



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 30 JANUARY 2020 AT 7.00 PM
DBC 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

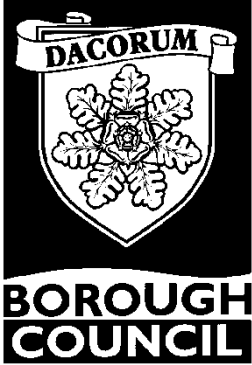
Councillor Guest (Chairman)	Councillor McDowell
Councillor Maddern	Councillor Uttley
Councillor Riddick	Councillor Woolner
Councillor C Wyatt-Lowe (Vice-Chairman)	Councillor Symington
Councillor Beauchamp	Councillor Hobson
Councillor Durrant	Councillor R Sutton
Councillor Oguchi	

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

8. **ADDENDUM** (Pages 2 - 67)

Agenda Item 8



DEVELOPMENT MANAGEMENT COMMITTEE
Thursday 30th January 2020 at 7.00 PM

ADDENDUM SHEET

Item 5a

19/02735/MFA CONSTRUCTION OF 10 NEW DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING

LAND EAST OF HARDWICK, BARNES LANE, KINGS LANGLEY, HERTFORDSHIRE

Objection:

This letter is based upon my original letter of 3rd December 2019 in that all subjects are addressed in the same order and text revised so as to be current in relation to the latest proposals. I have also underlined some sections of text which have not been addressed too date. I note that the following additional documents have been uploaded to the Dacorum Planning Portal on 20th January 2020:

- Arboricultural Impact Statement & Tree Protection Plan (BHA Trees - 2docs)
- Proposed Site Plan / Street Elevation / Transport Statement (Kyle Smart Associates – 3docs)
- Landscaping (Land & Sculpture Design Partnership – 1 doc)
- Street Lighting Design (Thorlux Lighting – 1 doc)
- Flood Risk (Marks Heeley FRA & Appendices - 2 docs)
- Transport Statement (Mayer Brown – 1 doc)

I write yet again to record my opposition to this development on the following various grounds.

Local Plan

This site was put into the Local Plan without any direct communication with any of the affected adjacent neighbours / residents. I have exchanged many emails with Francis Whittaker (Strategic Planning & Regeneration) who has not been able to provide any specific times and dates as to where the site was advertised to accord with Dacorum's own protocols. As far as I can ascertain Dacorum BC have not complied with their own protocols to include the site within their own Local Plan. If Dacorum have complied, this specific information should be made available under the "Freedom of Information

Act”.

Development Specific Comments to Information on the DBC Planning Portal

Arboriculture – It is very disappointing to note that whilst an Arboricultural Method Statement (19th January 2020) has been provided it is still proposed to remove the large Poplar trees at the top of Coniston Road. It has not been made clear exactly why BHA Trees have made this revision? I have repeatedly requested a design levels drawing for this site which may help everyone to understand why the design team consider these trees need to be removed – this has still not been provided with the last round of revised information. If the tree root structures are impacting proposed design levels this needs to be stated but as before there are several products which promote “no dig” construction within the vicinity of trees which can enable them to be retained. It would also be useful to understand how much of a difference to levels the retention or felling of the trees would make? This information must already be available but has not been clearly conveyed within the information available on the planning portal.

These trees are very characteristic of this area and should be retained at all cost. Furthermore the Tree Protection Plan (19th January 2010 which does not have a drawing number) does not accord with the latest architectural site layout.

I would also again request the tree / hedge line in Barnes Lane is reinforced for the width of the development to provide additional screening / plug the gaps.

Contamination and Surface Water Drainage – RSK Reports 1920453 LO1 & LO2 are available on the portal but unfortunately the Geotechnical Report (1920453 RO1) has not been uploaded for some reason? This is referred to on page 2 of LO2 under Section 5.

I note that the revised surface water drainage strategy acknowledges the presence of contamination on site but, the issue of remediation to the contamination has still not been addressed for the wider site in general.

Design & Access – Kyle Smart – I have now downloaded another version of this document which is still dated October 2019 but does not have any reference to specific revisions which have been undertaken. Please clarify exactly what has been revised. Section 4.5 of the document advises a “Remediation Strategy” will be undertaken at a later stage. I would respectfully request this is undertaken pre planning such that the public are afforded adequate time to review and comment upon this document to ensure this matter is dealt with to current standards and protocols prior to construction. It is also important to ensure the matter is dealt with safely for the lifetime of the development and it’s occupants should planning be approved.

Transport Statement - Mayer Brown January 2020

Another copy of this document has been uploaded to the planning portal now dated January 2020 but without any clues as to what (if anything) has been revised. Please clarify exactly what has been revised.

Can you also advise what action has been taken with regard to the three short video clips I have provided you with which demonstrate the extreme congestion generated by school traffic in the morning and afternoon rush hour periods? The proposed development still has inadequate parking provision and several bays will also be lost in Coniston Road.

It is possible to provide additional parking bays perpendicular to the existing carriageway opposite of the proposed site entrance (and for a large length of Coniston Road downhill from the proposed site) which would greatly help alleviate the prevailing traffic congestion problems already existing around this proposed site – please review and comment specifically upon this matter.

Section 3.6 advises of proposed visibility splays onto Coniston Road (2.4 x 25m). There is currently a short fall in parking in Coniston Road generally which is totally exacerbated during school drop off and pick up times. I have provided 3 short extracts of video footage on DVD which serve to highlight this problem – sometimes it is impossible to traverse the footway network due to cars parked perpendicular to the road right across the footway. The formation of the new site entrance will also exacerbate this problem and yellow lining / TRO's / knee rail fences will be required in order to keep the visibility splay areas clear of parked cars.

Section 3.10 addresses parking – in my opinion the provision of 13 parking bays and 4 visitor bays for 10 houses is wholly inadequate. The units proposed are all two and three bedroom properties and realistically there will be 2 or 3 vehicles in each property – clearly this represents gross over development in terms of parking. I would point out that it is possible to provide at least two on plot parking bays to each unit (at the expense of landscaping) which I am sure would be preferred by all and sundry. The site is directly adjacent to a school and the provision of proper parking on and off site must be highly prioritised not least of all for Health and Safety reasons – this area is an accident waiting to happen.

would also respectfully remind the planning department of the problems they have caused in recent times in Red Lion Lane, Apsley with the redevelopment of the John Dickinson mill site – overspill parking is permanently present for the whole length of this road. The road width has been dangerously restricted together with the footpath on one side of the road. Please learn from this and do not repeat this problem in Coniston Road.

This document does not analyse or address the wider problems already present within the adjacent road networks (Coniston Road / Barnes Lane / Common Lane / Love Lane / Highfield / Barnsway / Tylers Close Belham Road / Havelock Road / Whitlars Drive / Chipperfield Road / Vicarage Lane). During peak pick up / drop off times for the adjacent schools the whole area is grid locked to which this new development will further contribute. Kings Langley School has also recently applied for a larger intake of pupils (despite this premise being repeatedly refuted) which will also exacerbate traffic problems even further.

Dacorum Borough Council should seriously consider the following highway improvements:

- Widen both S bend on Coniston Road – they are currently too narrow to

- promote the passing of two cars let alone any larger vehicles
- Install a small / mini roundabout at the junction with Coniston Road & Hempstead Road this is particularly important given the pending development of Wayside Farm)
- Install a small / mini roundabout at the junction with Love Lane / Vicarage Lane / Chipperfield Road
- Prevent parking around the proposed new site access and areas around both schools generally with yellow lining and TRO's to restrict parking – employment of a village traffic warden would be self funding and provide DBC with a further source of revenue.
- Prevent parking on existing grass verges with the installation of knee rail fences which are currently
- employed around the green area at Barnes Lane / Common Lane junction
- Undertake an air quality assessment of the areas around both schools during peak times – pollution.
- levels should be proven to be safe before any further development is sanctioned in this area

It is interesting to note that the submission documentation does not include any Road Safety Audits by third party traffic consultants either on or off site. I have never worked on a development where this has not been required – can the planning department please explain this omission.

FRA / SUDs – Marks Heely Ref H13732 Rev B 14th January 2020.

It is noted that this document and the proposed drainage layout have been revised in light of the comments previously made regarding the utilisation of soakaways on a contaminated site and the proposed surface water discharge rate.

That said the following items still require further clarification prior to consideration of grant of planning:

- I have repeatedly requested a design levels drawing for this site such that the surface water proposals can be properly reviewed – unfortunately, whilst Marks Heeley Dwg No H13732-D1 does provide some limited levels information it is still not possible to fully understand their proposals. At the very least a drawing depicting proposed slab levels / external works levels / cover and invert levels of all drainage components / Plot Nos is still required to ensure the proposed design is viable.
- In particular the latest Marks Heeley drawing shows the road fronting plots 1 to 6 falling against the natural gradient of the ground – this surely cannot be correct!
- I also suspect it is still not possible to drain plots 7 & 8 by gravity – the existing ground in this area is circa 122.50m and the base of the proposed storage tank next to plot 6 is set at 121.87 and is 0.66m deep (top of tank circa 122.53) – clearly this does not work given that parking bays are proposed to be built over the rear part of the tank

- There are also no proposed finished levels on the parking fronting plots 1 to 4 or the tank fronting plots 1 to 4 – the top level of this tank will need to be below the top fill level of the whole system in order to contain worse case 1:100 year storm + 40% CCF.
- I suspect that the heads of all surface water systems around the units have very shallow depth of cover – again more levels are required to ensure this system will work
- Marks Heeley should obtain written confirmation from Thames Water that both foul and storm systems proposed have adequate spare capacity to serve this development – their response should be uploaded to the planning portal.
- Marks Heeley Section 4.3 states existing topography will remain similar to the undeveloped site – again a drawing depicting proposed slab levels / external works levels / cover and invert levels of all drainage components / Plot Nos is still required to ensure the proposed design is viable
- Marks Heeley Section 4.5 states that permeable paving draining to ground will be utilised for the paths and patios surrounding the building – unless all existing contaminated material is removed from site this is unacceptable in the absence of a Proposed Contamination Remediation Strategy. Marks Heeley Section 6.7 refers to the utilisation of soakaways – I presume this is a mistake? – please clarify?
- Marks Heeley Section 6.10 refers to the utilisation of permeable pavements – given that the site is contaminated only non infiltration permeable pavements should be utilised in the absence of a Proposed Contamination Remediation Strategy
- Marks Heeley Section 8.1 states that discharge to ground is suitable for this site – unless all existing contaminated material is removed from site this is unacceptable in the absence of a Proposed Contamination Remediation Strategy (see Section 8.3 & 8.21 which uphold this premise)
- There is no scale on Marks Heely Dwg No H13732-SK1 Rev A – I am therefore unable to check the impermeable areas cited within their calculations
- The document does not mention foul water drainage and there are no detailed level proposals present on the planning portal. From the Marks Heeley Dwg No H13732-D1 Rev B I suspect it will not be possible to drain all plots by gravity (foul or storm - particularly plot 7 & 8) and on this basis there is no space available to site either a storm or foul water pump station.

Herts County Council as Local Lead Flood Authority are unlikely to approve the current proposals and will hopefully agree with my thoughts in this regard – please ensure my comments are sent to them as a consultee to the planning and that this design is finalised and agreed pre planning.

Site Plan & General Proposals – As previously mentioned the current proposals do not adequately cater adequately for parking on this site - as such the site is grossly overdeveloped and intrusive visually to all existing adjacent residents. The roof designs proposed are not in keeping with those existing and adjacent to the site. Single storey units with flatter pitch roofs would be more appropriate and also solve the on site parking allocation problem (fewer bedrooms would require fewer car parking spaces). In particular I would like to see Kyle Stewart Dwg No 18058wd2.02 Rev B amended such that proposed levels are appended and the lower site section extended to show the visual impact onto my own property “Merlins”.

With reference to Kyle Smart Dwg No 18058wd2.01 Rev O it is possible to provide additional parking bays fronting plots 3,4,5,6,9 & 10 at the expense of landscaping. The problem of loss of existing parking at the proposed site entrance in Coniston Road has also not been addressed (previously mentioned above).

Additionally there appears to be clear intent to extend the road between plots 6 & 7 down into the adjacent green belt land, although it is noted that the boundary to plot 6 has now been revised Kyle Stewart Dwg No 18058wd2.01 Rev O. This premise will be resisted in the strongest terms by all and sundry in the area. I am also aware that RSK have already undertaken detailed site investigation over the whole paddock area but the documents issued to date only address the current site area proposals – perhaps this is why the Geotechnical Report Ref 1920453 RO1 has not been put onto the planning portal?

Conclusion

The foregoing text provides a brief review of the information currently available on the planning portal and is neither exhaustive or conclusive. That said, and in my humble opinion, the development proposals are unacceptable for various reasons summated as follows:

- This site has been put into the Local Plan with inadequate advertisement to accord with Dacorum's own protocols or any direct consultation with directly affected existing properties
- Existing mature healthy poplar trees characteristic of this area are now being removed from the site frontage
- The site layout proposal clearly represents over development and has a totally inadequate
- provision of on site parking – off site parking is also wholly inadequate and these problems have also not been addressed for the area surrounding this site
- Vehicular pollution in the vicinity of the site has not been addressed – this is particularly relevant for the peak drop off and pick up times for the adjacent schools
- Remediation of the contamination known to exist on this site has not been addressed – this is particularly important as this will compromise the current surface water drainage proposals.
- The surface water drainage proposals by Marks Heeley are incomplete in terms of proposed design level information provided – I suspect the site will still not drain by gravity and the potential requirement for a storm pump station within the current site layout has not been addressed
- Foul water drainage has not been addressed at all (or the potential requirement for a foul pump station within the current site layout)
- The Transport Statement does not address the global traffic problems currently prevailing in the area of this proposed development. Further more there are no proposals made to improve the current road networks and their capacity to enable additional development –this is of paramount importance given the pending development of Wayside Farm and additional pending intake to Kings Langley School. No Road Safety Audits have been generated either on or off site

- It is suspected the current layout has been designed to promote future access to the adjacent Green Belt land which is highly undesirable and will be resisted by all local residents

Objection regarding removal of poplar trees:

I would like to object to the removal of the four poplar trees at the front of the site.

Para 2.1 states: " While the loss of the four poplar trees to the front of the site is unfortunate, these would be replaced with a species more suited to be located within close proximity to residential development."

The reasons for the removal of the trees are given in para 9.22:

- (i) "The root protection zones are considered to cause significant issues to the proposed house and road levels"; and
- (ii) The Trees and Woodlands officer considers that the poplar trees "tend to shed limbs" and could be replaced a species which is "more suited to exist in close proximity to residential development".

I submit that the risk the poplar trees pose has been overestimated; and the importance of these trees to local residents has been underestimated.

The initial plans drawn up by the developer retained the four poplar trees. This suggests that it is entirely possible to deal with the issues that the root protection zones are now considered to cause. Is cost actually the issue here?

Local residents who attended the planning meeting held in Kings Langley by the developer, were concerned about the possible loss of these trees. They were given assurances that the trees would be preserved. Those who attended went away reassured and were shocked to hear later that the plans had been revised, with the effect of removing and replacing the trees. The local feeling is that this was underhand.

The poplar trees are a very important feature of the top end of Coniston Road. People have their own relationship with these trees. In my own case, I live 50m back from the road, and one block down from the trees. I can be house bound due to disability for months at a time. Due to their height, I can see the poplar trees from my living room window and they give me great pleasure. They sway in the wind and shimmer in the sun. The comment I hear most frequently about the trees, however, is that **they define the character of the top end of Coniston Road**. For the Summary para 2.1 **to state that the loss of the trees is "unfortunate" is to completely misunderstand the affection in which these trees are held.**

I would ask that the risk that the trees pose be re-evaluated. In the plans, plots 1-6, which are closest to the trees, are set back "20m from the street scene" (para 9.9). It is difficult to see how any falling branches could be considered to pose a significant hazard to these plots. If the trees were that dangerous, surely they would not have been allowed to remain near a road which is at times extremely busy, and a pavement used by parents and children of primary school age. The trees can be

managed, as the other trees are in Coniston Road. For example, there used to be five poplars in this row, but one was cut down, presumably because it had died. I accept the point that there are other tree species that are more suited to be located near residential developments, and if considering new trees for planting, doubtless Lombardy poplars would not be chosen. However, the situation here is that these trees exist and are held in high regard.

As far as replacing the trees is concerned, even with semi-mature replacements, they would take decades to grow to anything like the height of the poplars. Some of us here may not live to see that.

In summary, I ask you to preserve these magnificent, mature poplar trees for the enjoyment of all who live here. The new development can then take its place in relationship to the poplar trees.

Agent response to comments:

Arboriculture – The Poplar trees are proposed to be removed so that the F.F.L for all plots can be lowered. Plots 9 & 10 were lowered by about 210mm, plots 7 & 8 by 300mm, plots 1 – 3 were lowered by about 480mm, plot 4 by 430mm, plot 5 by 910mm and plot 6 by 740mm. This we believe is a valid reason for the proposed removal and replacement of the trees as it puts the house levels closer to the existing houses. If a ‘no dig’ construction was to be implemented, the whole development would have to be built up significantly. ‘No dig’ areas were implemented wherever possible

Design & Access – The new Design and Access statement was addressing the new boundary treatment along the northern boundary, and showing the revised site layout.

Transport Statement – The document dated January 2020 provides tracking diagrams for the revised site layout as well as updating the parking numbers from 17no. to 19no. regarding the comments about Section 3.10, the resident objects to the 17no. parking bays, while the latest Transport statement shows the new parking number as 19no. Furthermore, the additional spaces put the total number above the parking standards. The 17no. spaces initially provided meet the parking standards, we are therefore providing two additional spaces over above these requirements.

Recommendation

As per the published report

Item 5b

**4/00134/19/FUL – CONVERSION OF BUILDING TO FORM 6 FLATS,
DEMOLITION OF BUILDINGS TO THE REAR OF THE SITE AND
CONSTRUCTION OF 3 DWELLINGS**

13 SHRUBLANDS ROAD, BERKHAMSTED, HERTFORDSHIRE

Recommendation

As per the published report

Item 5c

19/02712/FUL - 6 X 3 BEDROOM DWELLINGS, ASSOCIATED PARKING AND LANDSCAPING . PROVISION OF SEPARATE PARKING AREA FOR RESTAURANT AND GENERAL USE

LAND AT SPICE VILLAGE, THE STREET, CHIPPERFIELD, KINGS LANGLEY HERTFORDSHIRE

Representations

Chipperfield Parish Council

CPC objects to this application and in setting out the reasons below makes reference to previous applications (A) 4/01520/18 4 dwellings (supported by CPC) – decision Grant; (B) 4/02423/18 5 dwellings (opposed by CPC & DBC) Granted on Appeal.

CPC supported (A) after extensive pre-application discussions with the Applicants agents. CPC recognised that in this location, within the conservation area, close to the iconic but busy crossroads that a sensitively designed scheme to be essential for this site. CPC encouraged the Applicant to provide adequate parking for both dwelling occupants, their visitors and for the Spice Village restaurant which operates both as a takeaway and seated restaurant. Car parking is important for restaurant staff who live outside the village. The adjacent busy cross roads requires that on-street parking in this vicinity be discouraged due to the high accident rate at the crossroads. Furthermore, as demonstrated successfully in other recent planning applications in the village, Chipperfield is wholly car dependent.

Application (A) satisfies CPC recommendation and provided 3 parking spaces per dwelling and provided 13 spaces for restaurant staff, customers and take-away pick-ups.

CPC opposed (B) because the strengths of (A) had been diluted both visually (street scene) and in respect of reduced parking provision. The Applicant seeks to justify the subject application by citing selectively certain paragraphs from the Inspectors report on (B). However, this application reduces parking provision to 2.5 per dwelling and reduces restaurant parking to 9 spaces.

Whilst the dwelling parking may well achieve DBC standard it will certainly result in overspill parking onto Chapel Croft and offer a significantly diminished street scene to (A) as well as overdevelopment on the basis of density generally in the conservation area. This scheme is inappropriate for this important site in the village and CPC recommends refusal.

Conservation and Design

The proposal follows on from similar approvals to housing developments on this site. We believe that the proposed layout style and materials are in keeping with the character of the conservation area. Close to the crossroads and at other 'centres' within Chipperfield there are short runs of modest terraced housing. This would sit comfortably with the immediate area and would be considered to preserve the character and appearance of the conservation area. As such we would not object to the proposals.

On a minor design points it would be useful to consider removing the substantial flint dormer to plot 4 and replacing it with one which matched the other five properties. However if it was felt that the central 2 properties (units 3 and 4) required a feature at eaves level we would not object to this subject to design and materials. One could also consider having clay tiles rather than slate to the roofs to blend in better with the group of houses at the crossroads as they will be seen as part of this group. It would also provide a subtle contrast with the similar newly constructed properties further up the hill.

Recommendation We would not object but recommend that the proposal be reviewed in light of the above. External materials and finished subject to approval. Hard and soft landscaping subject to approval. It would also be recommended that appropriate protection be put in place to protect the oak tree to the street frontage during building works.

Additional Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

Reason: In the interests of the visual amenities of the Conservation Area.

Recommendation

As per the published report

Item 5d

4/00670/19/FUL – CONSTRUCTION OF STABLES, REFURBISHMENT OF EXISTING BUILDING FOR STORAGE AND USE OF LAND AS Paddock

LAND ADJACENT TO RESERVOIR, UPPER BOURNE END LANE, BOURNE END, HEMEL HEMPSTEAD HP1 2RR

Recommendation

As per the published report

Item 5e

19/02790/FUL – OPEN FRONTED POLE BARN AND STABLE

2 WOODEND COTTAGES, LITTLE WOODEND, MARKYATE, HERTFORDSHIRE. AL3 8AX

Recommendation

As per the published report

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Item 5f

19/02908/FHA – GARDEN OFFICE AND STORE

9 QUEENS ROAD, BERKHAMSTED, HERTFORDSHIRE. HP4 3HU

Recommendation

As per the published report.

Objections Received

Additional objections received via email since the Committee Report was published are provided below.

24 Shrublands Avenue

We are writing to voice our concerns about the proposed redevelopment of 13 Shrublands Road. Having looked at the plans it seems that what is proposed will be a major over-development in this conservation area. It appears that the whole area will contain either 4 story buildings or parking spaces. There is no provision for gardens, trees or outside amenities.

As residents of Shrublands Avenue our biggest concern is the impact that the additional cars and parking will have on an already congested area. We have lived here for 40 years and parking in the road has got steadily worse. Now we find that people are no longer keen to call round because they can not find a parking space when they get here. This is definitely affecting the quality of our lives as we get older.

Quite often the road is blocked while people unload shopping, elderly relatives and/or children because they can not find a space to park. Delivery vans often block the road too for the same reason. With the addition of more cars in the area this can only get worse. Despite the proposed parking on the site it is doubtful that it will be adequate for the residents as families invariably own more than one vehicle these days. This is in addition to the parking spaces that will be lost to the frontages of the new houses. In other words there will be more cars vying for fewer spaces.

We would ask you to carefully reconsider this application.

31 Shrublands Avenue

I am writing in objection to the proposed development of 13 Shrublands Road.

As a resident of the street I cannot understand how you can allow such excessive over development of the existing property.

My key concerns are as follows;

- Not in keeping with the aesthetics of conservation area
- the parking is already untenable on the street and this will add further traffic to an over congested area
- no turning space for cars on site creating a danger to pedestrians in an area full of families with young children.

I can't understand what has changed since the previous refusals and shows no consideration for the existing residents.

10 Shrublands Avenue

Troublingly, we have just been informed of yet more plans to develop 13 Shrublands Road. We had to be told by neighbours not the council which given the huge impact that it will have on the road is completely unacceptable.

The proposed level of development is completely out of character for the area and will place a huge strain on an already congested area.

Parking is already a massive issue in the road and the proposed development will have a massive impact on this. We have already lost 2 spaces at the bottom of the road so to lose even more is totally unacceptable.

The current junction is already a hazard for our children but add in the on site parking with no turning and it is an accident waiting to happen.

What is being proposed is also totally out of character for what is supposed to be a conservation area. Given that it took the council over a year to approve a change to our front door on the grounds that a UPVC door would irreparably damage the character of a house in the conservation area (despite us replacing a non original door with one that was much more in keeping with the house) I have to wonder what has changed. How are they allowing such a development to happen when they fought a new front door on the grounds it would destroy the character of the area?

I will be attending the meeting on the 30th to voice my objections to this and hope the council take into account the record numbers of objections from local residents from the last planning application.

11 Shrublands Road

Hi Jason

I hope all is well.

On top of the photos you've taken can you please add the additional as per attached.

Can you please also make it clear that you visited our property to assess the impact after the committee report was published.

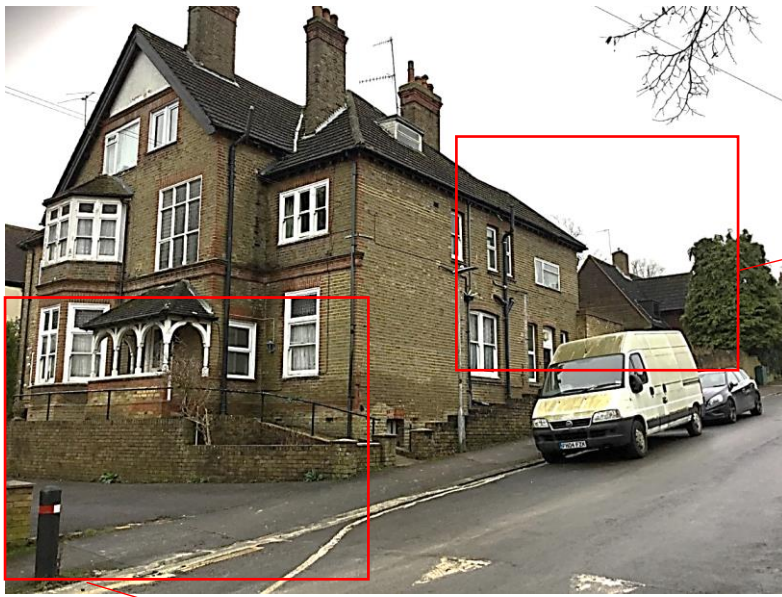
Please can you also attach and make clear reference to the previous appeal decision which I've attached - I think this is relevant information for this case.

Can you also point out that this a Conservation Area and the properties involved additionally have an Article 4 Direction which is highly relevant to the case.

You've made little to no reference to the other impacted neighbours such as 1 Shrublands Avenue, 15 shrublands Rd and Selattyn on Shrublands Avenue - there is clear impact on these properties

Can you also amend your report to refer to our property as 11 Shrublands Rd rather than Shrublands Avenue.

From View from Shrublands Road



Proposed extension

Parking to support 15 vehicles vehicles

Side view from Shrublands Avenue



Proposed extension

View from the rear of the property

66 Shrublands Avenue

We strongly object to the proposed plans for 13 Shrublands Rd.(4/00134/19/FUL) on the following grounds.

Parking in Shrublands Avenue is already at a premium, (more so since the yellow lines). We very often have to park in other roads which isn't ideal, especially for older residents or those with young children. This new build will make it even worse because it will cut down more spaces, pushing more vehicles into surrounding roads which will impact on safety.

Vehicular access from the front of the building is on the corner of the road in Shrublands Ave, obscured from pedestrians and vehicles turning left from Shrublands Rd. There is no way 12 cars could be parked on the existing parking area at the front of the building as it stands now. Some cars would have to reverse in or out of the car park on a blind corner, as it stands at the moment.

The road is used by many children going to and from Greenway, St Thomas More, Bridgewater and Ashlyns.

As it is there is more traffic in the road at dropping off and picking up times. We feel that this overdevelopment will make it less safe for children and other pedestrians in our neighbourhood.

As the new houses face onto Shrublands Avenue, which is a designated conservation area they should be in keeping with what is already there.

We do not see why there have to be houses as well as flats, as there will be little or no garden, not enough parking and feel that the site is being overdeveloped.

Berkhamsted planning council has already rejected the plans and Dacorum has also refused planning permission in the past.

We sincerely hope that the planning committee will see sense and refuse this application.

Selattyn, Shrublands Avenue, Berkhamsted, HP4 3JH

I am a parent on shrublands avenue and a governor of a local school and I object to the planning permission for 13 Shrublands Road to be converted into 6 flats and an excessive 3 town houses on Shrublands Avenue.

1. This is overdevelopment of 1 residential dwelling into 6 apartments and 3 houses. This was a single house that cynically got permission to turn the house into a temporary nursing home, then given permission to segment into apartments for migrant care workers. These care workers were given little notice to vacant as the owners then wanted to convert the segments into 6 full apartments at commercial rates. They now in addition to the apartments want to add 3 new dwellings on Shrublands Avenue.

This is a cynical use of the planning laws in this country to allow ruthless landlords to exploit migrants for their own profit. This building would not be eligible for this conversion if the owners had not used the " migrant worker" case to segment this house. Having gained permission to segment the house, the owners immediately started to get rid of the health workers in order to convert it into several private dwellings that would earn them huge profits in this part of Berkhamsted. I knew many of the migrants, who were my neighbours, and lived in this property and they and their children were evicted from this property at little to no notice with much distress. Despite the cynical use of planning laws and the blatant abuse of migrants

to this country, I am happy for the building to be updated. However, this development should be a respectful, 6 apartment building at the very most.

2. Berkhamsted Council (who have turned down this planning permission on behalf of the town) have made climate change pledges for the town as has Dacorum Council. In both the pledges it says you will do environmental planning to safeguard the future of the town against the ever-increasing threat of climate change. In Berkhamsted, the main threat is flooding and in recent years we have had increasing problems with flooding. The site of this development is on a really busy junction which has had significant flooding problems over the last two years. This development should it go ahead will rough shod over the pledges of both councils as the risks of environmental damage due to flooding will be significantly increased. Shrublands Avenue and Shrublands Road at this junction will become a danger Zone. Buses for the elderly, buses for Grammer School boys and children going to the 4 schools in this area will incur significantly more risks in getting to their destination. If this planning permission goes ahead against the wishes of the town it will be a huge retrograde step against all of the moves alleviating the effects of climate change and will endanger the lives of current residents of this area. Dacorum Council will ultimately be accountable for these increased risks.

3. This planning proposal is not in tune with the character of the area of the berkhamsted conservation zone, of which shrublands avenue is a part. It is too high, too intense and destroys the trees in the plot with resulting loss of the dependent ecology. If this planning permission goes ahead, Dacorum council are not recognising Berkhamsted's conservation guideline's for its resident,s and as a precedent, Dacorum are opening the floodgates for all residents to develop/enlarge/convert to apply and gain planning permission in the conversation zone in Berkhamsted for developments that flaunt the guidelines. The guidelines will become meaningless if this planning permission goes ahead.

I sincerely hope that you listen to the residents of this area in your planning decision.

16 Shrublands Road, HP43HY

I am writing in relation to the above planning application.

I understand that the application has now been recommended for approval. We are both surprised and very concerned at this decision. We would therefore like to raise the following concerns once again:

1) Our primary concern regards the increase in the number of vehicles using what is already an extremely busy road (Shrublands Road). Inevitably the creation of such a large number of properties will result in a significant increase in the traffic using the road. Not to mention increased demand for parking on a road which is already very congested.

2) The property is located next to the Shrublands Avenue junction which can be busy at times and dangerous when pulling out on to Shrublands Road. We believe the proposals will make the Road/Junction much more dangerous and busy.

3) Our house is directly opposite the proposed development property and we have considerable concerns about loss of privacy. Our house will be directly overlooked by a much larger number of people occupying the individual dwellings.

4) We also have concerns over increased noise and disturbance from the additional people/cars that will be using the property.

5) Finally, we also have concerns that the proposals will make it harder to access our property. The Shrublands Road/Shrublands Avenue junction is very dangerous for us when entering and leaving our property with traffic approaching from 3 directions and parked cars on both sides of the road hugely impacting our visibility. The additional traffic and parked cars resulting from the proposed development will serve to exacerbate this problem.

I would be grateful if you could acknowledge receipt of this email and confirm that our comments will be taken into consideration when making a final decision on whether to approve or reject the application.

Thank you for your assistance.

Response to Objections Received

Paragraph 6.7 of the report states as follows (in italics):

It is considered that the majority of the concerns raised by local residents in response to the Council's public consultation have been assessed within this report. However a response to those matters which have not been addressed will be discussed within the addendum which will be provided to Members prior to the Committee.

Each matter is discussed below.

Light Pollution

Whilst local concerns are acknowledged, the proposed development is for modest residential development within an existing residential area. The occurrences of internal light usage within the area are commonplace and as such, it is not considered that the proposed development would result in light pollution impacts so severe as to warrant a refusal of planning permission.

Impact upon Local Infrastructure

As noted within the Report, the site will be subject to the Community Infrastructure Levy. The Levy enables funding to be pooled and spent on larger infrastructure projects that benefit the wider community, rather than being tied to mitigating the impact of development around specific sites.

No Site Notice

A site notice was erected at the junction of Shrublands Road / Shrublands Avenue on 28th March 2019.

Existing Skips, Building Works and Delivery Vehicles Occupying Parking in Surrounding Roads

Whilst acknowledging these concerns, skips and building works are regulated by regimes external to the Planning Authority. The impacts of delivery vehicles are considered to be temporary and no objection has been raised by the Highway Authority in this respect.

Devaluing of Local Properties

Impacts upon property prices is not a material planning consideration.

Impacts upon Ecology

Neither the site nor the surrounding area are ecologically sensitive. The Council's Ecological Advisor has been consulted on the application and has stated as follows:

Thank you for sending me the photos of this site in respect of the above proposals. The building has a large and complex roof space which given some of its features could have potential for bats, and the proposals will involve some relatively significant modifications to this structure, although not all of the roof will be affected. However the roof tiles appear in good condition and well-sealed, whilst numerous roof spaces are clearly already converted or used, as noted from the skylights and dormer windows across the roof. This limits the potential for cavity dwelling bats. The flat roof sections are also considerably less likely to support bats. Being within the more urban area of Berkhamsted, the location has numerous mature trees but little semi-natural habitat, so the potential for bats is low-moderate. There are a small number of bat records in this area of the town, most of which are not related to a roost.

We also have a bat report on file undertaken for this property in 2014. Whilst this is now too old to be valid, a thorough site inspection found no evidence of bats within the property. This would indicate it hasn't been used by bats in recent years if ever, although this could change. A bird's nest was present on the gable end of the northern elevation so some external access is possible, but given the lack of internal evidence the roof had not been used as a roost or by prospecting bats. Given the nature of the building and lack of recent records in the area, I have no reason to consider that the situation has changed. Consequently, I consider the likelihood of bats being present and affected by the proposals in this case is insufficient for the LPA to justify requiring a bat assessment of the property.

However, if this is approved, I advise that an informative is attached to any decision to the effect that:

"If bats, or evidence for them, are discovered during the course of demolition, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed."

Furthermore, given the previous presence of a bird nest, I advise an informative is also attached to ensure nesting birds should not be disturbed:

"Any building works should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not possible, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest."

Limitation of Working Times / Disturbance During construction

A comment has been received stating that working times should be limited to 8am – 6am.

The Council's Environmental Health Team permit the following hours of work when noise can be audible at a construction site boundary are:

- MONDAY TO FRIDAY 7:30am to 5:30pm
- SATURDAY 8:00am to 1:00pm
- SUNDAY AND BANK HOLIDAYS No noisy work allowed

Any noisy operations outside these hours will require consent.

It is considered that an informative can be added to the decision notice to remind the applicant of these restrictions. Members are advised that a planning condition requiring the applicant to adhere to these restrictions would fail the test of necessity.

Potential Structural Damage to Neighbouring Properties

This is not a matter for the Planning Department to consider. The applicant will need to ensure that adequate protection / provision is made in this regard.

Impact on Trees

The applicant has certified that no trees will be impacted upon as a result of the proposals. Furthermore, trees in Conservation Areas are protected through the provisions of Section 211 of the Town and Country Planning Act 1990.

Impact upon Underground Services

This is not a matter for the Planning Department to consider. The applicant will need to ensure that adequate protection / provision is made in this regard.

Article 4 Direction

It is noted that the site is the subject of an Article 4 direction. However, the purpose of this direction is to ensure that the Local Planning Authority are able to control the enlargement and alteration of existing dwellings. The Direction does not, however, restrict development which is the subject of a planning application. The Council's Conservation and Design Officer has confirmed that the proposals are acceptable within the designated area.

Site Images from Rear of No. 11 Shrublands Road





Additional Information Provided by the Agent

Following our discussions please find attached an summary page for the addendum as well as the revised drawings:

- 1) The existing and proposed site plan to clearly show the existing buildings and the proposed layout.
- 2) To show the window to Bedroom 1 of Flat 4 (FF) relocated to be more centrally positioned to the side elevation,
- 3) A marked up south east elevation showing:
 - a) the adjacent building in dark grey
 - b) the relocated first floor window to Bed 1 of Flat 4
 - c) the area of existing elevated roof and side wall to be removed, reducing the existing elevated eaves level to be match the main house (red hatched area) (also see 2020-01-24-12.45.24 Copy Jpeg)
 - d) the refused 4/01974/07/FUL refused scheme – the architect has confirmed that with the orientation of the buildings that the improved gap of 5.6m between the principal building and the proposed units will create less overshadowing than the existing arrangement during the summer months (May to August).

Please note, for the avoidance of doubt, the dormers to the south east elevation were introduced in discussions with conservation and are fixed windows with obscure glazing to allow ambient light only.

We have also attached the images in the summary pages separately.

Use

Since the Town & Country Planning Acts were introduced in 1948 this property has been in institutional use, initially as a Maternity Hospital (with an operating theatre for Caesarean delivery) then as a Nursing home for the Elderly which closed in December 2001.

It has a planning consent in 2014 (4/03031/14/FUL) to create 7 dwellings which has been implemented. Therefore the starting point is 7no dwellings in planning terms.

We have gone through the full process and responded to advice from officers, this scheme went through the Pre Application service (4/00471/18/PRE) ahead of submission in January 2019.

PROPOSED REMOVAL OF 3RD LEVEL ADJACENT TO 11 SHRUBLANDS

The feasibility study identified that the existing property has an overbearing 3rd level of accommodation adjacent to the boundary of number 11 Shrublands Road that if removed could give benefits to the amenity enjoyed by number 11 in terms of sunlight and daylight that would otherwise reach their rear garden particularly in the summer months when this garden's usage is most prevalent.



WINDOW MOVED

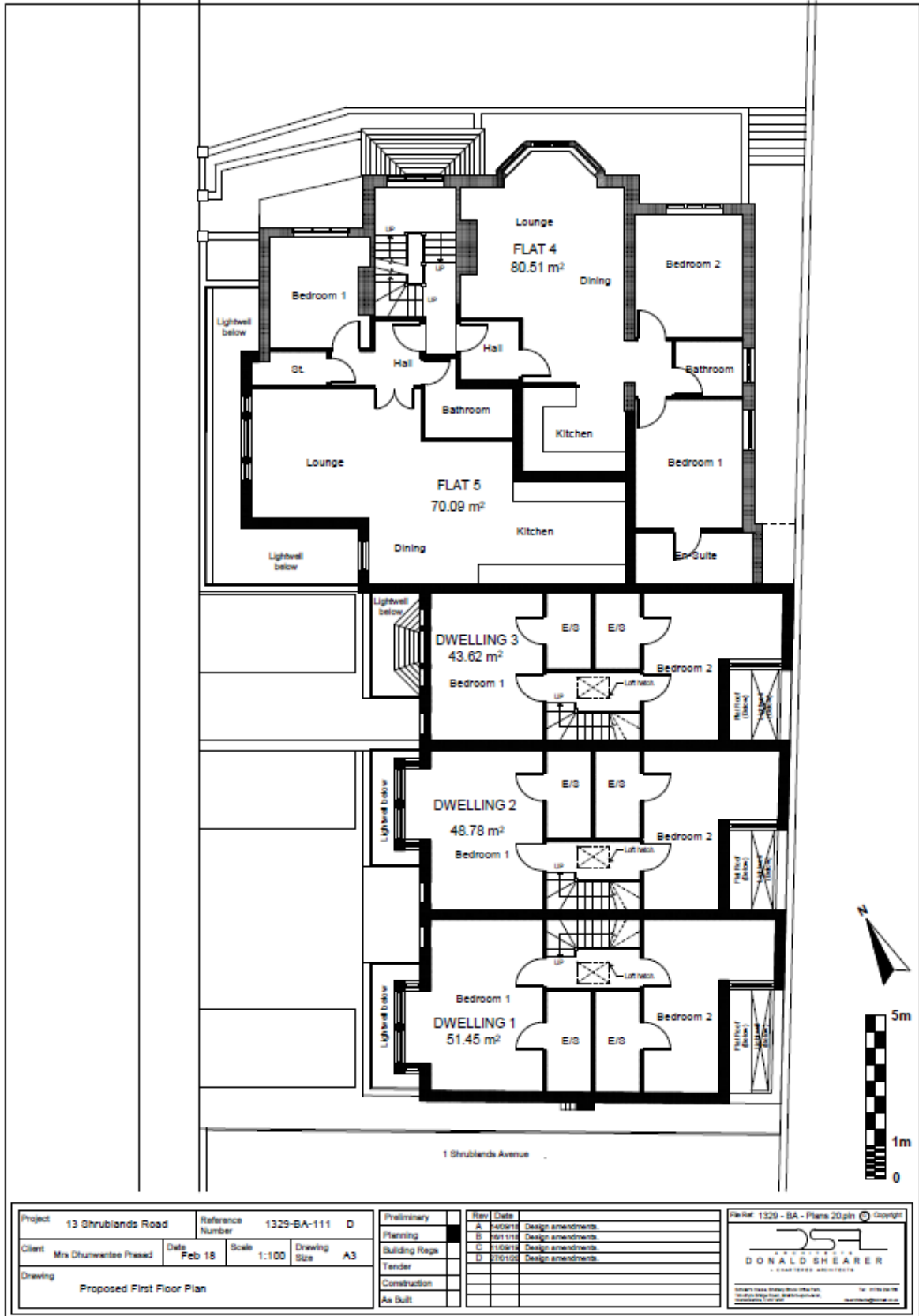
The consultations noted concern about the proposed 1st floor window facing to the boundary of number 11 Shrublands Road. In response to this concern we have reorganised the internal layout of proposed flat 4 so that this window is materially much further separated from any possible views into the the private rear garden of 11 Shrublands Road. Should any concern remain then the officers can condition this window's privacy through recommending obscure glazing up to 1700mm from finished floor inside.




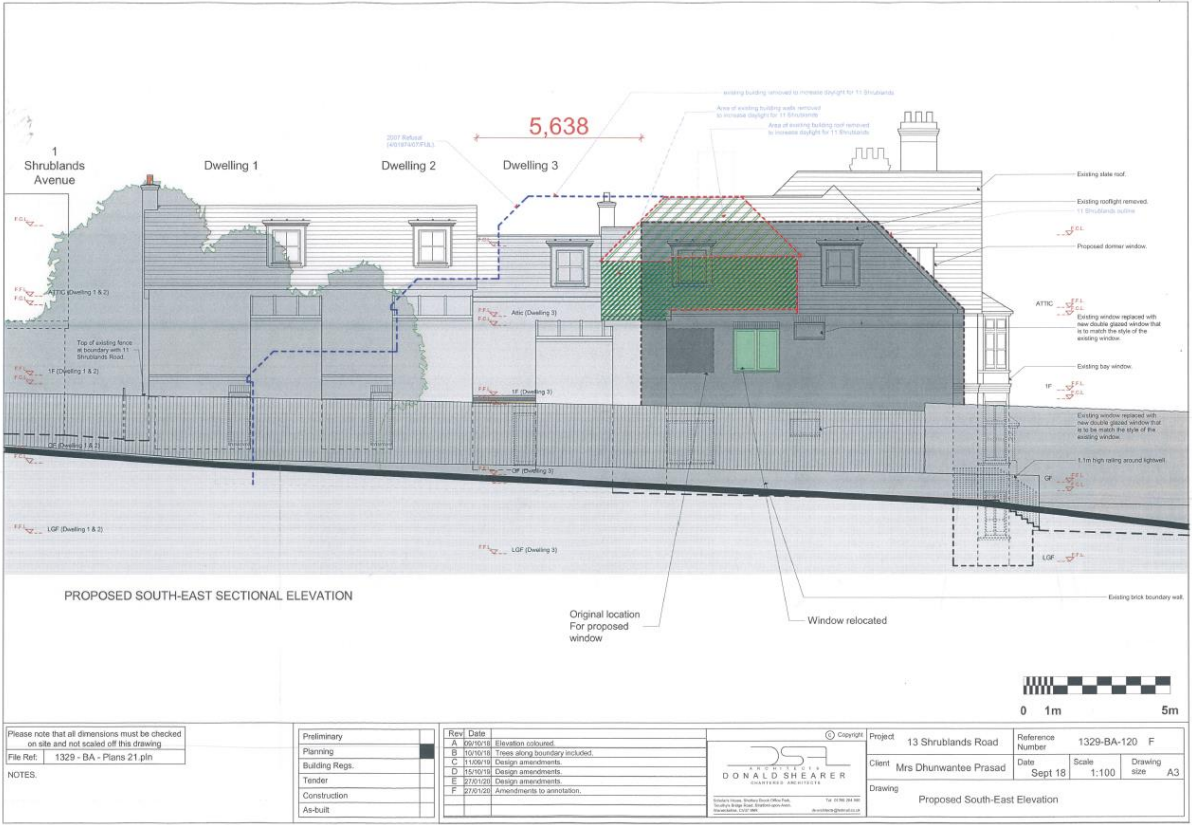
PROPOSED GREEN WALL ADJACENT TO 11 SHRUBLANDS

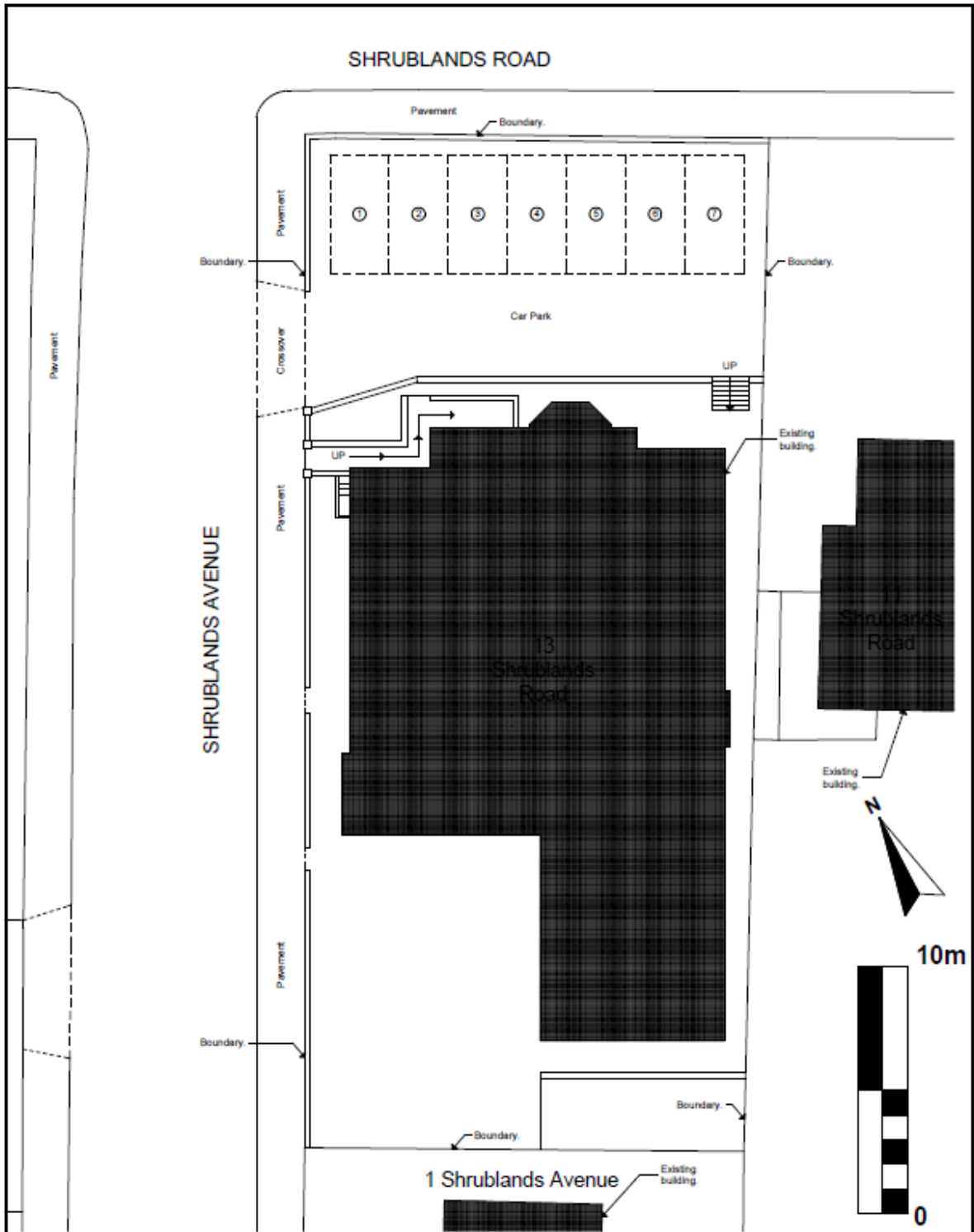
This image shows a Green wall. The image above indicates the 3 locations adjacent to the boundary of number 11 Shrublands Road that could be suitable to provide additional enhanced amenity benefits to those already proposed (increased privacy, acoustic attenuation and additional daylight / sunlight during summer). This can be also agreed through conditioning the approval accordingly.





Project 13 Shrublands Road		Reference Number 1329-BA-111 D		Preliminary	Rev	Date	Design amendments	File Ref: 1329-BA - Plans 20.pln  DONALD SHEARER ARCHITECTS 100-1000 100-1000 100-1000
Client Mrs Chumwattse Phasad	Date Feb 18	Scale 1:100	Drawing Size A3	Planning	A	10/01/17	Design amendments	
Drawing Proposed First Floor Plan				Building Regs	B	10/01/17	Design amendments	
				Tender	C	10/01/17	Design amendments	
				Construction	D	10/01/17	Design amendments	
				As Built				



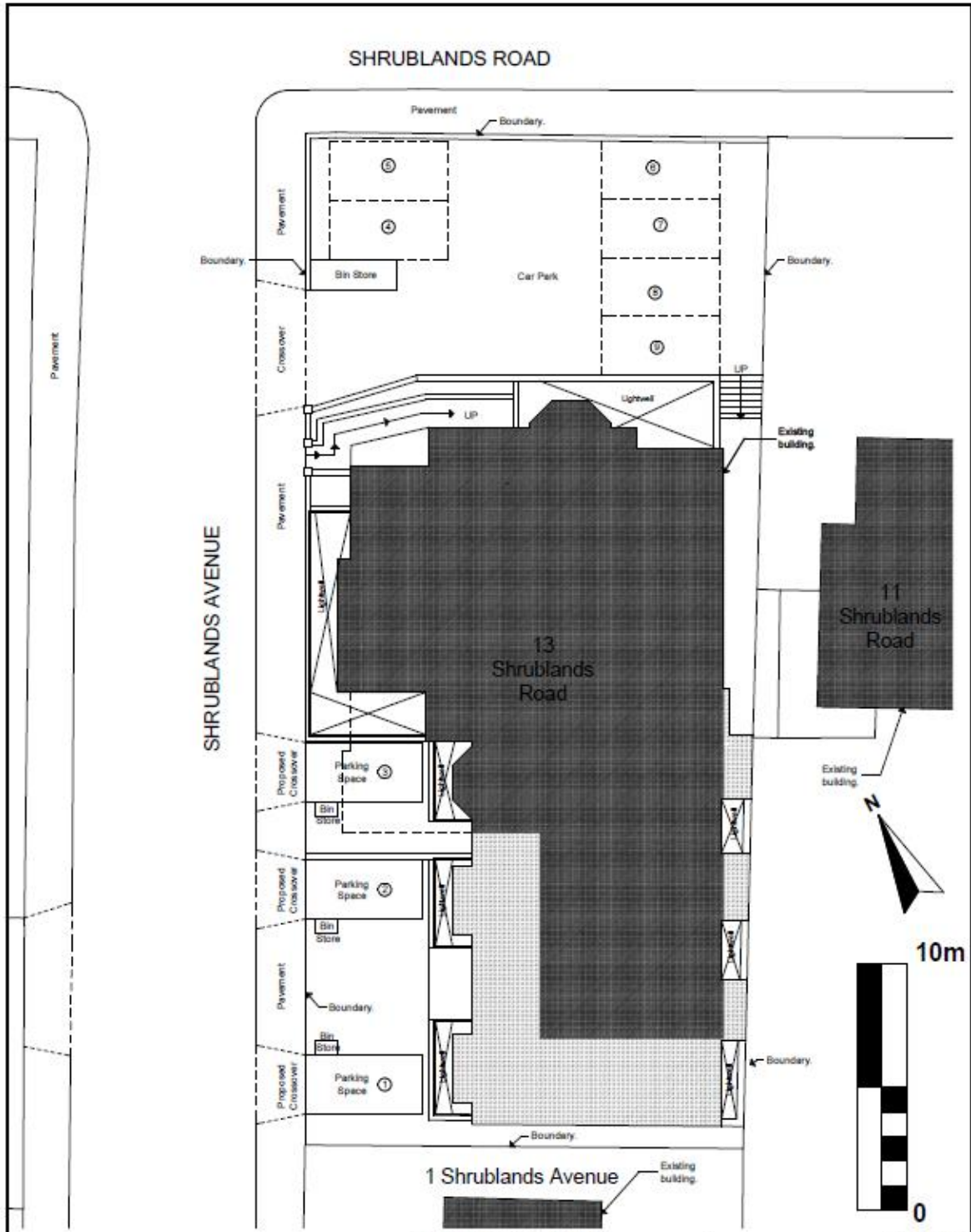


Project 13 Shrublands Road		Drawing size A4	File ref: 1329 - BA - Plans 21.pln		© Copyright
Client Mrs Dhunwantee Prasad	Date Sept 18	Scale 1:200	Preliminary	Rev A	Date 20-12-18
			Planning	B	27-01-20
Drawing Existing Site Plan	Reference Number 1329-BA-101 B		Building Regs	Car park numbering included.	
			Tender	Amendment to Sls.	
			Construction		
			As Built		

DONALD SHEARER
 CHARTERED ARCHITECTS

20-21-22, Rivington Road, Office Park,
 Rivington, Bolton, Greater Manchester,
 M06 4RN

Tel: 01763 294 000
 Email: info@donaldshearer.co.uk



Project 13 Shrublands Road		Drawing size A4	File ref: 1329 - BA - Plans 21.pln		© Copyright
Client Mrs Dhunwantee Prasad	Date Feb 18	Scale 1:200	Preliminary	Rev B	20-12-18
			Planning		
Drawing Proposed Site Plan	Reference Number 1329-BA-108 F		Building Regs	C	24-12-18
			Tender	D	11-09-18
			Construction	E	27-01-20
			As Built	F	27-01-20
					 DONALD SHEARER CHARTERED ARCHITECTS
			<small>Donald's House, 51-53 Sydney Road, Office Park, Trinity's Ridge Road, Maitland-upon-Avon, Northamptonshire, CV37 3JF</small>		<small>Tel: 01783 324 580 donald@donald.co.uk</small>

Previous Objections

All previous comments in response to consultation are provided below including a document which has been prepared by a Planning Consultant on behalf of 11 Shrublands Road.

	<p>the Environmental Health Department I have the following advice and recommendations in relation to land contamination.</p> <p>The application is for the redevelopment for housing on a previously developed site, albeit one with a residential land-use history. Therefore, because of the proposal to demolish part of the existing buildings and introduce new dwellings with associated landscaping the possibility of ground contamination should be considered by the applicant/developer in taking any permission forward.</p> <p>For the above reasons it is recommended that planning conditions are imposed on the permission should it be granted.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
44	14	1	45	0

Neighbour Responses

Address	Comments
Selattyn Shrublands Avenue Berkhamsted HP4 3JH	<p>1) Substantial negative impact to parking on Shrublands Road which is already double parked and dangerous. This will create even more risk for school children crossing the roads.</p> <p>2) Substantial negative impact on parking in Shrublands Avenue which is already over-parked with insufficient space for residents before this plan. If this goes ahead with the excessive 3 additional houses, it will have the immediate effect of further overspill parking on Shrublands Road and beyond.</p> <p>4) Proposed build significantly larger than current building and out of keeping with the area.</p> <p>5) Overlooking/loss of privacy. The proposed (excessive) plans will look directly into our property and block our light.</p> <p>6) Density of buildings not in keeping with the area, with direct impact on the Shrublands Avenue conservation area and the adjoining dwellings.</p> <p>7) Increased noise and light pollution due to the excessive number of proposed dwellings in such a confined area. 6 flats and three houses? It is currently one house!</p> <p>8) It is clear there are insufficient amenities in Berkhamsted to</p>

	<p>support this unnecessarily high density of housing. I refer to schools, parking, road access, doctors, water and sewage.</p> <p>9) There have been no Orange planning notices displayed in the area for what is a substantial application. I therefore object on the grounds of process that this plan is bypassing due notice to the affected residents in the area.</p>
<p>10 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>There will be a huge negative impact on the parking on both Shrublands Road and Shrublands Avenue both of which already exceed capacity. There is not adequate parking provisions made in the plans.</p> <p>The proposed build is out of keeping with the surrounding area which is supposed to be a conservation area. This will significantly change both the look and feel of both Shrublands Road and Shrublands Avenue.</p> <p>There are currently insufficient amenities within the local area to support such a huge change from 1 house to 6 flats and 3 houses. The local school is at capacity and the 2 local doctors surgeries are already a nightmare to try and get appointments in.</p> <p>As a local resident directly affected by this planning application I would have expected to receive some form of communication about it - as it is I have not received anything nor have I seen an orange planning notice.</p> <p>I strongly object to the proposed development.</p>
<p>65 Shrublands Avenue Berkhamsted HP4 3JG</p>	<p>Where is the orange planning notice for this planning application? As of 20 March 2019 - no such notice is visible to local residents who will be affected by this development on a daily basis.</p> <p>This is an ill conceived development that places the need to make money (by the developer) over the needs of the local residents. Where are the multiple car parking spaces for these 9 dwellings?</p> <p>The parking situation in Shrublands Avenue and Road is already very bad, making parking as well as driving into and out Shrublands Avenue already very stressful (and often dangerous due to cars parked on the corner). Instances of road rage in Shrublands Avenue have already become the norm.</p> <p>Shrublands Avenue has close on 100 Victorian semi's with one space on the road outside each home. Many homes have at least 2 cars (if not more if adult children are at home) making the parking situation stressful for all who live in this road. I often see elderly residents struggle with shopping having parked some distance away. I also often see mothers with babies and small children struggle with baggage as they were not able to park anywhere near their homes. There are people who work in the town who park here because public parking in the town is so inadequate. At present we have 4 skips in the road due to building work on 4 properties in addition to the multiple vehicle of those who are working on these properties not to</p>

	mention the large delivery vehicles regularly entering and exiting the Road. We're already at the point where residents only parking may well be advisable.
65 Shrublands Avenue Berkhamsted HP4 3JG	I wish to object to this application for the following reasons: 1) There is no evidence that the orange planning notices were available. The proper process has not been followed. 2) The existing parking situation in Shrublands Road and Avenue is already bad, and this development will make it worse. These 9 dwellings may have as many as 18 vehicles between them, where will they be parking. 3) The increase in density is not in keeping with the area.
84 Shrublands Avenue Berkhamsted HP4 3JG	Totally object. This road is already packed with cars and there is no where to park as it is. I have young children and dont want to struggle even more with parking and it will cause more traffic in an already struggling road just so one person can make lots of money and sell a load of flats. This is a conservation area and the Victorian HOUSES will devalue with flats in the street. Also we have Greenway school right at the top of the road which causes even more dangerous traffic and children need to cross the road to get to school. Strongly object!
63 Shrublands Avenue Berkhamsted HP4 3JG	This came as a real shock, where is the orange planning document. Having lived in the road for nearly twenty years it must be time to leave because, 1. It is extremely difficult to park anywhere near my house unless I am home before 4 pm. 2. There are four skips at present in Shrublands Avenue, many homes having extensions and loft conversions, in addition there are many work vans vying for parking spaces every day, one driver even waits for me to leave !! 3. In the afternoon mother's park in the road while collecting children from greenway school. 4. Delivery vans, both food and commodities constantly block the road. Just these four points make parking extremely difficult. In addition there are 100 homes in the road, most homes have more than one car each, odd numbers have no where else to park. Even numbers just have parking behind two thirds of the way up. There is a builder in the road that has more than five vehicles, parking is a nightmare. Some cars are parked for weeks at a time, which I know for a fact having to ring the police to get it moved. With such inadequate parking now in the town we now see many business people parking in our road quite openly. These are just a few comments I can think of in the heat of the moment. This construction is going to make the above issues even more dire along with trying to turn right in a morning out of the avenue, it's so difficult to see as there are no restrictions or yellow lines, so vehicles park right on the edge obscuring vision. I would like to know how planning permission has been granted and so quickly without any warning or planning notices visible. Thank you
15 Shrublands Road Berkhamsted HP4 3HY	I have two key objections - privacy and parking. Privacy- The three proposed three storey houses will overlook directly into our

	<p>kitchen, garden and first floor landing, which will constitute a substantial invasion of privacy. In particular, the top dormer windows would have clear and unobstructed views into our house and garden.</p> <p>Parking Shrublands Road and Shrublands Avenue are already overloaded with parked cars. It is dangerous and difficult to traverse along Shrublands Road and Shrublands Avenue because of the density of parked cars parked on both sides. I have witnessed many road rage incidents concerning obstructions along this road. The high volume of parked cars in this area also detracts from the conservation area, an area which is meant to be preserved.</p>
<p>81 Shrublands Avenue Berkhamsted HP4 3JG</p>	<p>Insufficient parking on an already busy road. Difficult as it is to cross with children/pushchairs.</p> <p>Not in keeping with conservation area- concerns over cramming in accommodation which would look unsightly.</p>
<p>21 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>In considering this proposal, I do understand the pressure across the country to build new homes and I think it is much better to try and accommodate this within built areas than putting potential pressure on green belts.</p> <p>However, I object to this proposal on the basis of parking.</p> <p>While the proposal includes 9 parking spaces, 6 of the proposed 9 dwellings are two/three bedrooms and it's highly likely there will demand for more than 9 parking spaces meaning extra pressure for on street parking.</p> <p>There will also be a loss of existing on street parking on Shrublands Avenue as a result of the three new houses fronting Shrublands Avenue.</p> <p>There is already insufficient parking meaning residents sometimes have to park on Shrublands Road. I don't think we can afford to both lose existing parking as well as having increased demand.</p> <p>I also object to what seems to be a lack of consultation by the Council as no information seems to have been provided to residents in the area about the proposal.</p>
<p>14 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>No orange notice provided/prior warning Impact on conservation area Impact on traffic and parking</p>
<p>22 Bridgewater Road Berkhamsted HP4 1HN</p>	<p>I write on behalf of the BCA Townscape group of which I am a member. We would like to express concern regarding:- a) The Lack of amenity space. b) Only 9 parking spaces for 9 dwellings seems insufficient especially in this congested area.</p>

<p>73 Shrublands Avenue Berkhamsted HP4 3JG</p>	<p>I strongly object to the planning app for 9 dwellings to be constructed on the site of 13 Shrublands Rd. This property is located on an already busy road where parking is difficult. It is also adjacent to Shrublands Ave. Parking on this road is heavily congested. Both roads are on the walking routes for many children making their way to Greenway Primary school & St Thomas Moore school & extra traffic will heavily compromise the safety of those routes. This is a conservation area & needs to be treated as such. An extra 9 dwellings will generate extra cars (maybe upto an extra 18 cars) in an area where parking is difficult & pedestrian safety is already compromised. I do not understand why local residents have not been made aware of this development & have not been consulted more publicly. This has been treated in a very underhand manner & there has been no concern for residents opinions, safety & ability to park</p>
<p>49 Shrublands Avenue Berkhamsted HP4 3JQ</p>	<p>The parking situation on Shrublands Avenue and Shrublands Road is already unacceptable with residents (some of which are elderly or have young children) having to park up to half a mile away to get a space.</p> <p>Adding nine residences will exacerbate this situation further. I do not have any objection to the actual conversion of the property, but I strongly advise that a consultation is made on either painting marked bays onto the road or bringing in permit only parking.</p> <p>Alternatively, the new properties should be made to have drives or garages to avoid extra cars on the already congested roads.</p>
<p>49 Shrublands Avenue Berkhamsted HP4 3JQ</p>	<p>I strongly object to the proposal of turning this property into 9 dwellings. Parking on Shrublands road and Shrublands Avenue is virtually impossible at present and this is without 9 additional vehicles - presuming that each residence would only have 1 car each. Something needs to be done to address the parking situation if this is to go ahead as it is becoming increasingly frustrating!</p>
<p>12 Shrublands Road Berkhamsted HP4 3HY</p>	<p>I have concerns that traffic, parking and road safety would be negatively impacted by the increase in the occupancy of this space. I feel nine dwellings is too many for the size of the property considering the access.</p>
<p>Sarnia Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>Object due to over development of the site and specifically:</p> <ul style="list-style-type: none"> - Density of housing not in keeping with the area - The impact on parking in the area. The allocated parking spaces in front of each proposed new house will take the same space away from the road therefore not providing any additional parking for the 3 new dwellings. <p>Object due to loss of privacy in our home with the proposed new windows and dormers looking directly into our property.</p> <p>If planning should be granted, we would request that working times should be limited to sociable hours (8am-6pm) due to the work taking place in an area densely populated with family homes, many with young children.</p>

<p>Stonycroft 9 Shrublands Road Berkhamsted HP4 3HY</p>	<p>Whilst welcoming some action on developing this site, I have some concerns about the application itself. My main concerns are the lack of amenity space for the three additional houses fronting Shrublands Avenue; the additional roof light overlooking the gardens of nos. 11 and 9 Shrublands Road; and the inadequate number of parking spaces proposed in an area already full of parking displaced from adjoining roads.</p> <p>However I welcome the demolition of the old, unsightly extensions at the rear of the property, a left-over from the days when it was a residential home. I also find the design and materials of the new-build acceptable, especially as this house is prominent in the Conservation Area and has an A4 Direction on it.</p>
<p>15 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>I object to the above application on the following grounds: Overdevelopment of the site leaving no amenity space whatsoever; The development would therefore impact on the Conservation area; Landscaping. The development would have an impact on trees. The extension would involve the felling of the tree on land belonging to 1 Shrublands Avenue (The Colt House). This tree is not shown on the plans and is the only tree in the Avenue; Parking; the development would result in the loss of perhaps 5 on street parking spaces in an already congested road. This would be exasperated by the increase of the additional dwellings The development would have an adverse impact on 11 Shrublands Road (The Rowans) an Undesignated Heritage Asset; The development would result in overlooking onto 15 Shrublands Road; 13 Shrublands is covered by an Article 4 (2) direction which requires permission to demolish a wall, to provide off street parking;</p>
<p>13 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>We object to this development at the already crowded area at the bottom of Shrublands Avenue:</p> <ol style="list-style-type: none"> 1)It will make road crossing on the routes to the schools and town centre more dangerous. 2)It will negatively impact the already crowded parking on Shrublands Avenue and Shrublands Road. With provision of only 9 spaces for the development, parking will become even more unsafe and crowded for the current residents and visitors. 3)The new development is just cramming as many flats and houses into a small site without sufficient consideration for the local community. 4)Density of properties proposed is not in keeping with the conservation area.
<p>2 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>Planning objections -13 Shrublands Avenue. 4/00134/19/FUL</p> <ol style="list-style-type: none"> 1. The whole development will increase the parking difficulties already experienced by Shrublands Avenue residents. 2. There will be no graduation between the properties deemed worthy

	<p>of preservation and the proposed houses, making the uninvited and enforced preservation an irritation to those subject to it.</p> <p>3. The evidently edited photograph does not reflect the nature of congestion in Shrublands Avenue.</p> <p>4. The same photograph does not show the reality of the abutment with 1 Shrublands Avenue, the abutment will in reality be an eyesore if the existing site boundary wall on Shrublands Avenue is removed.</p> <p>5. There appears to be no amenity provision (garden, courtyard etc.) for what appear to be family accommodations.</p> <p>In principle, the conversion of the existing structures would be acceptable WITHOUT the inclusion of the proposed three new houses.</p>
<p>51 Shrublands Avenue</p> <p>Berkhamsted HP4 3JQ</p>	<p>I object to this planning application for these reasons</p> <p>It is overcrowded and not in keeping with the conservation status of our road.</p> <p>It will negatively impact the parking situation an already crowded street and cause congestion. It will also impact on the safety of the many pedestrians including children walking to and from school every day.</p> <p>We as local residents have not been made aware of this development & have not been consulted publicly. There has been no concern for residents opinions, safety & ability to park.</p>
<p>86 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p>	<p>I object due to concerns over parking in an already very cramped road. More often than not I can't park on my own street which is frustrating, especially with a loaded car. Our baby is due in June and I am really worried about the impact even more traffic will have when loading and unloading him into the car and how far away I will have to park. If residents are unable to park in their own street, this will have knock on effects on nearby streets. Parking shouldn't be the end of day stressor when all you want to do is come home and relax!</p>
<p>67 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p>	<p>I strongly object based on the below comments.</p> <p>1) There will be a large impact to parking on road and surrounding areas. Parking is already very congested and insufficient to meet demand for current houses and facilities, such as the nearby Church.</p> <p>2) The additional volume of cars will increase the dangers of people walking in the area. In particular for the safety of the many children walking to and from the nearby schools.</p> <p>3) The additional volume of cars from the location will increase the problems of driving on the Shrublands Road and Shrublands Avenue junction. This junction is already very busy due to poor visibility and congestion.</p>

	<p>4) The proposal is not in keeping with the conservation area. There are simply too many dwellings planned for a small space. It is very frustrating to see such a proposal when other people in the area are very considerate to observing the conservation planning rules.</p>
<p>1 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>The Colt House, 1 Shrublands Avenue, Berkhamsted, HP43JH (Object)</p> <ol style="list-style-type: none"> 1. Inaccurate drawings and images (layout, scale, height and bulk) 2. Density of proposed housing not in keeping with the area, Proposed build significantly larger than current building. Not suitable to go from a one dwelling property to nine! This proposal is out of proportion to other properties on Shrublands Avenue/Shrublands Road 3. The building looks like it would be erected very close to the boundary of my property and I would question if it is too close to be approved 4. Noise pollution will increase due to number of proposed dwellings on the plot. 5. The three proposed three storey houses will overlook our property and compromise our privacy 6. The local residents have not been made aware of this development & have not been consulted publicly. We have not seen any orange notices on the street 7. Concern over the excavation to allow basement areas and condition of underlying soil/ground on such a severe hill which forms the road (landslip etc) 8. Concern of proximity of proposed excavation to nearby property. How many meters should it be away from the other property please confirm that this will meet all the necessary building regs? It is very close to my boundary and property 9. Potential structural damage to immediate properties subsidence, movement etc. 10. Increase to water table based on proposed excavation 11. Lack of amenity space and notion to remove or compromise mature trees, insufficient outdoor space which is detrimental to the health and well-being of the occupants 12. Concern over the excavation and building process and disruption of the development to highways 13. Underground services water, gas, sewage, telecoms will be effected 14. Health of immediate neighbours, my daughter has a respiratory illness and I don't want her health to be compromised by excessive building works, on a personal note both my children will be sitting exams and the noise and works will affect their revision 15. The proposed change of sky line not suitable 16. I question the roof line conformability 17. Does not harmonise the character of the surrounding areas 18. Insufficient landscaping 19. Loss of sunlight and daylight to our property. Our garden will be overlooked and shadowed by such a huge building 20.

	<p>21. The plan doesn't respect the adjoining property</p> <p>22. Highway and traffic will be significantly impacted, there will be a higher capacity of use on local routes</p> <p>23. Parking is very limited as it is and this proposal will cause a major problem on Shrublands Avenue and Shrublands road, 9 parking spaces is ridiculous, there is likely to be at least 20 more cars around the property based on the proposed plan. Parking on the 3 storey house driveways will be near on impossible to use and turning out onto Shrublands Avenue with tightly parked vehicles either side will not be manageable</p> <p>24. The glazing on the proposed plan (south west elevation) will compromise our privacy and we will be overlooked</p> <p>25. Major impact on the safety of the many pedestrians including children walking to and from school every day. These walking routes are used every day for many children making their way to Greenway Primary school & St Thomas Moore school, residents who use the local church or make their way into the Town centre regularly will also be at risk. Local schools, doctors surgeries and other services are at full capacity already and this development would add a further burden to these vital services.</p> <p>26. The junction at the bottom of Shrublands Avenue is already very busy due to poor visibility and this plan would produce further danger to motorists and pedestrians</p> <p>27. It is clear that the proposed new development is just cramming in as many flats and houses into a small site without sufficient consideration of the interests of the local community. It is simply an opportunity for the developer to make money without any care of the residents.</p>
<p>7 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>The development is too big and over-bearing for the size of the site and not in keeping with the conservation area.</p> <p>The parking in Shrublands Avenue and Shrublands Road is already stretched to its limits with cars parked right up to the corners of both roads making it difficult and dangerous to pull out of or in to Shrublands Avenue - oncoming vehicles and pedestrians who are crossing can not be seen until the last minute. The addition of these 9 flats/houses and associated increased traffic will make the situation even worse.</p> <p>The inclusion of driveways for the three houses will mean that 4 existing parking spaces on Shrublands Avenue will be lost causing even more difficulty for existing homeowners to park.</p> <p>There has been no orange planning notice displayed alerting residence to this application.</p>
<p>61 Shrublands Avenue Berkhamsted HP4 3JQ</p>	<p>Along with the other comments, it should be noted that approx 8 car park spaces will be lost at the bottom of Shrublands Ave / Shrublands Road junction when double yellow lines are added. The breakdown is 4 on Shrublands Road, each side of Shrublands Ave and 2 on each side of Shrublands Ave. A similar number will be lost at the junction of Greenway and Shrublands Ave.</p>

<p>20 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p>	<p>I strongly object to this planning application for the following reasons:</p> <p>It will put increased pressure on parking in Shrublands Avenue where it is already often difficult for residents to find a parking space close to home.</p> <p>The increased number of cars in the area will have a negative impact on the safety of pedestrians, especially children walking to and from school.</p> <p>It is not in keeping with the conservation area.</p> <p>There have been no planning notices that I have seen alerting residents to this application.</p>
<p>11 Shrublands Road</p> <p>Berkhamsted HP4 3HY</p>	<p>Please note that the below referenced document is available, including all illustrations, upon request. We have copied in the text from the document as no ability to upload the file. Many thanks</p> <p>1. INTRODUCTION</p> <p>1.1 My name is Hayden Todd and I am an Associate Director with Aitchison Raffety, Chartered Town Planning Consultants. I have a Bachelor's Degree in Environmental and Resource Planning (Hons) and am a Member of the Royal Town Planning Institute.</p> <p>1.2 I am appointed on behalf of Mr and Mrs Di Cello of the Rowans, 11 Shrublands Road, Berkhamsted, who adjoin the application site and strongly OBJECT to the planning application.</p> <p>1.3 The planning application is for the conversion of the building into six flats and construction of three dwellings at 13 Shrublands Road, Berkhamsted HP4 3HY.</p> <p>2. REASONS FOR OBJECTION</p> <p>2.1 The main concerns with the proposed development relate to the impact on the amenity of the neighbouring occupiers, standard of environment, character and appearance and parking provision.</p> <p>Neighbouring amenity</p> <p>2.2 The National Planning Policy Framework seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p> <p>2.3 Policy CS12 of the Core Strategy aims to protect the amenity of adjoining occupiers and states that development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.</p> <p>2.4 Appendix 3 (iv) of the Local Plan makes clear that "Residential development should be designed and positioned in such a way that a</p>

satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided (see the Building Research Establishment's report 'Site Layout Planning for Daylight and Sunlight' 1991)."

2.5 The proposed dwellings would abut the side common boundary of 11 Shrublands Road and extend almost the full depth of the rear garden. This is clearly an unacceptable relationship and would result in a loss of light and serious level of overshadowing.

2.6 The proposed development would intrude into the 45 degree line of visibility taken from the nearest neighbouring rear ground floor window. This is an established and accepted test for understanding the impact of new development on light to adjoining windows as outlined in the Building Research Establishment's (BRE) Guide "Site Layout Planning" and referenced in the above policy. The proposal would fail this key test and have a significant adverse impact on natural light and outlook. In addition to this, the dwellings would cause a serious level of overshadowing. This is unacceptable and the development cannot be approved.

Proposed scheme would intrude into the 45 degree line of visibility

2.7 The proposed dwellings, which abut the common boundary and extends almost the entire depth of the garden, would have a visually obtrusive and overbearing impact on the occupiers of 11 Shrublands Road. The dwellings would completely dominate the outlook from the adjoining dwelling and garden. The proposal would enclose the garden, creating an oppressive environment that would adversely affect the living conditions and amenity of the occupiers. Furthermore, the proposed dwellings appear to be constructed above the natural ground level, particularly when compared to the key amenity space directly to the rear of number 11, which would exacerbate the overbearing and domineering impact of the proposed development.

2.8 It is acknowledged that the existing building has a rear projection located in close proximity to the adjoining garden. However, the proposed development is higher, closer to the boundary and has a greater rearward projection than the existing flat roofed part single, part two storey extension. The proposed development would therefore have a significantly greater impact on the living conditions of the adjoining occupiers than the existing extension.

2.9 It is important to note that an application for a rear extension to the application dwelling, which was smaller in scale and further from the boundary than the proposed development, was refused permission (4/01974/07/FUL) and subsequently dismissed at appeal. The Inspector raised serious concerns about the impact of this smaller extension on the living conditions of the adjoining occupiers and stated the following:

2.10 The Inspector's comments are relevant to this proposal and are a

material planning consideration that must be taken into account. The Inspector concludes that the proposed development would harm the amenity of the adjoining occupiers and character of the Conservation Area. This provides clear and conclusive evidence that this extension, which is larger than the dismissed scheme, must also be considered unacceptable.

Proposed flank elevation that would abut and extend the full depth of the adjoining garden

The considerably smaller extension, which an Inspector considered to adversely affect the amenity of the adjoining occupiers and the character of the Conservation Area

2.11 The proposed development would introduce a large first floor clear glazed double window in the side elevation of the existing dwelling. The only views from this bedroom window would be directed towards number 11 and into their key amenity space. It is noted that this window would only be located 1.5m from the common boundary, which is significantly less than the 11.5m minimum distance required by Appendix 3 of the Local Plan to avoid overlooking. In addition to this, the only windows in the rear section of the proposed dwellings would be located adjacent to the common boundary and directed towards the opposing outrigger. This unusual and contrived arrangement would direct all views from these bedrooms towards the adjoining garden, which would not protect the privacy of the adjoining occupiers as required by local policy. This unusual window arrangement is an indication of overdevelopment. The proposal would therefore result in an unacceptable loss of privacy, which would add to the intrusive nature of the proposed development.

2.12 The Planning Statement submitted in support of the application does not make a single reference to neighbouring amenity. Had this key material planning consideration been considered in the design process, it is unlikely the proposal would have been submitted in its current form.

2.13 The proposed development would therefore, by reason of its excessive scale, bulk, rearward projection and proximity to the common boundary, result in an unacceptable loss of light, overshadowing, overlooking and overbearing impact, to the detriment of the visual and residential amenity of the occupiers of 11 Shrublands Road, contrary to the provisions of Policy CS12 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

Standard of Environment

2.14 A core planning principle as set out in the National Planning Policy Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policies C12 and C19 of the Core Strategy and Appendix 3 of the

Local Plan.

2.15 The drawings submitted in support of application only illustrate the proposed dwellings having three levels of accommodation. However, the loft space is served by large and prominent flat roof front dormers. This large useable floor space within the loft is clearly intended for habitable accommodation. As the lofts are already served by large flat roof dormers, planning permission would not be required for the conversion of this space into habitable accommodation. The proposal is therefore providing three, four storey family dwellings and needs to be assessed against the appropriate relevant standards.

2.16 The key living areas within the proposed dwellings would be located at basement level. The main source of outlook and light to this entire subterranean floor would be from the north-west facing basement bay windows that would be located less than 1m from the retaining wall at their closest point. The recessed windows would be covered by the ground floor entrance 'bridge' and located less than 2m from the wall. The completely enclosed rooflights would provide minimal natural light and no outlook. The proposed development would not achieve an acceptable standard of environment in this key habitable part of the dwellings where the occupiers are likely to spend a considerable amount of time.

2.17 The first floor rear bedrooms in the proposed dwellings are only served by a single side facing window in the rear section of the room that are directed towards the opposing outrigger on the adjoining property. A single window in the rear section of the bedroom would not provide an acceptable level of outlook or allow for sufficient natural light.

2.18 The proposed development includes entire flats located at basement level which would have poor levels of outlook and natural light.

2.19 The proposed dwellings and flats have no private or communal amenity space, contrary to Appendix 3 of the Local Plan, which states "all residential development is required to provide private open space for use by residents whether the development be houses or flats." It would also fail to achieve the required 11.5m rear garden depths or "a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height."

2.20 The proposed development would not therefore achieve an acceptable standard of environment for the future occupiers, contrary to the provisions of Policies C12 and C19 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

Character and Appearance

2.21 The National Planning Policy Framework seeks a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change. It specifies that

permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. With reference to the historic environment, it states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Development should conserve or enhance the character and appearance of Conservation Areas.

2.22 Policies CS11 and CS12 of the Core Strategy seek to achieve a high standard of design and for new development to respond appropriately to adjoining properties in terms of layout, scale, bulk and materials. Policy CS27 of the Core Strategy requires all development to favour the conservation of heritage assets. It specifies that the integrity, setting and distinctiveness of designated heritage assets will be protected, conserved and, if appropriate, enhanced.

2.23 The site is located within the Charles Street Area of the Berkhamsted Conservation Area, which is characterised by large early 20th Century two storey dwellings. The dwellings are typically set on generously sized and well landscaped plots creating an attractive and verdant character.

2.24 The proposed development would introduce a substantial rear extension to create three, four storey dwellings. The proposed extension would completely dominate the existing building and could not be considered to represent a subservient addition. Whilst not immediately obvious from the computer generated image of the development, the proposal would have large lightwells that extend to the highway edge. The lightwells would reveal the true four storey height of the building, which would not respect the domestic scale of the surrounding development. The large lightwells would also need to be protected by high metal railings that would contribute towards the harsh and visually obtrusive appearance of the proposed development.

2.25 The proposed development, in complete contrast to the character of the surrounding area, would result in a building that extends almost the entire width and depth of the plot. The proposed development would not include any gardens and the only areas of open space would relate to the cluttered car parking areas and hard standing surfaces that surround the substantial building. The proposed building would appear overly cramped in the context of this area and fail to respond appropriately to the surrounding pattern of development.

2.26 As identified above, the proposed development would occupy almost the entire plot with no opportunity for any meaningful landscaping. The enlarged parking layout on the site frontage, which is not illustrated on any of the proposed drawings, would dominate the site frontage and have a cluttered appearance. It would also likely require the removal of all the existing landscaping/hedgerow, which would detract from the attractive and verdant vistas along this part of the road, which contribute to the significance of the area as a heritage asset. The proposed development is an overdevelopment of this plot

and would detract from the visual amenity of the area. It would not achieve an appropriate balance between landscaping and built form.

2.27 The proposed development would, by reason of its excessive size, scale and plot coverage, appear visually obtrusive and cramped, failing to relate acceptably to the surrounding pattern of development and balance between landscape and built form. The proposal would not preserve the character or appearance of the existing building, street scene and surrounding Conservation Area, contrary to the provisions of Policies CS11, CS12 and CS27 of the Core Strategy and the National Planning Policy Framework.

Highway Consideration

2.28 The site is located in an affluent part of Berkhamsted where there are high levels of car ownership. There is also a high demand for on-street parking in the surrounding area. Although not demonstrated on the proposed drawings, the application form specifies that 9 parking spaces would be provided to serve the three 1-bed units, one 2 bedroom unit and five 3 bedroom units (includes the habitable loft space as a bedroom). This would amount to a 5.5 car parking shortage where assessed against the local parking standards. Residents have raised serious concerns that this would be insufficient to serve the proposed development and would increase the demand for on-street parking, which is already at saturation point. Furthermore, in order to provide the three on-site parking spaces to serve the three family dwellings, it would be necessary to remove four on-street parking spaces that the surrounding residents currently use, exacerbating the existing parking problem and potentially compromising highway safety.

High demand for on-street parking

3. CONCLUSION

3.1 The proposed dwellings would abut the common boundary and extend the full depth of the garden. This is clearly unacceptable and would dominate the outlook from the adjacent dwelling and result in a harmful loss of light and overshadowing. The dwellings would also have a visually obtrusive and overbearing impact. These points were recognised by an Inspector for a previously proposed rear extension that was dismissed at appeal. The proposed development would therefore harm the visual and residential amenity of the occupiers of 11 Shrublands Road and cannot be approved.

3.2 The proposed development would introduce habitable windows directly adjacent to the adjoining property, 11 Shrublands Road, resulting in a harmful loss of privacy and overlooking.

3.3 The restricted outlook, low levels of natural light to key habitable rooms, combined with the fact that there is no amenity space, would not provide a satisfactory living environment for the future occupiers.

	<p>3.4 The proposal would not comply with local parking standards. The proposed scheme would result in the loss of 4 on-street parking spaces to provide 3 on-site parking spaces. The proposal will exacerbate an existing parking problem in this part of Berkhamsted.</p> <p>3.5 For the above reasons, the proposal is contrary to adopted planning policies and guidance and we respectfully recommend that planning permission be refused.</p>
<p>43 Shrublands Avenue Berkhamsted HP4 3JQ</p>	<p>We object to the planning application for 13 Shrublands Rd.</p> <p>Given that most families have two cars, and the application is for 9 dwellings overall, even though there is parking included in the planning design it is more than likely that this will not accommodate 18 cars. There is already not enough parking on Shrublands Avenue and current residents often have to park on the surrounding roads (which are also crowded). This is inconvenient especially with young children. The addition of 9 homes to this road would undoubtedly compound the problem of not enough parking on our road.</p> <p>The addition of 9 homes on the corner of Shrublands Road and Shrublands Avenue and the amount of cars and extra traffic that this would bring poses a problem in terms of safety for both pedestrians and motorists. This is a busy juncture, especially in the mornings and afternoons, with commuters driving to work and school and families walking to and from school (many primary age children who are unaccompanied by adults cross Shrublands Rd at this corner to walk up the hill to Greenway School). There will be more traffic for pedestrians to navigate, which means that this already busy corner will be more dangerous. Cars already park all along this corner and it is difficult to see when turning from Shrublands Ave into Shrublands Rd - again, 9 families and their vehicles can only compound this problem.</p>
<p>29 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>I have a number of reasons why I believe that this development isn't acceptable in this location, these are:</p> <p>1. The development is far too dense for the size of plot: The infill development of three houses in the small garden area of No 13 is excessive.</p> <p>2. The proposed three houses have one off street parking space: The allocation of one space per house is unrealistic. Parking space guidelines for new build are generally as follows: Single bedroom or studio unit</p> <p>- 1 per dwelling unit</p> <p>Two bedroom unit</p> <p>- 2 per dwelling unit, to be located within 200 feet of the building</p>

Three or more bedrooms -

2.5 per dwelling unit, to be located within 200 feet of the building

Visitor parking

- 1 for each 5 dwelling units

The planning statement mentions that additional parking will be available on street - this is not possible. The road currently cannot cope with demand from existing residents and the development accesses will reduce the existing number of spaces by approximately 5 cars. There is also a plan in place to insert double yellow lines on both corners of Shrublands Avenue, which will reduce the number of spaces further.

The new parking restrictions are omitted from the planning statement.

(See 5.24 It should also be noted that there are not any parking restrictions to the front of the property which accommodates parking on both sides of the road, equally the parking is unrestricted to the flank of 13 Shrublands Road ascending Shrublands Avenue which also has parking on both sides of the road.)

3. Impact on road safety:

Shrublands Avenue is used twice a day by many Primary aged children to access Greenway School and Thomas More School. Many of the Year 5 & 6 children walk unaccompanied by an adult in preparation for their secondary transfer. The insertion of three extra driveways in close succession together with the increased traffic using the parking area for the flats will increase the risk for these children as well as younger children walking with adults.

4. Conservation area and article 4:

Shrublands Avenue is in the conservation area and currently the majority of the road has an Article 4 order which prohibits existing residents from altering the fronts of their properties. The proposed development includes a dormer in the front aspect of each of the 3 houses. This is completely out of character with the street and many current residents have been refused even escape roof lights to the front of their properties.

(See 5.33 additional comments from pre -planning meeting: The dormers would need to be omitted, as they would appear at odds with the street scene, the use of a limited number of conservation style roof lights may be acceptable. If dormers are required for height, these should be located to the rear roof slope but would need to be obscure glazed to ensure no overlooking to the properties of Shrublands Road).

5. Poor architectural design:

Looking at the floorplans of the proposed three houses, it is evident

	<p>that the light levels inside the properties will be very low and in some areas non existent. This is worse than back-to-back housing.</p> <p>The proposed three houses will have no rear outside space and very limited front outside space. The comments in the planning statements mitigating this are laughable.</p> <p>(See 5.33: The proposal is 20m away from a bus stop and also the playing fields on Shrublands Road. The site is in walking distance to the sports centre, the shops at Gossoms End and to Berkhamsted town centre).</p> <p>6. The very close proximity to neighbouring properties will negatively affect those existing residents - this is unacceptable.</p> <p>7. Planning Statement: It is noted that the MD of the company that has written the planning statement on behalf of the developer was previously Head of Conservation Team at Dacorum Borough Council.</p> <p>To sum up the proposed development of this site is excessive and smacks of property developer greed. I would welcome a sympathetic development of the existing building at 13 Shrublands Road - this building has been empty for far too long, but the infill development will have as serious negative impact on the residents of Shrublands Avenue.</p> <p>I would also like to ask why the official orange notice for this planning permission was not displayed until 28th March 2019.</p>
<p>31 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p>	<p>We object to the proposed development of the site.</p> <p>Whilst some form of development of the property is welcome, this plan appears to give little regard to residents of Shrublands Avenue and Shrublands Road or indeed to future residents of the development in question, where there is very little outside space and a number of dwellings that is excessively disproportionate to the size of the plot.</p> <p>The number of parking spaces allocated will in all likelihood be insufficient and will mean more cars trying to park on street. Parking is already an issue on Shrublands Avenue; it is rare that we get a parking space in front of our house and not unusual to have to park on a neighbouring road. There is a busy church on Shrublands Road, used for a number of activities as well as services, and this too places demand for parking in the immediate area.</p> <p>The density of dwellings is not in keeping with the conservation area.</p> <p>Shrublands Avenue and Shrublands Rd are used by a number of children walking to and from school, and we worry this development would compromise their safety.</p>

15 Shrublands Road Berkhamsted HP4 3HY	<ol style="list-style-type: none"> 1. Loss of light or overshadowing. Proposed build significantly larger than current building. There will be a loss of light to my property. 2. Overlooking/loss of privacy. All upper floor and dormer windows will look directly into our property. 3. Density of buildings not in keeping. 4. Increased noise due to number of proposed dwellings in such a confined area.
2 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH	<ol style="list-style-type: none"> 1. The whole development will increase the parking difficulties already experienced by Shrublands Avenue residents. 2. There will be no graduation, in this conservation area, between the properties deemed worthy of preservation and the proposed houses, making the uninvited and enforced preservation an irritation to those subject to it 3. The abutment with 1 Shrublands Avenue will in reality be an eyesore if the existing site boundary wall on Shrublands Avenue is removed. 4. There appears to be no amenity provision (garden, courtyard etc.) for what appear to be family accommodations. <p>In principle, the conversion of the existing structures would be acceptable WITHOUT the inclusion of the proposed three new houses.</p>
34 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JQ	<p>We are concerned that this is too much development on one small residential site, in particular the construction of 3 additional dwellings.</p> <p>Conversion of the current building into flats with the current car park / drive seems reasonable, however there appears to be no additional parking for these new premises. This will have a large detrimental impact on the road parking which is already at capacity.</p> <p>We are also concerned that these new constructions will affect the character of the conservation area.</p>
Stonycroft 9 Shrublands Road Berkhamsted Hertfordshire HP4 3HY	<p>I write in response to the Amended plans for this application. My views have not changed from those in my comments on the original designs made on 22 March 2019; in fact, if anything they have hardened in my opposition to the plans. The proposals are a gross overdevelopment on the edge of the conservation area, and would adversely affect the amenity of immediately adjacent properties, as well as mine. There is still inadequate parking provision (only 9 spaces for 9 properties) in an area already accommodating displacement from adjoining roads; and the use of all of the site's open space for building cannot be acceptable in an already highly developed area.</p>
35 Shrublands Avenue Berkhamsted Hertfordshire	<p>I'd like to strongly oppose the plans to build 6 flats on Shrublands Avenue.</p> <p>This initiative clearly demonstrates a lack of research into the parking</p>

<p>HP4 3JQ</p>	<p>availability on the street. As house owner on Shrublands Avenue, there's already an issue whereby I'm regularly forced to park a considerable distance from my house.</p> <p>This is going to create real issues. My car has suffered multiple signs of damage due to fellow neighbors attempting to occupy spaces that are simply just too tight. This is, of course, is a result of having too many car owners for the size of the street.</p> <p>There's a universal opinion on the street that this construction work is bad for the neighborhood.</p> <p>I await your response on this subject.</p>
<p>The Rowans 11 Shrublands Road Berkhamsted Hertfordshire HP4 3HY</p>	<p>I am writing in response of the amended plans. Our views have not changed from those in my comments on the original designs and I shall send a follow up email with the previous Chartered Town Planning consultants opinion on this matter that we sought which clearly outlines the various significant reasons for objecting to this proposal. Our opinion on this matter has not changed and has in fact strengthened in our belief this proposal is gross overdevelopment on the edge of the conservation area, and would adversely affect our property. There is still inadequate parking provision in an area that already suffers congestion - in fact there are times we are unable to get our vehicle out of our driveway because of the severe parking congestion not allowing our vehicle to turn safely on to Shrublands Rd. The proposed new townhouses and flats are unacceptably close to the perimeter of our property causing overlooking and significantly impacting the natural light onto our property and the use of all of the site's open space for building cannot be acceptable in an already highly developed area. All of these matters were the reason why this proposal was rejected historically and the circumstances have not changed and see no reason why it should be upheld. Many thanks David & Charlotte</p>
<p>Selattyn Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>This planning application is completely against the character of the local area.</p> <p>It will:</p> <p>Upset all the council tax payers who have already objected to this planning application on several occasions. I see no support for this planning application in the local area at all. Any sensible independent and democratic person can see that this planning application is without merit and exists solely for the profit of a tiny minority at the expense of the local residents. The housing imprint for 13 Shrublands Road can and should be for a self-contained set of flats and only with sufficient onsite parking for those flats. In my view, there should also be garden space to the rear for the well being of those residents as well.</p> <p>This plan will create chaos for local parking in Shrublands Avenue and</p>

Shrublands Avenue. This overdevelopment does not give anything like the necessary amount of parking provision for the proposed new dwellings and cuts into the already over-parked Shrublands Avenue which is itself struggling due to the lack of sufficient parking spaces.

This plan will create a traffic hazard and nuisance on an already dangerous road junction. Shrublands Road and Avenue are routes to schools and town. A large volume of pedestrians cross Shrublands Road at this corner, which is also on a bus route. The council would be signing off a highly dangerous overdevelopment which will put lives at risk. Unless a proper survey of parking and traffic in the area is carried out, there is no due diligence to ascertain the facts. I therefore urge the planning authorities to properly discharge their duties before putting lives at risk. If you do not live in the area, you have no idea of the facts.

This plan will take away light and privacy from nearby properties. It will block daylight from the houses facing which will look directly into those dwellings. This is a serious matter given the impact on health, mental well being and the inevitable light and noise pollution.

This proposal will stick out like a sore thumb and set a precedent that anything goes in a conservation zone. Why should any council tax payer fund or listen to Dacorum planning if they flout their own rules over conservation zones? Clearly, Shrublands Avenue is a controlled planning zone. This plan should therefore be completely consistent with the letter and spirit of that set of planning rules. It is not acceptable to play brinkmanship with this planning application and then restrict other households in the area within conservation area planning restrictions.

This plan will kill two perfectly healthy and much needed trees on the boundary with Colt House. This is ecologically unacceptable in the current climate. Birdlife in the area relies upon trees, as do we for oxygen. There is little green space in Berkhamsted as it is. Where is the survey for the ecological impact of this overdevelopment?

Also, where are the invitations to local residents and objection holders to attend the Dacorum planning session that is considering this application?

Once again this appalling application has bounced back with little notice and no changes or improvements. AND NO ORANGE NOTICE.

For all the reasons stated before in my previous objection I object, I object, I object.

This is a blatant attempt at profiteering without any regard for the character, impact, or the safety of children, passers by and the

	<p>elderly. Parking is already under severe pressure and what right does this application have to take away six much needed parking spaces?</p> <p>The impact on adjoining properties is unacceptable. In terms of light, character, noise, pollution, strain and all the above tick boxes.</p> <p>Shrublands Avenue is a conservation area and this must be upheld. It is not acceptable to constrain the rest of the street while considering repeat overdevelopment applications from this applicant.</p> <p>The removal of parking, light, access safety, facilities, the risk of subsidence this will bring and the impact on all local properties would be severaly adverse, is completely unacceptable and must not be allowed to go ahead.</p> <p>I do not pay Council Tax to have property developers collude in appalling overdevelopment for the benefit of one person while overlooking the needs of Berkhamsted. Schools are overloaded, roads become grid locked, there are already huge developments in the Berkhamsted area, there is no shortage of property. These houses will never be affordable to low income families so let's not pretend this is a solution for anything.</p> <p>Further, this property was converted to a care home. In my view, it should be returned to its original floorplan as no more than six flats with self-contained parking via the current frontage. That is a clear and obvious option which is being avoided due to pure greed.</p> <p>As stated before by several objectors, the technicalities of this application are excessive. It is clearly designed to push the planning regulations to the limit in excavation on a clay hill and excessive height. The frontage is simply not there on Shrublands Avenue. Nor should it be allowed to be.</p> <p>In addition, this Dacorum planning portal has blocked my previous login Id and the consultation period for this application is very short. Again, there is no orange planning notice being displayed.</p>
<p>7 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>These plans have, apparently, been amended although the amendments aren't clear - I can't see the changes. I am concerned that the 30+ objections to the original proposal are no longer visible on the portal and that these will not now be taken into account. My objections remain the same.</p>
<p>42 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JQ</p>	<p>With three dwellings and six flats it could mean an increase of over 12 cars potentially parking on shrublands Avenue. I arrive home from work after 5.30pm and I already find it impossible to park on our road.</p>
<p>39 Shrublands Avenue Berkhamsted Hertfordshire</p>	<p>Me and my family live in Shrublands Avenue and I would like to strongly object to this application.</p> <p>It is a large development that is not in keeping with the surrounding</p>

HP4 3JQ	<p>area. Given we live in a conservation area, I am incredibly surprised at the scope of this planning application and the fact it is being considered. The buildings themselves will look at odds with the surrounding houses and if we continue to grant planning applications that are not in keeping with the look and feel of the conservation area, there is no point us being considered a conservation area.</p> <p>We have personally been through the planning process and, like many of our neighbours, have had to adhere to quite specific conditions because of our conservation area status (this includes changes to items that are not visible from the street). Should this application be granted, this would certainly undermine and raise questions about the planning process.</p> <p>Parking is also a concern. Parking on Shrublands Avenue is already a problem and, at certain times of the day / evening, it is not always possible to park in Shrublands Avenue with cars spilling into Greenway and Shrublands Road. Although this planning comes with 9 parking spaces, this does not solve the problem of tenants with multiple cars and visitors.</p> <p>I hope that these points will be given due consideration.</p>
4 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH	<p>This proposal will have a detrimental effect on this conservation area. The strain in traffic and especially parking in this area is already high and this will put increased pressure on the local residents. The disruption to residents will be considerable and the number of new residents is large although as I understand it no new provision is being made for local amenities such as doctor's surgeries or schools. In short this proposal is ill thought out and is designed primarily as a source of profit for developers rather than a plan that will lead to the improvement of the local community. I strongly object to this proposal.</p>
22 Bridgewater Road Berkhamsted Hertfordshire HP4 1HN	<p>I write on behalf of the Berkhamsted Citizens Association Townscape group of which I am a member. We would like to object to this application on the basis of a) Lack of amenity space. b) Lack of adequate parking with only 9 spaces for 9 dwellings. c) Overdevelopment.</p>
29 Shrublands Road Berkhamsted Hertfordshire HP4 3HX	<ol style="list-style-type: none"> 1. The number of dwellings is too high for the space available 2. The limited space for cars in the development, particularly for the houses, will exacerbate an already difficult - and fraught - parking situation in Shrublands Avenue and the surrounding roads 3. The car parking plans do not take sufficient notice of the sheer number of pedestrians, including children, who frequently cross Shrublands Avenue and walk up Shrublands Avenue. The outcome of this is a potential risk to safety, both for pedestrians and traffic. This is of particular concern with the parking spaces for the houses 4. Little consideration has been given to the residents who will live close by to the development, who will have their privacy markedly reduced and noise levels increased 5. Utter lack of green space within the development, which would be remedied by building fewer dwellings 6. I am unable to find any plans relating to the houses, which show a

	floor plan that includes a front door
84 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JG	<p>Shrublands Avenue is a skinny Victorian Street where parking is already a nightmare and only one car can travel up and down the street. Meaning cars are always reversing up and down and queueing to get up and down the street, which is already risky and not ideal. I have seen many accidents where cars are hitting wing mirrors and scraping the sides of other cars.</p> <p>Bring on some ice and snow and cars are hit and it's even more super dangerous.</p> <p>There is already inadequate parking and the residents are having to park on other streets, causing people to park on curbs and having to walk a long way to get home after using their cars.</p> <p>Building flats does not fit with the Victorian style houses but most importantly is the extra parking and traffic is a danger to the children walking to the local schools in the area - Greenway and St Thomas Moore. Parents who drive their children to the schools already cause chaos each morning and extra traffic and parking needs would create even more danger and pollution on an already packed and over populated street. As a parent my concerns and worry about extra cars, visitors and people are real. Young children on bikes, scooters and crossing roads do not need any more traffic as they make their already quite dangerous journeys to school.</p> <p>This street and the area is already struggling and we can never park near our house as it is. I object strongly to flats being built on Shrublands Avenue and am shocked it's even being considered based on the traffic and problems on this round and surrounding streets. The weekends are a complete nightmare too. A few visitors to the houses round here and the street is blocked and tempers soar. Environmentally adding six more properties in too will be adding more pollution and the need for resources in an already struggling Victorian Street. No thanks.</p>
The Colt House 1 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH	<p>I object to the plan base on my previous comments, the plan doesn't seemed to have changed radically , There are more windows from what I can see which furthers a privacy issue to the other Neighbours properties, the scheme is trying to overdevelop on the land, there is no garden space, parking is directly effected on both Shrublands Road and Shrublands Avenue and the immediate road junction will become even more dangerous for pedestrians and people in vehicles, two gardens will be significantly overlooked and will reduce daylight in those spaces. We have a large conifer tree in our front garden which hasn't been considered in the scheme and will be affected, the depth and height seem to have been increased on the plan. Locals schools, sports facilities , doctors surgeries and other amenities are stretched as it is and this plan will add more pressure on the local area. I have serious concerns about them building underground on a road with a significant slope/gradient, I am concerned about potential subsidence to my property and their existing building.</p> <p>I object to the plan based on my previous comments which are The Colt House, 1 Shrublands Avenue, Berkhamsted, HP43JH (Object)</p> <ol style="list-style-type: none"> 1. Inaccurate drawings and images (layout, scale, height and bulk) 2. Density of proposed housing not in keeping with the area,

	<p>Proposed build significantly larger than current building. Not suitable to go from a one dwelling property to nine! This proposal is out of proportion to other properties on Shrublands Avenue/Shrublands Road</p> <p>3. The building looks like it would be erected very close to the boundary of my property and I would question if it is too close to be approved</p> <p>4. Noise pollution will increase due to number of proposed dwellings on the plot.</p> <p>5. The three proposed three storey houses will overlook our property and compromise our privacy</p> <p>6. The local residents have not been made aware of this development & have not been consulted publicly. We have not seen any orange notices on the street</p> <p>7. Concern over the excavation to allow basement areas and condition of underlying soil/ground on such a severe hill which forms the road (landslip etc)</p> <p>8. Concern of proximity of proposed excavation to nearby property. How many meters should it be away from the other property please confirm that this will meet all the necessary building regs? It is very close to my boundary and property</p> <p>9. Potential structural damage to immediate properties subsidence, movement etc.</p> <p>10. Increase to water table based on proposed excavation</p> <p>11. Lack of amenity space and notion to remove or compromise mature trees, insufficient outdoor space which is detrimental to the health and well-being of the occupants</p> <p>12. Concern over the excavation and building process and disruption of the development to highways</p> <p>13. Underground services water, gas, sewage, telecoms will be effected</p> <p>14. Health of immediate neighbours, my daughter has a respiratory illness and I don't want her health to be compromised by excessive building works, on a personal note both my children will be sitting exams and the noise and works will affect their revision</p> <p>15. The proposed change of sky line not suitable</p> <p>16. I question the roof line conformability</p> <p>17. Does not harmonise the character of the surrounding areas</p> <p>18. Insufficient landscaping</p> <p>19. Loss of sunlight and daylight to our property. Our garden will be overlooked and shadowed by such a huge building</p> <p>20.</p> <p>21. The plan doesn't respect the adjoining property</p> <p>22. Highway and traffic will be significantly impacted, there will be a higher capacity of use on local routes</p> <p>23. Parking is very limited as it is and this proposal will cause a major problem on Shrublands Avenue and Shrublands road, 9 parking spaces is ridiculous, there is likely to be at least 20 more cars around the property based on the proposed plan. Parking on the 3 storey house driveways will be near on impossible to use and turning out onto Shrublands Avenue with tightly parked vehicles either side will not be manageable</p> <p>24. The glazing on the proposed plan (south west elevation) will</p>
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	<p>compromise our privacy and we will be overlooked</p> <p>25. Major impact on the safety of the many pedestrians including children walking to and from school every day. These walking routes are used every day for many children making their way to Greenway Primary school & St Thomas Moore school, residents who use the local church or make their way into the Town centre regularly will also be at risk. Local schools, doctors surgeries and other services are at full capacity already and this development would add a further burden to these vital services.</p> <p>26. The junction at the bottom of Shrublands Avenue is already very busy due to poor visibility and this plan would produce further danger to motorists and pedestrians</p> <p>27. It is clear that the proposed new development is just cramming in as many flats and houses into a small site without sufficient consideration of the interests of the local community. It is simply an opportunity for the developer to make money without any care of the residents.</p> <p>The plan doesn't seemed to have changed radically , There are more windows from what I can see which furthers a privacy issue to the other Neighbours properties, the scheme is trying to overdevelop on the land, there is no garden space, parking is directly effected on both Shrublands Road and Shrublands Avenue and the immediate road junction will become even more dangerous for pedestrians and people in vehicles, two gardens will be significantly overlooked and will reduce daylight in those spaces. We have a large conifer tree in our front garden which hasn't been considered in the scheme and will be affected, the depth and height seem to have been increased on the plan. Locals schools, sports facilities , doctors surgeries and other amenities are stretched as it is and this plan will add more pressure on the local area. I have serious concerns about them building underground on a road with a significant slope/gradient, I am concerned about potential subsidence to my property and their existing building.</p>
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**TOWN AND COUNTRY
PLANNING ACT 1990**

**OBJECTION TO PLANNING
APPLICATION**

**Conversion of building to six
flats, demolition of buildings to
rear and construction of three
dwellings**

**13 Shrublands Road
Berkhamsted
HP4 3HY**

March 2019

**Statement on behalf of
Mr and Mrs Di Cello**

**by
Hayden Todd
BRP (Hons) MRTPI**

**Application Reference
4/00134/19/FUL**

**154 High Street
Berkhamsted
Hertfordshire
HP4 3AT**

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CHARTERED TOWN PLANNING CONSULTANTS

1. INTRODUCTION

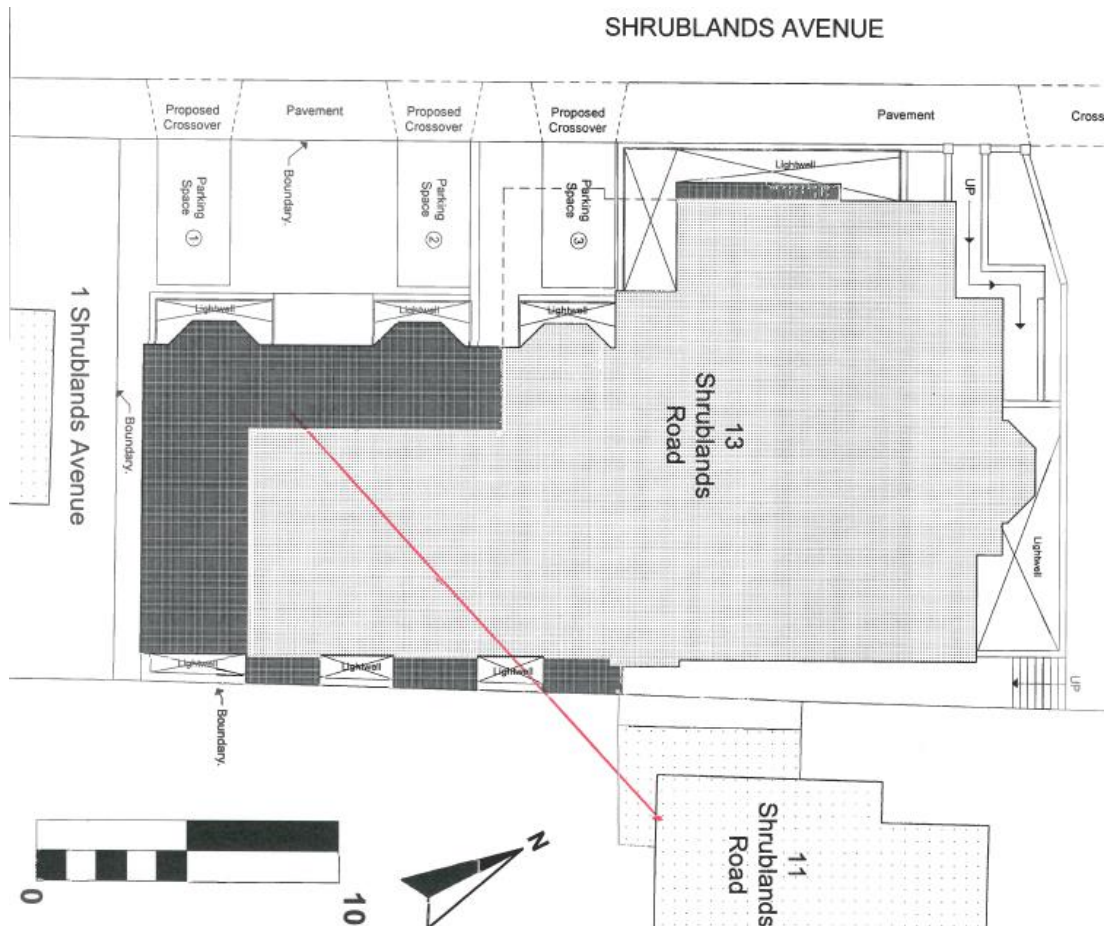
- 1.1 My name is Hayden Todd and I am an Associate Director with Aitchison Raffety, Chartered Town Planning Consultants. I have a Bachelor's Degree in Environmental and Resource Planning (Hons) and am a Member of the Royal Town Planning Institute.
- 1.2 I am appointed on behalf of Mr and Mrs Di Cello of the Rowans, 11 Shrublands Road, Berkhamsted, who adjoin the application site and strongly OBJECT to the planning application.
- 1.3 The planning application is for the conversion of the building into six flats and construction of three dwellings at 13 Shrublands Road, Berkhamsted HP4 3HY.

2. REASONS FOR OBJECTION

- 2.1 The main concerns with the proposed development relate to the impact on the amenity of the neighbouring occupiers, standard of environment, character and appearance and parking provision.

Neighbouring amenity

- 2.2 The National Planning Policy Framework seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 2.3 Policy CS12 of the Core Strategy aims to protect the amenity of adjoining occupiers and states that development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.
- 2.4 Appendix 3 (iv) of the Local Plan makes clear that *“Residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided (see the Building Research Establishment’s report ‘Site Layout Planning for Daylight and Sunlight’ 1991).”*
- 2.5 The proposed dwellings would abut the side common boundary of 11 Shrublands Road and extend almost the full depth of the rear garden. This is clearly an unacceptable relationship and would result in a loss of light and serious level of overshadowing.
- 2.6 The proposed development would intrude into the 45 degree line of visibility taken from the nearest neighbouring rear ground floor window. This is an established and accepted test for understanding the impact of new development on light to adjoining windows as outlined in the Building Research Establishment’s (BRE) Guide *“Site Layout Planning”* and referenced in the above policy. The proposal would fail this key test and have a significant adverse impact on natural light and outlook. In addition to this, the dwellings would cause a serious level of overshadowing. This is unacceptable and the development cannot be approved.



Proposed scheme would intrude into the 45 degree line of visibility

- 2.7 The proposed dwellings, which abut the common boundary and extends almost the entire depth of the garden, would have a visually obtrusive and overbearing impact on the occupiers of 11 Shrublands Road. The dwellings would completely dominate the outlook from the adjoining dwelling and garden. The proposal would enclose the garden, creating an oppressive environment that would adversely affect the living conditions and amenity of the occupiers. Furthermore, the proposed dwellings appear to be constructed above the natural ground level, particularly when compared to the key amenity space directly to the rear of number 11, which would exacerbate the overbearing and domineering impact of the proposed development.
- 2.8 It is acknowledged that the existing building has a rear projection located in close proximity to the adjoining garden. However, the proposed development is higher, closer to the boundary and has a greater rearward projection than the existing flat roofed part single, part two storey extension. The proposed development would therefore have a significantly greater impact on the living conditions of the adjoining occupiers than the existing extension.
- 2.9 It is important to note that an application for a rear extension to the application dwelling, which was smaller in scale and further from the boundary than the proposed development, was refused permission (4/01974/07/FUL) and subsequently dismissed at appeal. The Inspector raised serious concerns about the impact of this smaller extension on the living conditions of the adjoining occupiers and stated the following:

The proposed change of use would be accompanied by extensions to the rear and side of the property to provide additional internal accommodation and roof terraces for the apartments. The property adjoins 11 Shrublands Road to the south east and I viewed the appeal site from the garden of that property. I share the concerns of the occupiers of No. 11 in that the height and proximity of the proposed extensions would create an over-dominant and obtrusively tall vertical elevation to the garden of No. 11, close to the house. This would be harmful to the outlook for that property. The extensions and roof terrace areas would also be visible from public areas in surrounding streets. I think the design and excessive scale of these changes would be overly dominant to the host building and so be harmful to the character and appearance of the wider Berkhamstead Conservation Area.

2.10 The Inspector's comments are relevant to this proposal and are a material planning consideration that must be taken into account. The Inspector concludes that the proposed development would harm the amenity of the adjoining occupiers and character of the Conservation Area. This provides clear and conclusive evidence that this extension, which is larger than the dismissed scheme, must also be considered unacceptable.



Proposed flank elevation that would abut and extend the full depth of the adjoining garden



The considerably smaller extension, which an Inspector considered to adversely affect the amenity of the adjoining occupiers and the character of the Conservation Area

- 2.11 The proposed development would introduce a large first floor clear glazed double window in the side elevation of the existing dwelling. The only views from this bedroom window would be directed towards number 11 and into their key amenity space. It is noted that this window would only be located 1.5m from the common boundary, which is significantly less than the 11.5m minimum distance required by Appendix 3 of the Local Plan to avoid overlooking. In addition to this, the only windows in the rear section of the proposed dwellings would be located adjacent to the common boundary and directed towards the opposing outrigger. This unusual and contrived arrangement would direct all views from these bedrooms towards the adjoining garden, which would not protect the privacy of the adjoining occupiers as required by local policy. This unusual window arrangement is an indication of overdevelopment. The proposal would therefore result in an unacceptable loss of privacy, which would add to the intrusive nature of the proposed development.
- 2.12 The Planning Statement submitted in support of the application does not make a single reference to neighbouring amenity. Had this key material planning consideration been considered in the design process, it is unlikely the proposal would have been submitted in its current form.
- 2.13 The proposed development would therefore, by reason of its excessive scale, bulk, rearward projection and proximity to the common boundary, result in an unacceptable loss of light, overshadowing, overlooking and overbearing impact, to the detriment of the visual and residential amenity of the occupiers of 11 Shrublands Road, contrary to the provisions of Policy CS12 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

Standard of Environment

- 2.14 A core planning principle as set out in the National Planning Policy Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policies C12 and C19 of the Core Strategy and Appendix 3 of the Local Plan.
- 2.15 The drawings submitted in support of application only illustrate the proposed dwellings having three levels of accommodation. However, the loft space is served by large and prominent flat roof front dormers. This large useable floor space within the loft is clearly intended for habitable accommodation. As the lofts are already served by large flat roof dormers, planning permission would not be required for the conversion of this space into habitable accommodation. The proposal is therefore providing three, four storey family dwellings and needs to be assessed against the appropriate relevant standards.
- 2.16 The key living areas within the proposed dwellings would be located at basement level. The main source of outlook and light to this entire subterranean floor would be from the north-west facing basement bay windows that would be located less than 1m from the retaining wall at their closest point. The recessed windows would be covered by the ground floor entrance 'bridge' and located less than 2m from the wall. The completely enclosed rooflights would provide minimal natural light and no outlook. The proposed development would not achieve an acceptable standard of environment in this key habitable part of the dwellings where the occupiers are likely to spend a considerable amount of time.

- 2.17 The first floor rear bedrooms in the proposed dwellings are only served by a single side facing window in the rear section of the room that are directed towards the opposing outrigger on the adjoining property. A single window in the rear section of the bedroom would not provide an acceptable level of outlook or allow for sufficient natural light.
- 2.18 The proposed development includes entire flats located at basement level which would have poor levels of outlook and natural light.
- 2.19 The proposed dwellings and flats have no private or communal amenity space, contrary to Appendix 3 of the Local Plan, which states *“all residential development is required to provide private open space for use by residents whether the development be houses or flats.”* It would also fail to achieve the required 11.5m rear garden depths or *“a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height.”*
- 2.20 The proposed development would not therefore achieve an acceptable standard of environment for the future occupiers, contrary to the provisions of Policies C12 and C19 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

Character and Appearance

- 2.21 The National Planning Policy Framework seeks a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change. It specifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. With reference to the historic environment, it states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Development should conserve or enhance the character and appearance of Conservation Areas.
- 2.22 Policies CS11 and CS12 of the Core Strategy seek to achieve a high standard of design and for new development to respond appropriately to adjoining properties in terms of layout, scale, bulk and materials. Policy CS27 of the Core Strategy requires all development to favour the conservation of heritage assets. It specifies that the integrity, setting and distinctiveness of designated heritage assets will be protected, conserved and, if appropriate, enhanced.
- 2.23 The site is located within the Charles Street Area of the Berkhamsted Conservation Area, which is characterised by large early 20th Century two storey dwellings. The dwellings are typically set on generously sized and well landscaped plots creating an attractive and verdant character.
- 2.24 The proposed development would introduce a substantial rear extension to create three, four storey dwellings. The proposed extension would completely dominate the existing building and could not be considered to represent a subservient addition. Whilst not immediately obvious from the computer generated image of the development, the proposal would have large lightwells that extend to the highway edge. The lightwells would reveal the true four storey height of the building, which would not respect the domestic scale of the surrounding development. The large lightwells would also need to be protected by high metal railings that would contribute towards the harsh and visually obtrusive appearance of the proposed development.

- 2.25 The proposed development, in complete contrast to the character of the surrounding area, would result in a building that extends almost the entire width and depth of the plot. The proposed development would not include any gardens and the only areas of open space would relate to the cluttered car parking areas and hard standing surfaces that surround the substantial building. The proposed building would appear overly cramped in the context of this area and fail to respond appropriately to the surrounding pattern of development.
- 2.26 As identified above, the proposed development would occupy almost the entire plot with no opportunity for any meaningful landscaping. The enlarged parking layout on the site frontage, which is not illustrated on any of the proposed drawings, would dominate the site frontage and have a cluttered appearance. It would also likely require the removal of all the existing landscaping/hedgerow, which would detract from the attractive and verdant vistas along this part of the road, which contribute to the significance of the area as a heritage asset. The proposed development is an overdevelopment of this plot and would detract from the visual amenity of the area. It would not achieve an appropriate balance between landscaping and built form.
- 2.27 The proposed development would, by reason of its excessive size, scale and plot coverage, appear visually obtrusive and cramped, failing to relate acceptably to the surrounding pattern of development and balance between landscape and built form. The proposal would not preserve the character or appearance of the existing building, street scene and surrounding Conservation Area, contrary to the provisions of Policies CS11, CS12 and CS27 of the Core Strategy and the National Planning Policy Framework.

Highway Consideration

- 2.28 The site is located in an affluent part of Berkhamsted where there are high levels of car ownership. There is also a high demand for on-street parking in the surrounding area. Although not demonstrated on the proposed drawings, the application form specifies that 9 parking spaces would be provided to serve the three 1-bed units, one 2 bedroom unit and five 3 bedroom units (includes the habitable loft space as a bedroom). This would amount to a 5.5 car parking shortage where assessed against the local parking standards. Residents have raised serious concerns that this would be insufficient to serve the proposed development and would increase the demand for on-street parking, which is already at saturation point. Furthermore, in order to provide the three on-site parking spaces to serve the three family dwellings, it would be necessary to remove four on-street parking spaces that the surrounding residents currently use, exacerbating the existing parking problem and potentially compromising highway safety.



High demand for on-street parking

3. CONCLUSION

- 3.1 The proposed dwellings would abut the common boundary and extend the full depth of the garden. This is clearly unacceptable and would dominate the outlook from the adjacent dwelling and result in a harmful loss of light and overshadowing. The dwellings would also have a visually obtrusive and overbearing impact. These points were recognised by an Inspector for a previously proposed rear extension that was dismissed at appeal. The proposed development would therefore harm the visual and residential amenity of the occupiers of 11 Shrublands Road and cannot be approved.
- 3.2 The proposed development would introduce habitable windows directly adjacent to the adjoining property, 11 Shrublands Road, resulting in a harmful loss of privacy and overlooking.
- 3.3 The restricted outlook, low levels of natural light to key habitable rooms, combined with the fact that there is no amenity space, would not provide a satisfactory living environment for the future occupiers.
- 3.4 The proposal would not comply with local parking standards. The proposed scheme would result in the loss of 4 on-street parking spaces to provide 3 on-site parking spaces. The proposal will exacerbate an existing parking problem in this part of Berkhamsted.
- 3.5 For the above reasons, the proposal is contrary to adopted planning policies and guidance and we respectfully recommend that planning permission be refused.

Seaton House
15 Shrublands Road
Berkhamsted
HP4 3HY

28 January 2020

FAO: Jason Seed

Ref: Planning Proposal 13 Shrublands Road, Berkhamsted (4/00134/19/FUL)

Dear Sir

I refer to the proposal for the conversion of one building, number 13 Shrublands Road, Berkhamsted, to six flats and 3 terraced dwellings.

I know the site well as I live opposite at 15 Shrublands Road.

I have examined the proposal and I wish to object strongly to the development of these flats and dwellings at this location citing the following reasons:

1. Pre- Application Engagement and Consultation?

We have not been notified that the amended development proposal had been recommended for approval. Has there been a formal consultation? Has due lawful process been followed? We are aware that this is the position of all surrounding neighbours. It was only by chance that a neighbour discovered the plans had been recommended for approval.

See NPFF Paras 39 – 46, 128

2. Overbearing Development

The proposed scheme is overbearing by reason of size, depth, width and height. It will have an unacceptable adverse impact on the amenities of all surrounding properties by reason of overlooking, loss of privacy, and loss of light. This is particularly relevant when it comes to my property, 15 Shrublands Road.

The new properties will be able to see directly into my first floor landing and bedroom (Image 1) In addition, they will look directly into our garden (Image 2 and 3). There will be a significant loss of light and privacy to our property. The proposed development will impact upon our quality of life and is not a good design.

**See Policies CS 11 and 12
NPFF Paras 130, 132,**

View from upstairs landing and bedroom (Image 1)



There will be a loss of light and privacy. The view from side Garden (Image 2)



View from back garden (Image 3)



3. Over Development

There is no garden/green space for any of the flats/dwellings at this property. Practically all outside space is to be sacrificed for the development of the flats and dwellings. This is not in keeping with the character of any of the surrounding properties. **There is no amenity land in this area, as identified on the Berkhamsted Supplementary Planning Guidance 2004.** There is recreation land adjacent to the north side of Shrublands Road, there is discussion about this being converted to astro-turf surfaces. The proposed over development compromises the integrity, setting and distinctiveness the designated conservation area.

The development is in further conflict with Berkhamsted's Area Development Policy. This identifies the dwelling as being in **Berkhamsted's character area BCA5, an area within the conservation zone.** This area is designated as an area of low-density housing. **This proposal is categorically not low density.**

The development does not conserve and enhance Decorum's natural and historic landscape.

See Policies CS 10, 17, 25 and 27

NPFF Para 127 (a, b, c, d, e), 130, 132, 190, 195, 200

4. Parking

Parking in this area, BCA5, was identified as being very heavy in the Berkhamsted Supplementary Planning Guidance 2004. Obviously, it has become considerably heavier since 2004 (the on road parking has recently been reduced further by the addition of double yellow lines on Shrublands Road/Shrublands Avenue junction). There is insufficient parking to provide for the 6 flats and 3 dwellings. The area is dominated by parked cars. The lost parking spaces in front of the new terraced housing will offset the spaces designated for the proposed development. The proposal does not meet the parking standards for the neighbourhood.

**See Policies CS 11 and 12
NPPF Para 102(e), 105,**

5. Mature Trees and Indigenous Scaping

The nature of the proposal will result in the loss of mature trees (there is a particularly magnificent Magnolia tree that will be destroyed). The scale, design and siting will be out of character with the street scene and this part of the Berkhamsted Conservation Area.

The proposal does not protect, conserve or enhance the integrity, setting and distinctiveness of the Berkhamsted Conservation Area. See Policies CS 12, 27 and 29.

The proposal is also contrary to NPPF paras. 127, 130, 184, 193 and 194.

Yours sincerely

Ian McCaul
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