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DEVELOPMENT MANAGEMENT

AGENDA

THURSDAY 15 JUNE 2017 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM

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

7. ADDENDUM

Agenda Item 7



DEVELOPMENT MANAGEMENT COMMITTEE

Thursday 15th June 2017 at 7.00 PM

ADDENDUM SHEET

Item 5a

4/03082/16/ROC - REMOVAL OF CONDITION 1 (TWO-YEAR TEMPORARY PLANNING PERMISSION) OF PLANNING INSPECTORATE DECISION (APP/A1910/C/14/223612) APPEAL OF PLANNING APPLICATION 4/00435/14/ENA (MOTORCYCLE/MOTOR VEHICLE ACTIVITIES AND ASSOCIATED STORAGE/PARKING)

LAND AT RUNWAYS FARM, BOVINGDON AIRFIELD, UPPER BOURNE END LANE, HEMEL HEMPSTEAD, HP1 2RR

Additional noise complaints received with day of logged nuisance

7/06/17

Hill Cottage, Hempstead Road, Bovingdon

Bramhope, Hempstead Road, Bovingdon

2/06/17

Whelpley Hill

31/05/17

Bramhope, Hempstead Road, Bovingdon

30/05/17

Silver Birches, Hempstead Road, Bovingdon
The Cottage, Stoney Lane, Bovingdon
Bramhope, Hempstead Road, Bovingdon

Recommendation

As per the published report

Item 5b

4/03157/16/MFA - HYBRID PLANNING APPLICATION FOR THE REDEVELOPMENT OF SITE TO PROVIDE 12,503 SQM RETAIL (CLASS A1) FLOOR SPACE, 545 SQM OF CAFE/RESTAURANT (CLASS A3/CLASS A5) FLOOR SPACE, AND 180 SQM OF CAFE/RESTAURANT (CLASS A1/CLASS A3) FLOOR SPACE, WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING (DETAILS SUBMITTED IN FULL); AND OFFICE (CLASS B1) BUILDING MEASURING 2,787 SQM (DETAILS SUBMITTED IN OUTLINE).

LAND AT MAYLANDS AVENUE, MAYLANDS AVENUE, HEMEL HEMPSTEAD

No updates.

Recommendation

As per the published report

Item 5c

**4/00064/17/MFA - COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPEACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING.
MAYLANDS GATEWAY, MAYLANDS AVENUE, HEMEL HEMPSTEAD, HP2 4FQ.
APPLICANT: PROLOGIS UK LTD**

Updated Comments from HCC Highways

Sections of the Officer's report have been updated to incorporate comments from HCC Highways following further discussion and agreement between HCC Highways, Highways England and the applicant in relation to the proposed traffic mitigation measures. The relevant sections are reproduced in full as follows:

Page 5 - Summary of Representations:

Hertfordshire CC Highways

HCC Highways has reviewed the impact of this development on the local highway network and determined that it would not have a severe impact on the safety and operation of the highway network. Therefore, raise no objection to the proposed development, subject to suitable conditions relating to the following:

- Construction Management Plan;
- Travel Plan;
- Parking Layout
- Servicing and Delivery Management Plan

- Development Access

In order to mitigate adverse impacts on the network a financial contribution of £250,000 is sought towards the proposed improvement works at the Green Lane/ Breakspear Way junction as set out in principle on AECOM drawing 60779140/101/04 revision A. This has been committed to by the applicant and will be secured through a s106 agreement.

In subsequent discussions with the Highway Authority it became clear that the junction improvement scheme was no longer a viable scheme given the results of more recent investigation into likely development to the east of Maylands. HCC Highways, Highways England and the applicant are now working closely together to develop a roundabout improvement scheme that successfully mitigates the likely impact of this development while not creating unacceptable levels of additional queuing and delay on the A414 and M1. The applicant would be responsible for implementing the improvement scheme under a S278 agreement with the highway authority. Prologis have agreed that any money unspent from their previously agreed contribution of £250,000 would be paid to HCC by way of a planning obligation in a S106 agreement.

In order to promote travel by non-car modes a contribution will be required in order to improve the accessibility of the site by Public Transport by funding improvements to nearby bus stops. A contribution of £16,000 is required to provide improvements to the bus stops on Breakspear Way which are closest to the site. See appendix for full comments.

Page 7 – Summary of Representations:

Highways England:

Referring to the planning application referenced above, dated 31 January 2017, application for a comprehensive redevelopment of the site to provide 54,714 sqm of flexible commercial floorspace within use classes B1C/B2/B8 and ancillary offices, together with car and cycle parking access and landscaping, Maylands Gateway, Maylands Avenue, Hemel Hempstead, HP2 4FQ, notice is hereby given that Highways England's formal recommendation is that we:

c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);

Annex A Highways England recommended further assessment required

Our formal response to this application requires review of the Transport Assessment that is currently being undertaken. For this reason we require additional time to fully assess the proposed development. We therefore recommend the application be not determined before 21st June 2017. If we are in a position to respond earlier than this we will withdraw this recommendation accordingly.

Highways England has since confirmed that the mitigation scheme appears to work for the Strategic Road Network subject to some technical refinements. They are in agreement with the proposed Heads of Terms for the implementation of these works and have removed their holding direction.

Page 28 - Impact on Highway Safety:

A Transport Assessment (TA) has been submitted by the applicant to demonstrate the impact on the local highway network. Following an initial assessment by Highways additional information was submitted to substantiate the proposed trip rates in terms of the proposed land use. This information included a sensitivity test that was undertaken on a 'worst case' trip generation scenario. It was found that the difference was not significantly different to that presented in the TA. A multi-modal assessment was also provided as part of the additional information. Committed developments and junction modelling were included and considered acceptable for the purposes of the TA.

As part of the junction modelling it was found that the St Albans Road/Maylands Avenue, Breakspear Way/Green Lane and Boundary Way/Green Lane junctions are operating close to or above capacity. This would be exacerbated by the addition of traffic from the proposed development as well as background growth and committed development.

In order to mitigate the impact that the proposed development would have on these junctions, a mitigation scheme that had been developed by AECOM was considered as appropriate mitigation during pre-application discussions in autumn 2016. It has subsequently become clear that this junction improvement scheme was no longer a viable long-term solution given the results of more recent investigation into likely development to the east of Maylands. HCC Highways, Highways England and the applicant are now working closely together to develop a roundabout improvement scheme that successfully mitigates the likely impact of this development while not creating unacceptable levels of additional queuing and delay on the A414 and M1. The applicant would be responsible for implementing the improvement scheme under a S278 agreement with the highway authority. Prologis have agreed that any money unspent from their previously agreed contribution of £250,000 would be paid to HCC by way of a planning obligation in a S106 agreement.

Page 38 – Heads of Terms (Highways):

Highways

- Provision of highway improvement works via a S278 agreement to the Breakspear Way/ Green Lane roundabout details of which are to be agreed by the LPA and applicant, in consultation with HCC and Highways England, by [insert date] and construction commenced by [insert date]. The works shall be completed prior to occupation of the development hereby permitted.

- Contribution equivalent to £250,000 minus the cost of the works to the Breakspear Way/ Green Lane roundabout to be used by HCC towards future mitigation at the junction.
- Traffic Regulation Orders to address signage and speed limit changes in the vicinity of Wood End Lane
- Provision of highway improvement works via a S278 agreement to upgrade the Boundary Way / Buncefield Lane link to accommodate vehicular traffic as shown on RPS drawing ref: NK018226-RPS-XX-XX-DR-C-0100-A

Conditions

The proposed lighting strategy is considered to be acceptable in principle however further clarification (horizontal and vertical lux plots) is required through the submission of details.

New Condition 26 – Lighting:

Details of any lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy Policy CS12.

Amended Condition 27 - Approved Plans with the following plans added/amended:

- 1) 30830-PL-215 (Indicative Elevations)
- 2) 30830-PL-219 A (Units 2 and 3 Site Section)
- 3) 30830-PL-217 C

Recommendation

As per the published report

Item 5d

4/02876/16/MFA - CONSTRUCTION OF A FREE STANDING BUILDING TO PROVIDE 30 GUEST BEDROOMS, 8 STAFF BEDROOMS, SPA, LEISURE CLUB AND ADDITIONAL FUNCTION FACILITIES WITH CAR PARKING, TOGETHER WITH LANDSCAPING RESTORATION FOR THE HISTORIC GROUNDS.

SHENDISH MANOR, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD

Recommendation

As per the published report

Conditions

Amended Condition 6 – Hard and Soft Landscaping. Access road improvements added to list of details required. Amended condition below:

No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:

- **hard surfacing materials - including: gravel, brick edging, setts, kerbs, bound gravel, flagstones;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **proposed finished levels or contours;**
- **parking layout;**
- **cycle parking facilities;**
- **access road improvements;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**

Reason: To safeguard the setting of the listed building and the character of the surrounding landscape

New Condition 7 – Retained Trees and Tree Protection Measures:

Trees shall be retained and protected in accordance with the approved Arboricultural Impact Assessment OS 1055-15-Doc1 RVS D and the Tree Retention and Removal Plan 1055-15.4B Rev C

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

New Condition 8 – garden restoration works to be in accordance with approved details:

The landscape works to the hotel grounds shall be carried out in accordance with the approved Design and Restoration Proposals report by Bidwells and Open Spaces.

Reason: To safeguard the setting of the listed building and the character of the surrounding landscape

New Approved Plans condition added (Condition 26).

Item 5e

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

**SYMONDSDOWN, VICARAGE LANE, BOVINGDON, HEMEL HEMPSTEAD, HP03
OLT**

Neighbour objection letter

Dear Sirs,

Ref: Planning Ref: 4/00022/17/FUL – Symonsdown, Bovingdon

I attended the recent Development Management Committee meeting as I have an interest in this development. I live immediately opposite the site in the listed building known as Church Gate. I had objected to the proposal on a number of grounds, primarily about the scale of the proposal (which would have adverse consequences for parking, loss of privacy and light for neighbouring properties, and the negative impact on the conservation area).

At the meeting, in answer to a question about impact on privacy to the occupants of Church Gate, the planning officer stated that he believed the living areas of my house were furthest away from the side which faces the development. This is not true. The window in my house which would be overlooked by the new houses is my lounge. The upper floor windows of both houses would look directly down into this window.

In terms of impact on the conservation area, the new houses would block one of only two viewpoints to the old belltower on the roof of Church Gate. The picture below shows this view currently. The roof line of the new houses – which will replace the bungalow in the middle of the picture - would be similar to the highest point on the house to the right. This view would all but disappear given the scale of the proposal.

In this regard the Bovingdon Conservation Area Character Appraisal document states that ..
“The special qualities of the Conservation Area are not limited to the buildings but also the spaces between them. Views can be easily interrupted by clumsy or inappropriate side extensions. (As few buildings in the High Street can be easily viewed from the rear, sympathetic rear extensions are likely to be more favoured). Apart from the wide pavements of the High Street, a weak characteristic of Bovingdon is the lack of pedestrian accessibility in and around the Conservation Area. Linkages between the High Street and the Church Area are not obviously accessible. Viewpoints, places of interest, key structures and signage which would otherwise create a permeable townscape and invite pedestrian exploration are lacking.”

I noted that several Committee members were concerned about the lack of information available regarding the difference in scale between the existing building and the proposed ones. The point that the new development may cover a similar sized footprint misses the fact that the proposal is substantially taller.

Finally, the point made several times at the meeting about lack of adequate parking is a real concern. Bovingdon is poorly served by public transport and residents rely heavily on cars. It is highly

likely that two 5 bedroom houses will need more parking than is currently proposed and there is simply no additional parking on the narrow lane.

A smaller scale proposal (perhaps two 3 bedroom houses or a single larger house) would be more appropriate for this site and could be achieved with fewer negative impacts on the area.

Please feel free to contact me should you have any questions about this letter.

Yours faithfully,

Kevin McNulty

Right to Light Letter to Applicant

Mr Malcolm Leach and Miss Allyson Williams
Reddings
Croft Lane
Chipperfield
Hertfordshire
WD4 9DU

9 June 2017
Our Ref. P108330

Dear Mr Leach and Miss Williams

Loss of daylight and sunlight at Green Lodge due to proposed development at Symondsdon, Vicarage Lane, Bovingdon

Thank you for forwarding to us the letter, dated 25 May, from Shirley Ellis at Right of Light Consulting to Matt Heron of Dacorum Borough Council, which addresses our letter of 27 April about loss of light to Green Lodge as a result of your proposed development at Symondsdon.

The guidance in the BRE Report 'Site layout planning for daylight and sunlight: a guide to good practice' states that loss of sunlight should be checked for main living rooms of dwellings and conservatories. Ms Ellis asserts that the music room is a main living room for this purpose. However the main living room for the dwelling is a much larger room which receives ample sunlight through its large south-west facing windows. This level of sunlight provision would be unchanged following the development. There is also a kitchen/dining area which also receives ample sun through its large south-west facing patio doors, and also a rooflight. The music room is much smaller, predominantly north-east facing, and cannot be considered a main living room with a specific requirement for sunlight.

Ms Ellis also highlights the issue of sunlight to the kitchen area, stating that 'the side window in the kitchen is the only window within 90 degrees of due south serving the area'. This is simply not true. The kitchen space has large south-west facing patio doors facing down the garden. These would continue to receive ample sunlight with the new development in place.

The conclusions in our letter of 27 April are therefore correct. The windows with a view of the proposed development at Green Lodge would either light non-habitable areas or would be secondary windows to rooms well lit by primary windows not significantly impacted by the proposed development. The BRE guidelines would therefore be met. No detailed calculations or computer modelling are required.

Dr Paul Littlefair
Associate Director, Lighting
For and on behalf of BRE

Gareth Howlett
Lighting Consultant
For and on behalf of BRE
TEL 01633 664668

Recommendation

As per the published report

Item 5f

**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 5g

**4/00657/17/FUL - CONSTRUCTION OF A FOUR BEDROOM DETACHED
DWELLING**

ADJ. 4, ASHBY ROAD, NORTHCHURCH

Condition added for North-eastern side facing window to be obscured.

The window at first floor level in the North-eastern elevation of the extension hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12.

Objection from 4 Ashby Road after viewing the BRE assessment.

Key Points

Light Survey Comments

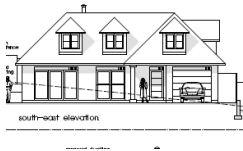

- Doesn't take into account the protected trees blocking light into the front window
- Doesn't note the downstairs bathroom
- Doesn't note the height difference of the window at the front , which is a lot smaller, compared with the side window



However I do appreciate that 4 Ashby Road does have dual aspect windows that mean that some light will be available but there are recent examples of good design that ensure light impact is kept minimal which should be pursued giving the house has had the right to light from the 2 side windows since the 1920's and as the report notes impacts this significantly/

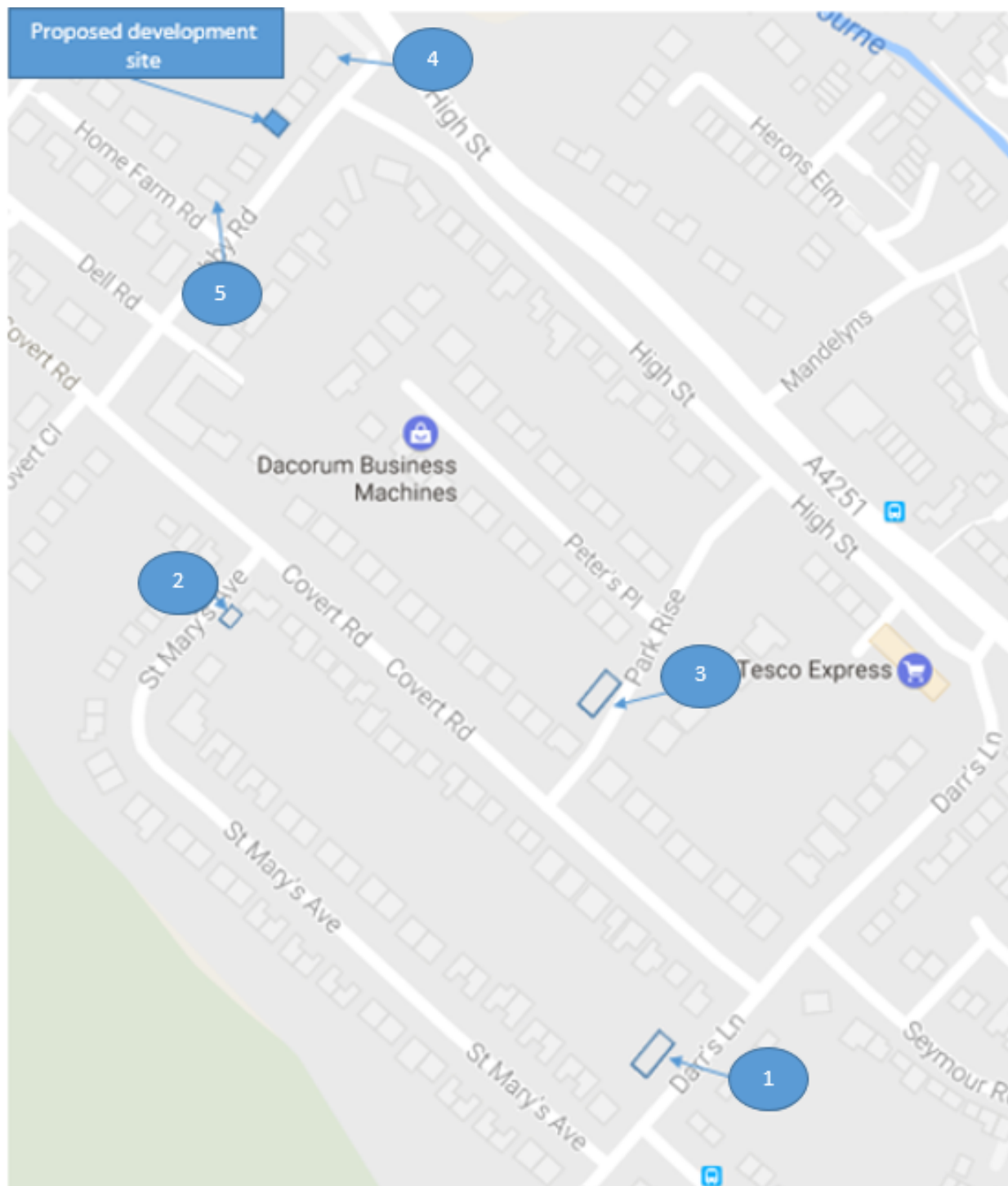
Key points still apply and are direct opposition of council policy (as per original feedback)

- Overbearing
- Not in line with street scape
- Not in line with housing policy/housing needs of the community
- Example Garden grabbing
- The size of the building will directly impact the access road to the left of the property

Example of recent (and not so recent) planning that demonstrate good quality of design, are on the incline of the hill, are on bigger larger sites, are in keeping of the street scape and in line with council planning policy:

Address	Ref	Pictures	Key Notes
Ashwell Hse, Darrs Lane, HP4 3RH (4/00221/15/FUL)	1		<ul style="list-style-type: none">- Most Recent- Dorma 2/3 bedroom bungalow- Good quality of design- Considers incline with detailed drawings of retaining walls- Great extent taken to protect views and right to light- In line with street scape- Not overbearing
46 & 48 St Marys Avenue— HP4 3RW (planning ref 4/00229/14/FUL)	2		<ul style="list-style-type: none">- Very Recent- Dorma 2/3 bedroom bungalow- In line with street scape- Not overbearing

8 Park Rise – HP4 3RT (4/01092/08/FU L)	3		<ul style="list-style-type: none"> - Very recent - Dorma 2/3 bedroom bungalow - In line with street scape - Not overbearing
2a Ashby Road – HP4 3SJ	4		<ul style="list-style-type: none"> - 10+ yrs ago - Dorma type 2/3 bed detached house - Sloping roof away from neighbouring property at 60 degrees - Not overbearing
2 Home Farm Road	5		<ul style="list-style-type: none"> - 10+ yrs ago - Dorma 2/3 bedroom bungalow - In line with street scape - Not overbearing



In conclusion I would suggest that the council reject the planning application and request that plans are submitted in line with council policy, are in keeping with the surrounding area and streetscape, are not overbearing and address the need of the current housing shortfall (i.e. affordable, small family / elderly) as per example developments recently permitted in the close vicinity and which set a precedent in quality of design in the area (see map above)

Can we also request in any future plans that the below is included :

- The exterior wall can be no closer to the 4 Ashby than 2 metres
- The eaves should not be higher than 50cm above the eaves of 4 Ashby Road
- Access is retained for properties left of the site in question

Nb. The planning portal is down so couldn't get the all the reference associated with the above example properties

Recommendation

As per the published report

Item 5h

4/00777/17/FHA - SINGLE STOREY SIDE AND REAR EXTENSIONS, FIRST FLOOR SIDE EXTENSION, ALTERATIONS TO ROOF, ALTERATIONS TO GARDEN PATIO

23 SILVERTHORN DRIVE, HEMEL HEMPSTEAD, HP3 8BU

Recommendation

As per the published report

Item 5i

4/00738/17/FHA - TWO STOREY SIDE EXTENSION, PART TWO STOREY AND PART SINGLE STOREY REAR EXTENSION AND DEMOLITION OF GARAGE

14 COOMBE GARDENS, BERKHAMSTED, HP4 3PA

Recommendation

As per the published report

Item 5j

4/00620/17/FUL - DEMOLITION OF SINGLE STOREY SIDE EXTENSION AND CONSTRUCTION OF TWO STOREY SIDE AND REAR EXTENSION AND SINGLE STOREY REAR EXTENSION. DIVISION OF PROPERTY TO CREATE AN ADDITIONAL SEMI-DETACHED DWELLING WITH ASSOCIATED PARKING AND VEHICULAR ACCESS

10 WRENSFIELD, HEMEL HEMPSTEAD, HP1 1RN

12 Wrensfield

We are writing further to our letter of objection dated 27 April as a consequence of the additional plans dated 30 May on DBC's website.

Now that clearer measurements have been provided, we note that the length of the 2-storey extension of plot 10a, adjacent to our boundary, is 3.4m at ground floor level.

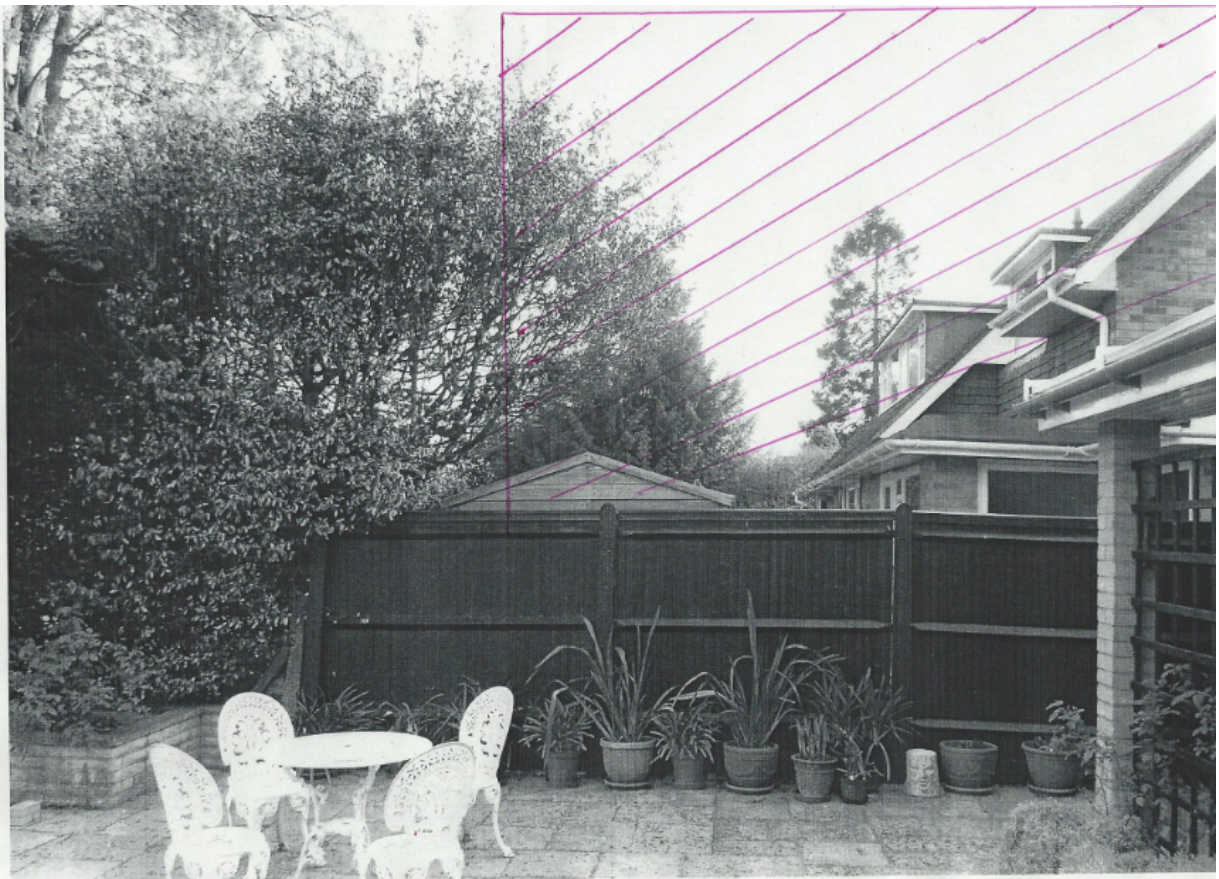
However, we would stress that our primary concern is the height and mass of the 2-storey extension.

The existing property is, like 12 Wrensfield, being of the chalet style and the length of the new extension at first floor level will be approximately 5.4m. The ridge of the proposed extension will be approximately 8.4m. in length. The ridge heights of this row of houses (nos 6-16 Wrensfield inclusive) are high and the ridge of the 2-storey extension rises to the height of the ridge of the existing roof throughout its length.

As a consequence of the above and the close proximity of this new extension to our boundary and the rear of our house, we consider it to be overbearing. Furthermore, as the extension is located on the S-W boundary of our property, the degree of overshadowing, loss of natural light and diminution of amenity to our rear living rooms and patio are utterly unreasonable. To emphasise the above, we enclose an extract of one of the plans dated 30 May showing the N-E elevation of house 10a, together with a further copy of one the photographs of the rear of our house which were provided with our earlier letter and upon which we have drawn the extent of the 2-storey extension.

If the planning office is considering a recommendation to approve this application, we urge you to visit us to see at first hand the impact this development will have upon us.

Whilst noting that bin storage is now provided, we advise that all the other criticisms listed in our letter of the 27 April still stand.

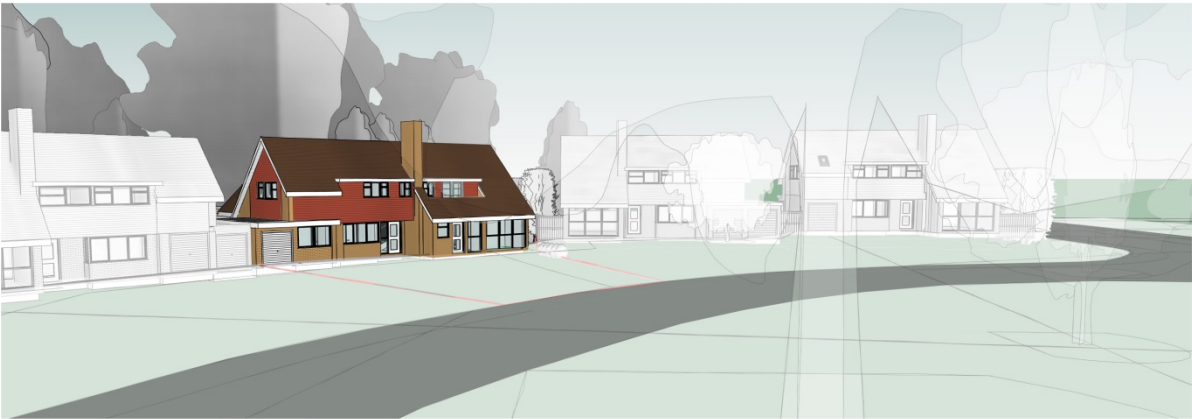


CGI's - submitted by applicant

Existing Streetscene



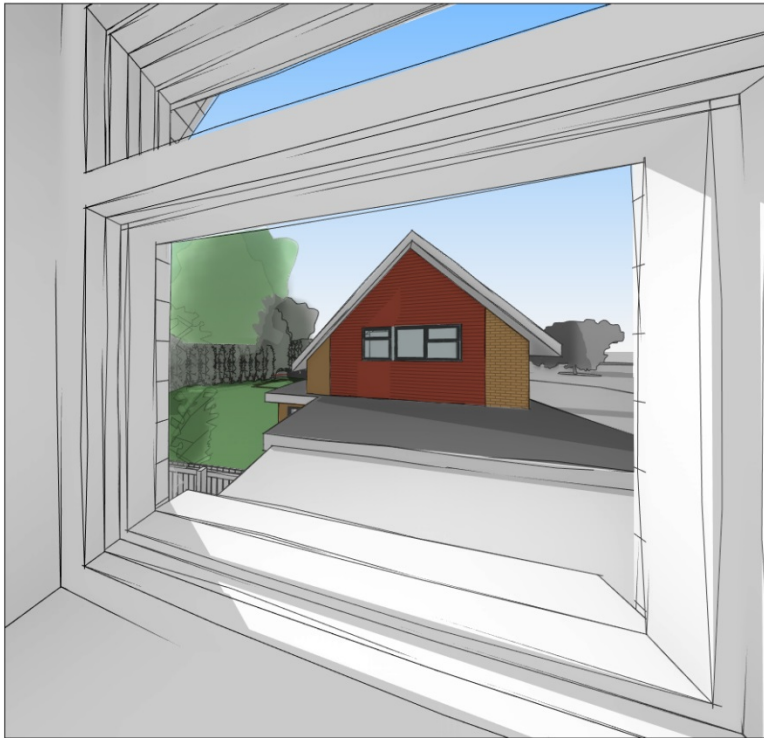
Proposed Streetscene



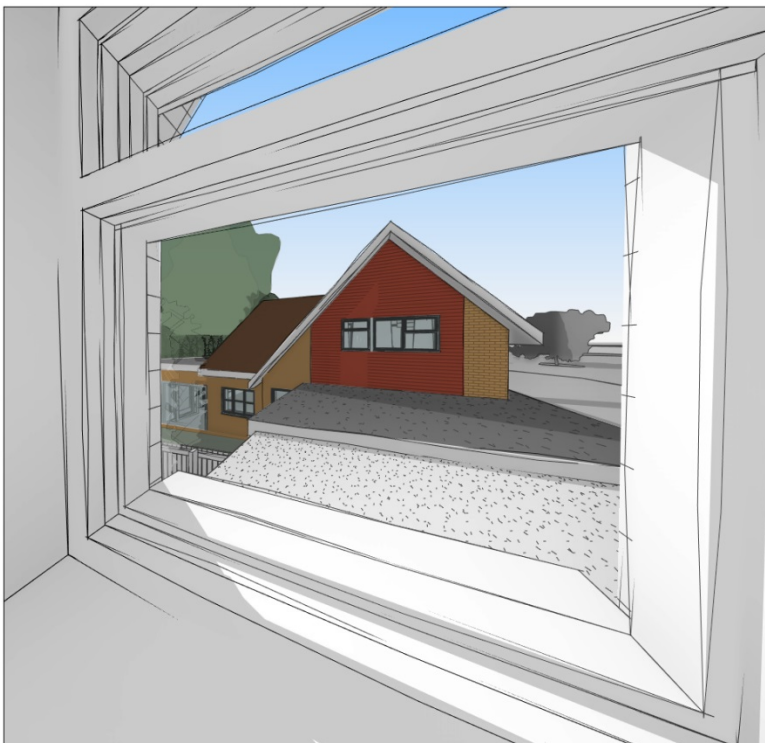
Proposed – front elevation and rear elevation



Existing view from 12 Wrensfeld bedroom Window - side



Proposed view from 12 Wrensfield bedroom window – side



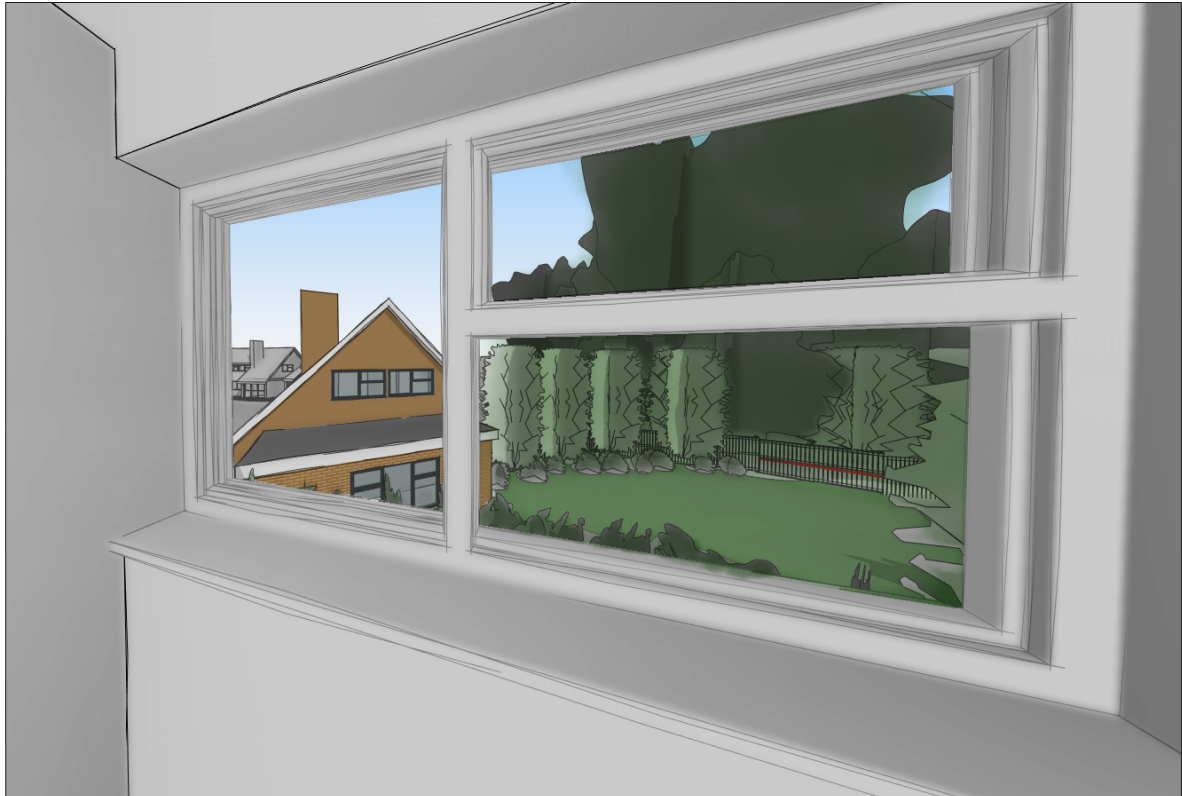
Existing view from 12 Wrensfield - garden



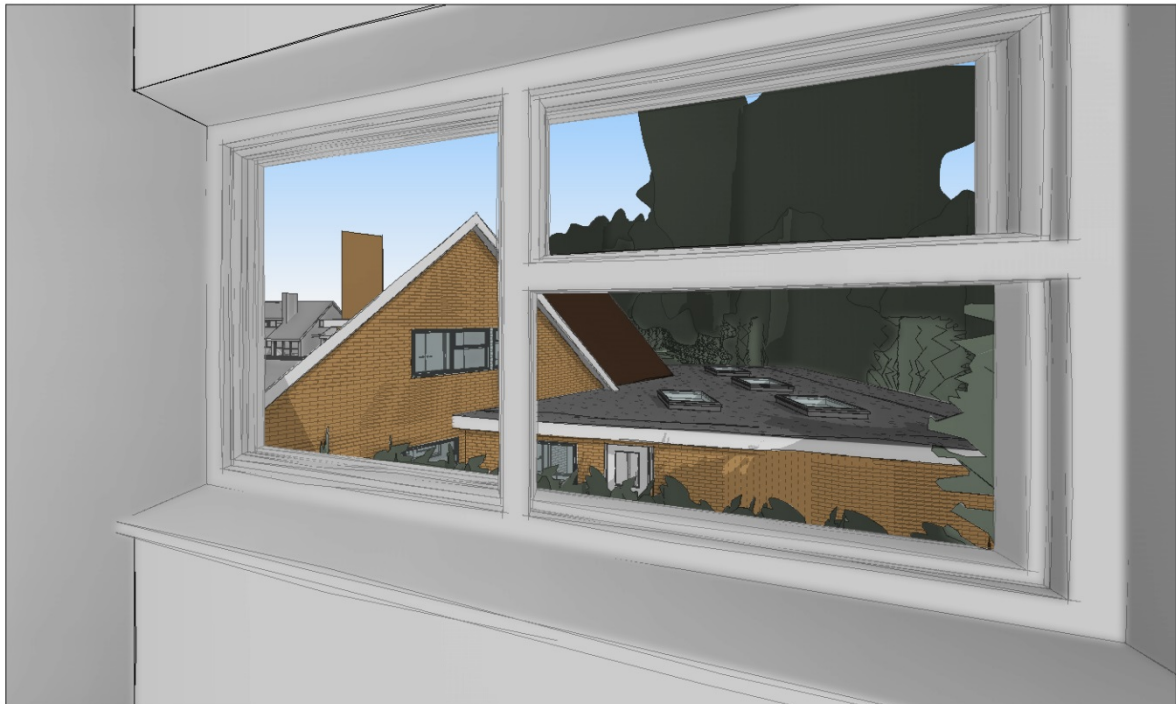
Proposed view from 12 Wrensfeld - garden



Existing View from 8 Wrensfeld bedroom window - rear



Proposed View from 8 Wrensfeld bedroom window - rear



Recommendation

As per the published report
