of Planning Policy Core Strategy policies **CS5: Green Belt** acknowledges that limited extensions to existing buildings are permitted, provided there is no significant impact upon the character and appearance of the countryside'.

Comment: The proposal would be constructed well within the established hedgerow that surrounds the property. The proposal being single storey and being sub-servient to the existing two storey house would not have an adverse impact upon the sky-line views and would not prejudice any landscape features. Therefore the proposal would not have an adverse impact on the openness of the Green Belt.

Policy **CS12: Quality of site design** states: 'avoid visual intrusion, loss of sunlight or daylight, loss of privacy and disturbance around buildings'.

Comment: The single storey proposal will be constructed behind the retained well established 7'0” high dense hedgerows. There is no current over-looking or visual intrusion to adjoining properties and there will be no loss of privacy, loss of light or visual intrusion to adjoining properties due to these proposals.

Policy **CS27: Quality of the Historic Environment** requires: 'The integrity, setting and distinctiveness of designated and non-designated heritage assets will be protected, conserved and enhanced'.

Comment: This planning application proposes a single storey ground floor extension, constructed in matching materials to the existing. In all respects the proposals are totally in keeping with the architectural style, detail, built form and character of the Barns buildings. It will actually 'balance' the other 'end' of the complex (No. 11) where a single storey building with pitched roof exists.

The proposed single storey gable will be subservient to the existing two storey gable. The loss of the existing opening within the gable – whilst an original opening, its appearance and character changed significantly with the residential conversion and the introduction of visually prominent dark brown horizontal boarding and small window. If councillors consider the loss of the opening represents 'harm' then the applicants have confirmed to Officers a willingness to introduce a window or windows to the new gable and have submitted photographs of numerous single storey gables from within the Barns complex with various windows for consideration. However the significance of the original two storey gable will remain and it is this strong element that dominates the elevation of the complex when viewed from a distance.

Saved Local Plan policy 22 in the Green Belt allows for a 30% increase in floor area.

Comment: This application proposes only a 25% increase in floor area and therefore is in accordance with the policy.

The **National Planning Policy Framework** in paragraph 135 tells us:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

Comment: The proposal will not in my opinion cause visual harm to the character or integrity of the Barns complex. By design it will appear 'original' and wholly in-keeping and set behind the retained hedgerows will preserve the appearance of the Barns complex in the countryside.

I note the representations of the public and in particular of adjoining residents. I have visited this site and I have seen the dense existing hedgerows that will be retained. I do not believe the proposed extension will have any adverse impact upon the residential amenity of surrounding properties.

Officer's report refers to an earlier application in 2007 by previous owners for a garden room of similar form and roof shape – that application being refused. That proposal was actually for a predominantly glazed building and in addition for a loft conversion introducing a totally glazed two storey prominent main gable wall plus dormer and Velux windows – totally out of keeping to the Barns complex and completely different to the proposals before committee this evening.

So in conclusion:

- Condition 4 of the original Planning permission removed permitted development rights "in the interests of safeguarding the residential and visual amenity of the locality".

- The Barns buildings are not Listed and are not within a Conservation Area or within an Area of Outstanding Natural Beauty.
- Brownlow Farm Barns is located within the Metropolitan Green Belt and the complex is a non-designated heritage asset.
- The proposals will be identical in built form, materials and detail to 80% of the existing buildings.
- The proposals will have no detrimental impact upon adjoining properties or the setting within the countryside.
- The proposals accord with current planning policies from the adopted Core Strategy and the NPPF – which calls for a ‘balanced judgement’.
- If the loss of the existing first floor opening to the gable is deemed to represent ‘harm’? The applicants have confirmed in writing to Officers a willingness to meet and amend the proposals to introduce window(s) to the new gable to mitigate for any perceived ‘loss’.
- If Committee decides ‘on balance’ to approve this proposal it would not set an unfortunate precedent. Each and every future planning application within the Barns complex will be considered on its own merits.
- The Planning Inspectorate has repeatedly over-turned previous planning refusals within the Barns complex and has granted planning permission. In my opinion this application has merit and should be approved and we can avoid another time consuming, expensive and totally un-necessary appeal.

Therefore as Ward Councillor I support this planning application.

Recommendation

As per the published report

5.9

**4/03393/14/FUL CHANGE OF USE FROM AMENITY LAND TO ADDITIONAL PARKING.
AMENITY LAND REAR OF FIELD ROAD AND LONGLANDS OFF, FARLAND ROAD, HEMEL HEMPSTEAD, HP2 4RS**

Amended Condition

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

**Location Plan
DBC/014/009C**

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

Recommendation

That the application be DELEGATED to the Group Manager Development Management and Planning with a view to approval subject to the expiry of the neighbour notification period and subject to no unresolved objections that have not previously been considered

5.10

**4/02191/12/OUT REDEVELOPMENT 31 DOMESTIC GARAGES TO PROVIDE TWO RESIDENTIAL UNITS WITH PRIVATE PARKING AND FURTHER UNALLOCATED PARKING.
GARAGES SITE AT, NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2**

Recommendation

As per the published report

5.11

**4/02209/12/OUT REDEVELOPMENT 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, HEMEL HEMPSTEAD, HP2**

No further comments.

Recommendation

As per the published report

5.12

**4/01738/OUT DEMOLITION OF 18 GARAGES, CONSTRUCTION OF UP TO 9 RESIDENTIAL FLATS IN ONE THREE STOREY BLOCK WITH PRIVATE PARKING
GARAGE SITE AT TURNERS HILL, HEMEL HEMPSTEAD, HP2**

No further comments.

Recommendation

As per the published report

5.13

4/01155/14/FUL CHANGE OF USE FROM SUI GENERIS TO RESIDENTIAL (C3), DEMOLITION OF EXISTING DEOPT, RETENTION OF EXISTING PERIMETER WALL, CONSTRUCTION OF TWO-STOREY RESIDENTIAL ACCOMMODATION COMPRISING OF FOUR TWO-BEDROOM FLATS AND ONE THREE-BEDROOM DWELLING WITH ASSOCIATED CAR PARKING, CYCLE SHELTER, REFUSE/RECYCLING STORE, LANDSCAPING COUNCIL DEPOT, QUEEN STREET, TRING, HP23 6BQ

No further comments.

Recommendation

As per the published report
