



DEVELOPMENT CONTROL AGENDA

**THURSDAY 17 MARCH 2016 AT 7.00 PM
COUNCIL CHAMBER**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

| | |
|----------------------------------|-------------------------|
| Councillor D Collins (Chairman) | Councillor Riddick |
| Councillor Guest (Vice-Chairman) | Councillor Ritchie |
| Councillor Birnie | Councillor R Sutton |
| Councillor Clark | Councillor Whitman |
| Councillor Conway | Councillor C Wyatt-Lowe |
| Councillor Maddern | Councillor Fisher |
| Councillor Matthews | Councillor Tindall |

For further information, please contact Katie Mogan or Member Support

AGENDA

8. **ADDENDUM** (Pages 2 - 9)



DEVELOPMENT CONTROL COMMITTEE
17 March 2016 at 7.00 PM

ADDENDUM SHEET

5.01

4/03252/15/MFA - CONSTRUCTION OF A 4-7 STOREY DEVELOPMENT OF 1 AND 2 BED FLATS, ASSOCIATED AMENITY SPACES, COMMERCIAL/OFFICE SPACES WITH RESIDENTIAL AND COMMERCIAL CAR PARKING

WOOD HOUSE, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 7DE

Recommendation

To delegate with a view to approval, subject to the agreement of the S106 Agreement.

Conservation and Design

Comments were received from Conservation and Design who did not want to raise any objection to the application subject to conditions ensuring the integrity of the design is maintained. In their view they believe “this to be an imaginative scheme however the success or otherwise of which is very much dependent on the quality of the materials and features of the design”.

Further clarification has been sought in relation to the utilisation and external positioning of flues, vents, pipework and satellite dishes that can impact on the visual quality of the development. Durability and maintenance of the proposed external materials was queried together with ensuring that visual cohesion is achieved throughout the development with the use of appropriate materials used in features such as balconies, balustrades and windows.

These queries have been considered by the applicant and will be further addressed at the detailed Mechanical and Electrical design stage and through the submission of further information in order to discharge conditions in relation to materials, fenestration, balconies and balustrades, pipework, flues and vents. An additional condition has also been imposed to remove permitted development rights in relation

to the installation of satellite dishes on the external elevations. The amendments to the conditions and recommended additional conditions are set out below.

Conditions

Some very minor changes have been made to the wording of condition 2 (materials) to specify the type of information required for windows and doors and to include details of balustrades, flues, vents and all other pipework. The timeframe for the submission of details under condition 3 (landscaping) has been amended from a period of three months from the granting of planning permission to prior to commencement of above ground development. This is to allow flexibility for the applicant in terms of the timeframe for engaging a D&B contractor and is consistent with the other pre-commencement conditions.

Conditions 22, 23 and 24 have been added in accordance with the comments made by Conservation and Design as outlined above, to ensure that the quality and integrity of the design is maintained:

Condition 22:

Notwithstanding the details hereby approved, no development above ground shall take place until details including the position and materials of the rainwater goods, flues, vents and all other pipework to the external elevations of the development hereby approved shall have been submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

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

Condition 23 (Satellite dishes):

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 16 Class A

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 adopted Core Strategy CS12.

Condition 24:

The domed roof lights at third floor roof level shall not be constructed until details have been submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

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

Section 106 Agreement

A request was initially made by Highways for a financial contribution to be used towards providing easy access kerbing for those bus stops located within 100m of the site that currently do not have this and the provision of real time screens. This request was made to ensure that the additional needs brought on the development are met.

Further clarification was requested from Highways in terms of demonstrating that contributions would address the need for infrastructure improvements in terms of the Council's Regulation 123 list. In order to meet this criterion the works for which contributions are sought should include providing direct access to a site within the Site Allocations DPD; or a proposal resulting from the consideration of the submitted Transport Assessment. The proposal does not do either of these.

Improved bus stop locations are listed as a Local Transport proposal which is funded through the Council's CIL collection. Highways would need to demonstrate that the improvements are not a Local Transport proposal in order to seek the contributions. They have subsequently confirmed that they will not be seeking the contributions and the request has been withdrawn from the Heads of Terms for the S106 Agreement.

Hertfordshire Waste Authority

Comments received from Hertfordshire County Council Waste have identified that the application site lies adjacent to the western section of an Employment Land Area of Search (ELAS) Maylands. The wider ELAS covers a large part of the northern half of the Maylands Business Park.

This designation is not considered to be a constraint on the proposal given that the current ELAS is not site-specific and development could come forward on any part of this wider area; the Waste Authority does not own any of the adjoining sites and therefore development would not be deliverable in the near future. Furthermore, the background to the ELAS recognises the need to be sensitive to the planned development around the Heart of Maylands; future waste management development should take account of phase 1 and the importance of local policies contained in the Council's Local Plan.

5.02

4/03490/15/OUT - RESIDENTIAL DEVELOPMENT OF 8 DWELLINGS WITH ACCESS FROM WAYSIDE

LAND REAR OF LONGFIELD, LANGLEY ROAD, CHIPPERFIELD

The Annex

The Annex attached to the bottom of the Report for this application is relevant to all three applications.

Request by the Residents Representative for More Time to Respond to the Application and the Notification of the DCC Meeting to Residents

The Residents Representative has requested more time for the Residents to consider the applications advising:

It has proved difficult to ensure that all residents are aware of the documents and have read them.

- Not all are on email which means printing everything out for some of the more elderly residents and helping them understand what is happening,
- We found it very difficult to find the documents so couldn't notify people until Saturday 12 March 2016
- A number of people are unhappy not to have been formally advised as they had formally commented
- As we were advised at the beginning of the weekend 2 of the 5 days notice are gone before any of the people we want to speak to on this are available such as yourself ,councillors and legal advisors.
- At least four resident householders are on holiday And overwhelmingly we are struggling to absorb the content of the lengthy documentation and prepare an appropriate response.

Comment

There are no apparent procedural, policy or technical reasons for the applications to be deferred/ reported to a later Development Control Committee meeting.

The applications have been under consideration for over the statutory normal 8 week period with full opportunity for the local community to respond to each application.

The reports have been prepared in accordance with expected procedures. No key consultation responses are outstanding and there is an appropriate level of knowledge for both informed recommendations and decisions to be made upon each application. This takes into account the respective responses from Chipperfield Parish Council and local community, as summarised by the reports.

For clarification it is not established recent protocol for local residents to be advised when any application is to be considered by the Committee. The Case Officer has however ensured that the Residents Representative has been kept informed.

The decision upon the individual merits of each application will be for the Committee Members. Normally the Development Control Committee will make a decision upon an application at the meeting. Any registered speaker at the meeting can explain to Members why they consider that a decision should be deferred which has to be for a sound /robust reason(s). Currently Officers do not consider there are any.

E Mail on Behalf of the Residents of Wayside to Councillors

Application 4/03490/15/FUL

The access relied on for the recommended application is unanimously denied by the residents of Wayside who number 24 houses.

All Applications at Longfield

The documents filed and notified to us late on Friday are extensive and we as a community are struggling to fully process all the information contained within some of which we find contentious. We have previously separately and as a group filed extensive and detailed objections on a large number of issues to do with all three applications and there has not yet been any opportunity for expert advice or a full residents meeting.

Despite the consultation process and notwithstanding the lack of access and relevant Green belt issues we remain extremely concerned that to grant this application is to begin a lengthy civil process to deny access. Residents safety is compromised as timely provision of emergency services cannot possibly be guaranteed on the unmade road Wayside. Finally existing highway access danger and flood risks will be increased with risk to pedestrians, motorists and property.

While some of these may be termed emotive for planning purposes we do not believe as a community that it is practical for this development to proceed in the manner recommended.

We will be pleased to meet with you or to provide further information and you will be welcome to visit Wayside, which is an unmade single track lane where we feel the points made and other issues will be obvious.

It seems clear to us as a group of residents that there is no effective way that this development could be undertaken or the increased burden on the road could possibly be managed.

We are not experts in the planning process and have as yet had no expert review of this documentation so there may be further points to add. We would also be happy to give a residents view of the history of this as it has gone on for 50 years plus now. We will be grateful for any support or for any opportunity to discuss further.

Recommendation

As per the published report

5.03

4/03696/15/FUL - RESIDENTIAL DEVELOPMENT OF 3 DETACHED DWELLINGS AND GARAGES WITH ACCESS OFF WAYSIDE

LAND REAR OF LONGFIELD, LANGLEY ROAD, CHIPPERFIELD

As for 5.02

Recommendation

As per the published report

5.04

4/03857/15/FUL - RESIDENTIAL DEVELOPMENT OF 3 DWELLINGS WITH DETACHED GARAGES AND ACCESS DRIVEWAY THROUGH LONGFIELD. FORMATION OF NEW ACCESS TO HIGHWAY TO LANGLEY ROAD AND ASSOCIATED LANDSCAPING WORK INCLUDING THE CLOSURE OF TWO EXISTING VEHICULAR ACCESS CROSSOVERS

LAND REAR OF LONGFIELD, LANGLEY ROAD, CHIPPERFIELD

As for 5.02

Recommendation

As per the published report

5.05

4/03344/15/MFA - DEMOLITION OF DISUSED OFFICE BUILDING AND CONSTRUCTION OF FOUR BUILDINGS WITH 31 FLATS IN TOTAL, PUBLIC OPEN SPACE, RESIDENTIAL AND VISITOR CAR PARKING AND ASSOCIATED AMENITY SPACE

LAND ADJ APSLEY MILL COTTAGE, STATIONERS PLACE, APSLEY, HEMEL HEMPSTEAD, HP3 9RH

Recommendation

As per the published report

Item 5.06

4/03693/15/FUL - CHANGE OF USE FROM SHOP TO FAST FOOD RESTAURANT

38 LONG CHAULDEN, HEMEL HEMPSTEAD, HP1 2HX

Objections/comments or questions received after DCC report finalised.

As with previous application, my objection is based on the fact that there is not sufficient car parking to allow a further potential 24+ people to sit in a restaurant. Residents currently are unable to park. There are parking restrictions in place because of the school. The pub and community centre are in constant use along with the shops which causes severe parking congestion and problems. There is already a Chinese/fish and chip shop. An additional restaurant would not be beneficial to the community but would cause more parking issues and add to the already noisy environment with all the delivery/waste lorries that seem to appear at all hours of the day and night. The other issue would be the rubbish that would be strewn all over the place - which is also a current problem with the existing shops. I also do not wish my flat to constantly smell of the food that would be cooked all day and night.

Need more information. Will it be open early morning?

Recommendation

As per the published report

