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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 14 SEPTEMBER 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

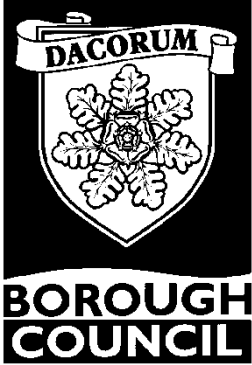
Councillor Ritchie
Councillor Whitman
Councillor C Wyatt-Lowe (Vice-Chairman)
Councillor Fisher
Councillor Tindall
Councillor P Hearn
Councillor Bateman

For further information, please contact Katie Mogan or Member Support

AGENDA

7. **ADDENDUM** (Pages 2 - 12)

Agenda Item 7



DEVELOPMENT MANAGEMENT COMMITTEE
Thursday 14th September 2017 at 7.00 PM

ADDENDUM SHEET

Item 5a

4/01223/17/FUL – PROPOSED EXTENSION OF APPROVED ESTATE ROAD TO ACCOMMODATE 8 DETACHED DWELLINGS WITH GARAGES

89 SUNNYHILL ROAD, HEMEL HEMPSTEAD, HP1 1TA

Additional Information

The description and application reference is agreed by the applicant to be changed to:

4/01223/17/OUT – ERECTION OF 8 DETACHED DWELLINGS (3 x 3 BED AND 5 x 2 BED) AND GARAGES WITH ASSOCIATED EXTENSION OF APPROVED ACCESS ROAD

This clarifies that the application is outline as noted on the application form, and that the application is primarily for the erection of dwellings, not the extension of the access road, as could have been read. It also fixes the overall size of the dwellings in terms of bedroom numbers, and therefore the implications for car parking / traffic generation.

In the report, please substitute (3 x 3 bed and 5 x 2 bed) for (3 x 2 bed and 5 x 3 bed). This results in 19 bedrooms overall compared with 30 bedrooms on the previous appeal proposal, a 36.7% reduction. It also results in a greater oversupply of parking to serve the development of 7.75 spaces compared with the 6.25 spaces with likely traffic generation reduced by 38% on the appeal proposal compared with the 30% noted in the report. The maximum overall parking requirement is now 14.25 spaces compared with the 15.75 spaces mentioned in the report. Overall parking provision remains at 22 spaces.

Recommendation

As per the published report

Item 5b

4/01370/17/FUL – DEMOLITION OF EXISTING 4 BEDROOM HOUSE AND REPLACEMENT WITH ONE 2 STOREY 5 BEDROOM DWELLING WITH A PART LOWER GROUND FLOOR TO REAR

WELLWOOD, 24 MEADWAY, BERKHAMSTED, HP4 2PN

Clarification Email From Architect

We have indicated on the site plan the 45 degree views taken from the nearest first floor windows of No.22 & 26 respectively that clearly show that the ground and first floor proposals for No.24 do not encroach into this sight line. We have also shown on the drawing how No.20 was set out just to avoid this.

On the rear garden elevation we have shown how projecting a 25 degree test line from the centre of the side windows that serve the kitchen of No.22 coincide with the elevation and mass of No.20 and the proposals for No.24. We have hatched in red for clarity the extent of the overlap. The overlap for the proposals for No.24 are minor while those permitted for the replacement dwelling at No.20 and supported by the owners of No.22 are significant and undoubtable intrusive.

We have overlaid the profiles (indicated in blue with the entrance levels matching) of Nos 20, 21, 22 & 30 to allow for a comparison with the proposals for No.24.

We would like to point out that Mr & Mrs Jenkinson previously owned No.20 and sold the site for development once their application to build a new house to the rear of No.20 & 22 was refused at appeal (Application reference 4/02621/05). As such it seems hypocritical of them to claim “over development” given this is a straight one for one replacement dwelling and this was a principle that they supported for the adjacent site when they in effect were acting as a developer.

Given TW-2 Architects successfully gained planning permission for the replacement dwellings at No.21 & 30 without initial pre-application advice it was not felt that this initial dialogue would be required. The planning strategy for No.30 has been followed with accommodation being “concealed” from the road by building at the lower rear garden level into the sloping bank. Although incrementally No.30 was significantly taller than the bungalow it replaced, you will note that the comparative blue line for No.30 is very close to our proposals. In both cases the additional volume that would be created by a “traditional” pitched roof is not required and would introduce more bulk and mass. We note that Nos 20 & 21 both have elements of flat roof in their design to reduce their size and bulk.

Prior to the application being submitted, our clients, did have the decency to show the respective neighbours the planning drawings and there was an offer extended for TW-2 Architects to present the scheme to Mr & Mrs Jenkinson which was not been taken up. The same offer was put forward again more recently with the same response. We fundamentally believe that the new house will significantly reduce the overlooking of both of its neighbours but particularly No.22. Unfortunately, the week that our application was submitted, coincided with the steel frame for No.20 being erected on site. We cannot help but think that the realisation of the over bearing nature of this scheme has led to a lot of the negativity regarding our proposals.

Our clients bought the site in competition from five developers as their family home. The contemporary design reflect their aspirations and they should not be penalised for personal taste.

Recommendation

As per the published report

Item 5c

**4/01331/17/FUL – DEMOLITION OF EXISTING HOUSE AND GARAGE.
CONSTRUCTION OF 3 NO. 3 BEDROOM HOUSES AND EXTERNAL WORKS**

17 TRING ROAD, WILSTONE, TRING, HP23 4NU

Recommendation

As per the published report

Item 5d

4/03286/16/FUL – CONSTRUCTION OF A 3 STOREY HOUSE

21a HALL PARK, BERKHAMSTED, HP4 2NU

Recommendation

As per the published report

Item 5e

**4/01490/17/FUL – CHANGE OF USE FROM FORESTRY WORKSHOP TO 4
BEDROOM DWELLING**

OLD BEECHWOOD, CHEVERELLS GREEN, MARKYATE, ST ALBANS, AL3 8AB

Additional Information

Email from Markyate Parish Council on 8/9/17

The above application was re-presented to the parish council meeting on Tuesday due to the applicant wishing to talk through it and show more detail. Although the PC did not overturn their original objection they did ask me to forward the following to you.

Planning Application 4/01490/17/FUL was re-presented as requested. It was noted the only reason this was objected to is because of DBC policy, not to do anything with this area, if this was not in place, MPC would have reached a different decision.

The clerk was asked to contact DBC so this may be noted at the Development Control Committee meeting on 14 September 2017.

Structural Survey

A structural survey has now been submitted to support the application and is on the website.

Recommendation

As per the published report

Item 5f

**4/00327/17/FHA – DETACHED TWO-BAY CAR PORT - RENEWAL OF
PREVIOUS APPROVAL**

**WHITE MEADOWS, NETTLEDEN ROAD NORTH, LITTLE GADDESSEN,
BERKHAMSTED, HP4 1PF**

Additional Information

Comments from Contaminated Land Officer

The specific area of the application site where the car port is proposed to be located is not located within the vicinity of any potentially contaminative former land uses. Consequently I have no comments to make in respect of contamination.

Recommendation

As per the published report

Item 5g

4/01685/17/FHA – CONSTRUCTION OF A SINGLE STOREY SIDE EXTENSION. ALTERATIONS TO THE REAR FENESTRATION AT GROUND FLOOR LEVEL, REAR DORMER WINDOW AND CONSERVATION ROOFLIGHTS TO THE MAIN ROOF.

33 NORTH ROAD, BERKHAMSTED, HP4 3DU

Recommendation

As per the published report

Item 5h

4/03276/16/FUL – NEW DWELLING

LAND ADJ. STRONGS PRINTING SERVICES LTD, BANK MILL LANE, BERKHAMSTED, HP4 2NT

Recommendation

As per the published report

Item 5i

4/01106/17/FHA – CONSTRUCTION OF CAR PORT. CONVERSION OF EXISTING BARN TO AN ANNEXE TO BE USED IN CONJUNCTION WITH CHIPPERFIELD LODGE.

CHIPPERFIELD LODGE, LANGLEY ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9JQ

Recommendation

As per the published report

Item 5j

4/01695/17/FHA – CONSTRUCTION OF SINGLE STOREY FRONT EXTENSION. INSTALLATION OF 2 POST TIMBER FRAME PORCH OVER FRONT DOOR. REINSTATE DECKING AT BOTTOM OF GARDEN UTILIZING UNDERNEATH SPACE TO CREATE STORAGE ROOM. CONSTRUCTION OF WOODEN SHED AND FENCING.

35 MARRIOTTS WAY, HEMEL HEMPSTEAD, HP3 9EN

Recommendation

As per the published report

Item 5k

4/01586/17/MFA – SEXTONS HUT; NEW RIDGE ROOFLIGHT AND CHANGE OF USE TO PROVIDE VISITOR INFORMATION POINT, UPGRADE PATHS AND EXTERNAL LIGHTING

THE CEMETERY, RECTORY LANE, BERKHAMSTED

Hertfordshire County Council Highways

Revised comments have been received on account of factual errors contained in original comments with specific reference to disabled car parking and lighting.

Revised Comments

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Hertfordshire County Council as Highway Authority considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways and does not object to the development, subject to the conditions and informative notes below:

CONDITIONS

1. The proposed disabled car parking spaces shall have measurements of 3.3m 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

2. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

3. 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.

4. The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Professionals in PLG05 The Brightness of Illuminated Advertisements (2015).

Reason: To avoid undue distraction to road users 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. 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

COMMENTS

The proposal is for Sextons Hut; new ridge rooflight and a change of use to provide visitor information point, upgrade paths and external lighting

PARKING

The proposal is to create two disabled parking spaces, on a new hardstanding within the gates of the cemetery. I see from drawing no "0101-01- 302 P" that the minimum size for these has been met.

It includes repairs to the boundary wall and installation of lighting at the gates on Rectory Lane, as shown on drawing no "0101-01- 021 A P".

ACCESS

The parking spaces will be accessed via the existing entrance on Rectory Lane, which is a publicly maintained local access road, with a speed limit of 20mph.

No new or altered access is required and no works are required in the highway.

CONCLUSION

The proposals are considered acceptable to the Highways Authority subject to the conditions and informative notes above.

The conditions have thus been amended accordingly (see below) with the exception of recommended condition 4 as such would solely relate to advertisement consent. It should be noted, however that no illumination of the advertisements is in fact proposed.

Comments received from Trees and Woodlands

I recommend approval of proposed works.

I have previously met representatives of the friends group carrying out works there and specifically viewed the proposed new path routes and information sign location to assess impact on trees.

Drawing 101-01-G01 Illustrative Footpath Details shows the proposed footpath surface design. This design is acceptable, incorporating minimal excavation (50-100mm), the use of geotextile membrane and supervision from an Arboriculturalist; the group are advised by two well-respected tree professionals.

Recommendation

As per the published report

Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

Site location Plan

0101-01-601

0101-01-021

0101-01-302

Sextons Hut - Section drawing, north elevation, west elevation, east elevation, south elevation, ground floor

Existing elevations

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

- 3 **The proposed disabled car parking spaces shall have measurements of 3.3m 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be surfaced and used for no other purpose.**

Reason: To ensure the adequate provision of off-street parking for disabled persons at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

- 4 **No development shall take place until details of the materials proposed to be used on the surfaces of the pathways and car park have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure a satisfactory development and in the interest of the character of the Conservation Area.

- 5 **No development shall take place until details of the material and colour of the upstand supporting the roof light and details of the fixing of the roof light shall have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area.

- 6 **No development shall take place until full precise details / locations of the luminaires have been submitted to and approved in writing by the local planning authority.**

Reason: To ensure minimal impact of any potential light pollution in the interests of the residential and ecological amenity and highway safety in accordance with Saved DBLP Policy 113.

- 7 **The manually operated luminaires will be used for 10 events per year with a maximum of 4 hours for each event. The luminaires shall not be operational after 23.00 hours.**

Reason: To limit any potential light pollution in the interests of the residential and ecological amenity of the area in accordance with Saved DBLP Policy 113.

- 8 **Prior to the commencement of the development hereby permitted details of surface water drainage shall be submitted to and approved in**

writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system and shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and to minimise, danger, obstruction and inconvenience to users of the highway.

Article 35

Planning permission/advertisement consent/listed building consent has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Highway Informative

1. 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.

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Contamination Informative

The developer is advised to keep a watching brief during ground works (i.e. path upgrades) 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.

Item 5I

4/01587/17/ADV - INSTALLATION OF INFORMATION SIGNAGE TO CEMETERY ENTRANCES.

THE CEMETERY, RECTORY LANE, BERKHAMSTED

Comments received from Trees and Woodlands

I recommend approval of proposed works.

I have previously met representatives of the friends group carrying out works there and specifically viewed the proposed new path routes and information sign location to assess impact on trees.

The sign location has been well chosen, minimising the potential impact on trees.

Further comments received from Design and Conservation Officer

At 3 metres high the monolith signs do seem rather large however in context with the surrounding trees etc. will sit comfortably in their chosen locations. On balance the signs are acceptable.

Recommendation

As per the published report
