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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 25 MAY 2017 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 Guest (Chairman)
Councillor Birnie
Councillor Clark
Councillor Conway
Councillor Maddern
Councillor Matthews
Councillor Riddick

Councillor Ritchie
Councillor Whitman
Councillor C Wyatt-Lowe (Vice-Chairman)
Councillor Fisher
Councillor Tindall
Councillor P Hearn
Councillor Bateman

For further information, please contact Katie Mogan or Member Support

AGENDA

8. ADDENDUM

Agenda Item 8



DEVELOPMENT MANAGEMENT COMMITTEE
Thursday 25th May 2017 at 7.00 PM

ADDENDUM SHEET

Item 5a

4/00022/17/FUL- DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF TWO 5-BED DWELLINGS

SYMONSDOWN, VICARAGE LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0LT

Additional information from resident:

Planning Ref: 4/00022/17/FUL

Dear Matt,

In relation to the amended scheme for the development of Symonsdown, I wish to express my continued and serious concerns about the application. The revised plans have done little to amend my previous objections to the development – which I ask you to read in association with my comments here (amended to include the revised Heritage statement, which I only received on 23/5 so have had little time to review and comment). In fact, I have several more issues about inaccuracies that I would like to raise with you and the planning committee members.

First of all, I would like to state the following. I am not against the redevelopment of Symonsdown. I believe that a sensitive redesign, that enhances the conservation area and a development that makes a sympathetic contribution to the visual amenity of Vicarage Lane, would be beneficial to both local residents and to the Borough's housing stock.

However, the principles applied to this application are highly insensitive to neighbours' concerns and do very little to enhance the character of the setting. Equally, many of the objections raised have not been adequately addressed within your case notes.

I will now address each of your key points:

1. The principle of the Development

Firstly, the reduced scale does not change the impact, massing, overshadowing, privacy or loss of light to its neighbours. The BRE two-page statement lacks the evidence to prove this point (See attached letter from Shirley Ellis – Senior Rights of Light Surveyor, dated 23/5/17). Whilst I accept this is a legal/civil matter, the developer should be more sympathetic to the close proximity to Green Lodge and Belvedere. The actual proximity to Green Lodge is 3.3m not the 4.3m that you state. The development does not optimise the use of the plot, it maximises the use. Hence it pushes all boundaries to the limit, both physical and legal.

2. The quality of the design and the impact on the character and appearance of the area, including the Conservation Area and the setting of adjacent listed buildings

Accuracy of the description is clearly important when applying policy. Green Lodge is a detached property to the north of the proposed development - not a “two storey semi-detached”. Whilst not important in planning terms, it indicates that attention to detail in your case notes is lacking and the importance of accuracy is compelling when critical decisions rely on accurate reporting.

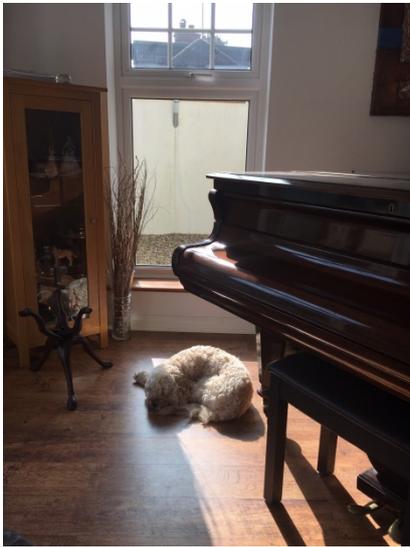
Furthermore, I draw your attention to the following:

1. Developments within a Conservation Area need to address the following considerations as a minimum (See: Bovingdon Conservation Area Character Appraisal and Management Proposals 2009).
 - a. If any infill development is contemplated, the relatively 'unplanned' character of the village must be observed and any development should respond positively to this organic layout/form.
 - b. Whilst some improvement or enlargement of existing buildings may be possible, subject to very rigorous controls, there are clearly very few opportunities for large-scale redevelopment within the Conservation Area. The character of the area has already been eroded as a result of poor quality infilling and unsympathetic alterations.
 - c. Non-residential uses of land and buildings should be protected, and residential development or conversion avoided. The need to protect the rural, soft edges of Area 2 means any new development at the boundaries should be resisted. Should any opportunities in Area 1 arise, buildings should remain two-storey, should face the road, should respect the massing and scale of the neighbouring buildings, and employ a palette of materials sympathetic to and consistent with the prevailing character and appearance of that part of the Conservation Area. Only good quality schemes that respond positively to their historic setting and incorporate exceptionally high standards of quality and design will be considered acceptable.
2. The properties further north of the site should not be used as a valid precedence. The applicant and your case notes appear to compare this proposed development with two similar properties (Majuba and Springfield) further north on Vicarage Lane. However, the plot size is not comparable. Symonsdown plot width is just 19m, the plot size for the properties in comparison is 31m in width. Both properties have integral garages and

extensive parking facilities for owners and visitors. Neither property is built within 1m of its nearest neighbour and the gap between the properties is substantial. Equally these properties were constructed before the Bovingdon Conservation Area was extended to cover their development.

Spacing and Prominence

As previously mentioned the northern boundary to Green Lodge is just 3.3m from proposed development – not 4.3m as you state. The development is designed to maximise the space with little concern for neighbouring properties. On that basis, they are cramped on to this 19m plot concerned only with the maximum size possible and not with the impact on the area. The “Rights of Light” for Green Lodge would be severely eroded. The following pictures illustrate the sunlight into habitable rooms that would be completely blocked by the proposed development:



Landscaping

No comments.

Heritage

I counter the statement that “this is not considered a large-scale redevelopment”. The developer is clearly attempting to build properties that could provide habitable use for 6 (or more) people in each – so potentially 12 or more residents on this one plot. This is a significant increase in pressure on facilities, traffic flows, parking, drainage and sewers. In comparison to development on plots of a similar size, this would be the largest redevelopment in the local area.

Conclusions

Based on the overcrowding and mass of the proposed development, I fail to see how it harmonises with the historic spatial pattern of surrounding built form. It lacks sensitivity and does not enhance the Conservation Area. It overcrowds a very small plot and should not be compared to the two other detached buildings further north on Vicarage Lane. It is also overbearing on Green Lodge and Belvedere.

3. The potential impact upon the living conditions of the occupants of surrounding units and future occupants

This is very misleading. Green Lodge to the north of the proposed development lies just 3.3m from the proposed wall of the new building. There are five windows on the southern elevation of Green Lodge, two of which (music room and kitchen) are primary habitable rooms. You state that there are none. The light enjoyed by these windows is shown in the sections above.

Privacy: The plans show three windows on the proposed property facing directly towards Green Lodge. This is unacceptable and an intrusion of our privacy. Equally, the proposed high level dormer window to the rear of the property is out of character with any other property in Vicarage Lane or in the local vicinity. They also impact on privacy for all neighbouring properties. I would also like to reference planning application 4/01539/01/FHA for Green Lodge in 2001. Request to provide roof lights. Approved with conditions. Note condition 4, 6 and 7 are there to safeguard the privacy of Symonsdown. Most notably point 4 where Dormer windows were not allowed to:

- a. Safeguard the privacy of Symonsdown
- b. Not Impact the appearance of Green Lodge within the street scene

One must be mindful of the importance of consistency in decision-making, and particularly in terms of fairness and expectation. I would question why a dormer window might be allowed now, when in the past, it was not. Equally, I see very little in the planning proposal that takes into account the necessity to safeguard the privacy of Green Lodge or Belvedere.

4. Highway Safety and Parking Provision

Vicarage Lane is a busy thoroughfare – particularly at peak times. It is equally an unclassified single track road with limited passing spaces. I have had three instances of passing vehicles damaging the entrance to Green Lodge in the last 5 years. I have found it necessary to install a mirror to allow safe exit onto Vicarage Lane. Even with that addition, it is often a hazardous manoeuvre due to the speed and volume of vehicles using Vicarage Lane. The additional traffic and the fact that

the development sits opposite the narrowest part of the lane, will only add to that risk for both existing and new residents.

Furthermore, the parking proposal is flawed. The plans indicate a Spin-It turntable solution. However, the proposed turntable can only accommodate a single vehicle. A turntable large enough to accommodate two family sized vehicles will have to be 6m in diameter (as specified on the Spin-It website). The plans therefore lack accuracy and are misleading in their visualisation that appear to show a turntable that can accommodate more than one vehicle. Until this inaccuracy is resolved and parking provision fully explained, I request that this application be refused.

I would equally question your statement “there are additional off-road parking spaces”. Please elaborate on that matter as the only additional parking is in Church Lane which is for the use of the Church. This is not overflow parking for a development that clearly cannot provide the parking facilities to support the proposed inhabitants.

5. Other Material Planning Considerations

ii Flooding and Drainage

The main sewer running down Vicarage Lane has blocked 3 times in the last 4 years. The latest unblocking can be seen below (dated 20/2/17) and resulted in raw sewage running down Vicarage Lane and into the storm drains contaminating the water supply.

Whilst Thames Water were consulted, I can only assume their lack of an objection was more down to apathy than reality. The reality being that the sewage system in Vicarage Lane is already overloaded and will only get worse with the addition of two, 5-bed properties.



Conclusion

In summary, whilst I accept that development of the proposed site is inevitable, I do not accept the scale, nor the intrusion imposed by the current plans. Loss of light, privacy, overshadowing, overcrowding and garden grabbing are all evident in the plans. Any future plans should be downscaled considerably and address all the concerns listed above. The full impact of this development on neighbouring properties can best be seen via a site visit and I request that you arrange a visit prior to any planning decisions being made.

The development, if built, will destroy the character of Vicarage Lane and set a dangerous precedent for further overdevelopment within the Bovingdon Conservation Area.

For the above reasons, I again object to the proposed plans.

Additional letter concerning right to light

Dear Mr M Heron,

Application Reference No. 4/00022/17/FUL

Proposed Development at Symonsdown, Vicarage Lane, Hemel Hempstead

Impact on Green Lodge, Vicarage Lane, Hemel Hempstead

Further to our letter dated 18th April 2017, I understand the applicant has instructed the BRE to assess the impact of the proposal upon the daylight and sunlight receivable by our client's property at Green Lodge, if the proposal is built as planned.

We have liaised with Mr Leech and our client in order for Paul Littlefair to visit Green Lodge to obtain the measurements for the assessment. However, we note from the BRE letter dated 27th April 2017 that no analysis has been carried out. The reason for this I understand is that the BRE do not consider the side windows to the music room or kitchen as primary windows serving habitable rooms.

The BRE guide at 3.1.1 states that "People like sunlight. In surveys around 90% said they appreciated having sunlight in their homes. The sun is seen as providing light and warmth, making rooms look bright and cheerful and also having a therapeutic health giving effect".

The BRE guide at 3.2.3 also suggests that "To assess the loss of sunlight to an existing building, it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun."

We would assert that the music room is a living room for the purpose of the BRE daylight and sunlight tests. We would also highlight that the side window of the music room is the only window within the room facing within 90 degrees of due south and therefore is the primary window in this instance for the purpose of the sunlight tests.

We would also highlight that whilst the BRE guidelines suggest that the level of sunlight to a kitchen is less important, it does offer some protection in order to avoid too much sun being blocked. Unfortunately, the guide does not offer any indication as to what level constitutes "too much sun being blocked". Again, as with the music room, the side window in the kitchen is the only window within 90 degrees of due south serving the area. As a result, this window is the primary window for the room for the purpose of the sunlight tests.

We would also highlight that as the side window is the only window specifically serving the kitchen area, it should be tested for the loss of daylight as a result of the proposal.

We would therefore again request that no decision in favour of the application is made by the Committee Members until the applicant undertakes a detailed daylight and sunlight study to evidence the reduction of light to our client's property as a result of their proposal.

We would also request that a copy of the computer model be forwarded to us so that we can advise our clients accordingly.

We also understand that the Committee Members have yet to visit our client's property.

We look forward to liaising with you to arrange a convenient time the Committee Members will be able to visit to assess the reduction of light from our client's perspective.

I would also be grateful if you could provide us with your assurance that the Committee Members will receive a copy of this letter, and will have time to consider its contents before any decision is made.

Please could you acknowledge receipt of this letter and respond accordingly with your assurances.

Item 5b

4/03310/16/FUL- THE INFILLING OF THREE EXISTING OPENINGS WITH CLEAR GLAZING AND TIMBER PANELS

THE OLD BOATHOUSE, CASTLE WHARF, BRIDGE STREET, BERKHAMSTED, HP4 2EB

Recommendation

As per the published report

Item 5c

4/03638/15/FUL - CONSTRUCTION OF NEW DWELLING TO THE REAR OF NO'S 7 & 8 HUNTING GATE (FURTHER REVISED SCHEME)

7 HUNTING GATE, HEMEL HEMPSTEAD, HP2 6NX

Recommendation

As per the published report

Item 5d

4/00036/17/FHA - CONVERSION OF LOFT SPACE TO BEDROOM AND EN-SUITE, RAISING THE ROOF FROM HIP TO GABLE. PROVISION OF DORMERS TO FRONT AND REAR.

9 DELLFIELD AVENUE, BERKHAMSTED, HP4 1DX

Recommendation

As per the published report

Item 5e

4/02911/16/FUL - PROPOSED OAK-FRAMED BARN TO REPLACE EXISTING BUILDINGS (AMENDED SCHEME).

LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE

Recommendation

As per the published report

Item 5f

4/02588/16/FHA - CONSTRUCTION OF CONSERVATORY

THE OLD FORGE, WESTBROOK HAY, LONDON ROAD, HEMEL HEMPSTEAD, HP1 2RG

Recommendation

As per the published report

Item 5g

**4/02694/16/LBC - CONSTRUCTION OF CONSERVATORY
THE OLD FORGE, WESTBROOK HAY, LONDON ROAD, HEMEL HEMPSTEAD,
HP1 2RG**

Recommendation

As per the published report

Item 5h

**4/00385/17/ADV - EDGELIT ILLUMINATED FASCIA SIGN AND NON-
ILLUMINATED PROJECTING SIGN**

186 HIGH STREET, BERKHAMSTED, HP4 3AP

Recommendation

As per the published report

Item 5i

4/00438/17/FHA - PROPOSED FLANK AND REAR EXTENSION

13 CHAMBERSBURY LANE, HEMEL HEMPSTEAD, HP3 8AY

Recommendation

As per the published report

Item 5j

**4/00280/17/ADV - ILLUMINATED PROJECTING SIGN. SUSPENDED
PROJECTING NAME SIGN WITH PAINTED STEEL FRAME AND INSET
CERAMIC TILED PANEL AND PAINTED LOGO.**

157-159 HIGH STREET, BERKHAMSTED, HP4 3HB

Recommendation

As per the published report