



DEVELOPMENT CONTROL AGENDA

**THURSDAY 26 MAY 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 Matthews
Councillor Guest (Vice-Chairman)	Councillor Riddick
Councillor Birnie	Councillor Ritchie
Councillor Clark	Councillor Whitman
Councillor Conway	Councillor C Wyatt-Lowe
Councillor Imarni	Councillor Fisher
Councillor Maddern	Councillor Tindall

For further information, please contact Katie Mogan or Member Support

AGENDA

12. ADDENDUM (Pages 2 - 15)

Agenda Item 12



DEVELOPMENT CONTROL COMMITTEE
Thursday 26th May 2016 at 7.00 PM

ADDENDUM SHEET

5a

4/02930/15/FUL – INTERNAL AND EXTERNAL REFURBISHMENT WITH NEW STAFF ROOM, EXTENDED BEER GARDEN AND NEW ALLEYWAY BEER GARDEN (REVISED SCHEME)

THE CROWN, 145 HIGH STREET, BERKHAMSTED, HP4 3HH

The Agent has confirmed that JD Weatherspoon do not wish to attend the Committee meeting.

The Agent has clarified that JD Weatherspoon are not sure they can add much to the management documentation already provided, and have said they wish to send their apologies and look forward to addressing any concerns in the future.

Recommendation

As per the published report

5b

4/00069/16/FUL – CONSTRUCTION OF SIX FOUR BED DWELLINGS

LAND REAR OF 27-33 GROVE ROAD, TRING

Recommendation

As per the published report

Additional Comments Received – following reconsultation

Highway Authority

HCC are satisfied that the applicant has sufficiently addressed highway matters and has no objection to the proposed development, subject to conditions.

Additional Conditions

9. 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 without the prior written approval of the local planning authority:

**Schedule 2 Part 1 Classes A, B, C, D, E
Part 2 Classes A, B and C.**

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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwellings and they shall not be converted or adapted to form living accommodation.

Reason: In the interests of highway safety.

11. The bathroom windows at first floor level in the north-eastern elevations of Plots 1 & 2; the bathroom windows at first floor level in the south-western elevations of Plots 3 & 4; the bathroom windows at first floor level in the south-western elevations of Plots 5 & 6; and the en-suite bathroom windows at first floor level in the south-eastern and north-western elevations of Plots 5 & 6 respectively hereby permitted shall be permanently fitted with obscured glass.

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings.

12. Prior to commencement of development swept path assessments shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. These assessments are required for the following to demonstrate that the proposed design is safe and suitable for the development:

- Site access arrangements; and,
- Turning head.

The swept path assessments should include details of the size and type of refuse vehicle used to carry out the assessment.

Reason: In the interests of highway safety.

13. Construction of the development hereby approved shall not commence until a Construction Traffic Management Plan 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. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

14. Pedestrian visibility splays of 2 m x 2 m shall be provided before any part of the development is first brought into use, and they shall thereafter be maintained, on both sides of the entrance to the site, within which there shall be no obstruction to visibility between 600 mm and 2 m above the carriageway.

Reason: In the interests of highway safety.

15. Prior to commencement of the development hereby approved, a Stage 1 Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority for the proposed site access arrangements to demonstrate that the design is safe and will not impact on highway safety and/or operation.

Reason: In the interests of highway safety.

16. Prior to the commencement of development, the further bat survey work identified in the Arbtech Worse Case Scenario Bat Mitigation Strategy shall be undertaken and the reports submitted to the Local Planning Authority for approval. The development hereby permitted shall be undertaken in accordance with the mitigation and recommendations identified within the Arbtech Ecology Assessment and the Worse Case Scenario Bat Mitigation Strategy.

Reason: In the interests of the protection of protected species and biodiversity

Informatives

Informatives have been added to the recommendation in relation to: the need for a s278 agreement; standard Thames Water informative; reptiles and amphibians; and breeding birds.

5c

4/00645/16/FUL – CONSTRUCTION OF 4 DWELLINGS AND ASSOCIATED PARKING AND LANDSCAPING

LAND ADJ. TO 26, STATION ROAD, BERKHAMSTED, HP4 2EY

Amended plans

Amended plans incorporate the following:

1. Conservation Officer comments in respect of window and bay proportions and plinth height.
2. Notes added to drawings indicating that roof water drainage will go to on site soakaways.
3. Note added that on site car spaces and paths etc. will be permeable paviers.

Additional Consultation Responses

Historic Environment Advisor

The application site abuts Area of Archaeological Significance no 21, as identified in the Local Plan. This denotes the historic core of the town of Berkhamsted.

The application site is however very close to the railway line and former goods yard, and their construction is likely to have had some impact on the site. In this instance therefore I consider the proposal is unlikely to have an impact on heritage assets of archaeological interest and I have no comment to make on the application.

Amended Condition

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

**Site Location Plan
DPL/16/01-1C
DPL/16/01-2A**

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

Recommendation

As per the published report, subject to amended condition

5d

4/00524/16/FUL – CONSTRUCTION OF A NEW DETACHED DWELLING AND NEW ACCESS TO FIELDWAY

25 HALL PARK GATE, BERKHAMSTED

Berkhamsted Town Council

The following comments were received in response to reconsultation on the amended plans:

Cllr Stevens had already declared a prejudicial interest in this application.

It was Resolved to suspend standing orders to allow members of the public to speak. Mr Stevens acknowledged that although some changes to fenestration had occurred, these now impacted adversely on the amenity at 14 Fieldway. Key objections made previously had still not been addressed. The discordant proposals continue to be in breach of the “23m rule”, impede safety at the junction, remain an overdevelopment of the plot and are out of character with the street scene. The removal of the hedge would severely reduce privacy at number 25 and 27. Associated excavations would cause serious safety problems and obstruction for road users and pedestrians.

Cllr Stevens left the meeting at 7.40 pm.

Mrs Lightfoot of Hall Park Gate was similarly of the view that none of the key objections had been addressed. In addition to previous comments made on 4 April, she was now concerned about the removal of the hedge and the impact of excavation work which would cause severe disruption and road blockages, particularly in Fieldway. She urged the Committee to make the Development Control Committee at Dacorum Borough Council realise the inappropriateness of the scale, bulk and appearance of the proposals.

The Chairman reinstated standing orders and the meeting reconvened.

Objection

The previous application made minor changes to the landscaping and the current application has made amendments to the positioning of windows. However, this latter amendment only serves to have an adverse impact on neighbours’ privacy. In addition, concerns remain around the effect upon streetscape, amenity, height of building, and proposed scale of the property. It is purported to be 1.5 storeys but is really 2.5. It would be out of place in comparison to other properties in Fieldway and may also impact on traffic flow in the area. BTC concurs with neighbours that there could be a danger to pedestrians. Parking will be problematic and No 14 will be overlooked. Herts County Council as Highways Authority has previously objected to this application and the current proposals will exacerbate these concerns causing safety problems for pedestrians and motorists. The hedge removal will compromise

privacy. The Committee would also draw DBC's attention to non-compliance with the 23 m rule. The application should be refused.

Contrary to Core Strategy CS11(a, b), CS12 (c, f, g), Appendix 3 (3.1, 3.3, 3.5), Appendix 7(v).

Cllr Stevens rejoined the meeting at 7.50pm.

Neighbours

Further to the committee report, several objections to the amended plans were received. The objections have been summarised below:

- Amended plans essentially unchanged, no changes that address objections made by Berkhamsted Town Council or the previous refusal;
- Original objections still stand;
- Overdevelopment of site;
- Plot size insufficient for two dwellings;
- Development out of keeping and character in terms of design, height, mass and materials with smaller low level, 'dug-in' bungalows on Fieldway;
- Three-bedroom and three-bathroom development would be out of scale with bungalows on Fieldway;
- Only the roofscape of approved house 2 (at No. 27 Hall Park Gate) would be visible above hedgerow from Fieldway and current proposal will have an entirely different impact on the character of the area;
- As only roof of house 2 will be visible above the hedge the proposed dwelling will still appear isolated in the street scene and will not form coherent pattern of development;
- Development will reduce visual quality of the area;
- Loss of vegetation including to accommodate vehicle visibility splays;
- Proposed landscaping would provide minimal screening of the house;
- Planning permission granted to the bungalows on Fieldway restricted them from extending upwards and adding a second storey;
- Proposal does not comply with space separation standards for the area;
- Garden depth insufficient;
- Moving roof lights to rear results in overlooking to house 1 at No. 27 Hall Park Gate, existing house at No. 25, and No. 23;
- Existing dwellings at Nos. 23 and 25 would overlook the proposed dwelling;
- Approved house 2 at No. 27 Hall Park Gate would overlook patio of proposed dwelling;
- Development would be overbearing to No. 23 in terms of overshadowing the garden and being overdominant from this property noting the drop in levels and topography of the neighbouring garden;
- Overlooking to side and rear of No. 14 Fieldway (lounge / dining room and two bedrooms), as well as garden;
- Adverse impact on No. 21 Hall Park Gate private amenity space;
- Loss of light to neighbouring properties;
- Height of dwelling would be overbearing to neighbours;
- Dwelling would be less than 23m from boundary of No. 14 Fieldway;

- Dangerous vehicular access onto Fieldway;
- Additional access would cause further danger to Upper Hall Park and Fieldway junction, including times when there is snow and ice on the roads;
- Proposal would result in on-street parking that would cause danger to traffic and pedestrians on Fieldway;
- Additional run off onto Fieldway putting pressure on existing drainage system which is at capacity leading to flood risk to existing dwellings;
- Construction works would require removal of hedgerow and steep bank to enable access also resulting in road danger and disruption;
- Negative impact on house values and quality of life.

Amended recommendation

The neighbour notification period has ended and the recommendation has been amended to reflect this.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to in the committee report and subject to conditions set out in the report.

5e

4/00544/16/FHA – TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION, NEW CAR PORT AND ALTERATIONS TO APPEARANCE OF THE HOUSE

KINGSMEAD, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN

Objection and petition signed by 7 neighbours:

"Our opposition is based on the following key points :-

- **Size** – *the new build is approximately 85% larger than the current house, far in excess of the 30% limit. It is made up of a side extension (plus 50%), rear extension (plus 25%) and car port (plus 10%). This excludes the recently built bungalow.*
- **Roof Conversion** – *front and rear gable ends greatly enlarge an already dominant roof. At the rear, two large dormer windows and a full-length ‘walk-In’ dormer with Juliet balcony, far exceeds permitted development. The full-length dormer reaches to the ridge of the roof and effectively forms a gable end. This all results in a much enlarged roof area and the privacy to several surrounding properties will be dramatically affected. All this will also hugely impact the skyline from front and rear. The artist impressions provided, give a very false image of how the house will look, as in reality the roof and building will dominate the area with its sheer size. It fails to maintain and enhance the*

Conservation Area and does not protect residential amenity to an acceptable level.

- **Car Port** – this has only been marginally reduced and will still seriously affect the light to The Old Cottage due to its height and width, breaking the 25 degree rule applied by the Dacorum Planning Department. The side facing the front is out of keeping with the house, blocking part of the house with an unattractive wooden wall. In addition the car port will ‘hide’ from view one of the oldest houses in the village.
- **Windows** – the greatly increased size and number of windows result in extreme loss of privacy for neighbours on all sides and do not complement the current house or meet the Village Design Statement criteria. The side windows overlooking adjacent properties should be small, fixed (not openable) and use frosted glass.
- **Design** – The Design Statement provided is not accurate in its claims. The design is not sympathetic and does not maintain or enhance the character of the conservation area as claimed. The Arts and Crafts design will be lost. The claim that the car port provides mutual privacy is totally one-sided as it is at the huge expense of light to The Old Cottage. The assertion that the roof extension provides interest to the roof-line is wildly inaccurate and not credible as it will dramatically adversely dominate and impact the skyline.
- **Side Extension** - by extending 50% to the side, almost completely across the plot width, a loss of light will be experienced by Corner Cottage and Rivendell and this oversteps the light rule both vertically and laterally. Large excavations here also seriously risk causing subsidence to Corner Cottage’s foundations. These have previously been affected by the removal of beech trees on Kingsmead’s side of the boundary.
- **Location Plan** – this is inaccurate and misleading as The Old Cottage is only a car width from the boundary fence and not as shown. This means the car port is ‘on top’ of the house and severely blocking light.

This amended proposal has only minimal changes to the original application and falls short in very many areas as explained above. The proposed building is not in keeping with the conservation area and is far too large, completely ignoring the 30% extension rule. It will have very serious implications to the lives of many neighbours in terms of privacy and visual impact, and sets dangerous precedents for future development. The Design Statement contains many contentious declarations.

We request that permission is refused. We also ask that the applicant is advised that any further proposals will need to be drastically reduced to be within conservation area guidelines. This will help the applicant and reduce the stress and concern being caused to neighbours by any future submissions."

Recommendation

As per the published report

5f

4/03957/15/FHA – SINGLE STOREY REAR AND TWO STOREY REAR EXTENSION, FORMATION OF A LOFT CONVERSION WITH A REAR DORMER. NEW VEHICULAR ACCESS WITH DOUBLE CAR HARDSTAND TO REAR

66 HIGH STREET, BERKHAMSTED, HP4 2BW

Recommendation

As per the published report

Additional Comments Received – following reconsultation on amended plans

Berkhamsted Town Council

Comments changed from ‘Object’ to ‘Concern’ - The proposals would lead to a loss of on-street parking in the area.

Local Residents

Mr Dell 68 High Street – further comments

Thanks for amended planning proposal!
Again no problem with extension to rear of 66 high st!
But I am still not happy with off road parking!

By giving planning consent for this we would loose 2 parking spaces out of 4!
(You cannot get 5 cars in this parking bay!) And to get enough room to access off road parking , 2 spaces would be lost as you would not have enough turning circle to access off road parking!

If extra parking bays were allocated at the top of Ravens lane to replace lost bays then application would be acceptable!

Please consider my opinions when making final decision!

5g

4/00738/16/FHA – VEHICULAR ACCESS TO WESTERN BOUNDARY FROM SERVICE ROAD

13 COBB ROAD, BERKHAMSTED, HP4 3LE

Consultation Response from Herts County Council Highways

Does not wish to restrict the grant of permission.

Service Road to r/o 13 Cobb Road: There is a service road to the rear of 13 Cobb Road. The service road provides access to rear gardens and to approximately 30 garages. This service road connects Verney Close with Ridgeway. Whilst Verney Close and Ridgeway are considered public highway, the service road is not.

Impact on the Highway Network: The proposed vehicular access to the western boundary of 13 Cobb Road has no direct connection with the public highway. Where the service road connects with Ridgeway, the sight lines are not deal due to the exiting boundary hedges to the adjacent properties.

Conclusion: The impact of the proposed additional vehicle access is not thought to significantly alter the current situation. Therefore HCC as highway authority has no objection to the application.

Recommendation

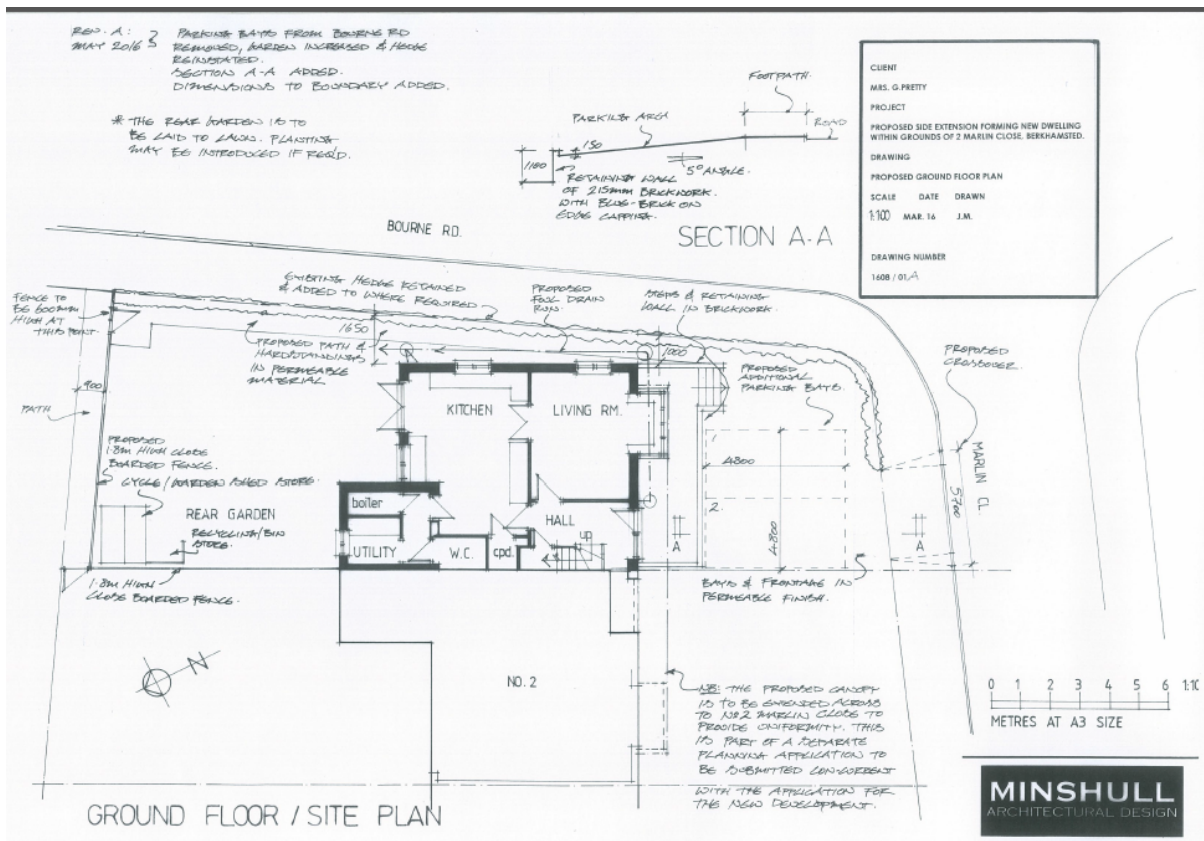
As per the published report

5h

4/00736/16/FUL – TWO-STOREY/PART REAR SINGLE STOREY EXTENSION TO SIDE OF NO. 2 MARLIN CLOSE TO FORM NEW DWELLING, DIVISION OF PLOT INTO 2 SITES, FORMATION OF NEW CROSSOVER TO SITE AND PROVISION OF ON-SITE PARKING

2 MARLIN CLOSE, BERKHAMSTED, HP4 3JX

Amended Plan Received



Representations Received

13 Chiltern Close

Objection

“As a long term resident of Durrants Est i feel i must write in objection to the further development at No 2 Marlin Close.

- 1, The new building extends way beyond the building line and will crowd the pavement of Bourne road and unbalance the housing layout of the area.*
- 2, Will increase parking presure on Marlin close- Bourne Rd junction which is at saturation point already.*
- 3, Will render No2 Marlin close with only one accessible road entrance (Front Door).*
- 4, Will change status of semi-detached to terraced block and set an unwelcome president.*

This is clearly a case of sequential over development of the No2 Marlin Close site.”

(Received 20/05/16)

29 Marlin Close

Objection

“Currently there is an overwhelming amount of resident vehicles parking in Marlin close and the development will further add to this with limited on-street parking being further reduced. Since the reconditioning of Bourne Rd. there has not been any consideration for road markings i.e. Double yellow lines. This makes entry/exit to Marlin close highly dangerous as vehicles parked directly on the corner(s)/ Traffic calming islands restrict vision of on-coming traffic up Bourne Rd.! This will be further reduced if the proposed development goes ahead.”

(Received 21/05/16)

Recommendation

As per the published report

5i

4/00944/16/ADV – TWO ILLUMINATED ENTRANCE SIGNS

JUNCT OF MAYLANDS AVENUE AND BREAKSPEAR WAY, HEMEL HEMPSTEAD

Recommendation

As per the published report

5j

4/02741/15/ROC - VARIATION OF CONDITION 26 (APPROVED PLANS) AND CONDITION 23 (REFUSE STORAGE FACILITIES) ATTACHED TO PLANNING PERMISSION 4/01010/13/MFA (A MIXED USE DEVELOPMENT OF THE SITE TO CREATE 36 APARTMENTS, RETAIL FLOOR SPACE (CLASS A1) REPLACEMENT ELECTRICITY SUBSTATION AND ANCILLARY CAR PARKING AND LANDSCAPING.)

175-189, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD, HP3 9SQ

Amended plans and updated Schedule of Amendments

Amended plan incorporates the following:

1. Gas feed pipes added to elevations
2. Shop fascias annotated to follow return wall to central section

3. Security lights to car park area added

Amended schedule incorporates the following:

4. Fascia over Shop Fronts and between Ground and First Floor on Front elevation deleted.
5. Additional fascia between Ground and First Floor on Front Elevation deleted
6. Refuse storage facilities amended and cycle storage building added to rear landscaped area
7. Introduction of copper gas pipes to external elevations
8. Introduction of boiler flues to elevations
9. Omission of pilasters to front entrances

Additional considerations

These details are generally acceptable. However, a further response is awaited from the applicant regarding the mitigation of the gas feed pipes, including the possibility of increasing the diameter of the RWPs to help do this, and an update will be provided at the meeting. In the absence of this, the recommendation to require further details by condition stands.

Amended Condition

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

**C1962 / P-01 Rev 18
C1962 / GA-11 Rev A
C1962 / GA-04_OP1G
C1962 / A-12 Rev A**

together with the following plans approved under 4/01010/13/MFA:

**7868/001H
7868/002E
7868/003E
7868/004E
7868/007A
7868/008D
7868/009A
7868/010B
7868/011B
7868/012
M/1041850/002/002
Topographic Survey**

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

Recommendation

As per the published report, subject to amended condition

5k

4/00448/16/FHA - DROPPED KERB. CROSSOVER TO COUNCIL GRASS LAND TO PROPERTY BOUNDARY. CREATION OF A SINGLE CAR HARD STANDING TO THE FRONT OF THE PROPERTY

2 RECTORY LANE, KINGS LANGLEY, WD4 8EY

Recommendation

As per the published report

5l

4/03550/15/FUL - RETENTION OF SMALL STORAGE CONTAINER ON RECREATION GROUND

RECREATION GROUND, MORTIMER HILL, TRING, HP23 5JU

Recommendation

As per the published report
