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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 16 MARCH 2023 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

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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 Douris
Councillor C Wyatt-Lowe	Councillor Williams
Councillor Beauchamp (Vice-Chairman)	Councillor Hollinghurst
Councillor Durrant	Councillor Stevens
Councillor Hobson	Councillor Tindall
Councillor Maddern	Councillor Riddick
Councillor McDowell	

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

AGENDA

1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members declare their interest at the beginning of the relevant agenda item and it will be noted by the Committee Clerk for inclusion in the minutes.

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation.

Time per speaker	Total Time Available	How to let us know	When we need to
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	5pm the day before meeting.

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228209 or by email: Member.support@dacorum.gov.uk

The Development Management Committee will finish at 10.30pm and any unheard applications will be deferred to the next meeting.

There are limits on how much of each meeting can be taken up with people having their say and how long each person can speak for. The permitted times are specified in the table above and are allocated for each of the following on a 'first come, first served basis':

- Town/Parish Council and Neighbourhood Associations;
- Objectors to an application;
- Supporters of the application.

Every person must, when invited to do so, address their statement or question to the Chairman of the Committee.

Every person must after making a statement or asking a question take their seat to listen to the reply or if they wish join the public for the rest of the meeting or leave the meeting.

The questioner may not ask the same or a similar question within a six month period except for the following circumstances:

- (a) deferred planning applications which have foregone a significant or material change since originally being considered
- (b) resubmitted planning applications which have foregone a significant or material change
- (c) any issues which are resubmitted to Committee in view of further facts or information to be considered.

At a meeting of the Development Management Committee, a person, or their representative, may speak on a particular planning application, provided that it is on the agenda to be considered at the meeting.

Please note: If an application is recommended for approval, only objectors can invoke public speaking and then supporters will have the right to reply. Applicants can only invoke speaking rights where the application recommended for refusal.

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- (c) 22/03819/ADV - Joint application for full planning permission for 2no. ANPR cameras mounted on a single pole together with modifications to frontage fencing and express consent for 5no. information signs relating to parking control measures (amended scheme) - The Bridgewater Arms Car Park Nettleden Road North Little Gaddesden Berkhamsted Hertfordshire HP4 1PD (Pages 40 - 54)
- (d) 23/00139/FHA - Single storey front extensions and alterations, part two and part single storey rear extension - 31 Cemetery Hill Hemel Hempstead Hertfordshire HP1 1JF (Pages 55 - 60)
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Agenda Item 5a

ITEM NUMBER: 5a

22/02805/FUL	Replacement dwelling	
Site Address:	The Woodlands Wayside Chipperfield Kings Langley Hertfordshire WD4 9JJ	
Applicant/Agent:	Mrs J Whittles	Mr Paul Newton
Case Officer:	Sally Robbins	
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	Contrary view of Chipperfield Parish Council	

1. RECOMMENDATION

That planning permission be **GRANTED** subject to conditions

2. SUMMARY

2.1 The principle of a replacement dwelling within the Green Belt is acceptable in this instance, and the proposed development would make effective use of land. The proposal comprises the demolition of the existing chalet style bungalow and the construction of a two-storey detached dwelling with attached garage. The proposed design would sit comfortably within the surrounding area, noting the varied architectural style within the streetscene. The amenity space and parking provision are considered to be acceptable and, whilst visible from surrounding units, the proposal will not have a significant impact on the living conditions of neighbouring properties.

2.2 The proposal is therefore in accordance with Saved Appendix 3 of the Dacorum Borough Local Plan, Policies CS5, CS10, CS11 and CS12 of the Core Strategy and the NPPF.

3. SITE DESCRIPTION

3.1 The application site is located close to the end of Wayside, which is a private residential cul-de-sac on the eastern edge of Chipperfield. Wayside is an unmade road characterised by a variety of detached dwellings set within substantial plots. The site is situated within the Green Belt.

4. PROPOSAL

4.1 The application seeks full planning permission for the demolition of the existing bungalow and garage and the erection of a two-storey replacement dwelling, with attached garage and associated parking and landscaping.

5. PLANNING HISTORY

Planning Applications:

4/01228/97/FHA - Single storey extension
GRANTED - 3rd September 1997

6. CONSTRAINTS

CIL Zone: CIL2
Green Belt: Policy: CS5
Parish: Chipperfield CP
Parking Standards: New Zone 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - The Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

- Principle of Development
- Quality of Design / Impact on Visual Amenity
- Impact on Residential Amenity
- Impact on Highway Safety and Parking
- Other Material Planning Considerations.

Principle of Development

9.2 The application site is located in the Green Belt, wherein paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate. Paragraph 149 does go on to list a number of exceptions including 149(d): 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.' Regard is also given to Policy CS5 of the Core Strategy, which lists the types of small-scale development that may be permitted in the Green Belt, including the replacement of

existing buildings for the same use, provided that it has no significant impact on the character and appearance of the countryside.

9.3 The proposed dwelling would replace an existing dwelling, and would therefore be in the same use. The main issue is whether the replacement building would be materially larger than the one it replaces. Whilst there is no definition of 'materially larger', regard is given to Saved Policies 22 and 23 of the Dacorum Borough Local Plan as a starting point, which allow for a 30% increase in floor area over and above the size of the original building for extensions. For replacement dwellings, it is generally considered that a good starting point would be the original plus an allowance for any extension that would have been permitted under Policy 22 (i.e. the original + 30%).

Floor Area

Existing = 142

Proposed = 289.8 sqm

Percentage Increase = 104% increase

9.4 However, the increase in floor area is often not entirely representative of the impact on Green Belt openness, and other factors must be taken into consideration such as any increase in volume and height. The volume of the existing building has been given as 240 cubic metres. Volume figures for the proposed dwelling have not been provided, however it is apparent from the submitted floor plans, elevations and site plan that the proposed dwelling would volumetrically be 'materially' larger than the existing dwelling. Furthermore, the height of the existing dwelling is 6m and the proposed dwelling would be 9m (increase in height of 3m), which is considered to be a material increase.

9.5 There are two aspects when assessing the impact of a proposal on Green Belt openness – the first is a spatial assessment (i.e. numerically comparing the increase in floor space, volume, height etc. as above). The second is a visual assessment, i.e. visually would there be built form filling what was once open space or sky gaps? It is noted that in this context the concept of 'openness' is taken to mean the state of being free from built development, the absence of buildings.

9.6 As outlined above, there is some flexibility, however it is considered that the proposed dwelling would be materially larger than the one it replaces both visually (i.e. it would visually fill a gap) and spatially (i.e. in numerical floor area, height and volume terms), therefore fails to comply with paragraph 149 (d) of the NPPF.

9.7 Taking all of the above into account, the proposed development is regarded as inappropriate development and, in accordance with paragraph 147 of the NPPF, should not be approved except in very special circumstances. Paragraph 148 of the NPPF goes on to state that substantial weight should be given to any harm to the Green Belt, and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Very Special Circumstances

9.8 The applicant has submitted the following 'very special circumstances' within the Planning Statement to support the application:

9.9 Flexibility within existing settlements - other properties in Wayside and neighbouring roads, such as Megg Lane have been significantly extended, altered or replaced with much larger dwellings. Examples include: Dellhurst (20/04024/FUL), Wappenham Cottage (4/01212/16/FUL), Orchard Lodge (4/02922/15/FUL), The Birches (4/00180/15/FUL), Hazel Croft 21/00209/FUL).

9.10 Permitted Development (PD) fall-back - the existing property could be extended without planning permission by utilising Permitted Development Rights. Such additions could potentially include 8m rear single storey extensions, single storey side extensions, rear box dormer windows

and additional garage/outbuildings. The applicant has submitted a plan showing the potential PD extensions and outbuildings (drawing no. 2804.PD) with the existing and proposed volume calculations, as shown below. The Statement also notes that recent changes to the GPDO that would allow for additional storeys (Class AA) give householders further opportunities to extend without planning permission (up to 3.5m on a single storey dwelling).

Volume:

Existing = 240 cubic metres

Extensions = 649 cubic metres

9.11 The Planning Statement contends that the existing dwelling is thermally inefficient. The proposed dwelling would be constructed to modern standards and provide a more efficient and sustainable construction incorporating advanced insulation systems and methods of heating and drainage to reduce overall carbon emissions.

9.12 The Statement continues that the proposal will deliver further ecological/biodiversity enhancements including bat boxes/loft and additional wild planting, landscaping and tree management.

Green Belt Planning Balance

9.13 It is considered that the sustainability, environmental and ecological benefits / enhancements outlined above could equally apply to a smaller development. Furthermore, meeting building regulations approval (in terms of energy efficiency and mitigating contribution to carbon emissions) and the provision of biodiversity net gain are minimum requirements. Nonetheless, the wholesale replacement of the dwelling does provide the opportunity for substantial improvements in terms of long-term sustainability; most particularly, thermal efficiency and space heating and is therefore considered that moderate weight should be attributed to sustainability. Biodiversity net gain is a minimum requirement and, whilst these benefits are acknowledged, is given limited weight in this Green Belt assessment.

9.14 In terms of the PD fall-back position, this is a real prospect and is given significant weight in this planning balance. Case law has established that the legal considerations in determining the materiality of a fall-back position as a planning judgement related to the basic principle that for a prospect to be a "real prospect" it does not have to be probable or likely; instead, a possibility will suffice. The existing dwelling remains generally unaltered and it would be possible to extend in various ways that would cumulatively add substantial volume to the dwelling, and would likely have a greater impact on Green Belt openness than that proposed. If planning permission is granted then Permitted Development Rights would be removed in order for the Local Planning Authority to retain control over any further additions / extensions that could potentially cause harm to the Green Belt.

9.15 Furthermore, the examples given within the Planning Statement of other properties within the vicinity that have been significantly extended, altered or replaced with larger dwellings, is given moderate weight, indicating that the Council's control over size is more relaxed within existing settlements, as opposed isolated locations within the countryside.

9.16 Taking all of the above matters into account, the proposed replacement dwelling would constitute 'inappropriate' development within the Green Belt, the harm from which is given substantial weight and should not be approved except in very special circumstances. In accordance with paragraph 148 of the NPPF, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.17 On balance, it is considered that the PD fall-back position of extensions to the original dwelling that could possibly result in a much larger dwelling than currently exists on the site, carries

significant weight. In addition, it is acknowledged that the Council does apply some degree of flexibility within existing settlements rather than isolated locations in the countryside. Furthermore, the sustainability benefits of the scheme is given moderate weight, It is considered that the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is therefore clearly outweighed by other considerations. The proposed replacement dwelling is therefore considered acceptable in principle.

Quality of Design / Impact on Visual Amenity

9.18 Policies CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and paragraph 130 of the NPPF seek to ensure that new developments are visually attractive and integrate with the surrounding area in terms of layout, design, scale and materials. As outlined above, Policy CS5 states that small-scale development will be permitted within the Green Belt, provided that it has no significant impact on the character and appearance of the countryside.

9.19 The surrounding area comprises a variety of dwellings in range of architectural styles and material finishes. The existing dwelling is a detached chalet style bungalow finished in white painted render and plain roof tiles. Wayside is a private road and comprises a mix of single and two-storey detached dwellings in a range of architectural styles and material finishes. The existing dwellings are generally laid out in a traditional linear form, facing Wayside with large, landscaped front and rear gardens.

9.20 In terms of the overall form of the proposed dwelling, it would be two storeys, comprising a simple gable-end roof over an L shaped footprint. To the rear, there would be a single storey projection, also with a gable-end roof form, and there would be a single storey attached garage to the side of the main dwelling. The proposed dwelling would comprise light coloured external render with brick soldier courses above the window openings and plain clay roof tiles. Should planning permission be granted the final details of proposed material would be secured by condition.

9.21 Whilst the application site does not reside within a Conservation Area, or an otherwise sensitive area other than the Green Belt designation, the Council's Conservation and Design Officer has been consulted. They raised concerns regarding the scale and design of the dwelling, stating, "This is an application for a replacement dwelling in the Green Belt. The proposed house is larger than the current bungalow and, being bulkier and 2 storeys, would affect 'openness'. Even then, the very special circumstances which would need then to kick in are not met by exceptionally good design - the house is rendered and largely featureless, with repetitive soldier courses to all the flat arched openings."

9.22 In terms of design, the 'exceptionally good design' referenced by the Conservation Officer would rarely constitute a very special circumstance that would outweigh harm to the Green Belt. The proposed dwelling may not be 'exceptional' in design terms, however it would comprise a traditional built form and would be finished in materials that are similar to the existing dwelling and many other dwellings in the surrounding area, including for example Hillcrest (two storey dwelling with double gables and finished in white painted render) and Wayside Cottage (two storey dwelling with white painted render at first floor level). Essentially, the surrounding area comprises a wide variety of dwellings and it is considered that the proposed dwelling would not have a detrimental impact on the character and appearance of the surrounding area or wider countryside. Furthermore, the existing dwelling is of no architectural or historic merit and therefore there is no objection to its demolition.

9.23 In terms of scale, the dwelling would be larger than the existing bungalow it replaces, however as outlined in the above section, the PD fall-back position has been given significant weight in the planning balance when assessing the principle of a replacement dwelling in this instance.

9.24 The Conservation Officer's comments have been taken into account, however on balance it is considered that the proposed replacement dwelling would assimilate with the surrounding area and

would not have a negative impact on the character and appearance of the countryside. Thus, by virtue of its sympathetic design and complementary materials, the proposed dwelling complies with Policies CS5, CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and paragraph 130 of the NPPF in terms of quality of design and visual impact.

Impact on Residential Amenity

9.25 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space. Thus, proposals should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy.

9.26 The proposed dwelling would be larger in scale than the existing dwelling, with additional bulk at first floor level and side-facing windows. The proposed dwelling would be 3m higher than the existing dwelling, however it would be set down from the neighbouring property Hazel Grove due to the difference in levels. The proposed dwelling would be staggered in relation to Hazel Grove and would be situated further towards the front of the plot than this neighbouring dwelling, situated mostly over the footprint of the existing bungalow.

9.27 In terms of its visual impact on the occupants of Hazel Grove, the proposed dwelling would be bulkier than the existing, however due to the separation distance between properties (4m) it is not considered that the proposed dwelling would be overbearing to an unacceptable degree. Furthermore, the orientation of the site would mean that there is some impact on light provision to the front garden in the morning, however it would not be significant due to the difference in levels (the application site is lower than Hazel Grove). The proposed dwelling would slightly infringe upon a line drawn at 45 degrees from the nearest habitable window (front ground floor bedroom) of Hazel Grove, however given that there is substantial intervening boundary treatment it is not considered that the impact on light provision to this room would be significant. Windrush, which is the other adjoining neighbour, is situated a sufficient distance (11m) from the side elevation of the proposed dwelling. In addition, the proposed dwelling and Windrush would have a similar build line, thus the visual impact on the occupants of this neighbouring dwelling would be limited.

9.28 In terms of overlooking and loss of privacy, there would be a side-facing window at first floor level on the southwest elevation. This would serve a bathroom and it would therefore be reasonable to condition that it is obscure glazed. There would be rear-facing windows at first floor level, facing the rear garden, which would be commensurate with other properties in the surrounding area.

9.29 There are no significant concerns in terms of the impact on light provision, privacy or being visually overbearing. The proposed replacement dwelling complies with the above referenced policies in terms of residential amenity.

Impact on Highway Safety and Parking

9.30 The NPPF, Policies CS8 and CS12 of the Core Strategy and the Parking Standards SPD all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.31 The allocated parking requirement set out in Appendix A of the Parking Standards SPD is 3 spaces for a four-bedroom dwelling within Zone 3. The proposed development would provide two spaces within the garage and there would be further space on the driveway for at least two more vehicles (total provision of at least 4 spaces). The level of parking provision proposed is therefore considered acceptable.

9.32 There would be no changes to the existing access or that would affect the nearest adjacent highway (Langley Road). The Highway Authority has been consulted and raised no objection, noting that Wayside is a private road that is not part of the adopted highway network.

Other Material Planning Considerations

Ecology

9.33 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Furthermore, Core Strategy Policy CS26 seeks to conserve and restore habitats and species.

9.34 A Preliminary Ecological Assessment (PEA) was carried out in March 2022 and established that no signs of bats were found in or around the buildings surveyed. However, some of the features of the existing dwelling had the potential for roosting crevice-dwelling bats (i.e. raised ridge tiles around the chimney). As such, an emergence survey was carried out in July 2022 to ascertain if and which bat species were using the building. The results of the survey were that no bats were observed emerging from the bungalow. Therefore, roosting bats are likely absent from the buildings and are not viewed as a constraint to the proposed demolition of the bungalow.

9.35 However, the survey found that there was a high level of activity throughout the survey from commuting and foraging bats. As such, the PEA recommends that during the construction of the new dwelling there is no night working and no lighting left on at night. Post construction any outdoor lighting, if required, should be low-lux down lighters. These details would be secured by condition. The PEA made other ecological recommendations, including a method statement for breeding birds and ecological enhancements such as the planting of a wildflower meadow.

9.36 An objection was received from the neighbouring property, Hazel Grove, with concerns relating to nesting kites and the presence of a badgers sett within or in close proximity to the site. Whilst the PEA found no evidence of badgers, it did identify a kite nest to the rear of the site. Nesting birds, badgers and other wildlife are protected by separate legislation (Wildlife and Countryside Act 1981), however it is considered reasonable to include informative notes advising the developer on these matters, should planning permission be granted.

9.37 Subject to the inclusion of the above-referenced conditions and informative notes, it is considered that the proposed development would meet the requirements of the NPPF and the Core Strategy in terms of biodiversity and ecology.

Impact on Trees and Landscaping

9.38 Saved Policies 99 and 100 of the Local Plan and Policy CS12 of the Core Strategy seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.39 There are no Tree Preservation Orders or otherwise protected trees within the application site. However, there is a dense area of trees to the rear of the site, as well as mature hedging and boundary treatment that should be protected during construction. A Tree Protection Plan has not been submitted and it is therefore deemed reasonable and necessary to secure one by condition. In terms of landscaping, the scheme has the potential to provide further soft landscaping on site, as well as additional screening, where appropriate. Should planning permission be granted a condition would be recommended requesting further details of proposed landscaping and hard surfacing materials.

9.40 Subject to the above landscaping condition, the proposal is considered to accord with Saved Policies 99 and 100 of the Dacorum Borough Local Plan and Policy CS12 of the Core Strategy.

Waste Management

9.41 Saved Policy 129 of the Dacorum Borough Local Plan seeks to ensure that developments have adequate storage for refuse and recycling. This information has not been provided on the submitted site plan, however there would be sufficient space within the site to store wheelie bins. It is considered that the development could be incorporated into the existing refuse and recycling service and therefore complies with Policy 129.

Habitats Regulations Assessment (HRA)

9.42 As part of its ongoing work to prepare the Local Plan, Dacorum Borough Council is required by law to undertake a Habitats Regulations Assessment (HRA) to understand the impacts that current and planned future growth is having on sites designated under the Habitats and Birds Directive. Evidence gathered to date concludes that the integrity of the Chilterns Beechwoods SAC, particularly at Ashridge Commons and Woods SSSI, is being harmed as a result of public access and disturbance.

9.43 Natural England recognises that there could be a serious potential conflict between the plans for any new housing development in the area surrounding the Chilterns Beechwoods SAC, and the conservation objectives for the protected features there. As such, a mitigation strategy needs to be developed to offset the current harm to the sites.

9.44 The application site resides within the Chilterns Beechwoods 'zone of influence', however it would not result in a net increase in the total number of residential units. Therefore, a project level HRA is not required.

Response to Neighbour Comments

9.45 An objection has been received from the neighbouring property, Hazel Grove, with concerns relating to privacy and ecological impacts. The ecological impacts have been addressed above. In terms of privacy, the concerns relate to overlooking into the neighbour's side-facing kitchen window at ground floor level. The neighbours are concerned that the first and ground floor side-facing and first floor rear-facing windows in the proposed dwelling would cause loss of privacy to this existing window.

9.46 In terms of the first floor side-facing window, this would serve a bathroom and it is therefore reasonable to condition that this window is obscure glazed. In terms of the rear-facing bedroom window, the angle in relation to the existing kitchen window would be oblique (at a 90 degree angle) and at a different level. It is therefore not considered that the level of additional overlooking would be significant from proposed bedroom 2. In terms of the ground floor side-facing windows, these would be separated from Hazel Grove by existing mature boundary treatment, which would be retained. It is therefore not considered necessary to condition that these windows are obscure glazed, notwithstanding the fact that one of the ground floor windows serves a W/C and would likely be obscure glazed to maintain privacy of the proposed dwelling.

Response to Parish Council Comments

9.47 Chipperfield Parish Council initially commented that it 'supports the Conservation Officer's comments'. The case officer queried the Parish Council whether they formally objected and, if so, on what grounds. The response from the Parish Council is that they 'object on the basis of Conservation Officer comments'.

9.48 This is taken to mean that the Parish Council objects on the grounds of the principle of development within the Green Belt and on the grounds of the design on the dwelling.

9.49 As outlined above, it is considered that, whilst the proposed replacement dwelling would be larger than the one it replaces and thus inappropriate development, there are very special circumstances that clearly outweigh the harm to the Green Belt. Furthermore, whilst the proposed dwelling may not be regarded as 'exceptional design', it would nonetheless integrate with other dwellings in the vicinity and would respect adjoining properties in terms of layout, site coverage, scale, height, bulk, materials and landscaping / amenity space, thus complying with Core Strategy Policy CS12 in terms of its visual impact. Furthermore, the proposed replacement dwelling would not have a significant impact on the character and appearance of the countryside, to comply with Core Strategy Policy CS5. The site does not reside within a protected area (other than the Green Belt designation) and therefore the proposed design is considered appropriate and acceptable for this location.

Community Infrastructure Levy (CIL)

9.50 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable and resides within CIL Zone 2.

10. CONCLUSION

10.1 The proposed dwelling would constitute inappropriate development within the Green Belt, however very special circumstances exist that outweigh the potential harm to the Green Belt. Furthermore, by virtue of its layout, design and scale the proposed dwelling would not have a significant impact on the character and appearance of the countryside and will integrate with the character and appearance of other properties on Wayside. There would be no significant impact upon the living conditions of surrounding properties and will provide a good standard of living conditions for future occupants. The proposal would make effective use of land and would meet the requirements in terms of parking provision. The proposal is therefore in accordance with Saved Appendix 3 of the Dacorum Borough Local Plan, Policies CS5, CS10, CS11 and CS12 of the Core Strategy and the NPPF.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

- 2. No development (excluding demolition/ground works) shall take place until details 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.**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

3. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

4. **No development (other than demolition and ground works) shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**
- All external hard surfaces within the site
 - Other surfacing materials
 - Means of enclosure
 - Soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs
 - Refuse and recycling storage units.

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

5. **During the demolition and construction periods of the development hereby approved, no floodlighting, security lighting or other external means of lighting shall be used.**

Reason: To ensure that the lighting is designed to minimise impacts on foraging and commuting bats, on general biodiversity and to avoid unnecessary light pollution in accordance with Policy CS26 and Paragraph 174 of the National Planning Policy Framework (2021).

6. **Any external means of illumination required for the development hereby permitted shall be low-lux downlighters (3 lux maximum) and any security lighting shall not exceed 75w in power. There shall be no illumination of the trees on the site.**

Reason: To ensure that the lighting is designed to minimise impacts on foraging and commuting bats, on general biodiversity and to avoid unnecessary light pollution in accordance with Policy CS26 and Paragraph 174 of the National Planning Policy Framework (2021).

7. **The development hereby approved shall be carried out in accordance with the recommendations and enhancements detailed within the Preliminary Ecological Assessment by 4 Acre Ecology Limited (dated 04/07/2022)**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

8. **The window at first floor level on the south west elevation (shown on drawing no. 2804.31) of the dwelling hereby approved shall be fitted with obscured glass and thereafter retained as such in perpetuity.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

9. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

Schedule 2, Part 1, Classes A, B, C, D and E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS5 and CS12 of the Core Strategy (2013).

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

2804.21 - Location Plan

2804.28 - Proposed Floor Plans

2804.29 - Proposed Roof Plan

2804.30 - Proposed Elevations - Sheet 1

2804.31 - Proposed Elevations - Sheet 2

2804.32 - Proposed Site Plan (Front Area)

Planning Statement (ref. PN/AT/2020.043/Rpt01)

Preliminary Ecological Appraisal by 4 Acre Ecology Ltd dated 04/07/2022

Dusk Bat Emergence Survey by 4 Acre Ecology Ltd dated 08/08/2022

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

Informatives:

1. Nesting birds: All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 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.
2. Protected species: It is an offence to take or disturb the breeding or resting location of protected species, which include: all bats, badger, otter, hazel dormouse, water vole, reptiles (common lizard, slow-worm, grass snake), great crested newt, wild birds and Roman snail. Precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately and advice sought as to how to proceed. This may be obtained from Natural England: 0300 060 3900 or a suitably qualified ecological consultant.
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
6. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	<p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives</p> <p>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development</p>

	<p>and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.</p> <p>Comments</p> <p>The proposal is for the construction of a replacement dwelling at The Woodlands, Wayside, Chipperfield. Wayside is a dead-end private route that is not part of the adopted highway network. There is proposed to be no changes to the adopted highway network. The access is to remain the same. The replacement dwelling is not considered to change the number of trips to and or from the dwelling.</p> <p>As there is no changes to the highway network, HCC Highways would not wish to restrict a grant of permission for this proposal.</p>
Parish/Town Council	CPC: Supports the Conservation Officers comments.
Thames Water	<p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted.</p>
Conservation & Design (DBC)	This is an application for a replacement dwelling in the Green Belt. The proposed house is larger than the current bungalow and, being bulkier and 2 storeys, would affect 'openness'. Even then, the very special circumstances which would need then to kick in are not met by exceptionally good design - the house is rendered and largely featureless, with repetitive soldier courses to all the flat arched openings.
Environmental And Community Protection (DBC)	Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	1	0	1	0

Neighbour Responses

Address	Comments
<p>Hazel Grove Wayside Chipperfield Kings Langley Hertfordshire WD4 9JJ</p>	<p>We have concerns/worries regarding the following and want to bring these to your attention.</p> <p>The rear bedroom window on the right (if looking at the property), will potentially look directly into our side kitchen window thus removing any privacy we currently have,</p> <p>Also the side windows will face directly again into our kitchen window, and take away privacy we currently enjoy.</p> <p>The existing property has no windows affecting our privacy, if the hedge is cut back or removed this will also cause additional privacy issues.</p> <p>Will any of the windows facing our property contain obscure glass to prevent people looking directly into our property?</p> <p>Please also be aware there are currently a pair of kites nesting in a tree in the rear of the garden. The birds have resided there for approximately 5 years and fear this tree may be one that will be removed as part of the development.</p> <p>We also believe there may be badger sett at the rear of the property due to the fact badger tracks seem to lead towards the garden from ours.</p> <p>Please can you consider our concerns regarding this development.</p> <p>Many thanks</p>

ITEM NUMBER: 5b

22/03818/FUL	Installation of 2 ANPR cameras to be mounted on a single pole together with modifications to frontage fencing	
Site Address:	The Bridgewater Arms Car Park Nettleden Road North Little Gaddesden Berkhamsted Hertfordshire HP4 1PD	
Applicant/Agent:	Britannia	Mr William Price
Case Officer:	Laura Bushby	
Parish/Ward:	Little Gaddesden Parish Council	Ashridge
Referral to Committee:	Contrary views to the Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED

2. SUMMARY

2.1 The application seeks to gain permission for the non advertising element of a joint ADV/FUL application.

2.2 The Full Planning Application is for the addition of 2 ANPR cameras mounted on a single *m high pole along with modifications to the frontage of the car park, which include improvements to the existing picket fence. The modifications to the frontage of the car park, and specifically the improvements to the existing fencing, is considered to be a visible public benefit that would overcome the less than substantial harm caused by the addition of the 2 ANPR cameras and associated signage within the car park.

2.3 This application is a resubmission following a previously withdrawn application. The previous application was withdrawn due to concerns raised regarding the less than substantial harm identified without public benefit in accordance with the NPPF paragraph 202.

3. SITE DESCRIPTION

3.1 The site is located within the Rural Area, in the Little Gaddesden Conservation Area. It comprises of a privately owned, car park serving the Bridgewater Arms. The car park to the Bridgewater Arms lies on the west side of Nettleden Road, opposite the grade II public house. The tarmac car park has short lengths of white picket fencing to the roadside and both an access and exit point.

4. PROPOSAL

4.1 Full Planning Consent is sought for the erection of 2 ANPR cameras to be attached to a single pole within the car park, further consent is requested for amendments to the car park frontage, including improvements to the picket fence.

4.2 The application seeks to erect 2 ANPR cameras to one pole within the car park. Details confirm the pole will be painted black, and the previously proposed anti-climb feature has now been removed.

4.3 The modifications to the front of the car park include the extension of the existing low level picket fence, and the removal of redundant existing yellow bollards from various locations within the car park.

5. PLANNING HISTORY

Planning Applications:

22/01036/FUL - Installation of 2 ANPR cameras to be mounted on a single pole.
WDN - 15th December 2022

22/01037/ADV - Display of 5 No. pole mounted information signage in relation to parking control measures
REF - 9th August 2022

22/03819/ADV - Joint application for full planning permission for 2no. ANPR cameras mounted on a single pole together with modifications to frontage fencing and express consent for 5no. information signs relating to parking control measures (amended scheme).

PCO -

4/02106/19/LBC - Installation of replacement illuminated and non illuminated signs to the exterior of the building
WDN - 26th February 2020

4/02054/19/ADV - Installation of replacement illuminated and non illuminated sign to the exterior of the building
WDN - 26th February 2020

4/01521/19/LBC - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to rear of public house,
GRA - 1st August 2019

4/01520/19/FUL - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to Rear.
GRA - 1st August 2019

4/01936/17/LBC - Replace leaking bathroom skylight and surrounding roof slates
GRA - 8th September 2017

4/02270/14/LBC - Rebuild existing lpg tank enclosure with new blast wall and chain link fence
GRA - 22nd October 2014

4/02269/14/FUL - Rebuild existing lpg tank enclosure with new blast wall and chain link fence
GRA - 22nd October 2014

4/02146/13/TPO - Works to horse chesnut and ash tree and felling of 2 spruce Trees.
GRA - 4th March 2014

4/01241/12/DRC - Details of materials as required by condition 2 of listed building consent
4/00721/12 (nternal alterations and refurbishment to include new floor and wall finishes, replacement sanitary wear, additional fixed seating, atm machine, new timber stud partiti
GRA - 15th August 2012

4/00635/12/LBC - Replacement of external Signage.
GRA - 6th June 2012

4/00634/12/ADV - New signage consisting of 2 x fascia signs, 1 x projecting sign, 1 x freestanding sign and name Letters.
GRA - 6th June 2012

4/00721/12/LBC - Internal alterations and refurbishment to include new floor and wall finishes, replacement sanitary wear, additional fixed seating, atm machine, new timber stud partition walls to kitchen and removal and re-use of some doors. Installation of picket fenci
GRA - 8th June 2012

4/00720/12/FUL - Internal alterations and refurbishment. Installation of picket fencing and two 5-bar gates, external waitress station and associated changes to surfacing and landscaping
GRA - 8th June 2012

4/01755/10/FHA - New link to garage
GRA - 10th December 2010

4/02107/06/TCA - Fell trees
RNO - 7th November 2006

4/00776/06/LBC - Replacement soundproofing
GRA - 30th May 2006

4/02258/04/FHA - Two storey side extension and replacement conservatory
GRA - 15th November 2004

4/01635/01/TCA - Fell six trees and prune one tree
RNO - 29th October 2001

4/01032/00/LBC - Alterations to cellar and creation of light well, and storage space to bedroom
GRA - 26th July 2000

4/01031/00/FHA - Alterations to cellar and creation of light well
GRA - 26th July 2000

4/00899/98/FHA - Two storey side extension and replacement conservatory
GRA - 14th July 1998

4/00193/92/LBC - Replacement windows (listed building consent)
GRA - 27th March 1992

4/01653/91/LBC - Internal alterations
GRA - 31st January 1992

4/01684/90/ROC - Deletion of cond.2 of p/p 4/0387/90 (soldier arches details to be constructed as gauged flat brick arches)
GRA - 30th January 1991

4/01577/90/ROC - Deletion of condition no 1 of p/p 4/0387/90 (relating to use of side hung timber barred windows)
GRA - 6th December 1990

4/01032/90/RES - Sub.of details materials pursuant to p/p 4/0387/90 (one dwelling)

GRA - 31st July 1990

4/00887/90/RES - Submission of reserved matters (materials) pursuant to p/p 4/2077/88 (one dwelling)

REF - 27th June 1990

4/00387/90/RES - Submission of reserved matters pursuant to p/p 4/2077/88 (one dwelling)

GRA - 21st June 1990

4/01358/89/RES - Sub.of reserved matters pursuant to p/p 4/2077/88 (one dwelling)

GRA - 7th November 1989

19/02978/ADV - Installation of replacement illuminated and non illuminated signs to the exterior of the building.

WDN - 21st January 2020

19/02982/LBC - Installation of replacement illuminated and non illuminated signs to exterior of building

WDN - 21st January 2020

22/03819/ADV - Joint application for full planning permission for 2no. ANPR cameras mounted on a single pole together with modifications to frontage fencing and express consent for 5no. information signs relating to parking control measures (amended scheme).

PCO -

4/0494/78 - Historic File Check DMS for Documents and Further Details

DET - 14th June 1978

4/0998/78 - Historic File Check DMS for Documents and Further Details

DET - 1st September 1978

4/02106/19/LBC - Installation of replacement illuminated and non illuminated signs to the exterior of the building

WDN - 26th February 2020

4/02054/19/ADV - Installation of replacement illuminated and non illuminated sign to the exterior of the building

WDN - 26th February 2020

4/01521/19/LBC - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to rear of public house,

GRA - 1st August 2019

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GRA - 1st August 2019

4/01936/17/LBC - Replace leaking bathroom skylight and surrounding roof slates

GRA - 8th September 2017

4/02270/14/LBC - Rebuild existing lpg tank enclosure with new blast wall and chain link fence

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GRA - 22nd October 2014

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GRA - 4th March 2014

4/01241/12/DRC - Details of materials as required by condition 2 of listed building consent
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GRA - 8th June 2012

4/01755/10/FHA - New link to garage
GRA - 10th December 2010

4/02107/06/TCA - Fell trees
RNO - 7th November 2006

4/00776/06/LBC - Replacement soundproofing
GRA - 30th May 2006

4/02258/04/FHA - Two storey side extension and replacement conservatory
GRA - 15th November 2004

4/01635/01/TCA - Fell six trees and prune one tree
RNO - 29th October 2001

4/01032/00/LBC - Alterations to cellar and creation of light well, and storage space to bedroom
GRA - 26th July 2000

4/01031/00/FHA - Alterations to cellar and creation of light well
GRA - 26th July 2000

4/00899/98/FHA - Two storey side extension and replacement conservatory
GRA - 14th July 1998

4/00193/92/LBC - Replacement windows (listed building consent)
GRA - 27th March 1992

4/01653/91/LBC - Internal alterations
GRA - 31st January 1992

4/01684/90/ROC - Deletion of cond.2 of p/p 4/0387/90 (soldier arches details to be constructed as gauged flat brick arches)
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4/01577/90/ROC - Deletion of condition no 1 of p/p 4/0387/90 (relating to use of side hung timber barred windows)
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4/01032/90/RES - Sub.of details materials pursuant to p/p 4/0387/90 (one dwelling)
GRA - 31st July 1990

4/00887/90/RES - Submission of reserved matters (materials) pursuant to p/p 4/2077/88 (one dwelling)
REF - 27th June 1990

4/00387/90/RES - Submission of reserved matters pursuant to p/p 4/2077/88 (one dwelling)
GRA - 21st June 1990

4/01358/89/RES - Sub.of reserved matters pursuant to p/p 4/2077/88 (one dwelling)
GRA - 7th November 1989

Appeals: None

6. CONSTRAINTS

Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL1
Little Gaddesden Conservation Area
Parish: Little Gaddesden CP
RAF Halton and Chenies Zone: Red (10.7m)
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
Rural Area: Policy: CS7
Parking Standards: New Zone 3
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS7 – Rural Area
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
S12 - Quality of Site Design
CS24 – Area of Outstanding Natural Beauty
CS27 – Quality of Historic Environment
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The application site falls within the designated Rural Area. Policy CS7 of the Core Strategy (2013) sets out what uses are acceptable in this area and includes (e) social, community and leisure uses. It goes on to state that '*small-scale development will be permitted for the above uses provided that: i. it has no significant impact on the character and appearance of the countryside; and ii. It supports the rural economy and maintenance of the wider countryside.*'

9.3 The application relates to works within the car park of a well-established public house, which is a community facility and as such small scale development associated with the use is acceptable. By virtue of the scale of the development it is considered limited, with the elements being considered comprising only the addition of 2 ANPR cameras onto a single pole, and the extension of an existing low level picket fence to the front of the site.

9.4 It is considered that the limited scale of the development is such that it is in accordance with Policy CS7 of the Core Strategy, subject to a detailed assessment of the impact on the character and appearance on the wider countryside.

Impact on Visual Amenity and Little Gaddesden Conservation Area

9.5 Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2021) all seek to ensure that any new development/alteration respects or

improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities should have special regard to preserving the setting of listed buildings. This requirement should be given great weight in the planning process. The impact of the development proposals on local conservation areas must also be assessed as required by section 72(1) of the Act.

9.7 Paragraph 199 of the Framework states that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development. Policy CS27 requires development to protect, conserve and where appropriate enhance the integrity, setting and distinctiveness of heritage assets.

9.8 This application has sought to address concerns previously raised by the Conservation Officer in relation to a previous scheme. This includes amendments to the design of the advertising signs (as assessed through the advertising consent application XXX), the removal of numerous redundant yellow poles within the car park, and the painting of the pole on which the ANPR cameras will be attached (to black).

9.9 The Conservation Officer concludes that whilst the set-back location of the pole well within the car park means it is not overly intrusive within the street scene, it does introduce a suburban feature into this picturesque village within the Chilterns AONB such that the pole with attached cameras does result in less than substantial harm to the character, appearance and historic significance of this part of the Conservation Area.

9.10 In accordance with Paragraph 202 of the NPPF where less than substantial harm is caused, this harm must be weighed against any public benefits. A mitigating factor in this application that was not present in the previous application is the addition of the improvements to the car park frontage, through the extension of the white picket fence, the removal of the yellow bollards and the painting of the remaining bollards to white. These improvements are considered sufficient to outweigh the harm identified, such that coupled with the introduction of the 2 ANPR cameras, the overall impact on the Conservation Area and AONB is neutral. As such the Conservation Officer found that the proposal will preserve the significance of the Little Gaddesden Conservation Area and is therefore in accordance with the NPPF and Policy CS11, CS12 and CS27 of the Core Strategy.

Impact on Area of Outstanding Natural Beauty

9.11 Policy CS24 of the Core Strategy seeks to ensure the special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved. The scarp slope will be protected from development that would have a negative impact upon its skyline. Development will have regard to the policies and actions set out in the Chilterns Conservation Board's Management Plan and support the principles set out within the Chilterns Buildings Design Guide and associated technical notes.

9.12 As set out, the proposed cameras are set on a single pole which is set well back within the car park and is now to be painted black to reduce its visual impact. The pole would not look that dissimilar to the existing black pole of the pub sign and when viewed from the main road through the village it would be viewed against the backdrop of the mature trees behind and it which would also lessen its impact. On balance the proposals are considered to preserve the special qualities of the area.

9.13 The Chiltern Conservation Board were consulted on this application and have no comment. Whilst they raised concerns regarding the previous submission, they note the proposal has been

considerably revised, they did not feel it necessary to provide further comments and advised they would support the LPA and Parish Council in the decision reached.

Impact on Residential Amenity

9.1 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way visual intrusion, loss of light and privacy.

9.15 Given the nature of the proposals, and the location of the works in relation to residential properties, it is not considered that the proposals would have an adverse impact on the residential amenities of the neighbouring properties by way of loss of light, privacy or causing visual intrusion. As such the application is in accordance with Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy

Impact on Highway Safety and Parking

9.1 Hertfordshire County Council, as Highway Authority, were consulted in relation to the accompanying advertising application. Whilst not specifically relevant to this application, it should be noted that they have assessed the amendments to the car park and they have not raised any concerns to these works.

9.17 It is noted that the recent addition of parking restrictions and the ANPR cameras has caused the displacement of vehicles onto the nearby road network and this has evidently had an impact on traffic flow through the village (as non-patrons could previously park within the public house car park but can no longer do so and thus have been forced to park elsewhere). However, it is important to note that the car park is private land, not maintained at public expense and is a private car park for the use of patrons of the public house. Its use by non-patrons prevents it use by patrons. Given it is privately owned, whilst local residents have for many years benefitted from being able to park unrestricted, the car park could be closed or restricted at any time outside the control of the Local Planning Authority.

9.18 The proposals themselves do not result in harm to the safety or operation of the adjacent highway network and thus comply with Policies CS8 and CS12 of the Core Strategy.

Little Gaddesden Parish Council

9.19 The Parish Council have objected to the application with three main reasons for doing so and have set out how they consider these concerns could be addressed. It is reasonable to address each of these in turn

Permitted Development

9.20 The Parish Council feel that the removal of the yellow bollards are a key element in making this application acceptable, however note that the applicant could reinstate the bollards under permitted development once the application has been approved.

9.21 In response, whilst the removal of the redundant yellow bollards, and the painting white of any remaining, will help to improve the overall look of the car park, it is not considered reasonable or necessary to remove permitted development, or to apply an Article 4 direction. The application if approved, will include a condition that will ensure the redundant poles and bollards removed, and

the remaining bollards painted the correct colour and the fence extended within a set time period, it will also prevent the re-erection of any bollards.

Car Park Site plan

9.22 Concerns have been raised regarding the use of a car parking space in front of the public footpath which starts at the Car Park. The applicant as owner of the car park is able to utilise the space as they wish. Access to the public footpath, must be retained and not obstructed. The proposed plan would not obstruct the footpath as users could navigate around a vehicle parked in this space.

Cameras

9.23 The Parish Council have raised concerns regarding the range of the cameras, and the extent to which they are able to pick up people on Nettleden Road. Whilst the siting of the cameras and the pole upon which they are attached would fall within the control of the Local Planning Authority, the focal range of the camera would not.

9.24 On balance, whilst the Parish Councils objections are noted, this issue would need to be addressed directly with the applicants.

Response to Neighbour Comments

9.25 No neighbour comments have been received specifically in relation to this application. However, an objection raised on the accompanying advertising application, also relates to this application. It raises concerns regarding the impact of the cameras and the parking signs on detracting non-patrons from parking in the pub car park and therefore displacing them onto the road.

9.26 Whilst concerns regarding the safety of the road network are taken seriously, as outlined in the highway safety section above, this is not a planning consideration as the pub car park has always been for the express use of patrons of the pub. The Car park is privately owned such that non-patrons do not have the right to park there.

10. CONCLUSION

10.1 To conclude the principal consideration in this application is the impact of the insertion of 2 ANPR cameras on a single pole, painted black in a car park within Little Gaddesden Conservation Area. The proposals result in less than substantial harm to the conservation area. The proposed alterations and improvements to the frontage of the car park through the removal of the bollards and extended picket fence however are welcomed and on balance, do overcome the less than substantial harm caused to the heritage assets (conservation area and setting of listed building).

11. RECOMMENDATION

11.1 That planning permission be GRANTED

Condition(s) and Reason(s):

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

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

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

**Proposed Site Plan - 002
Proposed Elevations - 004
Proposed Signage - 005
Heritage Statement
Design and Access Statement
Location Plan**

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

3. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form, and approved plans.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. **Within three months of the date of this decision all bollards other than those shown for retention on drawing numbers 002 and 004 shall be permanently removed from the site. The bollards shown for retention on drawing number 004 and 002 will be painted white and thereafter maintained as such. No bollards other than those approved as part of this application shall be erected.**

Reason: To protect the special characteristics of the Little Gaddesden Conservation Area in accordance with Policy CS12 and CS27 of the Core Strategy.

5. **Within 3 months of the date of this decision the existing picket fence to the front of the car park shall be extended in accordance with drawing numbers 004 and 002 and thereafter maintained as such.**

Reason - to safeguard the character, appearance and historic significance of this part of the Little gaddesden Conservation Area in accordance with Policies CS11, CS12 and CS27 and the NPPF.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
The Chiltern Society	<p>Thank you for consulting the Chilterns Conservation Board (CCB) on this application. The CCB commented on the preceding application (22/01036/FUL) on 6th June.</p> <p>We can see that the proposal has been considerably revised. The CCB would not propose to comment further and would be very content for the Local Planning Authority and the Parish Council to review the amended</p>

details and consider accordingly.

Previous comments

For ease of reference we set out our comments on the previous application below.

CCB Comments.

Thank you for consulting the Chilterns Conservation Board (CCB). We would propose to submit brief comments on this application.

The location is sensitive, being both within the conservation area and the AONB and therefore various duties will apply, notably the preservation and / or enhancement of the conservation area (section 72 duty in the Planning Listed Buildings and Conservation Areas Act 1990) and the conservation and enhancement of the special qualities of the AONB (section 85 of the Countryside and Rights of way Act 2000).

We acknowledge that the application is small in scale, but the current proposal is very urban in character and the proposed signage positively detracts from the charm and character that emanates from the Bridgewater Arms and the wider AONB/Conservation area.

The 2019 AONB Management Plan contains two policies which we commend to the Local Planning Authority as DP7 Only support development that is of the highest standards of design that respects the natural beauty of the Chilterns, the traditional character of Chilterns vernacular buildings, and reinforces a sense of place and local distinctiveness. Require a Design and Access Statement to accompany every application, explaining how it complies with the Chilterns Buildings Design Guide.

DP13 Support opportunities for enhancing the AONB by removing derelict or detracting developments and infrastructure.

Supporting text - There are some places in the AONB where buildings and structures like pylons, rail gantries, telecoms masts, television masts, waste sites, minerals sites, and farm infrastructure have scarred the beauty of the Chilterns. The removal of unsightly structures can help restore beauty and rural character. Infrastructure providers should remove all redundant masts and equipment. We welcome continued investment in undergrounding overhead electricity lines in the AONB and recommend that that all new supplies should be undergrounded unless there are ecological or archaeological constraints to this.

The CCB as a Conservation Board established by the CROW Act 2000 enjoys two principal duties to, first, have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding

	<p>natural beauty, and the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty. A secondary duty exists to foster the economic and social well-being of local communities. Policy SP5 of the Management Plan (in the social and economic wellbeing chapter) sets out to, 'Retain and promote community facilities, including shops, pubs, public and community transport, and encourage them where there are gaps in provision'</p> <p>In the delivery of these various duties and policy objectives the CCB will promote local facilities, such as pubs and local shops. In this application the design approach promoted requires a 'light touch' without lots of visual clutter. The position taken by the Parish Council is eminently reasonable and sets out a way forward. We fully understand the occupiers need to run their business. This need can be appropriately balanced with fewer signs and a far less urban influenced design. The existing yellow mounted poles are best removed, and any parking warning signs most appropriately located at ground level, most appropriately in a simple design. If parking regulations require a detailed explanation of the legal framework that applies, then one detailed sign could be located at ground level and within the picket fencing, visible as the driver / patron walks towards the road and then the pub.</p> <p>We promote a holistic review as to what is needed and amendments will be required. Aware of the duty in the CROW Act to increase 'the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty' we readily acknowledge the importance of maintaining and promoting businesses such as The Bridgewater Arms. This must be balanced with the wider duties of protection as directed to the special qualities of the AONB. If residents and visitors can use this car park and contribute to the livelihood of the business, then this is to be encouraged. A discussion around how that can best be managed would be an appropriate matter for the Parish Council and the applicant to take forward. We have no evidence to offer on this but if visitors to the AONB use the car park and then the pub, then this should be facilitated and even promoted by the management of the car park.</p> <p>We hope that these comments will be of assistance. In conclusion we would promote design amendments to reduce and remove visual clutter, the overall simplification of the design treatment and some consideration of management to promote AONB visitors using the car park and the pub, combined.</p>
Conservation & Design	The car park to the Bridgewater Arms Car park lies on the west side of

(DBC)	<p>Nettleden Road, opposite the grade II public house. The tarmac car park has short lengths of white picket fencing to the roadside and both an access and exit point.</p> <p>Various signs, bollards and an ANPR camera were added within the car park in 2022 to control parking for the public house. Following concerns raised by Conservation and the Parish Council / local residents the proposals have been modified.</p> <p>The 2 ANPR cameras are to be mounted on a black painted pole (with white painted base) in the centre of the car park. The anti-climb feature has been omitted. Due to its position within the car park the pole it is not overly intrusive within the street scene but nonetheless does introduce a rather suburban feature into this picturesque village within the Chilterns AONB.</p> <p>As part of the proposals the white painted picket fence along the site frontage is to be extended, allowing for the removal of yellow painted bollards. Remaining bollards are to be painted white to match the fence. This tidies up the existing boundary treatment to the car park and will represent an enhancement to the Conservation Area.</p> <p>As a whole, the ANPR camera, coupled with enhancements to the car park frontage will preserve the significance of the Little Gaddesden CA in accordance with the NPPF and policy CS27, no objection.</p> <p>22/03819/ADV Bridgewater Arms Car park, Nettleden Rd North, Little Gaddesden Joint application for full planning permission for 2no. ANPR cameras mounted on a single pole together with modifications to frontage fencing and express consent for 5no. information signs relating to parking control measures (amended scheme).</p> <p>The car park to the Bridgewater Arms Car park lies on the west side of Nettleden Road, opposite the grade II public house. The tarmac car park has short lengths of white picket fencing to the roadside and both an access and exit point.</p> <p>Various signs, bollards and an ANPR camera were added within the car park in 2022 to control parking for the public house. Following concerns raised by Conservation and the Parish Council / local residents the proposals have been modified.</p> <p>The 2 ANPR cameras are to be mounted on a black painted pole (with white painted base) in the centre of the car park. The anti-climb feature has been omitted. Due to its position within the car park the pole it is not</p>
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	<p>overly intrusive within the street scene but nonetheless does introduce a rather suburban feature into this picturesque village within the Chilterns AONB.</p> <p>As part of the proposals the white painted picket fence along the site frontage is to be extended, allowing for the removal of yellow painted bollards. Remaining bollards are to be painted white to match the fence. This tidies up the existing boundary treatment to the car park and will represent an enhancement to the Conservation Area.</p> <p>The 2 information signs to the frontage of the site have been improved in terms of design and appearance and are set within a black painted steel frame.</p> <p>The 3 signs within the car park are fixed to black painted posts and are more sympathetic in appearance than those previously installed.</p> <p>The ANPR camera and signage does add a more suburban character to this part of Little Gaddesden village, however the extension of the existing painted picket fence (strengthening the boundary treatment to the car park) and removal of bollards will provide an enhancement to the Conservation Area.</p> <p>On balance the proposals will preserve the significance of the Little Gaddesden CA in accordance with the NPPF and policy CS27, no objection.</p>
Hertfordshire Highways (HCC)	<p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives</p> <p>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before</p>

construction works commence.
 Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences.aspx> or by telephoning 0300 1234047.

AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
 Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments
 The proposal is for the installation of 2 ANPR cameras to be mounted on a single pole at The Bridgewater Arms Car Park, Nettleden Road North, Little Gaddesden. Nettleden Road North is a classified C local distributor route that is highway maintainable at public expense.
 The new cameras are not near the road network and are fully within the site. The cameras and poles will not block the visibility splays of the junction nor will they inhibit the movement within the car park.
 Therefore HCC Highways would not like to restrict a grant of permission

	<p>for the application subject to the inclusion of the above informatives.</p>
<p>Parish/Town Council</p>	<p>Planning Applications 22/03818/FUL and 22/03819/ADV Bridgewater Arms Car Park Nettleden Road, Little Gaddesden ,Berkhamsted ,Herts HP4 1PD</p> <p>We are receipt of copies the Planning Applications together with accompanying documents and plans relating to the aforementioned and would respond as follows.</p> <p>We have been liaising with Savills acting on behalf of Britannia Parking Ltd and have reached in the main agreement re the Planning Applications referenced above .However we cannot recommend approvalsfor the reasons referenced hereunder</p> <p>Permitted Development Rights.</p> <p>" In reaching agreement Savills have made concessions but in the main these relate to matters that were allowed under their Permitted Development Rights e.g. the removal of the posts currently painted yellow.</p> <p>" These concessions are fundamental to Little Gaddesden Parish Council decision making process in reaching an agreement with the Applicant</p> <p>" These concessions can be reversed at any time (even immediately after the planning Consents are granted) It is at the core of any agreement that these reversals cannot not take place</p> <p>To safe ensure Little GaddesdenParish Council's Position re the permitted development rights is protected we would require but not limited to :</p> <p>1) Conditioning on the Planning Consents</p> <p>or</p> <p>2) Article 4 Directions applied</p> <p>Car Park Site Plan</p> <p>An area currently hatched yellow on site is shown on the submitted</p>

	<p>plans as a car parking space. It was agreed with the applicant that this area should be kept clear as for not doing so would result in access on to the Public Foot Path at the rear of the carpark being obstructed.</p> <p>Cameras</p> <p>1) The Cameras as specified will have a focal range of 80m. Such range will be an intrusion into the privacy of residents in the immediate area together with highway activities generally</p> <p>2) Despite being assured that monitoring will be purely visual it has been noted that the Cameras have an audio facility.</p> <p>Recommendation</p> <p>The planning applications submitted to Little Gaddesden Parish Council are unacceptable for the reasons stated in the forgoing. The Parish are however prepared to withdraw their objections if:</p> <p>1) The Permitted Developments Rights are removed. We cannot over estimate the importance of this condition as without such a condition the applicants can carry a variety of works at their sole discretion without Dacorum Borough Council and/or the Parish Council having any control over such works.</p> <p>2) The camera range is permanently reduced so as to limit it to monitoring activities only within the Bridgewater Arms Car Park and the cameras restricted to visual activities only and the audio equipment removed.</p> <p>3) The car parking space located at rear of the car park currently hatched yellow to be shown as an open area on the application plan .</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
18	0	0	0	0

Neighbour Responses

Address	Comments
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Agenda Item 5c

ITEM NUMBER: 5c

22/03819/ADV	Joint application for full planning permission for 2no. ANPR cameras mounted on a single pole together with modifications to frontage fencing and express consent for 5no. information signs relating to parking control measures (amended scheme).	
Site Address:	The Bridgewater Arms Car Park Nettleden Road North Little Gaddesden Berkhamsted Hertfordshire HP4 1PD	
Applicant/Agent:	Britannia	Mr William Price
Case Officer:	Laura Bushby	
Parish/Ward:	Little Gaddesden Parish Council	Ashridge
Referral to Committee:	Contrary views of the Parish Council	

1. RECOMMENDATION

That Advertisement Consent be GRANTED subject to conditions

2. SUMMARY

2.1 The application seeks to gain permission for the advertising element of a joint ADV/FUL application.

2.2 It is a resubmission following a previously refused application. The previous application was refused under delegate powers due to the application resulting in harm to the conservation area. The amended scheme is submitted as a joint application. The associated Full Planning Application is for the addition of 2 ANPR cameras mounted on a single pole along with modifications to the frontage of the car park, which include improvements to the existing picket fence. The modifications to the frontage of the car park, and specifically the improvements to the existing fencing, is considered to be a visible public benefit that would overcome the less than substantial harm caused by the proposed signage within the car park.

3. SITE DESCRIPTION

3.1 The site is located within the Rural Area, and in the Little Gaddesden Conservation Area. It comprises of a privately owned, car park serving the Bridgewater Arms public house. The car park to the Bridgewater Arms lies on the west side of Nettleden Road, opposite the grade II public house. The tarmac car park has short lengths of white picket fencing to the roadside and both an access and exit point.

4. PROPOSAL

4.1 Advertisement consent is sought for five signs relating to parking control measures. This is an amended scheme, the number and size/design of the proposed signs has been revised since the previous refusal.

4.2 It is proposed to erect two information signs close to site frontage to be set into bespoke frames, which will measure 0.8m high, 0.6m wide by 0.2m deep and be mounted 1m above ground level. The signs will be steel and feature a muted dark green background with white text. The two frontage signs are each set into a square profile, bespoke steel frame, painted black with spherical decorative finials. This framing replicates the design of an existing pub sign that is set against the hedge on the

southern side of the car park. The rear face of each of the signs will also be painted black and fixings will be designed so as not to be visible.

4.3 It is also proposed to erect three pole mounted information signs set around the perimeter of the car park set against existing boundary treatments. These signs will be 0.8m high, 0.6m wide by 0.2m deep and be mounted 1.5m above ground level. The signs will be steel and would again feature a muted dark green background with white text and would be fixed to existing poles on site.

4.4 All redundant poles on site will be removed, whilst the 3no. poles required to support the 3 no. information poles will be painted black.

5. PLANNING HISTORY

Planning Applications :

22/01036/FUL - Installation of 2 ANPR cameras to be mounted on a single pole.
WDN - 15th December 2022

22/01037/ADV - Display of 5 No. pole mounted information signage in relation to parking control measures
REF - 9th August 2022

22/03818/FUL - Installation of 2 ANPR cameras to be mounted on a single pole together with modifications to frontage fencing
PCO -

4/02106/19/LBC - Installation of replacement illuminated and non illuminated signs to the exterior of the building
WDN - 26th February 2020

4/02054/19/ADV - Installation of replacement illuminated and non illuminated sign to the exterior of the building
WDN - 26th February 2020

4/01521/19/LBC - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to rear of public house,
GRA - 1st August 2019

4/01520/19/FUL - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to Rear.
GRA - 1st August 2019

4/01936/17/LBC - Replace leaking bathroom skylight and surrounding roof slates
GRA - 8th September 2017

4/02270/14/LBC - Rebuild existing lpg tank enclosure with new blast wall and chain link fence
GRA - 22nd October 2014

4/02269/14/FUL - Rebuild existing lpg tank enclosure with new blast wall and chain link fence
GRA - 22nd October 2014

4/02146/13/TPO - Works to horse chesnut and ash tree and felling of 2 spruce Trees.
GRA - 4th March 2014

4/01241/12/DRC - Details of materials as required by condition 2 of listed building consent
4/00721/12 (nternal alterations and refurbishment to include new floor and wall finishes,
replacement sanitary wear, additional fixed seating, atm machine, new timber stud partiti
GRA - 15th August 2012

4/00635/12/LBC - Replacement of external Signage.
GRA - 6th June 2012

4/00634/12/ADV - New signage consisting of 2 x facia signs, 1 x projecting sign, 1 x freestanding
sign and name Letters.
GRA - 6th June 2012

4/00721/12/LBC - Internal alterations and refurbishment to include new floor and wall finishes,
replacement sanitary wear, additional fixed seating, atm machine, new timber stud partition walls to
kitchen and removal and re-use of some doors. Installation of picket fenci
GRA - 8th June 2012

4/00720/12/FUL - Internal alterations and refurbishment. Installation of picket fencing and two 5-bar
gates, external waitress station and associated changes to surfacing and landscaping
GRA - 8th June 2012

4/01755/10/FHA - New link to garage
GRA - 10th December 2010

4/02107/06/TCA - Fell trees
RNO - 7th November 2006

4/00776/06/LBC - Replacement soundproofing
GRA - 30th May 2006

4/02258/04/FHA - Two storey side extension and replacement conservatory
GRA - 15th November 2004

4/01635/01/TCA - Fell six trees and prune one tree
RNO - 29th October 2001

4/01032/00/LBC - Alterations to cellar and creation of light well, and storage space to bedroom
GRA - 26th July 2000

4/01031/00/FHA - Alterations to cellar and creation of light well
GRA - 26th July 2000

4/00899/98/FHA - Two storey side extension and replacement conservatory
GRA - 14th July 1998

4/00193/92/LBC - Replacement windows (listed building consent)
GRA - 27th March 1992

4/01653/91/LBC - Internal alterations
GRA - 31st January 1992

4/01684/90/ROC - Deletion of cond.2 of p/p 4/0387/90 (soldier arches details to be constructed as gauged flat brick arches)
GRA - 30th January 1991

4/01577/90/ROC - Deletion of condition no 1 of p/p 4/0387/90 (relating to use of side hung timber barred windows)
GRA - 6th December 1990

4/01032/90/RES - Sub.of details materials pursuant to p/p 4/0387/90 (one dwelling)
GRA - 31st July 1990

4/00887/90/RES - Submission of reserved matters (materials) pursuant to p/p 4/2077/88 (one dwelling)
REF - 27th June 1990

4/00387/90/RES - Submission of reserved matters pursuant to p/p 4/2077/88 (one dwelling)
GRA - 21st June 1990

4/01358/89/RES - Sub.of reserved matters pursuant to p/p 4/2077/88 (one dwelling)
GRA - 7th November 1989

19/02978/ADV - Installation of replacement illuminated and non illuminated signs to the exterior of the building.
WDN - 21st January 2020

19/02982/LBC - Installation of replacement illuminated and non illuminated signs to exterior of building
WDN - 21st January 2020

22/03818/FUL - Installation of 2 ANPR cameras to be mounted on a single pole together with modifications to frontage fencing
PCO -

4/02106/19/LBC - Installation of replacement illuminated and non illuminated signs to the exterior of the building
WDN - 26th February 2020

4/02054/19/ADV - Installation of replacement illuminated and non illuminated sign to the exterior of the building
WDN - 26th February 2020

4/01521/19/LBC - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to rear of public house,
GRA - 1st August 2019

4/01520/19/FUL - Refurbish the interior & exterior of the public house. Open up the dimensions to the existing wc to conform to regulations & construction of new external close boarded fencing to Rear.
GRA - 1st August 2019

4/01936/17/LBC - Replace leaking bathroom skylight and surrounding roof slates
GRA - 8th September 2017

4/02270/14/LBC - Rebuild existing lpg tank enclosure with new blast wall and chain link fence

GRA - 22nd October 2014

4/02269/14/FUL - Rebuild existing lpg tank enclosure with new blast wall and chain link fence
GRA - 22nd October 2014

4/02146/13/TPO - Works to horse chesnut and ash tree and felling of 2 spruce Trees.
GRA - 4th March 2014

4/01241/12/DRC - Details of materials as required by condition 2 of listed building consent
4/00721/12 (nternal alterations and refurbishment to include new floor and wall finishes,
replacement sanitary wear, additional fixed seating, atm machine, new timber stud partiti
GRA - 15th August 2012

4/00635/12/LBC - Replacement of external Signage.
GRA - 6th June 2012

4/00634/12/ADV - New signage consisting of 2 x facia signs, 1 x projecting sign, 1 x freestanding
sign and name Letters.
GRA - 6th June 2012

4/00721/12/LBC - Internal alterations and refurbishment to include new floor and wall finishes,
replacement sanitary wear, additional fixed seating, atm machine, new timber stud partition walls to
kitchen and removal and re-use of some doors. Installation of picket fenci
GRA - 8th June 2012

4/00720/12/FUL - Internal alterations and refurbishment. Installation of picket fencing and two 5-bar
gates, external waitress station and associated changes to surfacing and landscaping
GRA - 8th June 2012

4/01755/10/FHA - New link to garage
GRA - 10th December 2010

4/02107/06/TCA - Fell trees
RNO - 7th November 2006

4/00776/06/LBC - Replacement soundproofing
GRA - 30th May 2006

4/02258/04/FHA - Two storey side extension and replacement conservatory
GRA - 15th November 2004

4/01635/01/TCA - Fell six trees and prune one tree
RNO - 29th October 2001

4/01032/00/LBC - Alterations to cellar and creation of light well, and storage space to bedroom
GRA - 26th July 2000

4/01031/00/FHA - Alterations to cellar and creation of light well
GRA - 26th July 2000

4/00899/98/FHA - Two storey side extension and replacement conservatory
GRA - 14th July 1998

4/00193/92/LBC - Replacement windows (listed building consent)
GRA - 27th March 1992

4/01653/91/LBC - Internal alterations
GRA - 31st January 1992

4/01684/90/ROC - Deletion of cond.2 of p/p 4/0387/90 (soldier arches details to be constructed as gauged flat brick arches)
GRA - 30th January 1991

4/01577/90/ROC - Deletion of condition no 1 of p/p 4/0387/90 (relating to use of side hung timber barred windows)
GRA - 6th December 1990

4/01032/90/RES - Sub.of details materials pursuant to p/p 4/0387/90 (one dwelling)
GRA - 31st July 1990

4/00887/90/RES - Submission of reserved matters (materials) pursuant to p/p 4/2077/88 (one dwelling)
REF - 27th June 1990

4/00387/90/RES - Submission of reserved matters pursuant to p/p 4/2077/88 (one dwelling)
GRA - 21st June 1990

4/01358/89/RES - Sub.of reserved matters pursuant to p/p 4/2077/88 (one dwelling)
GRA - 7th November 1989

Appeals : None

6. CONSTRAINTS

Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL1
Little Gaddesden Conservation Area
Parish: Little Gaddesden CP
RAF Halton and Chenies Zone: Red (10.7m)
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
Rural Area: Policy: CS7
Parking Standards: New Zone 3
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)

Saved Policy 112 Dacorum Borough Local Plan (adopted 2011)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS27 – Quality of Historic Environment

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 Paragraph 136 of the National Planning Policy Framework (NPPF) advises that 'Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.' The principle of the proposed signs is therefore acceptable subject to a detailed assessment of their impact (visual and highway safety).

Impact on Visual Amenity

9.3 Whilst Development Plan policies can be considered where relevant when assessing this application, powers under the regulations to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors.

9.4 Saved Policy 112 of the Dacorum Borough Local Plan states that *express consent to display an advertisement, other than within a conservation area, will be given provided the advertisement:*

- a) *is sympathetic in size, appearance, design and position to the building or site on which it is displayed;*
- b) *is not unduly prominent;*
- c) *does not detract from the amenity and character of the surrounding area; and*
- d) *does not adversely affect highway and public safety.*

In conservation areas express consent to display an advertisement will be given provided criteria (a), (b), (c) and (d) above are met and

h) the advertisement makes use of natural or other materials which are in keeping with and enhance the character of the conservation area and, if positioned on a building, the character of that building.

9.5 As the application site lies within the Little Gaddesden Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to pay

special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

9.6 The proposed signs have been assessed in line with the relevant criteria of Saved Policy 112, and with special attention to the preservation of the Little Gaddesden Conservation Area. The following conclusions have been reached:

- a) The application seeks to erect 5 modestly sized signs within the car park. This would consist of 2 modestly sized signs at the frontage of the car park (0.8 metres high, 0.6 metres wide and 0.2 metres deep) set 1 metre from ground level, and a further 3 signs within the car park, again modestly sized (0.8 metres high, 0.6 metres wide and 0.2 metres deep) this time 1.5 metres from the ground. The signs will be of muted appearance, grey in colour. The location, within the existing car park, and at low level are such that they will not be overly visible for those passing by on foot or in a vehicle.
- b) By virtue of their size, design, colour and materials of the signs, along with their location, and specifically the low level of the signs they will not appear unduly prominent. They are all sited at the periphery of the site and against the backdrop of existing structures/boundary treatments which help limit their visual impact.
- c) the proposed signs are all set back within the car park and will not detract from the overall amenity or character of the surrounding area. The two signs at the front of the car park, will be more visible from Nettleden Road, however through the design; colour, size and low level height, they will still not detract from the overall character of this part of the Little Gaddesden Conservation Area.
- d) The response from Hertfordshire Highways confirms that the addition of the proposed signs will not adversely affect highway and public safety. The signs are set within the site and are not illuminated such that they would not harm highway safety. Hertfordshire County Council as Highway Authority were consulted as part of the application process. Whilst full comments are copied within the consultee section, they note that the proposed signs are all contained within the site, and not near the road network. As such, they raised no objection subject to the addition of a standard informative.

The proposed signs do not protrude out in a dangerous manner, are set within the site and not alongside the road and would therefore not have an adverse impact on highway and pedestrian safety. The proposal therefore complies with Saved Policy 112 (d) of the Local Plan (2004) and the relevant sections of the NPPF (2021)

9.7 In addition to the points above, given their siting in the Conservation Area the signs must also comply with criteria h) with regard to materials. The proposed signs are bespoke and have been designed taking into account the location of them and the materials present on the existing building.

9.8 Two Signs to Car Park Frontage

The two signs to the front of the car park will be set into a square profile, bespoke steel frame, painted black with spherical decorative finials. The covering letter submitted with the application states these signs have been designed in this manner to replicate the design of an existing pub sign on the southern side of the car park. The signs will be designed with a dark green background and white text so as to appear subservient to the pub sign at the frontage of the car park, and to appear in keeping with the surrounding area and wider Little Gaddesden Conservation Area.

9.9 Three signs within the Car Park

The three information signs within the car park, will be set back from the highway, and will be designed similarly to those at the front with a dark green background and white text. They will be fixed to existing poles that will be painted black to limit the impact and all redundant poles will be removed. Whilst the signs must be clearly visible and informative to comply with guidelines from the British Parking Association (BPA), the design is such that it does not detract from the character of the Little Gaddesden Conservation Area.

9.10 Taking the above into account it is considered that the proposals meet all the necessary criteria outlined in Saved Policy 112, and furthermore pay special attention to preserving and enhancing the character and appearance of the Little Gaddesden Conservation area. As such, there is no justification on design grounds for withholding consent for the advertising signs as proposed on design grounds.

Response to Neighbour Comments

9.11 Numerous comments have been received regarding the impact of the addition of ANPR cameras in the car park and the displacement of vehicles from the car park onto surrounding street network. In this application, the consideration is the visual impact of the advertising boards within the car park, and the impact of the advertising boards, on the safety of the Highway.

As such, whilst these comments are noted they cannot be given any weight in the planning considerations of this application. In addition it is important to note that this is a private car park associated with the public house such that the public do not have the right to park there in any event even if they have benefitted from this for many years.

10. CONCLUSION

10.1 To conclude, this application overcomes the concerns raised previously and as the proposed adverts adhere to Saved Policy 112 such that there is no justification for withholding advertisement consent in this instance.

11. RECOMMENDATION

11.1 That Advertisement Consent be GRANTED subject to conditions.

12. Condition(s) and Reason(s):

- 1. This consent is granted for a period of five years commencing on the date of this notice.**

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2. (a) Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.**
(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
(c) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
(e) No advertisement shall be sited or displayed so as to: (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to

navigation by water or air; or (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; coupled with the requirements of Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 136 of the National Planning Policy Framework (2021).

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation and Design	<p>The car park to the Bridgewater Arms Car park lies on the west side of Nettleden Road, opposite the grade II public house. The tarmac car park has short lengths of white picket fencing to the roadside and both an access and exit point.</p> <p>Various signs, bollards and an ANPR camera were added within the car park in 2022 to control parking for the public house. Following concerns raised by Conservation and the Parish Council / local residents the proposals have been modified.</p> <p>The 2 ANPR cameras are to be mounted on a black painted pole (with white painted base) in the centre of the car park. The anti-climb feature has been omitted. Due to its position within the car park the pole it is not overly intrusive within the street scene but nonetheless does introduce a rather suburban feature into this picturesque village within the Chilterns AONB.</p> <p>As part of the proposals the white painted picket fence along the site frontage is to be extended, allowing for the removal of yellow painted bollards. Remaining bollards are to be painted white to match the fence. This tidies up the existing boundary treatment to the car park and will represent an enhancement to the Conservation Area.</p> <p>As a whole, the ANPR camera, coupled with enhancements to the car park frontage will preserve the significance of the Little Gaddesden CA in accordance with the NPPF and policy CS27, no objection.</p> <p>22/03819/ADV Bridgewater Arms Car park, Nettleden Rd North, Little Gaddesden Joint application for full planning permission for 2no. ANPR cameras</p>

	<p>mounted on a single pole together with modifications to frontage fencing and express consent for 5no. information signs relating to parking control measures (amended scheme).</p> <p>The car park to the Bridgewater Arms Car park lies on the west side of Nettleden Road, opposite the grade II public house. The tarmac car park has short lengths of white picket fencing to the roadside and both an access and exit point.</p> <p>Various signs, bollards and an ANPR camera were added within the car park in 2022 to control parking for the public house. Following concerns raised by Conservation and the Parish Council / local residents the proposals have been modified.</p> <p>The 2 ANPR cameras are to be mounted on a black painted pole (with white painted base) in the centre of the car park. The anti-climb feature has been omitted. Due to its position within the car park the pole it is not overly intrusive within the street scene but nonetheless does introduce a rather suburban feature into this picturesque village within the Chilterns AONB.</p> <p>As part of the proposals the white painted picket fence along the site frontage is to be extended, allowing for the removal of yellow painted bollards. Remaining bollards are to be painted white to match the fence. This tidies up the existing boundary treatment to the car park and will represent an enhancement to the Conservation Area.</p> <p>The 2 information signs to the frontage of the site have been improved in terms of design and appearance and are set within a black painted steel frame.</p> <p>The 3 signs within the car park are fixed to black painted posts and are more sympathetic in appearance than those previously installed.</p> <p>The ANPR camera and signage does add a more suburban character to this part of Little Gaddesden village, however the extension of the existing painted picket fence (strengthening the boundary treatment to the car park) and removal of bollards will provide an enhancement to the Conservation Area.</p> <p>On balance the proposals will preserve the significance of the Little Gaddesden CA in accordance with the NPPF and policy CS27, no objection.</p>
Hertfordshire Highways (HCC)	<p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as</p>

Highway Authority does not wish to restrict the grant of permission.

Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition

	<p>such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.</p> <p>Comments</p> <p>The proposal is for the display of 5 No. pole mounted information signage in relation to parking control measures at The Bridgewater Arms Car Park, Nettleden Road North, Little Gaddesden.</p> <p>Nettleden Road North is a classified C local distributor route that is highway maintainable at public expense.</p> <p>The new signs are not near the road network and are fully within the site. The signs will not block the visibility splays of the junction nor will they inhibit the movement within the car park.</p> <p>Therefore HCC Highways would not like to restrict a grant of permission for the application subject to the inclusion of the above informatives</p>
Parish/Town Council	<p>Planning Applications 22/03818/FUL and 22/03819/ADV Bridgewater Arms Car Park Nettleden Road, Little Gaddesden ,Berkhamsted ,Herts HP4 1PD</p> <p>We are receipt of copies the Planning Applications together with accompanying documents and plans relating to the aforementioned and would respond as follows.</p> <p>We have been liaising with Savills acting on behalf of Britannia Parking Ltd and have reached in the main agreement re the Planning Applications referenced above .However we cannot recommend approvalsfor the reasons referenced hereunder</p> <p>Permitted Development Rights.</p> <p>" In reaching agreement Savills have made concessions but in the main these relate to matters that were allowed under their Permitted Development Rights e.g. the removal of the posts currently painted yellow.</p> <p>" These concessions are fundamental to Little Gaddesden Parish Council decision making process in reaching an agreement with the Applicant</p> <p>" These concessions can be reversed at any time (even immediately after the planning Consents are granted) It is at the core of any</p>

agreement that these reversals cannot not take place

To safe ensure Little GaddesdenParish Council's Position re the permitted development rights is protected we would require but not limited to :

1) Conditioning on the Planning Consents

or

2) Article 4 Directions applied

Car Park Site Plan

An area currently hatched yellow on site is shown on the submitted plans as a car parking space. It was agreed with the applicant that this area should be kept clear as for not doing so would result in access on to the Public Foot Path at the rear of the carpark being obstructed.

Cameras

1) The Cameras as specified will have a focal range of 80m. Such range will be an intrusion into the privacy of residents in the immediate area together with highway activities generally

2) Despite being assured that monitoring will be purely visual it has been noted that the Cameras have an audio facility.

Recommendation

The planning applications submitted to Little Gaddesden Parish Council are unacceptable for the reasons stated in the forgoing. The Parish are however prepared to withdraw their objections if:

1) The Permitted Developments Rights are removed. We cannot over estimate the importance of this condition as without such a condition the applicants can carry a variety of works at their sole discretion without Dacorum Borough Council and/or the Parish Council having any control over such works.

2) The camera range is permanently reduced so as to limit it to monitoring activities only within the Bridgewater Arms Car Park and the cameras restricted to visual activities only and the audio equipment removed.

	3) The car parking space located at rear of the car park currently hatched yellow to be shown as an open area on the application plan .
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	1	0	1	0

Neighbour Responses

Address	Comments
Bridgewater Mews Cottage Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PA	<p>We recognise the attempt to improve the look of the parking signs, however, since the cameras and signs have been installed there has been a significant increase of cars parked by the pavement from the pub to the village shop.</p> <p>With more people parking on the road it causes a bottleneck and is potentially dangerous due the number of cars that travel on the road, not to mention cyclists and horses.</p>

ITEM NUMBER: 5d

23/00139/FHA	Single storey front extensions and alterations, part two and part single storey rear extension	
Site Address:	31 Cemetery Hill Hemel Hempstead Hertfordshire HP1 1JF	
Applicant/Agent:	Mr and Mrs Aimee Hart	Mr Neil Johnson
Case Officer:	Nicole Quinn	
Parish/Ward:		Boxmoor
Referral to Committee:	Called in by Cllr Allen who has concerns about the adverse impact on adjacent properties.	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The application site is located within residential area of Hemel Hempstead wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The overall size, scale and design of the proposed alterations are acceptable, they relate well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene/area. The works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8, CS11, CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

3. SITE DESCRIPTION

3.1 The application site is located within a residential area of Hemel Hempstead and comprises of a two storey semi-detached dwelling.

4. PROPOSAL

4.1 The proposal includes a single storey front extension and alterations, part two storey and single storey rear extension.

5. PLANNING HISTORY

Planning Applications :

22/03434/FHA - Single storey front and part two storey front extension
REF - 23rd December 2022

Appeals :

23/00017/REFU - Single storey front and part two storey front extension
LODGED -

6. CONSTRAINTS

CIL Zone: CIL3

Former Land Use (Risk Zone):

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)

Residential Character Area: HCA11

Parking Standards: New Zone 3

Town: Hemel Hempstead

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)

Planning Obligations (2011)

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The application site is located within the town of Hemel Hempstead wherein residential development is encouraged in accordance with Policy CS4 of the Core Strategy 2013. The principle of the extension is therefore acceptable subject to a detailed assessment of its impact.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the National Planning Policy Framework emphasises the importance of good design in context and, in particular, paragraph 134 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 It is noted that there are a range of dwelling types along Cemetery Hill such that there is variety. The application site is a semi-detached dwelling. There are three pairs of semi-detached dwellings within this part of the street scene all of exactly the same design, with projecting cat slide front roof and small dormers.

9.5 The proposed single storey front extension is limited in size and is considered a subordinate addition to the host dwelling. The proposed roof form matches that of the existing dwelling and is therefore considered acceptable. The proposed materials are to match that of the existing dwelling and are therefore considered to integrate the proposed works into the vicinity. The front extension would not detract from the strong character of the dwelling or the distinctive front cat slide and thus would not detract from the group or affect the overall character or appearance of the street scene.

9.6 The proposed part single, part two storey rear extension has a depth of approx. 3.5m and is located off the shared boundary at first floor level with both adjoining neighbouring properties. It is set down and set in such that it is subservient and is considered to be appropriate in terms of its design, bulk, scale and use of materials.

9.7 It is concluded that the proposed alterations do respect the character and design of the existing dwellinghouse and the character of the surrounding area, and as such do comply with Policy CS11 and CS12 of the Dacorum Borough Core Strategy and Saved Appendix 7 of the Local Plan.

Impact on Residential Amenity

9.8 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way visual intrusion, loss of light and privacy.

9.9 Impact on No. 29 Cemetery Hill:

No. 29 is located to the East of the application site. Whilst it should be noted that No. 29 is located on a lower level than No. 31, and that the proposed front extension would be located closer to the shared boundary with No. 29 than what is existing on site, the proposed development is single storey and due to the limited size of the proposed extension it would not appear visually intrusive or overbearing. The 45 degree line test is indicative of light levels and visual intrusion. The proposed development clears of the 45 degree test (in plan and elevation) and would therefore not cause a detrimental loss of light to the occupiers at No. 29. The proposed part single, part two storey rear extension will not extend more than 3m beyond the rear of No. 29 as they benefit from a single storey rear extension and as the proposed development is located off the shared boundary with it will not appear unduly overbearing and will not cause a detrimental loss of light. There is again no breach of the 45 degree line test (the plans do not demonstrate this in elevation but having visited the site, it is clear there would be no breach). There are no proposed windows to the side elevation facing towards No. 29 and therefore there are no privacy concerns.

9.10 No. 33 Cemetery Hill:

No. 33 is located to the West of the application site. The proposed front extension will be screened by the existing dwellinghouse and therefore not have a negative impact on the neighbouring amenity of the occupiers of No. 33. The proposed part single, part two storey rear extension is approx. 3m in depth and will not intrude into the 45 degree angle, therefore it is concluded that it would not appear overbearing or cause an adverse loss of light to the occupiers at No. 33. There are no proposed windows to the side elevation facing towards No. 33 and therefore there are no privacy concerns.

9.11 Based on the above the application is considered to be in accordance with Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy.

Impact on Highway Safety and Parking

9.12 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.13 The proposal does not seek to alter the access or parking arrangements. There is an additional bedroom being proposed. In accordance with the Council's Parking Standards SPD a four bedroom property in this location would require three allocated off-street parking spaces. There are two off street parking spaces provided on the private driveway to the front. Whilst this results in a short-fall of a single space the application is in very close proximity to the main town centre and is thus a highly sustainable and accessible location whereby a reduced parking provision may be acceptable. In addition at the scale proposed; the additional of a single bedroom only, it is not considered that the proposed development would result in residual harm to highway safety.

9.14 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

Other Material Planning Considerations

9.15 None

Response to Neighbour Comments

9.16 An objection has been received from No. 29 Cemetery Hill raising the following points:

- Loss of light, overbearing and visually intrusive – This has been addressed above within the 'neighbouring amenity' section of the report.

- The Annual Probable Sunlight Hours test – This is not required as the application illustrates that the proposed development will not intrude into any 45 degree angles.
- Previous application refused – The proposed development is considerably different to that of the previous application and is now considered acceptable. The previous application proposed a first floor front extension which has now been relocated to the rear.

Community Infrastructure Levy (CIL)

9.17 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

10. CONCLUSION

10.1 It is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2021 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

11. RECOMMENDATION

11.1 That planning permission be GRANTED.

Condition(s) and Reason(s):

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

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

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

**Drg No. wren naj 03 2023
Site Location Plan**

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

- 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the existing building in terms of size, colour and texture.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	1	0	1	0

Neighbour Responses

Address	Comments
29 Cemetery Hill Hemel Hempstead Hertfordshire HP1 1JF	<p>We write to object to the proposed 2-storey rear extension.</p> <p>No 31 is approximately 1 metre above our property due to the gradient of the hill; to build a 2-storey extension only 1 metre from the boundary will negatively impact us as the extension will be overbearing and visually intrusive when viewed from our garden and inside our house. The planned extension is deeper than our current one storey rear extension so will obscure an un-acceptable amount of our light because of the height difference (due to the gradient of the hill). The proposed extension will cause shadows across our property and garden and reduce our enjoyment of them. It will also shadow our velux windows which give a huge amount of light to our property.</p> <p>Can it be demonstrated that the proposed extension meets relevant thresholds from The Annual Probable Sunlight Hours (APSH) test? We understand that this is used when considering impact on daylight from nearby properties.</p> <p>A recent application for a 2-storey extension to this property was refused by the council on the basis it was overbearing and visually intrusive to our property; we believe the same applies to this new application.</p>

ITEM NUMBER: 5e

23/00102/FHA	Demolition of existing rear extension, new side infill side extension with rooflights and oriel window seat. Relandscaping of rear garden with new levelled patio. Conversion of attic to accommodate a bedroom/study. New rear dormer and front and rear rooflights.	
Site Address:	11 North Road Berkhamsted Hertfordshire HP4 3DU	
Applicant/Agent:	Mr and Ms Niclas and Laura Thomas and Pallett	Mr James Lai
Case Officer:	Nicole Quinn	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted East
Referral to Committee:	Contrary views of Town Council	

1. RECOMMENDATION

That planning permission be **GRANTED**.

2. SUMMARY

2.1 The application site is located within residential area of Berkhamsted wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The overall size, scale and design of the proposed alterations are acceptable, they relate well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene or conservation area. The works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Dacorum Borough Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

3. SITE DESCRIPTION

3.1 The application site is located to the western side of North Road and comprises an end of terrace property within the Berkhamsted Conservation Area. The property is attractive with full height projecting bay windows with red brick detailing. The property faces the highway but is set behind a small front garden. Parking is provided on street.

4. PROPOSAL

4.1 Demolition of existing rear extension, new side infill extension with rooflights and oriel window seat. Re-landscaping of rear garden with new levelled patio. Raising of existing roof ridge to facilitate conversion of attic to accommodate a bedroom/study. New rear dormer and front and rear rooflights.

4.2 The proposed development has been amended since the initial submission to overcome issues raised by Conservation and Design.

5. PLANNING HISTORY

Planning Applications:

4/03165/17/FHA - Single storey rear extension
GRANTED - 31st January 2018

4/02460/07/FHA - Removal of chimney stack from rear roof and alterations to windows in side elevation
GRANTED - 27th November 2007

6. CONSTRAINTS

BCA Townscape Group
CIL Zone: CIL1
Berkhamsted Conservation Area
Parish: Berkhamsted CP
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)
Parking Standards: New Zone 3
EA Source Protection Zone: 2
EA Source Protection Zone: 3
Town: Berkhamsted

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS27 – Quality of the Historic Environment
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The application site is located within a residential area of Berkhamsted, where in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies. The main issues of consideration relate to the impact of the proposal's character and appearance upon the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the National Planning Policy Framework emphasises the importance of good design in context and, in particular, paragraph 134 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 The application site is situated within the Berkhamsted Conservation Area. Therefore the design and appearance of the proposed development to the property needs to be sympathetic to the conservation area and the surrounding environment and its heritage. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities should have special regard to preserving the setting of listed buildings. This requirement should be given great weight in the planning process. The impact of the development proposals on local conservation areas must also be assessed as required by section 72(1) of the Act.

9.5 Paragraph 199 of the Framework states that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development. Policy CS27 requires development to protect, conserve and where appropriate enhance the integrity, setting and distinctiveness of heritage assets.

9.6 The proposed development includes a new rear extension which is large in size, however the depth of the proposed extension is less than the existing extension at its deepest point. The proposed extension does extend the whole width of the existing dwelling, however as the proposed extension is single storey only it is considered a subordinate addition to the host dwelling. The proposed extension is considered to be appropriate in terms of its design, bulk, scale and use of materials and will have limited impact on the character and appearance of the conservation area as it is located to the rear.

9.7 There is a proposed dormer to the rear elevation of the dwelling, due to the limited size, scale and location of the dormer it is considered acceptable. The proposed rooflights do not raise any concerns in terms of design.

9.8 The proposed works to the rear patio are considered acceptable in terms of design.

9.9 The design of the proposed development is complimentary to the host dwelling and the street scene and therefore will have a limited impact on the Berkhamsted Conservation Area. Conservation and Design were consulted on the application and stated there is no objection to the proposed development.

9.10 Regard has been had to the statutory tests of preserving or enhancing the character and appearance of Conservation Area under section 72 of The Planning (Listed Building and Conservation Areas) Act 1990, which, it is accepted, is a higher duty. It is concluded that the proposed alterations do respect the character and design of the existing dwellinghouse and the character of the surrounding area or Tring Conservation Area, and as such, are contrary to Policy CS11 and CS27 of the Dacorum Borough Core Strategy and Saved Appendix 7 of the Local Plan.

Impact on Residential Amenity

9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.12 No. 10 North Road:

No. 10 is located to the North of the application site. The proposed rear extension will have a lesser impact on the occupiers of No. 10 as the proposed extension has a lesser depth along the shared boundary than what is already existing on site, therefore it will not have a negative overbearing impact or loss of light to No. 10. There are no proposed openings facing towards the side elevation of No. 10 and therefore there are no privacy concerns. Due to the size, scale and location of the proposed dormer and rooflights, these will not have a negative impact on the neighbouring amenity of the occupiers of No. 10.

9.13 No. 12 North Road:

No. 12 is located to the South of the application site. The proposed rear extension will extend along the shared boundary by approx. 7m, however as there is a flank wall at the adjoining property along this boundary with no windows on this elevation, the proposed development will not appear overbearing or cause a loss of light to No. 12. There are no proposed openings facing towards the side elevation of No. 12 and therefore there are no privacy concerns. Due to the size, scale and location of the proposed dormer and rooflights, these will not have a negative impact on the neighbouring amenity of the occupiers of No. 12.

9.14 The proposed works to the patio do not raise any neighbouring amenity concerns in comparison to what is already existing on site.

9.15 As such the application is in accordance with Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy.

Impact on Highway Safety and Parking

9.16 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.17 This application does not seek to change the existing parking arrangements at the property. The application proposes an additional bedroom making it a 4 bedroom property. There are no allocated parking spaces for the property, however it is not considered that the addition of one bedroom will have detrimental impact on the highway safety and parking within the area. Furthermore, there is on street parking along North Road and the dwelling is only a short walk from Berkhamsted Town Centre where there is access to buses. As such there are no concerns regarding parking as part of this application.

9.18 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

Other Material Planning Considerations

9.19 *Response from parish/ town council:*

Berkhamsted council commented on the application raising the following points:

“The proposal is an extensive remodelling of the rear garden as well as raising the roof ridge. The side infill will completely enclose the rear beyond the main wall. This will prevent access to the rear of the property in breach of Policy. SLP App 7 A 7.2 (iv)”

These comments have been considered. The ridge height is remaining as existing and the raising of the ridge height has been omitted from the proposal. The passageway still remains to the side of the property, even if the access to the rear is no longer there, this is where the applicants intend on keeping their wheelie bins to prevent any harm to the street scene. Therefore the proposed development is considered acceptable.

Response to Neighbour Comments

9.20 N/A

Community Infrastructure Levy (CIL)

9.21 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

10. CONCLUSION

10.1 It is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene or Berkhamsted Conservation Area. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2021 and Policies CS11, CS12 and CS27 of the Core Strategy 2006-2031.

11. RECOMMENDATION

11.1 That planning permission be GRANTED.

Condition(s) and Reason(s):

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

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

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

**Drg No. 98, Proposed Block Plan
Drg No. 99, Location Plan
Drg No. 200, Proposed Ground Floor Plan
Drg No. 201, Proposed First Floor Plan
Drg No. 202, Proposed Loft Plan
Drg No. 203, Proposed Roof Plan
Drg No. 204, Proposed Front Elevation
Drg No. 205, Proposed Rear Elevation
Drg No. 206, Proposed Side Elevation
Drg No. 207, Proposed Section**

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

3. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	Objection

	<p>The proposal is an extensive remodelling of the rear ground floor as well as raising the roof ridge.</p> <p>The side infill will completely enclose the rear beyond the main wall. This will prevent access to the rear of the property in breach of Policy.</p> <p>SLP App 7 A 7.2 (iv)</p>
<p>Conservation & Design (DBC)</p>	<p>11 North Road, Berkhamsted</p> <p>11 North Road is on the west side of this terraced street which rises up from the Charles Street to the north. It is a handsome end of terrace house constructed in stock brick with red brick dressings and a gable to the front. The front door to the right is reached up several steps while to left of the bay window, is a door to an alley leading to the back garden.</p> <p>The proposal seeks to extend into the side return which will abut the side elevation of the neighbouring house to the south, number 12. The ridge of the roof will be raised to convert the loft and the chimney removed. The loft will have a lead covered rear dormer and rooflight to the rear with two rooflights to the front. There will also be internal alterations.</p> <p>The major concern with this application is the raising of the ridge line and removal of the chimney for the loft conversion. This would be contrary to design guidance in the Berkhamsted Conservation Area Appraisal which states that the ridge line of terraces should be maintained (p.288). This particular terrace is stepped and it would not preserve the character of the conservation area if it were to be raised in line with number 12, the loss of the chimney would also be detrimental to the character and appearance of the area. The loft conversion should be created out of the existing envelope in order to preserve the conservation area. The detail and material of the proposed dormer is acceptable as is the rear rooflight.</p> <p>It would be preferable if the two rooflights were removed from the front roof slope in order to better preserve the roof slope in the context of the conservation area. However, if they are to be approved they should be flush conservation rooflights with a glazing bar to the front.</p> <p>Recommendation: Amendment needed prior to approval We've just been reconsulted on this application.</p> <p>The amended plans show that the applicants are still proposing to raise</p>

	<p>the ridge of the roof but it will now be slightly stepped down from number 12 and the chimney retained. While this is a marginal improvement on the original plans and the retention of the chimney is welcome, it is still considered to be harmful. The ridge would still be raised and the angle of the roof slope would be altered and would no longer match the neighbouring houses. There is an in principle objection to this aspect of the proposal backed up by the Berkhamsted Conservation Area Appraisal. Appendix 6 Design Guidance (p.288):</p> <p>Ridge line Maintain the terrace ridge line - stepping down/up hills where applicable and match the adjoining roof slope angle.</p> <p>I note that the two rooflights on the front roof slope have been retained.</p> <p>If the applicants remain unwilling to preserve the existing ridge line and roof slope, I recommend refusal on the basis of not preserving or enhancing the character and appearance of the Conservation Area by not respecting the existing character of the house, its building lines and being contrary to the design guide prepared by Dacorum. This would be In line with Planning (Listed Buildings and Conservation Areas) Act 1990, 72 (1) and Core Strategy CS27 & Local Plan Policy 120 in particular points a) d) & e).</p>
<p>Conservation & Design (DBC)</p>	<p>These comments concern the second set of amended plans dated 17th February 2023.</p> <p>Following objections to the original plans to raise the ridge height in line with 12 North Road and remove the chimney, the plans were amended to marginally reduce the ridge height but still proposing to alter the existing roof slope and ridge but retain the chimney.</p> <p>These plans now propose to retain the existing roof envelope in line with guidance in the Berkhamsted Conservation Area Appraisal which is welcome. However, the chimney will not be retained with this proposal.</p> <p>There is no objection to its removal internally but it should be retained externally in order to preserve the established character of the house, road and conservation area. Ideally this would be as it is but if this isn't feasible then a like for like replica should be installed which they should provide details of prior to approval. Final amendment and more information therefore needed.</p> <p>If they are unwilling to retain the chimney either in its present form or with a like for like replica then the proposal should be refused on the</p>

	<p>basis that it would not preserve the conservation area in line with Planning (Listed Buildings and Conservation Areas) Act 1990, 72 (1) and Core Strategy CS27 & Local Plan Policy 120 in particular points a) d) & e).</p> <p>Recommendation: Amendment and possibly more information needed prior to approval</p>
<p>Conservation & Design (DBC)</p>	<p>11 North Road is on the west side of this terraced street which rises up from the Charles Street to the north. It is a handsome end of terrace house constructed in stock brick with red brick dressings and a gable to the front. The front door to the right is reached up several steps while to left of the bay window, is a door to an alley leading to the back garden.</p> <p>The proposal seeks to extend into the side return which will abut the side elevation of the neighbouring house to the south, number 12. The ridge of the roof will be raised to convert the loft and the chimney removed. The loft will have a lead covered rear dormer and rooflight to the rear with two rooflights to the front. There will also be internal alterations.</p> <p>The major concern with this application is the raising of the ridge line and removal of the chimney for the loft conversion. This would be contrary to design guidance in the Berkhamsted Conservation Area Appraisal which states that the ridge line of terraces should be maintained (p.288). This particular terrace is stepped and it would not preserve the character of the conservation area if it were to be raised in line with number 12, the loss of the chimney would also be detrimental to the character and appearance of the area. The loft conversion should be created out of the existing envelope in order to preserve the conservation area. The detail and material of the proposed dormer is acceptable as is the rear rooflight.</p> <p>It would be preferable if the two rooflights were removed from the front roof slope in order to better preserve the roof slope in the context of the conservation area. However, if they are to be approved they should be flush conservation rooflights with a glazing bar to the front.</p> <p>Recommendation: Amendment needed prior to approval</p>
<p>Conservation & Design (DBC)</p>	<p>11 North Road, Berkhamsted</p> <p>A further set of amended plans dated 24th February 2023 have been submitted in response to comments dated 23rd February 2023.</p> <p>The previous plans had retained the roof slope envelope but removed</p>

	<p>the chimney.</p> <p>These plans now show the brick chimney retained and the plans are now acceptable.</p> <p>Emma</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	0	0	0	0

Neighbour Responses

Address	Comments