



Public Document Pack

# DEVELOPMENT CONTROL AGENDA

**THURSDAY 7 JULY 2016 AT 7.00 PM  
COUNCIL CHAMBER - CIVIC CENTRE**

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 Guest (Vice-Chairman)  
Councillor Birnie  
Councillor Clark  
Councillor Conway  
Councillor Imarni  
Councillor Maddern

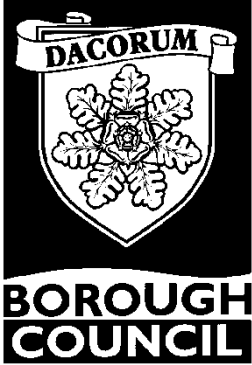
Councillor Matthews  
Councillor Riddick  
Councillor Ritchie  
Councillor Whitman  
Councillor C Wyatt-Lowe  
Councillor Fisher  
Councillor Tindall

For further information, please contact Katie Mogan or Member Support

## **AGENDA**

8. **ADDENDUM** (Pages 2 - 11)

# Agenda Item 8



**DEVELOPMENT CONTROL COMMITTEE**  
**Thursday 5<sup>th</sup> July 2016 at 7.00 PM**

## ADDENDUM SHEET

\*\*\*\*\*

### Item 5a

**4/01353/16/ROC – VARIATION OF CONDITIONS 3, 4, 7, 8 AND 11 RELATING TO PLANNING PERMISSION 4/03375/14/FUL (DEMOLITION OF TWO TIMBER GARAGES AND CONSTRUCTION OF ONE 4-BED DWELLING)**

**LAND ADJ HOLLY HOUSE, DOCTORS COMMONS ROAD, BERKHAMSTED, HP4 3DR**

A plan showing visibility splays of 32m and 32.72m can be achieved from 2.4m from the kerb of Doctors Commons Road.

Hertfordshire Highways – response to visibility splays plan

It's hard to visualise seeing through all the on street parking when creating a meaningful level of visibility splays. This is better than most in the road.

### **Recommendation**

As per the published report

\*\*\*\*\*

### Item 5b

**4/01101/16/FUL – DEMOLITION OF SINGLE DWELLING AND CONSTRUCTION OF TWO 3-BEDROOM SEMI-DETACHED TWO STOREY DWELLINGS WITH PARKING**

**HAVENCROFT, 13 BANK MILL, BERKHAMSTED, HP4 2ER**

Addition of new condition (now Condition 8) to read as follows:

**Prior to development (excluding demolition), a Noise and Vibration Assessment will be prepared by an appropriately qualified person and submitted to and approved by the Local Planning Authority.**

Reason: To ensure that a satisfactory level of occupier amenity is achieved in accordance with Policy CS23 of the Core Strategy.

Amendment to what was Condition 8 (now Condition 9) to read:

**Prior to first occupation of the development hereby permitted, details of the acoustic fencing *and all other sound and vibration mitigation and amelioration measures* shall be provided to and approved by the Local Planning Authority. Following approval, *the approved measures* will be retained, maintained and provided for the lifetime of the development.**

Reason: To ensure that a satisfactory level of occupier amenity is achieved in accordance with Policy CS23 of the Core Strategy.

### **Recommendation**

As per the published report plus additional/amended condition.

\*\*\*\*\*

### **Item 5c**

#### **4/00210/16/FHA – RETENTION OF PATIO**

#### **36 MISWELL LANE, TRING, HP23 4DD**

E-mail from agent received on 29 June 2016 stating that applicant would be accept the siting of a screen positioned close to the boundary with No. 34 and parallel to it, the height of the screen would be 1.7m, measured from the lowered patio level.

Also agree should planning permission be forthcoming this could be the subject of a landscaping condition.

Addition of landscaping condition (Condition 2) as follows:

**2. Within three months of the date of this decision, full details of the following landscape works shall have been submitted to and approved in writing by the local planning authority:**

- **trees to be retained and measures for their protection during construction works;**
- **proposed finished levels or contours;**
- **the installation of a screen positioned proximate to and parallel to the south-eastern side boundary shared with No. 34 Miswell Lane, to obscure views from the patio. The screen shall be 1.7m above the lower level of the patio hereby approved.**

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

Reason: In the interests of residential amenity in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

## **Recommendation**

Recommendation as per the published report with additional condition.

\*\*\*\*\*

### **Item 5d**

#### **4/00974/16/FUL – PERMEABLE VEHICLE ACDESS AND HARD STANDING. REMOVE HEDGE AND EXCAVATE GROUND**

#### **7 NUNFIELD, CHIPPERFIELD, KINGS LANGLEY, WD4 9EW**

Additional email received from applicant who wishes the full circumstances surrounding the need for development to be taken into consideration.

*Just to clarify my situation and why a hard standing is required and has been recommended by my sons Occupational therapist Ruth Schmidt.*

*My 10 year old son George Burrowes has a diagnosis of severe autism, learning difficulties, behavioural problems and is non-verbal.*

*He attends an SLD (severe learning difficulties) school which is Woodfield in Leverstock Green and has transport arranged by HCC to and from school.*

*George has difficulties walking at times as he tiptoe walks which can make him clumsy he wears orthotic appliances in his shoes.*

*He is non-verbal and his only form of communication is PEC's (picture exchange cards) he has no real sense of danger and can run off .*

*He cannot be left unattended at any time as he has regular meltdowns which can include self-harming, head banging and biting.*

*Having a hard standing for my car in front of the property will make it safer for George and less stressful for both of us it will also mean the school minibus will have somewhere safe to pull in to pick up and drop my son off, at the moment they have to park near the road which is dangerous as my property is on a blind bend off kings lane.*

*Presently my only parking is to park on a muddy verge which means I have to lift my son in and out of the car as it can be slippery in the wet weather or away from the property in Nunfield which is at least 200 metres away.*

## **Recommendation**

Recommendation as per the published report.

\*\*\*\*\*

**Item 5e**

**4/01173/16/FUL – RETENTION OF EXISTING CRICKET TRAINING PITCH FACILITY AND ASSOCIATED NETS AND HARDSTANDING (RETROSPECTIVE), CHANGE OF USE FROM AGRICULTURAL TO RESIDENTIAL / LEISURE**

**BADGERDELL HOUSE, TOWER HILL, CHIPPERFIELD, KINGS LANGLEY, WD4 9LN**

Dear Councillor,

I wanted to take this opportunity to provide you with our perspective and hopefully clarify some of the points that have been raised, predominantly by our neighbour.

Firstly, we apologise that this case is being heard retrospectively; our understanding at the time (based on the advice we sought) was that, as the structure could be taken down and put back up, we did not require planning consent. We of course now realise our mistake.

Secondly, my neighbours have raised a number of points that I feel deserve a response and I hope this helps to clarify our perspective. I've no question as to the intentions of my neighbour's comments, but I do feel one or two of the points made are misguided.

We moved to our house because we fell in love with its location. Being so close to a rural community and nature is something we value and want to protect. On arriving at our home two and a half years ago, we changed nothing but lived within the house and neighbourhood to understand what would enhance family life and our location. To date, apart from the net which was only completed in January, we have planted 25 trees and increased the bio-diversity of hedgerows on all sides by planting over 100 shrubs as well as sewing different wild flowers into our meadow. To date, apart from this evening's application, we have been responsible in all aspects of consulting with Dacorum and their due planning process.

Whether it was our neighbour's intention or not to try and infer via his "di minimis" quote that we are townies who don't care about the countryside, the green belt or the regulations that protect them – this could not be further from the truth. We do not see this as a trifling issue as Roger would like to suggest. We take the process of planning very seriously, hence we have employed an advisor who could provide counsel as to what he feels would be seen as reasonable or not.

The cricket and lacrosse net that we have had installed is the same length as an LTA approved residential tennis court, but is 75% smaller in width (tennis = 33.53m length X 16.48m wide and our net is 33m length X 3.65m wide). We chose the placement of the net as we believed and still do, that placing a black net against an immediate backdrop of a hedgerow in summer and winter would provide the least interruption with views and, in our opinion, this has been successfully achieved. It was also the one part of our land that avoided flooding and has self sewn a number of trees creating a lovely copse that we want to enhance and encourage. I have photos here in case you haven't had a chance to see them which will allow you to judge for yourselves as to whether the openness of the green belt has been hurt. Ironically, Roger our neighbour, who has raised 6 points in his objection, has developed with planning consent upon his own land where we can see his hard landscaping, his children's playground and their workshop which he has converted to a residential dwelling more clearly than he can see our net.

(Photos supplied below)

Unfortunately, through circumstances at the time, we were unable to discuss the net with Roger prior to commencement of work and this break in neighbourly protocol is, in my opinion, at the heart of Roger's continued dissatisfaction.

Living in a rural community is great but what we didn't anticipate is, whilst we have several acres of land, for a large part of winter or even after a sustained downpour, the vast majority of land is unusable for any form of recreational activities as it is too wet and either poses risk from a health and safety aspect, or using it would damage the land, killing the different grasses and turning it into a quagmire.

A modest strip of artificial surface enables our children to play throughout the year. We are very fortunate to have space but, to have the land without it enhancing my family's lives doesn't make a lot of sense. My daughter, who is 8, needs a lot of encouragement to play sport outside but, since the construction of the net, she has used it regularly and has subsequently been picked for the her school B teams in both rounders and netball.

My son is a cricketer and I'm told by his father but also independent coaches, is quite good and with dedication could be really good. Cricket nets are up for only 4 months of the year at most local clubs. They are a shared facility with priority given to members. There is no guarantee that when he turns up at a net that he will get any time or that he will be able to focus on what he wanted to work on as, quite rightly, he would need to fit in to whatever was being run before he arrived.

My son is 11; he is unable to make his own way to the various facilities that Roger has suggested but even if he were able to do so, to run an indoor cricket net requires closing the whole of the leisure facilities hall – this poses problems of availability as most halls are in use. Additionally, the cheapest cost is £50 per hour and who does he play with when he gets there as within these facilities, you cannot play individually. I am passionate about this subject as, before the net was installed, my son and his father would drive around local clubs during the 4 month window to see if a net was available and then if it were, we the family wouldn't see them until a number of hours later. We want to encourage both our children to play and enjoy sport and I've found little and often is the best way to maintain their motivation.

My son uses the net every school day and he and his father are in the net at the weekend for a minimum of 3 hours and quite often more every Saturday and Sunday. We have a bowling machine that enables my son to practice his batting and doesn't require anyone else enabling him constant access to a facility that he would be unable to find anywhere else.

I am comfortable that our net facility doesn't hurt or damage the biodiversity of our land, doesn't damage the openness of the green belt, doesn't (since making a number of modifications, implemented at the suggestion of our neighbour) cause any impairment to his views over our land and helps to create a balanced home life with our children, who can put on their wellies and enjoy the space we have, but equally on the same day, can put their trainers on and use a safe playing surface to have fun, keep fit, develop their skills and keep the family together.

Photographic illustrations;

The next photo shows the view of the full side profile from our neighbour's garden using a drone and is twelve feet away from the net. Our neighbour's garden/ playground and second residential dwelling is over 100 ft away...



The view from our side whilst standing in the entrance to the net from 100ft away...





The view from outside our front gate..





View from our house using no zoom



Thank you for your consideration.

**Recommendation**

Recommendation as per the published report.

\*\*\*\*\*

**Item 5f**

**4/00708/16/FUL – PART TWO-STOREY PART SINGLE-STOREY REAR  
EXTENSION**

**15 PHEASANT CLOSE, TRING, HP23 5EQ**

**Recommendation**

Recommendation as per the published report.

\*\*\*\*\*

**Item 5g**

**4/00743/16/FUL – SIDE AND REAR EXTENSION**

**DOCTORS SURGERY, PARKWOOD DRIVE, HEMEL HEMPSTEAD, HP1 2LD**

**Recommendation**

Recommendation as per the published report.

\*\*\*\*\*