



DEVELOPMENT CONTROL AGENDA

**THURSDAY 18 AUGUST 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 Riddick |
| Councillor Guest (Vice-Chairman) | Councillor Ritchie |
| Councillor Birnie | Councillor Whitman |
| Councillor Clark | Councillor C Wyatt-Lowe |
| Councillor Conway | Councillor Fisher |
| Councillor Maddern | Councillor Tindall |
| Councillor Matthews | Councillor Imarni |

For further information, please contact Katie Mogan or Member Support

AGENDA

8. **ADDENDUM** (Pages 2 - 30)

Agenda Item 8



DEVELOPMENT CONTROL COMMITTEE
Thursday 18th August 2016 at 7.00 PM

ADDENDUM SHEET

Item 5a

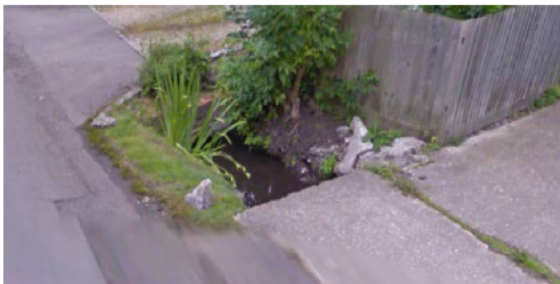
4/02678/15/FUL & 4/02679/15/LBC – NEW BOUNDARY LINE TO DIVIDE THE EXISTING SITE & CREATE 3 NEW 4-BEDROOM LOW-ENERGY HOUSES TO THE LAND BEHIND LOXLEY FARM WITH ACCESS FROM ASTROPE LANE.

LOXLEY FARM, CHAPEL LANE, LONG MARSTON, TRING, HP23 4QT

Additional Information

Appendix C (photographs) of Updated Summary and response to Flooding from applicant

Photographs of adjacent ditches and culverts



A) INFILLED AND UNDERSIZED OR OVERGROWING CULVERTS ALONG CHAPEL LANE



B) HEAVILY UNDER MAINTAINED / OVERGROWN DITCHES ALONG SW BOUNDARY



C) BUILD UP OF HEDGE/ FIELD TRIMMINGS AND OTHER WASTE

- New condition added to require demolition of stable building prior to commencement of development;

Recommendation

As per the published report

Item 5b

4/01801/16/FUL - CONSTRUCTION OF FIVE DETACHED DWELLINGS (AMENDED SCHEME)

LAND REAR OF 27-33, GROVE ROAD, TRING

Recommendation

Delegate with a view to approval

To allow for the expiry of the reconsultation period for the additional landscaping plans submitted.

Additional Plans

Landscape Proposal Plan No. 2258-11-01 by Bowles & Wyer

Landscape Presentation Plan No. 2258-11-02 by Bowles & Wyer

These plans show additional and improved landscaping proposals when compared to the previous scheme, having taken into account comments from local residents.

Additional Information

E-mail from agent 05/08 confirming the amendments which have been made to the scheme when compared to the previous application and commenting on consultation comments received. This follows the Tring Town Council meeting, where questions were raised in relation to the differences between the two schemes.

'Further to my recent email in connection with the above application and following my attendance at Tring Town Council, while we agreed that the PDAS sets out the key differences from the earlier scheme I thought, nevertheless, it would be helpful if I also commented on the various consultation responses the Council has received on the current proposals

As I said previously, I am very disappointed with the outcome at the Town Council meeting. To clarify further and respond to their formal comments – the proposals are clearly materially different from a planning viewpoint and while each dwelling may be marginally larger, overall the development is less which reduces development and overcomes their earlier point on over-development. Also, ridge heights are lower and the revised layout has reduced ridges further. In respect of the bats, the condition is agreed and Herts Ecology are in agreement with the proposed condition. There are no issues with water run-off nor with parking (Highway's conditions have been accepted) as agreed with the appropriate authorities. The fact that the Town Council ignores the advice of these bodies is also a matter of some concern and disappointment.

In respect of the proposed 'informatives' listed in the Highway response, it may be useful to clarify that each dwelling does have 3 spaces including the garage. Residents raised the point about a space blocking the garage. This is irrelevant plus the fact that any movement of cars is within the site. There is no harm to road users or pedestrians and no need to park outside the site. Further, the swept path diagram provided has shown detail for emergency and refuse vehicles.

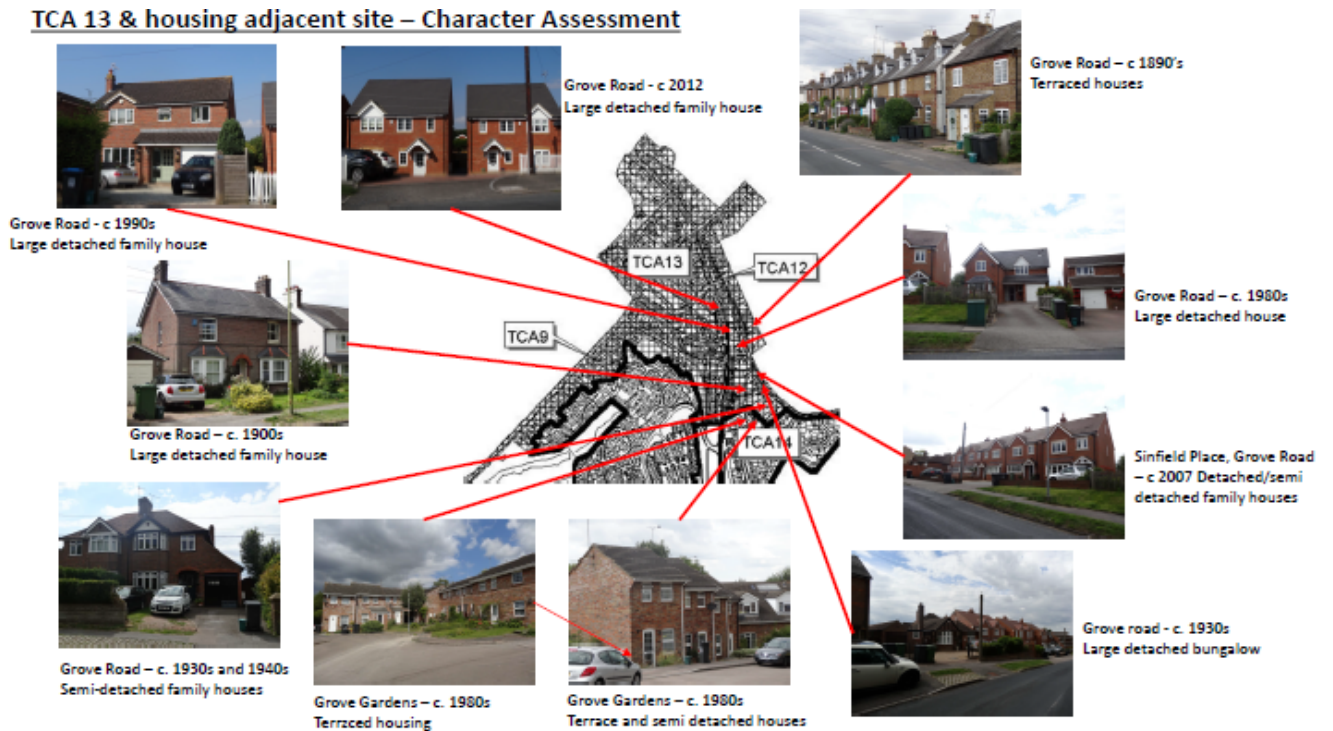
The comments by the Herts and Middlesex WT are incorrect. The revised submitted Bat Mitigation and Enhancement Strategy has been accepted by the Council as an acceptable way forward

While I am never surprised by comments made by some residents, it is important to ensure that the correct weight is given to them. Clearly, the comments from residents in New Mill Terrace are less relevant given the distances achieved between the existing and new properties (40m+), the existing tree screen, the fact that the development is less dense than the TCA policy, that there are no highway objections, that dormers and rooflights on rear roof slopes have been removed and, that we have submitted a landscape scheme to confirm the trees which remain.

The comments ignore the clear and material changes which have been made which reduce the scale and impact.'

Additional supporting material for Members illustrating (i) varied character of area; and (ii) separation distances to New Mill Terrace properties (please see below). These will also be included in the powerpoint presentation to Members.

TCA 13 & housing adjacent site – Character Assessment



Separation distances to New Mill Terrace



Further consultation response

E-mail from No. 28 New Mill Terrace reiterating previous objections.

Conditions

Condition 17 (Approved Plans) – amended to include additional landscaping plans.

Informatives

- Standard Thames Water informative added following advice from Thames Water;
- Great Crested Newts informative;
- Breeding birds informative.

Item 5c

4/00759/16/MFA – PROPOSED REAR EXTENSION TO PROVIDE AN ADDITIONAL 21 BEDROOMS AND A NEW GP DOCTOR'S SURGERY

32 HIGH STREET, KINGS LANGLEY, WD4 8AA

Comments from no. 7 Langley Hill Close

Will be intending to speak at the meeting.

Consider this to be a complete waste of time for the following reasons:-

(1) Resident's wishes have been ignored.

(2) Affected communities will be considerably impacted if permission is given to the proposed Surgery and 62 bedroom care home expansion. The congestion in the surrounding area has been the main reason for public disquiet at a number of Kings Langley Parish Council AGM's.

(3) The ridiculous plans to build a care home on the Post Office Sorting Office was ludicrous in the first place.

Further, as it may be known that UK government authorities have become increasingly concerned about the economic viability of Care Homes and have instructed the Quality Care Commission during each annual audits to enquire about the most recent economic data where over 60% of current residential sites have combined debts of over £500 million. Surely, DBC -Planning are looking over applications before granting permission to develop sites.

Response :

(1). As in the case of the consideration and determination of all planning applications any third party representations are taken into account by the relevant local planning authority. These representations have been fully considered by Officers and will be by the Members of the Development Control Committee.

(2). The effect/ implications of the proposal have been fully addressed by Officers and will be by the Members of the Development Control Committee.

(3). The local planning authority considered that the care home could be supported at the site of the former Post Office Sorting Office.

(4). The provision of care homes forms a fundamental and integral part of the inclusive approach to meeting housing needs. The site provides an opportunity for the Council to support care home accommodation the funding of which entirely lies with the developer / operator.

Objection from 27 Langley Hill

We would like to object to the above development of a 21/26 bedroom extension to the adjacent care home and a new doctors surgery, on the basis that it is gross overdevelopment of a site currently consisting of a 3/4 bedroom chalet bungalow with a small garden to the rear. The proposed upstairs bedrooms overlook family houses adjacent to the development. There is a huge lack of parking.

The existing Haverfield surgery, opposite, employs 10 staff and wish to employ a further 2 GP's. In addition they wish to offer additional services and bring in hospital consultants for out patient clinics/consultant appointments as well as having a community midwife. This adds up to approx 15 staff. (No mention has been made of parking provision for the physiotherapy centre, also in Haverfield House, who currently employ a further 14 staff?)The Haverfield surgery have said they wish to expand. The proposed development offers 3 parking spaces for the above staff!!The DBC car park is always full in the day and parking spills out onto both sides of Langley Hill causing a real traffic hazard and lorries and coaches are unable to get up Langley Hill. The High Street offers little parking as the popular coffee shops and boutiques have increased the number of parked cars on the street. There are a number of residential properties on the High St that have no parking so use this car park, along with numerous businesses with staff who need to park locally at different times of the day. Even The Nap Surgery in the village has difficulty finding enough spaces for their own patients and staff despite there being another DBC car park adjacent.

The recent approval of the conversion of 44 High St to provide 4 flats and 2 semi detached properties (4/00657/10/FUL) is going to cause more strain on the DBC Langley Hill car park, as their estate agents are marketing the properties as having a rear access gate from their communal gardens to this car park for parking! Langley Hill is the main access road to the 3 large Kings Langley Schools on the west side of the village as well as the main route for coaches/buses to St Clement Danes and Parmiters Schools, as well as providing the main vehicular access to other local villages and links to the M25 at the end of the village. It is an extremely busy road and it would be very dangerous for surgery patients ,as well as visitors and residents of the care home to cross this road from the car park to the proposed new surgery and care home. There are currently 3,500 patients on surgery list-many of whom would presumably need to cross Langley Hill to access the proposed new surgery for appointments!

This application for a new surgery and care home extension does not provide sufficient, safe and convenient parking ensuring highway safety, as required(Policy CS8). There is insufficient parking for visitors, staff ,deliveries etc to the proposed 21/26 bedroom extension and new surgery and we therefore object most strongly to this extension to the care home development and the proposed doctors surgery in this location.

Case officers Response: Reference to the heritage implications regarding the site walls.

Comments from Herts Valleys Clinical Commissioning Group

Herts Valleys Clinical Commissioning Group (HVCCG) and NHS England (NHSE), conditionally, support this application. The conditions are that the occupational terms offered and agreed to and by Haverfield Surgery are acceptable to NHS England as the organisation responsible for the payment of premises and that the premises are constructed and fitted out in accordance with health guidelines.

We recognise that neither are planning reasons, but both HVCCG and NHSE cannot give unconditional approval to the care home application as the additional registrations will have a significant impact on the existing surgery.

Both commissioners and Haverfield Surgery are optimistic that partnership working is a good outcome for the community and subject to the conditions, are supportive of the application.

Recommendation

As per the published report

Item 5d

4/01420/16/FUL – PROPOSED NEW ATTACHED 3-BEDROOM HOUSE AND CONSTRUCTION OF TWO STOREY REAR EXTENSION TO EXISTING DWELLING AND NEW FRONT PORCH

85 BUCKWOOD ROAD, MARKYATE, ST ALBANS, AL3 8JE

Recommendation

As per the published report

Item 5e

4/01629/16/OUT – OUTLINE APPLICATION FOR THE DEMOLITION OF THE EXISTING DWELLING (11 COVERT CLOSE) AND THE DEVELOPMENT OF A BLOCK CONTAINING 6 FLATS (4 X 2-BEDROOM, 2 X 3-BEDROOM) PLUS PARKING AND COMMUNAL AMENITY SPACE.

THE CHILTERN, 11 COVERT CLOSE, NORTHCHURCH, BERKHAMSTED, HP4 3SR

Full Representations Received

Comments received from consultees:

DBC Contaminated Land

"The site is located within the vicinity of potentially contaminative former land uses (infilled ponds, Darrs Lane). Consequently there may be land contamination issues associated with this site, in particular ground gas migration. I recommend that the standard contamination condition be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247)."

Thames Water

No Objection

"Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333."

Building Control

Support

"Regarding the proposed development, I confirm that I have no issues or further comments and proposal is satisfactory."

Northchurch Parish Council

Objection

*"Nortchchurch Parish Council **OBJECTS** to this application on the basis that the style and size is out of keeping with the street scene, the gated fence makes it look like a town house. Is the hedge being retained or replaced by metal railing? There are no other flats within the vicinity. Insufficient parking, there is only parking for 8 cars which will mean 4 will be left on the main road. The exit point from car park is via the narrowest part of Covert Road. Not adequate space for amenities ie there will be around 18 wheelie bins."*

HCC Highways

No Objection

"Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

COMMENTS

Outline planning permission is sought for the demolition of the existing dwelling (11 Covert Close) and the development of a block containing 6 flats (4 X 2-bedroom, 2 X 3-bedroom) plus parking and communal amenity space.

Document CC/0011/16 provides a detailed plan of the proposal.

CONDITIONS

1. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

Reason: In the interest of highway safety and free and safe flow of traffic.

2. Road deposits. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason. To minimise the impact of construction vehicles and to improve the amenity of the local area.

3. The existing access to the site shall be permanently stopped up to vehicular traffic and the highway reinstated to the satisfaction of the Local Planning Authority before the development is brought into use.

Reason

In the interest of road safety.

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

INFORMATIVES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant

will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-

<https://www.hertfordshire.gov.uk/droppedkerbs//>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

PARKING

Parking for 8 vehicles is to be provided in a basement car park, which will be accessed via a new drive and VXO on Covert Road.

ACCESS

The existing access on Covert Close will be redundant and will need to be stopped up and the footpath and kerb reinstated to the height of surrounding footpath.

The section of Covert Road where the new VXO is proposed is unadopted road over which HCC as highways authority has no jurisdiction.

SITE LAYOUT

No internal roads are planned

CONCLUSION

On balance this proposal is unlikely to lead to a significant impact on the surrounding highway."

Strategic Planning

No Objection

"The site is located in a residential area, as shown on the Local Plan Proposals Map. Core Strategy Policy CS4 states that appropriate residential development is encouraged in residential areas.

The Council's Supplementary Planning Guidance (SPG) on Development in Residential Areas is also relevant. The site is in character area BCA19 (Northchurch). The policy statement for BCA19 indicates that flats are not appropriate in this character area and will not be permitted and that the height of new housing development should not exceed two storeys.

We note that two applications for residential development on this site have been refused earlier this year:

- 4/00379/16/FUL: 4 x 3 bed houses
- 4/01012/16/FUL: 3 x 4 bed houses

These applications were refused on design/layout grounds, but there was no objection to the principle of residential redevelopment. We do not have any objections to the form of development now proposed, despite the guidance for BCA19 in the SPG. The key point is that development should be acceptable in terms of the more recent guidance in Core Strategy Policies CS11 and CS12.

Core Strategy Policy CS19 (affordable housing) indicates that affordable homes will be provided in Berkhamsted on sites of a minimum size of 0.16 ha. or 5 dwellings (and larger). However, the position on affordable housing has changed recently because of the Court of Appeal's judgment on the West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government case.

In the light of this judgment, we have obtained formal Officer Decision Sheet approval to begin to apply the Affordable Housing Supplementary Planning Document (SPD) Clarification Note again. The (slightly updated) Clarification Note is being formally reported to Cabinet on 26 July. The reinstatement of this Advice Note will be subject to the Cabinet ratification. However, due to the Court of Appeal judgment being a material planning consideration, the content of the Advice Note will be reflected in all planning decisions made on or after 11th May (i.e. since the date the judgment was issued).

The reinstated 2015 version of the Clarification Note will state that:

The 2015 version of the Clarification Note states that:

"The main effect of the recent Government announcements is to introduce a new 'national waiver' approach that, in some instances, supersedes the waiver set out in the Council's Affordable Housing SPD. This new waiver applies to developments of 10 units and below with a combined gross internal floorspace of no more than 1,000 sqm which are located outside of the defined 'rural area' (see Figure 1). A lower waiver (5 units) applies in the defined 'rural area' (see below). No minimum gross internal floorspace applies here."

In view of the above, there is no requirement for any affordable housing on the site."

Comments received from local residents

7 Covert Close

Objection

"We object to this redevelopment.

This is the 3rd attempt at a planning application for this property, and in my view the proposed plans on this occasion are even worse than the 1st two applications that were rejected.

- 1) *The proposed buildings will be very close to the edge of Covert Close.
 - a. *This is not in keeping with all the other properties on Covert Close. All other properties are set back from the close by several metres and are of single property family dwellings*
 - b. *Cars parked around the dwelling will pose a significant risk to visualisation of traffic when driving up & down Covert Close, in addition to turning out of Covert Close onto Covert Road. This is inevitable with up to 12 or more vehicles associated with the proposed development**
- 2) *With only 8 parking spaces available in the proposed development, there is insufficient parking allocation, with 6 flats containing 2 or more cars, a minimum of 12 spaces are required, and where are the guests supposed to park?
 - a. *Where will their visitors park? On either Covert Road (although no space) or Covert Close*
 - b. *Due to limited spaces, the new home owners are not be able to park on Covert Road, so they will park their vehicle on Covert Close. This poses a big risk to the young children who play in the close, and causes obstruction to driveways, service vehicles and emergency vehicles (which has happened in the past). This is already a great problem and the extra cars will simply add to the already unsafe situation.**
- 3) *The proposed additional roof height of the new building is not in keeping with any other current dwellings in the area. It will stand out.*
- 4) *There are no other 'blocks of flats' anywhere in the local proximity to Covert Close, and this proposal is also most certainly not in keeping with the neighbourhood."*

(Received 25/06/16)

Objection

"It has once again been brought to our attention that there is a proposal in place to replace the existing single dwelling at 11 Covert Close, Northchurch, a new series of dwellings, this time SIX apartments.

We object to this redevelopment.

- 1) *The proposed buildings will be very close to the edge of Covert Close.*

a. *This is not in keeping with all the other properties on Covert Close. All other properties are set back from the close by several metres and are of one family dwelling*

b. *Cars parked around the dwelling will pose a risk to visualisation of traffic when turning out of Covert Close onto Covert Road. This is inevitable with up to 12 or more vehicles associated with the development*

2) *There is bound to be insufficient parking allocation for the new development, with 6 flats containing 2 or more cars, there is simply not enough space*

a. *A garage may not be used to park a car, and will likely be used by new owners as extra space.*

b. *Where will their visitors park? On either Covert Road or Covert Close no doubt*

c. *Due to limited spaces, the new home owners are not be able to park on Covert Road, so they will park their vehicle on Covert Close. This poses a big risk to the young children who play in the close, and causes obstruction to driveways, service vehicles and emergency vehicles. This is already a problem and a great deal of extra cars will simply add to the challenge*

We simply do not understand why so many dwellings need to be allocated to this plot. Covert Close is a small location which already has 12 dwellings in it - DOUBLING the amount of residents is unnecessary.”

(Received 24/06/16)

9 Covert Close

Objection

“We are greatly concerned with this 3rd planning application. This has to be the least favourable application so far.

Reasons:

- *Flats are out of keeping with the area. There are no other flats in the close vicinity of Covert Close. Covert Close is made up of detached houses which are set back from the road edge.*
- *This building will be close to the road edge, higher than surrounding single' family' dwelling houses. Flats will be at the junction of the Close onto Covert Road that is already difficult to exit out of turning right towards Darrs Lane direction because of the cars parked on Covert Road which frequently obstruct clear views along Covert Road. With more cars than normal associated with a block of flats compared to a single property family dwelling, this corner is going to become busier with more vehicles posing a risk to young children who play in the Close and walk to and from school.*

- *Please consider that there is already a lack of parking this end of Covert Road with many people already parking on the road. Larger vehicles such as camper vans, belonging to The Limit- Meadowcroft, Cornfield Crescent & Pinecroft are permanently parking in Covert Road to the right as you turn out of the Covert Close as I guess they aren't allowed to park these such vehicles in The Limit (mobile home park.) So any vacant space is already taken. This in an already busy area with cars finding it difficult to also turn left into Covert Road from Ashby Road, virtually opposite Covert Close.*
- *Lack of car parking space for a possible 16 people living there. Only 8 available spaces underground? What about visitors that arrive by car to the flats? Where will they park?*
- *We have already had issues with cars/service and delivery lorries unable to access the top part of the road. Extra cars will seek to park up the hill in the close which will obstruct driveways already there and block access for larger vehicles.”*

(Received 27/06/16)

2 Covert Close

Objection

“This third application to redevelop the site at 11 Covert Close is unacceptable to us for the following reasons:

1. *The suggested development of flats on this site is out of keeping with the area:*
 - a. *All properties in Covert Close are set back several metres from the road.*
 - b. *All properties are individual detached properties for single family use.*
 - c. *The additional roof height of the proposed development is not in keeping with the appearance of dwellings in the road and will be visually intrusive.*
2. *Parking and Means of Access:*
 - a. *Insufficient parking allocation at the flats will result in yet more cars parked at the end of the close resulting in problems for residents and others when turning out of Covert Close onto Covert Road. This is already hazardous with the parking of cars and campervans along Covert Road and the added problem of cars turning out of Ashby Road.*
 - b. *Visitor parking will add to the problems creating more hazards when accessing or exiting Covert Close.*
 - c. *Extra vehicles parking on Covert Close will cause obstruction to service vehicles and emergency vehicles as well as impacting on the dangers to children playing in the close.”*

(Received 07/07/16)

I wish to lodge the following objections to the above proposed development which I consider to be totally out of character for the area and detrimental to the safety of residents.

1. I am gravely concerned that by recommending the building of flats to replace an existing residential building the Council will be creating a precedent. It will not be able to refuse future planning applications to build flats in the area.
2. The Council's guidelines state that no bedroom can be higher than two storeys and this development is clearly contravening these guidelines.
3. The planned area for rubbish bins for the six flats is totally inadequate
4. The planned parking does not meet the Council's minimum guidelines.
5. I understand that the title deeds to the property only give vehicular access to Covert Close and the objections to further parking in Covert Close are well documented.

(Received 17/08/16)

6 Covert Close

Objection

"This is the third successive application concerning this site: we objected to both previous applications and many of our previous objections apply also to this proposal.

1. *The proposal is for a size of dwelling and density of occupation that is entirely out of keeping with the neighbourhood, which consists essentially of detached bungalows in their own grounds or of detached and semi-detached houses with gardens.*
2. *The proposal moves the building forward of the existing dwelling, both towards Covert Road and Covert Close, despite the existing dwelling being in advance of the line of other dwellings. In other words, it makes an existing unsatisfactory situation worse.*
3. *The height of the building is greater than the existing dwelling and the roof is longer, increasing its tendency to intrude.*
4. *The appearance of the facade is quite out of keeping with other dwellings. It both appears to be and is a larger, more overbearing building than the present house. The side giving on to Covert Road is essentially an unsightly blank wall, broken only by a door (the present building has 4 windows at that point).*

5. *Access to the proposed underground car-park is by a ramp at the rear of the building. This and the size of the building will reduce the garden area, again out of keeping with the neighbourhood.*
6. *The underground parking provides 8 spaces for 6 flats. Since a number of the flats are likely to be occupied by couples or small families having two or more cars, this implies further pressure of on-street parking. The area around the junction of Covert Close/Covert Road and Ashby Road is already obstructed by regularly parked vehicles belonging to other neighbours or by residents of the nearby trailer park. This would inevitably encroach on the bottom of Covert Close, or the east direction of Covert Road, as the west side is at this point, too narrow.*

The overall result of this proposal would be a degradation of the existing amenities and character of the neighbourhood. We therefore object to this proposal.”

(Received 08/07/16)

1B Dell Road

Objection

“We object to this redevelopment on the same grounds as the previous 2 applications however this 3rd application exacerbates the concerns about parking due to the fact it is 6 flats with a total of 14 bedrooms in comparison to a 5 bed family house that currently in situ, this is almost tripling the occupancy for one site and is not acceptable.

- *Parking is still an issue in an area which is already problematic, 8 spaces ‘underground’ parking spaces is not sufficient. The crossroad is already challenging with camper vans permanently parked on covert road and Ashby road, the approach to covert close along covert road is akin to driving down a slalom with the parked cars already.*
- *Site over developed*
- *Application not in keeping with the area, no flats in the local area.*
- *Condition of covert road already extremely poor with pot holes reoccurring frequently near the crossroads. Construction traffic would only intensify this problem where there is little space for construction vehicles.*

The only improvement on this application from 1B perspective is that the distance of the dwelling from covert road has improved from previous.”

(Received 10/07/16)

3 Dell Road

Objection

"These are the worst plans by far.... There is not enough room to warrant 6 flats and the plans do not reflect the photo shown where the hedge along Covert rd is still

intact. In fact the entrance to the underground car park would be on Covert rd, at its narrowest point and would be dangerous with vehicles manoeuvring in and out directly into the back gates of our (Dell Rd) gardens and access which is used regularly with small children.

We would also be concerned about the impact of deep excavation to create the car park, on our properties below this site. And increased pollution / noise/ loss of privacy in this quiet area.

The proposal is totally out of keeping for this area as there are no flats. It would look totally out of place and roof height affecting light/ privacy is also a concern as 2 of the flats are to be 2nd floor.

This proposal would create too many cars in an area already difficult with the junction onto covert rd from ashby rd and covert close as there are already cars / camper vans parked along and on the corners and very poor visibility at this junction. And it will be chaos on refuse collection day with all the bins along Covert rd. This is simply too big a development for this plot and surrounding roads."

(Received 10/07/16)

"We strongly object to this development its worse than the other plans previously put forward. There are no flats in the area and so design is totally out of keeping. The proposed block shown in the photo does not reflect the position of the underground car park which will have its entrance directly onto the narrowest part of Covert Rd opposite back gardens and gates of Dell rd. This would be dangerous with cars manouvering / coming out on this narrow road where chidren play we use for access often. The photo shows the hedge still in place?"

Also we would be concerned about the impact of excavating deep underground so close to other properties below. Also roof height is a concern considering 2 of the flats are to be on the second floor resulting in loss of light/privacy.

Traffic would increase on the crossroads of Ashby rd/ covert close where it is already difficult to navigate with parked camper vans/cars and a buliding site of this scale would create chaos in this small and quiet area."

(Received 10/07/16)

10 Covert Close

Objection

"We would like to object for the following reasons :-

- 1/ The size is far too bulky and will cut more light out than the existing building*
- 2/ The streetscape would be over imposing on the area*
- 3/ The height would increase by at least 1m or more.*

4/ *The cars would create more problems (maybe up to 12 in number)*

5/ *The site is smaller than 570sqm (and was proved in application no 2) so therefore the size of the building would take up a big area of this very small site leaving very little for amenity area to use.*

6/ *The digging of the foundations for the underground garage could lead to undermining of no 10 and cause movement. (so a very large claim would be involved)*

7/ *There are far too many units cramming people into very small rooms*

8/ *Each application for this site is getting bigger and creating more problems than the last*

9/ *As for outline planning :- I think they need to think again*

And at the rate they are going it will be a long time before that works.

In conclusion

We think like previous applications (this being the third) should be refused for the above reasons and all other reasons brought up on the other two actions. The applicant should think of neighbours before profit. Before trying to overcrowd a small site and ruin the look of a lovely village area."

(Received 01/07/16)

1 Dell Road

Objection

"We are incredulous at the proposed residential density for such a small plot of land. This is a quiet semi-rural location and for the third time the sheer size of the proposed development is inappropriate and is detrimental to the open character of Covert Road. The proposed new building STILL sits beyond the blue dotted line of the existing building this is excessive mass and would be too close in proximity to our property. It would create an over imposing visual intrusion and it would create loss of light to 1 Dell Road.

Furthermore the proposed car park entrance is very close to our property and it would be completely unacceptable to introduce the noise and disturbance of SIX households driving their cars up and down the ramp within earshot of our back garden, dining room and bedrooms. The top of the ramp has inadequate space and turning would be too problematic. People and their visitors would also park their vehicles along the narrow road, creating parking and visibility problems. The developer clearly has no respect for the character of the site nor the internal and external living spaces of the people who would have to live in such cramped conditions. I've seen chicken coups with more humane conditions. Where will the children play? Amongst the parked cars?"

(Received 02/07/16)

6 Paynes Field Close

Objection

“This is the third and unquestionable most unsuitable application in relation to this site.

I strongly object on the following grounds;

1) Out of keeping with surrounding area - there are no other blocks of flats on Covert Road or the surrounding area. All other properties are detached/semi-detached and set well back from the road. The height of the proposed development is also unreasonable and out of keeping.

2) More specifically, the increase in parked vehicles can simply not be accommodated, is wholly unsustainable and would pose significant risk of injury/accident to pedestrians and other road users. Residents of the proposed development will require approximately twelve parking spaces whereas it only accommodates eight off-road spaces. This is before visitors.

There is limited/no available space in Covert Close and absolutely no available space in the immediate Covert Road vicinity. The area of Covert Road is single track - any parked vehicles will block access of emergency vehicles and impede other traffic. In addition, there is no pedestrian pathway. Any parked vehicles will force pedestrians, many of them young or elderly, into the path of oncoming vehicles - surely this alone should prevent this development from even being considered. In summary, this is a blatantly unsuitable, greed motivated application and the proposed construction has no place whatsoever in the vicinity.

A better thought through application for a maximum of two detached family dwellings is surely what is required?”

(Received 07/07/16)

61 Covert Road

Objection

“This is the third attempt at a planning application for this property and we believe it to be even worse than the previous applications which have already been rejected. We strongly object for the following reasons .

1. The proposed buildings will be very close to the edge of Covert Close.

2. It is out of keeping with the area.

3. There is already a problem with traffic visualisation at the junction between Covert Close, Covert Road and Ashby Road. Cars parked around the proposed dwellings will only add to the problem. There are already too many cars and camper vans parked on Covert Road making it often difficult to safely negotiate the road. The

addition of 6 flats with the inevitable 12 or more vehicles associated with them represents a real risk to safety on these roads , particularly to children, and would cause obstruction to driveways ,service vehicles and emergency services.

4. There will be insufficient parking allocation on the plot for 6 dwellings. Six flats will inevitably involve at least 12 vehicles if not more. This is without factoring in extra visitor parking.

The plot simply is not large enough for 6 dwellings and the necessary parking.”

(Received 07/07/16)

2a West Wing, Homefarm, Ashby Road

Objection

“We object to the proposed building project on the grounds of;

1, we would be worried what the immediate and future effect of digging and building an underground car park would do to the surrounding plots and houses.

2, not enough with 6 car spaces, the plus cars will be parked on covert road with the rest of surplus cars that are parked there already. The underground car park will not be used during the day where easy access to a car is needed, in which case they will be parked in the road.

3, the flats are not in line with the rest of the neighbourhood. And the living space is tiny.”

(Received 12/07/16)

73 Covert Road

Objection

1) “Planned vehicular access is located on an already very congested and narrow junction. This will endanger the safety of the public

2) the access is via a strip of land which is not part of the property to which they have no access rights - therefore surely no approval could be approved as I would believe that the council cannot approve planning for a 3rd party to change something does not own.

3) the building is not in keeping with other types of properties in the location. There are no blocks of flats in covert road and this will detract from the beauty of the road

4) too many properties planned on a small site without adequate provision for parking. which will create the need for parking on the already dangerous road.

5) inadequate provision for waste collection”

(Received 14/07/16)

8 Covert Close

Objection

"I wish to STRONGLY OBJECT to the outline proposal put forward for the above property.

The property, 11 Covert Close, is a SINGLE dwelling. The application proposes replacing this with a BLOCK OF FLATS containing SIX dwellings with (4x2 bedrooms and 2x3 bedrooms, parking space and amenity space.

I state hereby that this proposal would be ENTIRELY INAPPROPRIATE, for the following reasons.

1 Noise and disturbance resulting from use.

Six dwellings, with 14 bedrooms would accommodate many more occupants within this small plot of land. In the event of all future occupants being quiet and undistruptive, just day-to-day activities would inevitably and unavoidably increase the noise level and disturbance to this area.

In addition, the occupants of each dwelling could own several vehicles, in particular if some dwellings have adult children or other family members in occupancy. Should this be the case, the noise and disturbance to the surrounding area would be intrusive, insensitive to local residents and therefore unacceptable.

Furthermore, a very importance issue here would be the rise in the level of Vehicle Emissions . With the possibility of a huge increase in vehicle use, this area, pollution levels would inevitably escalate levels air pollution level. (I have only touched on the subject of increased air pollution, it could be that an Environment Impact Assessment would be an appropriate scientific evaluation here)

2 Adequacy of Parking /turning

The outline proposal indicates only eight parking places for vehicles in the basement of the flats. As mentioned above, this would realistically be insufficient space for residents' parking of vehicles. This would therefore, indicate that inevitably all other residents' vehicles (and visiting vehicles) would be parked alongside the road or on the pavement in Covert Close, Covert Road, and other nearby roads.

This would be unacceptable. Covert Close is a narrow road with only one pavement/footpath along one side of the road for pedestrian use. Additionally and most importantly, at the present time, if one vehicle (a visiting vehicle or delivery vehicle) is parked along Covert Close it is often difficult for vehicles to pass along the road. If two vehicles are parked at either side of Covert Close, the road becomes blocked, making it impossible to pass through to the end of the Close. Road blocking could well apply to Covert Road, as the road narrows considerably after the junction to Covert Close, in a westward direction.

The outline proposal indicates a turning space for vehicles in the basement of the flats. I would question whether this would be adequate turning space for vans and several large 4x4 vehicles.

3 Visual intrusion

The present plot at 11, Covert Close, is a single dwelling, a detached house with gardens and garage. This dwelling type is concurrent with all other existing dwellings in Covert Close. By introducing a block of flats at the beginning of this road, it would fundamentally alter the balance and also the character of the neighbourhood.

The individual dwellings that have built in Covert Close, from 1959 onwards, have all been architecturally designed and planned to fit into the 'holistic' character of the Close, detached, two stories, front and back gardens, garage, brick built, slate and steeply inclining roofs. By introducing a block of flats, it would be inappropriate and inconsistent and therefore be interpreted as a visual intrusion to the surrounding environment. It would therefore, not be acceptable to develop this type of dwelling in Covert Close. Furthermore, should a different dwelling type be introduced that does not in any way fit into the local area, it could (and probably would) set a precedent for other non-appropriate dwellings to follow. As a result, the area would give rise to a mish-mash of under-planned, hap-hazard mixed developments, with the additional nightmarish problem of creating parking chaos. I would say that anyone living in, or indeed visiting Northchurch would not wish to see their village re-developed with such a thoughtless, insensitive and inconsiderate approach.

Finally, the above points put forward justify my reasoning why I STRONGLY OBJECT to this outline proposal and why this development SHOULD NOT BE GRANTED PLANNING PERMISSION."

(Received 14/07/16)

5 Birch Road

Objection

"We are the owners of the property at 5 Birch Rd, which borders on to Covert Rd.

We are objecting to this proposal on several grounds, all relating to Policies 11 and 21 as well as BCA19:

Density:

The proposed development appears significantly more dense than properties in the surrounding area. Owing to the high number of windows, the building would also appear very bulky, making it looking out of character relative to the surrounding properties.

Owing to the number of flats of the development, the property would have a significantly higher occupation than those in the surrounding area, which are predominantly single family dwellings. Even if residents always parked their vehicles in the underground car park - and assuming average visitor numbers, there would be an uncharacteristically high number of additional cars parking around the property.

There is a risk that, if approved, the nature and density of this property would set a precedent for future development and lead to a change in current character of the area, as defined by BCA19.

I refer to appeal decision APP/A1910/A/11/2143257 (copy attached) relating to a previous proposal for 7 Dell Rd in the immediate neighbourhood: '... the thrust of both Development Plan and current National Planning policy is that new development should be of a high standard of design that maintains the character of an area....'

As laid out above, this application does not meet this objective.

Policy 11 of the DBLP requires a high standard in all development proposals including appropriate scale and bulk on the site itself in relation to neighbouring properties and in respect of the density and general character of the area in which it is set. Policy 21 deals with the density of residential development in greater detail and states, inter alia, that housing proposals will not be permitted if the density of the scheme would adversely affect the amenity and/or existing character of the surrounding area or would fail to satisfy the design criteria of Policy 11. Finally, BCA19 sets out a number of development principles against which the proposal needs to be assessed. Of those relevant to the type of development intended on this site, the most pertinent relate to the layout and density of housing.

Finally, i would like to point out that the plans for this development show both a footpath and a driveway accessing the plot from Covert Rd. This part of Covert Rd - west of the junction of Ashby Rd - is a private road. I have attached a copy of the title deed for the property at 11 Covert Rd, which does not mention any right of way on the private section of Covert Rd. It seems safe to conclude that the proposed building is not entitled to the proposed foot and vehicle access, which makes the proposed design legally contentious.

I hope that the reason laid out above sufficiently explain why we believe that this application should be rejected.”

63 Covert Road

Objection

Re: Proposal: Outline application for the demolition of the existing dwelling (11 Covert Close) and the development of a block containing 6 Flats (4x2-Bedroom, 2x3-Bedroom) plus parking and communal amenity space.

Site Address: The Chilterns, 11 Covert Close, Northchurch, Berkhamsted, Herts HP4 3SR

I wish to object most strongly to the above proposal for redevelopment on the grounds that

- 1) It would not be in keeping with the other properties in Covert Close and the immediate surrounding area. As I stated in my objection to your previous proposal it would be a further erosion of the rural aspect of the neighbourhood. The culture of "garden grabbing" is already prevalent in this area.
- 2) The amended proposal is even worse than the original regarding the increase in traffic and the space available for parking. As it is at present the number of cars and a camper-van already parked close to the junction of Covert Road and Covert Close make it difficult to negotiate the road safely – especially taking into account the traffic emerging from the top of Ashby Road. The addition of these six multi-bedroomed flats especially when there are visitors would undoubtedly compound the issue.
- 3) I understand that the applicant [REDACTED] does not even own the property. In my humble opinion this area at present is a pleasant and quiet residential neighbourhood which my late wife and myself enjoyed from 1969 until 2014 and I continue to treasure. It does not lend itself to the scheme proposed by a member of what I term the "grab and greed" brigade

(Received 14/07/16)

Recommendation

As per the published report

Item 5f

4/01482/16/FHA – SINGLE STOREY REAR EXTENSION WITH BI-FOLD DOOR

35 MARRIOTTS WAY, HEMEL HEMPSTEAD, HP3 9EN

Recommendation

As per the published report

Item 5g

4/01618/16/FHA – LOFT CONVERSION FRONT FACING VELUX ROOF LIGHTS AND REAR FACING DORMER

73 ELLESMERE ROAD, BERKHAMSTED, HP4 2ET

Applicant, 73 Ellesmere Road

Please accept my apologies for being unavailable to make the statement in person. I wanted to bring two points to the attention of the committee.

Firstly, in Berkhamsted Town Council's objection, they noted that there are currently no dormers in the terrace 69 – 84 Ellesmere Road. I would like to make the committee aware that our terrace is comprised of a verity of different houses, all built in different periods and so there is not a consistent roof height, pitch or style which will be disturbed by the proposed dormer.

Secondly, Ellesmere Road is one of two major roads in the immediate vicinity, located between the railway and the canal, the other road being George Street. The house that is located almost directly behind my garden is 155 George Street and that dwelling does have a rear dormer. Having had a look at the other houses at our end of both Ellesmere Road and George Street, I noted that rear dormers were present at 101, 118 and 145 George Street and 65 and 66 Ellesmere Road, the vast majority of these dormers look newly installed.

Recommendation

As per the published report

Item 5h

4/01729/16/FHA – DETACHED GARAGE

**13 CHAMBERSBURY LANE, HEMEL HEMPSTEAD, HP3
8AY**

Updated Referral to Committee

It is noted that Councillor Jan Maddern requested the application is called in if officers were minded to grant, with respect to highway safety considerations and reference to previous planning applications for Nos. 7, 9 and 11 Chambersbury Lane.

Objection from parish council

Comments made by Nash Mills Borough Councillor Jan Maddern

I would like to draw the Members' attention to the issues relating to this planning application, which will have a huge impact on the residents of Mill Close. I strongly object to this application and would urge the Development Control Committee to refuse planning.

According to the officer's recommendation and comment that it is referred to the committee due to the contrary views of Nash Mills Parish Council, I would add that I had requested that it be called in so I could represent the residents of Mill Close as

the ward councillor. Unfortunately I am away on holiday so am unable to attend the Development Control meeting this week. In this regard, please allow me to outline my concerns, as I cannot speak on the night.

I would also comment that I very strongly disagree that the car parking arrangements are 'satisfactory'. This could not be further from the truth!

History

There are several houses in Chambersbury Lane that are in a similar position as their back gardens stretch downhill to Mill Close. The owner of numbers 7, 9 and 11 Chambersbury Lane (adjacent to the application site) have applied for planning permission several times over recent years to build various dwellings across the back gardens, fronting on to Mill Close. Thankfully, the applications were refused and subsequent tentative applications withdrawn for several reasons:

- The application would represent a 'cramped form of development which would be incompatible with the existing residential area'.
- A precedent could be established for other similar proposals to the detriment of the character of the area.
- Local opposition was very strong
- The Parish Council objected strongly

The Current Situation

The houses in this section of Chambersbury Lane back on to Mill Close, a very tight and small residential street, which has suffered from particularly difficult parking issues for many years. We receive more complaints from this street than any other road in Nash Mills due to the extremely tight and narrow road, and the number of dwellings squeezed into such a small area. Part of the road is made up of townhouses (with off road parking spaces) and part is made up of terraced houses, with no off road parking. In addition to this, residents of Nash Green park in Mill Close as there is no parking on the green. The gardens of Nash Green back on to Mill Close, giving Nash Green residents access through their gardens (again these are terraced houses with no option for residents to park anywhere else).

There is a garage block immediately opposite the proposed garage site, and cars park along the side of the road adjacent to the rear gardens of Chambersbury Lane as they simply have no alternative parking places.

Part of Mill Close is made up of around 12 terraced houses set around a small garden area, with parking in front of the houses. At the top of this garden area are only 4 marked spaces, which means that the on road parking spaces currently available are essential for the residents who live there. With double yellow lines being installed imminently in the mouth of the Mill Close, along Belswains Lane, Lower Road, Red Lion Lane and a wider area for safety reasons, the pressure for parking in this street will be exacerbated enormously.

The Application Site

Number 13 Chambersbury Lane has ample off road parking for 2-3 cars at the front, with further on street/pavement parking on Chambersbury Lane (this part of Chambersbury Lane has very wide pavements). I can see no need for further parking facilities to be added. Although this is clearly not a planning reason to refuse, I cannot understand why anyone would want to build a garage at the back of this garden as it will be much more effort to park there and walk through the steep garden to get to the house. These days, garages are not often used to park cars, and if the garage were not to be used for a vehicle it would not require access from Mill Close, and therefore would not have a negative impact on the residents of this small street.

The ground level of the houses in Chambersbury Lane is much higher than Mill Close, so there would need to be a great deal of excavation required to build a garage at the lower level with vehicular access to Mill Close. At the moment the gardens in Chambersbury Lane assist with draining rainwater, but by removing such a large area of soil and replacing it with an impervious material it would reduce the natural drainage that is currently there.

By putting a garage at the rear of this property the residents of Mill Close would lose at least 2 vitally needed parking spaces. Of course, then owners of the other nearby houses in Chambersbury Lane would be able to apply for planning for garages at the rear and this would make it impossible for the residents of Mill Close to park. Worse still, they could apply for houses to be built; as one of the reasons for refusal in the past was the impact of parking in Mill Close approving this application would weaken any future applications for dwellings or garages to be built.

Herts Highways

I note from the officer's report that Herts Highways have 'no objections' but please note that their comments are based 'in the interests of safety', and have no bearing on the quality of life of the residents in Mill Close should the application be granted.

Summary

In summary, I would urge the Development Control Committee to refuse planning for this application for the following reasons:

- The negative impact on the quality of life for residents of Mill Close.
- Over development.
- Reducing available parking in Mill Close.
- A negative impact on the street scene.

I'm so sorry that I am unable to attend and put the case against the proposal forward in person, but hope that you are able to take my comments into account in my absence.

Comments from Contaminated Land Officer

Historical maps show that the property is located within the vicinity of potentially contaminative land uses. There exists the slight possibility that these activities may have affected the application site with potentially contaminated material. Therefore I

recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

Recommendation

Recommendation amended – GRANT subject to conditions, including the removal of contaminated land conditions 6, 7, 8 and 9 and renumbering of approved plans condition (to Condition 6). A Contaminated Land Informative shall be included in line with comments above.

Item 5i

4/01796/16/FUL – EXTENSION OF MAYLANDS BUSINESS CENTRE WITH THE ADDITION OF A NEW SINGLE-STOREY BUILDING, REPLACING BUNGALOW DEMOLISHED FURTHER TO 4/03183/15/DEM

THE BUNGALOW, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA

Recommendation

As per the published report

Item 5j

4/01743/16/FHA – TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION, NEW CAR PORT AND ALTERATIONS TO APPEARANCE OF THE HOUSE (AMENDED SCHEME)

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

Recommendation

As per the published report