

**ITEM NUMBER: 5b**

<b>4/00134/19/FUL</b>	<b>Conversion of building to six flats, demolition of buildings to rear and construction of three dwellings</b>	
<b>Site Address:</b>	<b>13 Shrublands Road Berkhamsted HP4 3HY</b>	
<b>Applicant/Agent:</b>	<b>Update Record</b>	
<b>Case Officer:</b>	<b>Jason Seed</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted West</b>
<b>Referral to Committee:</b>	<b>Due to the contrary views of Berkhamsted Town Council.</b>	

**1. RECOMMENDATION** – That planning permission be **GRANTED**.

**2. SUMMARY**

2.1 Full planning permission is sought for the conversion of the existing property at the site to six flats and the construction of three additional dwellinghouses. The proposals are considered to comply with the relevant policies of the Dacorum Borough Council Core Strategy, the Dacorum Borough Local Plan (DBLP) and the National Planning Policy Framework (NPPF) and are therefore recommended for approval, subject to the conditions and in formatives provided at the end of this report.

2.2 The application has been brought before the Development Management Committee due to the contrary views of Berkhamsted Town Council.

**3. SITE DESCRIPTION AND CONSTRAINTS**

3.1 The application site comprises a large three-storey detached Edwardian dwellinghouse (plus basement) which is situated on a corner plot on the junction of Shrublands Road / Shrublands Avenue, Berkhamsted. The surrounding area is predominantly residential in terms of both use and character.

3.2 The site is subject to the following relevant constraints: CIL Charging Zone 1, Berkhamsted Conservation Area.

**4. PROPOSED DEVELOPMENT AND PLANNING HISTORY**

4.1 Full planning permission is sought for the conversion of the existing building to six flats, demolition of buildings to the rear and the construction of three dwellings.

Planning History

4/03031/14/FUL CHANGE OF USE FROM SINGLE DWELLING (C3) TO SEVEN DWELLINGS WITH CAR PARKING, CYCLE STORAGE AND AMENITY SPACE  
Granted  
21/04/2015

4/01392/13/FUL CHANGE OF USE FROM RESIDENTIAL CARE HOME WITH ANCILLARY LIVING ACCOMMODATION (C2) TO USE AS A SINGLE DWELLING HOUSE (C3)  
Granted  
23/09/2013

4/01974/07/FUL CHANGE OF USE TO RESIDENTIAL DEVELOPMENT COMPRISING EIGHT ONE AND TWO BEDROOM APARTMENTS (AMENDED SCHEME)

	Refused 25/10/2007
4/00871/07/MFA	CHANGE OF USE FROM NURSING HOME TO RESIDENTIAL DEVELOPMENT OF TEN ONE AND TWO BEDROOM APARTMENTS Refused 28/06/2007
4/01881/02/FUL	CHANGE OF USE FROM RESIDENTIAL CARE HOME TO PRIVATE DWELLING Refused 03/12/2002
4/01234/02/FUL	CHANGE OF USE FROM NURSING HOME (CLASS C2) TO RESIDENTIAL (CLASS C3) Withdrawn 05/08/2002
4/00722/94/FUL	TWO STOREY & SINGLE STOREY REAR EXTENSION, FIRST FLOOR & ATTIC EXTENSIONS AND ALTERATIONS TO NURSING HOME. (REVISED SCHEME) Granted 01/09/1994
4/00355/94/RES	SUBMISSION OF DETAILS OF PARAPET, EXTRACTION SYSTEM AND LANDSCAPING PURSUANT TO CONDITIONS 3,4 & 5 OF P/P 4/0167/93 (EXTENSION & ALTERATIONS TO NURSING HOME) Withdrawn 01/06/1994
4/00167/93/FUL	TWO STOREY AND SINGLE STOREY REAR EXTENSION FIRST FLOOR SIDE EXTENSIONS AND ALTERATIONS TO NURSING HOME Granted 12/08/1993
4/01235/92/OUT	TWO STOREY REAR & FIRST FLOOR SIDE EXTENSION, NEW VEHICULAR ACCESS & PARKING AREA (OUTLINE) Refused 18/11/1992
4/00688/92/4	FORMATION OF CAR PARK AND VEHICULAR ACCESS (REVISED) Granted 13/08/1992
4/00371/92/4	FORMATION OF CAR PARK AND VEHICULAR ACCESSES Refused 14/05/1992
4/01274/91/4	CONVERSION TO FORM THREE RESIDENTIAL FLATS CREATION OF NEW ACCESS AND PROVISION OF CAR PARKING Refused 07/01/1992

## 5. REPRESENTATIONS

### Consultation responses

5.1 These are reproduced in full at Appendix A.

## Neighbour notification/site notice responses

5.2 These are reproduced in full at Appendix B.

## **6. PLANNING POLICIES**

### 6.1 Main Documents:

National Planning Policy Framework (February 2019)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004) (DBLP)

### 6.2 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

Saved Policy 19 – Conversions  
Saved Policy 51 – Development and Transport Impacts  
Saved Policy 120 – Development in Conservation Areas

### 6.3 Supplementary Planning Guidance/Documents:

Relevant Saved appendices of the DBLP  
Accessibility Zones for the Application of Car Parking Standards (2002)  
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)

## **7. CONSIDERATIONS**

### 7.1 The main issues to consider are:

Principle of the development;  
Impact upon the street scene and Berkhamsted Conservation Area;  
Access and highway safety;  
Parking;  
Impact upon neighbouring properties;  
Amenity provision;  
Internal environment;  
Land contamination.

### Principle of the Development

7.2 The general thrust of the NPPF is the support of brownfield development, with Paragraph 117 stating that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.3 At the local level, Policy CS4 of the Core Strategy states that in residential areas appropriate residential development is encouraged. A high density of development, linked to the achievement of sustainability objectives, is generally supported.

7.4 Saved Policy 19 of the DBLP states that the conversion of houses to flats will be permitted in towns subject to various criteria (discussed later).

7.5 It is therefore considered that the principle of the development is acceptable, subject to the satisfactory addressing of other material planning considerations.

7.6 In addition to the above policy considerations, the planning history at the site is an important material planning consideration.

7.7 The current residential use of the property resulted from the approval of planning application: 4/01392/13/FUL (change of use from residential care home with ancillary living accommodation (C2) to use as a single dwellinghouse (C3). This application was granted on 23/09/2013.

7.8 A further application (reference: 4/03031/14/FUL) was approved on 21/04/2015 for the change of use from a single dwelling to seven dwellings with car parking, cycle storage and amenity space. Whilst this permission has never been implemented, it is noted that it was granted within a similar local and national planning policy framework to that which the current application is to be considered.

#### Impact upon the Street Scene and Berkhamsted Conservation Area

7.9 Policy CS12 of the Core strategy states that on each site, development should integrate with streetscape character.

7.10 Policy CS27 states that all development will favour the conservation of heritage assets.

7.11 Saved Policy 120 of the Dacorum Borough Local Plan states that new developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area.

7.12 Furthermore, Paragraph 194 of the National Planning Policy Framework (NPPF) states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.13 13 Shrublands Road is a detached Edwardian property in a prominent position on the corner of Shrublands Road and Shrublands Avenue. The application site lies within the Berkhamsted Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a general duty in relation to conservation areas and states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

7.14 Whilst 13 Shrublands Road has been extended and altered, particularly to the rear, the property is considered to make a positive contribution towards the significance of the Berkhamsted Conservation Area due to its strong Edwardian character and appearance and as part of the early 20th century development of this part of the town.

7.15 Due to the site being situated directly on a corner plot, the impacts of the development upon the street scene need to be assessed from two areas; Shrublands Road to the north and Shrublands Avenue to the west. Both of these areas immediately abut the site.

7.16 With regards to Shrublands Road, the proposed alterations and resultant visual changes to the street scene are considered to be minimal, comprising of the introduction of a front dormer within the

principle roof slope and a side dormer which is also visible from the street scene. Additionally, a portion of the pitched roof / gable end which fronts Shrublands Avenue will also be visible although due to its sympathetic design and scaling, it is not considered that this element results in any adverse visual impacts when viewed from this vantage point. The proposal remedies the unfortunate alterations to the principal elevation by restoring the original features and therefore there are many positive elements to the street scene for the original built form. This includes the reordering of the rear areas of the house that has extensive aesthetically poor rear alterations.

7.17 In respect of the visual change proposed on the Shrublands Avenue side of the site, the proposed development would remove a number of unattractive flat roof structures which are highly visible from the street scene.

7.18 These would be replaced by 3 x three storey dwellinghouses (plus habitable roof space), the design of which has drawn inspiration from the stylings and proportions of the original dwellinghouse. The proposed dwellings would also be of a scale which respond well to the local context and which do not dwarf neighbouring buildings.

7.19 The proposals have undergone a number of alterations to the exterior design in response to the recommendations provided by the Council's Conservation and Design Officer. Upon receipt of the final proposal plans, the Officer stated that the proposals are considered to preserve the character and appearance of the Berkhamsted Conservation Area and therefore accords with the relevant policies within the NPPF and Policy CS27, subject to the conditions and as detailed within this report. The four dormer windows proposed are contained within the relevant roof slope although these are considered to be modest in scale and are generally in keeping with the scale of the dormer which is present on the front elevation of the residential property to the immediate south.

7.20 It is therefore considered that the proposals are acceptable with regards to their impacts upon the Berkhamsted Conservation Area and are, by extension, acceptable with regards to their impacts upon the street scene.

#### Access and Highway Safety

7.21 Policy CS12 of the Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users.

7.22 Furthermore, Saved Policy 51 of the DBLP states that the acceptability of all development proposals will be assessed in highway and traffic terms. Development should have no significant impact upon the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development and the environmental and safety implications of the traffic generated by the development.

7.23 In providing context, the site lies approximately 200m from the High Street in Berkhamsted and therefore is within close proximity to its main amenities and facilities and within easy walking and cycling distance. Berkhamsted Railway Station is approximately 1.3km from the site and within a reasonable walking and cycling distance.

7.24 With regards to vehicular access to the site, it is proposed, that an existing dropped kerb fronting Shrublands Avenue will be utilised to access six off-street parking spaces, which are proposed to be contained within the front of the site. Three additional crossovers are proposed along Shrublands Avenue, each of which will serve one parking space.

7.25 The Highway Authority (HA) has been consulted on the application and no objection is raised subject to the conditions and informatives as detailed within the relevant section of this report.

7.26 Additionally, the HA has confirmed that the proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'.

7.27 It is therefore considered that the proposals comply with the relevant requirements of Policy CS12 of the Core Strategy and Saved Policy 51 of the DBLP.

#### Parking

7.28 Policy CS12 of the Core Strategy states that on each site, development should provide sufficient parking. The site is situated within Zone 2 as defined by the Council's 'Accessibility Zones' SPG.

7.29 The development comprises the following units sizes / mix:

- ☐ Three x 1 bedroom
- ☐ Four x 2 bedroom
- ☐ Two x 3 bedroom

7.30 Saved Appendix 5 of the Dacorum Borough Local Plan provides the maximum parking standards for Zone 2 as follows:

- ☐ 1 bedroom dwellings = 1 space
- ☐ 2 bedroom dwellings = 1 space
- ☐ 3 bedroom dwellings = 1.5 spaces

7.31 As such, the proposed development would result in a maximum parking space requirement of ten parking spaces.

7.32 Noting that the Council's standards are 'maximum', in addition to the site's proximity to Berkhamsted Train Station and the local amenities of Berkhamsted High Street, it is considered that the proposed quantum of nine parking spaces is acceptable. There are no parking restrictions on the roads directly outside of the site and as such, they are capable of accommodating vehicles associated with occasional visitors to the development.

7.33 As such, the proposals provide sufficient parking and therefore comply with Policy CS12 of the Core Strategy.

#### Impact upon Neighbouring Properties

7.34 Policy CS12 of the Core Strategy states that on each site, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

7.35 The location of the site in relation to surrounding properties, coupled with the limited scale of the proposals is such that the above considerations are limited to those impacts upon No. 11 Shrublands Avenue located to the immediate east of the application site.

7.36 With regards to visual intrusion, the proposals would introduce additional development along the south-eastern boundary of the application site and adjacent to the boundary of the rear amenity area of No. 11 Shrublands Avenue.

7.37 However, it is noted that the rear of the application site already comprises a substantial degree of built development along this boundary which includes two-storey elements. Whilst the proposals

would result in an intensification of built development within this area, the impacts are not considered to result in an unacceptable degree of additional visual intrusion.

7.38 Similarly, given the scale of the existing development at the application site and its orientation in relation to No. 11, no unacceptable loss of sunlight or daylight will result from the proposals.

7.39 With regards to privacy impacts, the south-east elevation contains a number of new dormers. However, these are to be fitted with fixed, non-opening glazing which will ensure that mutual privacy is achieved. It is recommended that this fenestration arrangement is controlled through imposition of a planning condition to that effect.

7.40 Finally, in respect of disturbance, the parking arrangement at the front of the site is of a similar arrangement to that which has previously been found acceptable to the Local Planning Authority. Furthermore, the area is currently used for parking and the level of intensification which could result from the use of this area in relation to the proposed development is not considered to be of such significance that it would result in unacceptable impacts in this respect.

7.41 The three new parking spaces which are proposed to be accessed via Shrublands Avenue are positioned as such that the use of the spaces will not adversely impact upon neighbouring properties.

7.42 In relation to the property to the south, no windows are proposed to overlook this site and the physical separation between this property and the proposed dwellings will ensure that the potential for neighbour disturbance is minimised. The relative orientation of the two sites is such that no adverse sunlight / daylight impacts will be experienced by the occupiers of the property to the south as a result of the proposals.

7.43 Finally, the proposed development will not adversely impact upon the residential amenities of the properties on the opposite side (west) of the application. A combination of the development's set-back from the road side and the resultant separation distance will ensure that the proposals will not conflict with the objectives contained within the relevant sections of Policy CS12. Furthermore, the relationship between the site and the properties opposite would also be representative of the relationship between the existing properties along each side of Shrublands Avenue.

7.44 It should be noted that upon consultation, the Council's Environmental Health Officer raised no objection on noise grounds, which is considered to support the above assessments in respect of disturbance.

7.45 As such, it is considered that the proposals will not result in unacceptable levels of visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties and therefore accord with Policy CS12 of the Core Strategy.

#### Amenity Provision

7.46 Saved Appendix 3 of the DBLP states that all residential development is required to provide private open space for use by residents.

7.47 Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 m. A reduced rear garden depth may be acceptable for small starter homes, homes for the elderly and development backing onto or in close proximity, to open land, public open space or other amenity land.

7.48 It is acknowledged that the proposals do not provide any on-site amenity space. However, it is noted that there are a number of formal and informal recreational areas within the local area, a location plan of which will be shown to Members during the committee presentation.

7.49 Given this local provision, in addition to the recreational / socialising opportunities provided by the High Street which is located within walking distance of the site, it is considered that, on balance, no objection is raised with regards to the lack of on-site amenity space provision.

#### Internal Environment

7.50 Saved Policy 19 states that flats should have a reasonable amount of internal space. Furthermore, Saved Appendix 3 of the DBLP states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings.

7.51 The proposals are considered to provide an acceptable internal environment with regards to sizing, light ingress, and circulation space and are considered to provide a satisfactory internal environment overall.

#### Land Contamination

7.52 Policy CS32 of the Core Strategy states that any development proposals which would cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances, will not be permitted.

7.53 The Council's Scientific Officer has advised that because of the proposal to demolish part of the existing buildings and introduce new dwellings with associated landscaping the possibility of ground contamination should be considered by the applicant / developer in taking any permission forward. As such, planning conditions have been recommended to safeguard the development and these are attached at the end of this report.

### **8. OTHER MATTERS**

#### Sustainability

8.1 Policy CS29 of the Core Strategy states that new development will comply with the highest standards of sustainable design and construction possible.

8.2 No CS29 Checklist has been provided. However, it is considered that given the scale and nature of the proposed development, matters pertaining to sustainability can be adequately assessed through the Building Control process.

#### Community Infrastructure Levy

8.3 The application site is located within CIL Charging Zone 1. As such, the proposals will be liable to a charge of £250 per square metre.

#### Affordable Housing

8.4 Due to the quantum of development proposed, it is not liable to affordable housing contributions in accordance with the Council's Affordable Housing SPD - Clarification Note (Version 3: August 2019).

#### Permitted Development Rights

8.5 Given the physically constrained nature of the site, coupled with the conservation area designation, it is considered necessary to remove a number of permitted development rights from the three proposed dwellings to ensure that the proposals do not adversely impact upon residential

amenities and the conservation area. The scope of this removal is detailed within the relevant condition at the foot of this report.

### Refuse Collection

8.6 Saved Policy 129 of the DBLP states that developers will be expected to provide adequate space and facilities for the separation, storage, collection and recycling of waste within certain major developments. Although the proposals are not for major development, the locations of refuse storage associated with each of the individual dwelling and the proposed flat conversion have been provided. Further details in respect of this quantum of receptacles, etc. will be required as part of the aforementioned landscaping condition which is considered to provide sufficiently in this regard.

### Response to Comments Received

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

## **9. CONCLUSION**

9.1 The proposals are considered to provide an acceptable form of development which does not result in unacceptable impacts upon neighbouring properties, the Berkhamsted Conservation Area or the local highway network. Sufficient parking is provided and it is considered that the application site is located within an area where accessing local recreation sites is easily achievable. As such, the application is considered to comply with the relevant planning policy environment and is therefore recommended for approval subject to the conditions provided at the foot of this report.

**10. RECOMMENDATION** – That planning permission be **GRANTED** subject to the following conditions:

### **Conditions**

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:

1329-BA-112 D  
1329-BA-111 B  
1329-BA-109 A  
1329-BA-114 C  
1329-BA-113 D  
1329-BA-112 B  
1329-BA-121 C  
1329-BA-118 B  
1329-BA-108 C  
1329-BA-120 D

1329-BA-119 C  
1329-BA-110 A

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

3. No development (excluding demolition/ground investigations) 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. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the conservation area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), Saved Policy 120 of the Dacorum Borough Local Plan and the National Planning Policy Framework.

4. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - o all external hard surfaces within the site;
  - o other surfacing materials;
  - o means of enclosure;
  - o soft landscape works including a planting scheme with the number, size, species and of trees, plants and shrubs;
  - o minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other units, etc.); and
  - o retained historic landscape features and proposals for restoration, where relevant.

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 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. Prior to the first occupation of the development hereby permitted the vehicular accesses (as shown on drawing number 1329-BA-108 C) and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interest of highway safety and traffic movement in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 51 of the Dacorum Borough Local Plan.

6. Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 51 of the Dacorum Borough Local Plan.

7. No development (excluding demolition and conversion) shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Borough Council Core Strategy (2013).

8. All remediation or protection measures identified in the Remediation Statement referred to in Condition 7 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Dacorum Borough Council Core Strategy (2013) the National Planning Policy Framework.

9. Prior to first occupation of the development hereby approved, the dormer windows located within the proposed south-east elevation shall be fitted with obscured, non-opening glazing and shall be retained as such for the lifetime of the development.

Reason: To ensure that privacy of neighbouring properties is not adversely impacted upon in accordance with Policy CS12 of the Core Strategy.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 to the approved dwellinghouses without the prior written approval of the Local Planning Authority:

Schedule 2, Part 1, Classes A, B and C.

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 and conservation area in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

#### **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.

2. Highway Authority

Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

3. Land Contamination

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on [www.dacorum.gov.uk](http://www.dacorum.gov.uk) by searching for contaminated land.

4. Thames Water

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no

objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
National Air Traffic Services	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Conservation & Design (DBC)	<p>Regarding the conversion of 13 Shrublands Road to flats some of the external alterations put forward are considered to improve the appearance of the property- such as the removal of / alteration of modern windows on the front elevation and removal / reconfiguration of the modern rear extension.</p> <p>The plans have undergone a significant amount of amendment and improvement throughout the application process. There are several recommended amendments the applicants did not agree to make, such as the suggested removal of dormer windows to the front elevations which is regrettable. However, these street facing dormers have been reduced in scale and improved in terms of their design.</p> <p>The elevational appearance and roof pitches of dwellings to the rear have been improved and the eaves heights set down, improving their proportions.</p> <p>A couple of chimney stacks have been added to the new dwellings to the rear, contributing to their Edwardian design.</p>

	<p>Whilst the scheme would benefit from further design improvements, as it stands the proposal is considered to preserve the character and appearance of the Berkhamsted Conservation Area and therefore accords with the relevant policies within the NPPF and policy CS27.</p> <p>If approved it is recommended a number of conditions are applied including:</p> <p>Submission of samples / details of all external construction materials</p> <p>All new windows should be timber, details / examples to be submitted</p> <p>Details of all new boundary treatment and landscaping to be submitted</p>
<p>Berkhamsted Town Council</p>	<p>The proposed scheme is a overdevelopment on the edge of the Conservation Area which would adversely affect the amenity of neighbouring properties Highway safety on a busy street was also considered to be a concern, particularly for school children.</p> <p>CS11, CS12, CS27, Appendix 3 (i, ii, iii, iv, vi), Appendix 5</p>
<p>Thames Water</p>	<p>Waste Comments</p> <p>As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:wwqriskmanagement@thameswater.co.uk">wwqriskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p> <p>The proposed development is located within 15 metres of our</p>

underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>
Hertfordshire Highways (HCC)	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Access and Highway Works Prior to the first occupation of the development hereby permitted the vehicular accesses (as shown on drawing number 1329-BA-108 C) and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. Reason: In the interest of highway safety and traffic movement.</li> <li>2. Provision of Parking &amp; Servicing Areas Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</li> <li>3. Cycle Parking - Not shown on plan but achievable Prior to the first occupation of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)</li> <li>4. Construction Management No development shall commence until a</li> </ol>

Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of: a. Construction vehicle numbers, type, routing; b. Access arrangements to the site; c. Traffic management requirements d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); e. Siting and details of wheel washing facilities; f. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times; h. Provision of sufficient on-site parking prior to commencement of construction activities; i. Post construction restoration/reinstatement of the working areas; j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements. Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVE: HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

COMMENTS / ANALYSIS: The proposal comprises of the creation of nine dwellings through the conversion of the existing dwelling and associated works at 13 Shrublands Road, Berkhamsted. The site is a corner plot at the junction of Shrublands Avenue and Shrublands Road, both of which are designated as unclassified local access roads, subject to a speed limit of 30mph and highways maintainable at public expense.

VEHICLE ACCESS: There is one existing vehicle crossover (VXO)

providing access to a large driveway, which is to be retained to provide access to a car park with six car parking spaces. The proposals also include three new additional VXOs, each providing access to a single driveway/parking space. The proposed layout is shown on submitted plan no. 1329-BA-108C and is considered to be acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets (MfS).

Following consideration of the classification of road and speed of traffic, the levels of available vehicle to vehicle visibility at the VXOs would be acceptable. The applicant would need to enter into an agreement with HCC as Highway Authority in relation to the creation of the three new VXOs. Please see the above highway informative.

**CAR PARKING & MANOEUVRABILITY:** The proposed layout and design of the parking arrangements / driveways (as shown on the submitted drawing 1329-BA-108 C) is considered to be acceptable and in accordance with design guidance in 'MfS' Sec. 8.3.48 and 'Roads in Hertfordshire'.

The proposals include the provision of 9 on site / off street car parking spaces, which is less the maximum level of 13 as outlined in Dacorum Borough Council's (DBC) parking standards. HCC as Highway Authority's main concern would be any negative effect the proposal would have on the free and safe use of the surrounding highway. However it is unlikely that any effects would be significant enough to recommend refusal from a highway point of view, particularly when taking into consideration that the development is in zone 2 of DBC's accessibility zones and the nature of the surrounding highway. The applicant is reminded that Dacorum Borough Council (DBC) is the parking authority for the district and therefore ultimately should be satisfied with the proposed level of parking.

**ACCESSIBILITY & SUSTAINABILITY:** The site lies approximately 200m from the High Street in Berkhamsted and therefore in close proximity to its main amenities and facilities and within easy walking and cycling distance. Berkhamsted railway station is approximately 1.3km from the site and within a reasonable walking and cycling distance. The proposals would need to include provision for a suitable level of safe, secure and convenient cycle parking / storage to encourage cycling as a form of sustainable travel. **REFUSE / WASTE COLLECTION:** Provision has been made for an on-site refuse/recycling stores within 30m of each dwelling and within 25m of the kerbside/bin collection and not stored on the highway footway, which is acceptable. The collection method must be confirmed as acceptable by DBC waste management.

**EMERGENCY VEHICLE ACCESS:** The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway on Station Road and Stevenage Road. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document

	<p>B Vol 1 - Dwellinghouses'. Due to number of dwellings,  <b>CONCLUSION:</b> HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the access / highway works required within the existing public highway. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives.</p>
Noise Pollution & Housing (DBC)	<p>No objections on noise or air quality grounds.</p> <p>Having reviewed the documentation submitted with the above planning application and having considered the information held by the Environmental Health Department I have the following advice and recommendations in relation to land contamination.</p> <p>The application is for the redevelopment for housing on a previously developed site, albeit one with a residential land-use history. Therefore, because of the proposal to demolish part of the existing buildings and introduce new dwellings with associated landscaping the possibility of ground contamination should be considered by the applicant/developer in taking any permission forward.</p> <p>For the above reasons it is recommended that planning conditions are imposed on the permission should it be granted.</p>

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
44	13	1	44	0

### Neighbour Responses

Address	Comments
Selattyn Shrublands Avenue Berkhamsted HP4 3JH	<p>1) Substantial negative impact to parking on Shrublands Road which is already double parked and dangerous.  This will create even more risk for school children crossing the roads.</p> <p>2) Substantial negative impact on parking in Shrublands Avenue which is already over-parked with insufficient space for residents before this plan. If this goes ahead with the excessive 3 additional houses, it will have the immediate effect of further overspill parking on Shrublands Road and beyond.</p>

	<p>4) Proposed build significantly larger than current building and out of keeping with the area.</p> <p>5) Overlooking/loss of privacy. The proposed (excessive) plans will look directly into our property and block our light.</p> <p>6) Density of buildings not in keeping with the area, with direct impact on the Shrublands Avenue conservation area and the adjoining dwellings.</p> <p>7) Increased noise and light pollution due to the excessive number of proposed dwellings in such a confined area. 6 flats and three houses? It is currently one house!</p> <p>8) It is clear there are insufficient amenities in Berkhamsted to support this unnecessarily high density of housing. I refer to schools, parking, road access, doctors, water and sewage.</p> <p>9) There have been no Orange planning notices displayed in the area for what is a substantial application. I therefore object on the grounds of process that this plan is bypassing due notice to the affected residents in the area.</p>
<p>10 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>There will be a huge negative impact on the parking on both Shrublands Road and Shrublands Avenue both of which already exceed capacity. There is not adequate parking provisions made in the plans.</p> <p>The proposed build is out of keeping with the surrounding area which is supposed to be a conservation area. This will significantly change both the look and feel of both Shrublands Road and Shrublands Avenue.</p> <p>There are currently insufficient amenities within the local area to support such a huge change from 1 house to 6 flats and 3 houses. The local school is at capacity and the 2 local doctors surgeries are already a nightmare to try and get appointments in.</p> <p>As a local resident directly affected by this planning application I would have expected to receive some form of communication about it - as it is I have not received anything nor have I seen an orange planning notice.</p> <p>I strongly object to the proposed development.</p>
<p>65 Shrublands Avenue Berkhamsted HP4 3JG</p>	<p>Where is the orange planning notice for this planning application? As of 20 March 2019 - no such notice is visible to local residents who will be affected by this development on a daily basis.</p> <p>This is an ill conceived development that places the need to make money (by the developer) over the needs of the local residents. Where are the multiple car parking spaces for these 9 dwellings?</p> <p>The parking situation in Shrublands Avenue and Road is already very</p>

	<p>bad, making parking as well as driving into and out Shrublands Avenue already very stressful (and often dangerous due to cars parked on the corner). Instances of road rage in Shrublands Avenue have already become the norm.</p> <p>Shrublands Avenue has close on 100 Victorian semi's with one space on the road outside each home. Many homes have at least 2 cars (if not more if adult children are at home) making the parking situation stressful for all who live in this road. I often see elderly residents struggle with shopping having parked some distance away. I also often see mothers with babies and small children struggle with baggage as they were not able to park anywhere near their homes. There are people who work in the town who park here because public parking in the town is so inadequate. At present we have 4 skips in the road due to building work on 4 properties in addition to the multiple vehicle of those who are working on these properties not to mention the large delivery vehicles regularly entering and exiting the Road. We're already at the point where residents only parking may well be advisable.</p>
<p>65 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p>	<p>I wish to object to this application for the following reasons:</p> <ol style="list-style-type: none"> <li>1) There is no evidence that the orange planning notices were available. The proper process has not been followed.</li> <li>2) The existing parking situation in Shrublands Road and Avenue is already bad, and this development will make it worse. These 9 dwellings may have as many as 18 vehicles between them, where will they be parking.</li> <li>3) The increase in density is not in keeping with the area.</li> </ol>
<p>84 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p>	<p>Totally object. This road is already packed with cars and there is no where to park as it is. I have young children and dont want to struggle even more with parking and it will cause more traffic in an already struggling road just so one person can make lots of money and sell a load of flats. This is a conservasion area and the Victorian HOUSES will devalue with flats in the street. Also we have Greenway school right at the top of the road which causes even more dangerous traffic and children need to cross the road to get to school. Strongly object!</p>
<p>63 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p>	<p>This came as a real shock, where is the orange planning document. Having lived in the road for nearly twenty years it must be time to leave because, 1. It is extremely difficult to park anywhere near my house unless I am home before 4 pm. 2. There are four skips at present in Shrublands Avenue, many homes having extensions and loft conversions, in addition there are many work vans vying for parking spaces every day, one driver even waits for me to leave !! 3. In the afternoon mother's park in the road while collecting children from greenway school. 4. Delivery vans, both food and commodities constantly block the road. Just these four points make parking extremely difficult. In addition there are 100 homes in the road, most homes have more than one car each, odd numbers have no where else to park. Even numbers just have parking behind two thirds of the way up. There is a builder in the road that has more than five vehicles,</p>

	<p>parking is a nightmare. Some cars are parked for weeks at a time, which I know for a fact having to ring the police to get it moved. With such inadequate parking now in the town we now see many business people parking in our road quite openly.</p> <p>These are just a few comments I can think of in the heat of the moment. This construction is going to make the above issues even more dire along with trying to turn right in a morning out of the avenue, it's so difficult to see as there are no restrictions or yellow lines, so vehicles park right on the edge obscuring vision.</p> <p>I would like to know how planning permission has been granted and so quickly without any warning or planning notices visible. Thank you</p>
<p>15 Shrublands Road Berkhamsted HP4 3HY</p>	<p>I have two key objections - privacy and parking.</p> <p>Privacy-</p> <p>The three proposed three storey houses will overlook directly into our kitchen, garden and first floor landing, which will constitute a substantial invasion of privacy.</p> <p>In particular, the top dormer windows would have clear and unobstructed views into our house and garden.</p> <p>Parking</p> <p>Shrublands Road and Shrublands Avenue are already overloaded with parked cars. It is dangerous and difficult to traverse along Shrublands Road and Shrublands Avenue because of the density of parked cars parked on both sides. I have witnessed many road rage incidents concerning obstructions along this road.</p> <p>The high volume of parked cars in this area also detracts from the conservation area, an area which is meant to be preserved.</p>
<p>81 Shrublands Avenue  Berkhamsted HP4 3JG</p>	<p>Insufficient parking on an already busy road. Difficult as it is to cross with children/pushchairs.</p> <p>Not in keeping with conservation area- concerns over cramming in accommodation which would look unsightly.</p>
<p>21 Shrublands Avenue  Berkhamsted HP4 3JH</p>	<p>In considering this proposal, I do understand the pressure across the country to build new homes and I think it is much better to try and accommodate this within built areas than putting potential pressure on green belts.</p> <p>However, I object to this proposal on the basis of parking.</p> <p>While the proposal includes 9 parking spaces, 6 of the proposed 9 dwellings are two/three bedrooms and it's highly likely there will demand for more than 9 parking spaces meaning extra pressure for on street parking.</p> <p>There will also be a loss of existing on street parking on Shrublands Avenue as a result of the three new houses fronting Shrublands Avenue.</p> <p>There is already insufficient parking meaning residents sometimes have to park on Shrublands Road. I don't think we can afford to both</p>

	<p>lose existing parking as well as having increased demand.</p> <p>I also object to what seems to be a lack of consultation by the Council as no information seems to have been provided to residents in the area about the proposal.</p>
<p>14 Shrublands Avenue</p> <p>Berkhamsted</p> <p>HP4 3JH</p>	<p>No orange notice provided/prior warning</p> <p>Impact on conservation area</p> <p>Impact on traffic and parking</p>
<p>22 Bridgewater Road</p> <p>Berkhamsted</p> <p>HP4 1HN</p>	<p>I write on behalf of the BCA Townscape group of which I am a member. We would like to express concern regarding:- a) The Lack of amenity space. b) Only 9 parking spaces for 9 dwellings seems insufficient especially in this congested area.</p>
<p>73 Shrublands Avenue</p> <p>Berkhamsted</p> <p>HP4 3JG</p>	<p>I strongly object to the planning app for 9 dwellings to be constructed on the site of 13 Shrublands Rd. This property is located on an already busy road where parking is difficult. It is also adjacent to Shrublands Ave. Parking on this road is heavily congested. Both roads are on the walking routes for many children making their way to Greenway Primary school &amp; St Thomas Moore school &amp; extra traffic will heavily compromise the safety of those routes. This is a conservation area &amp; needs to be treated as such. An extra 9 dwellings will generate extra cars (maybe upto an extra 18 cars) in an area where parking is difficult &amp; pedestrian safety is already compromised. I do not understand why local residents have not been made aware of this development &amp; have not been consulted more publicly. This has been treated in a very underhand manner &amp; there has been no concern for residents opinions, safety &amp; ability to park</p>
<p>49 Shrublands Avenue</p> <p>Berkhamsted</p> <p>HP4 3JQ</p>	<p>The parking situation on Shrublands Avenue and Shrublands Road is already unacceptable with residents (some of which are elderly or have young children) having to park up to half a mile away to get a space.</p> <p>Adding nine residences will exacerbate this situation further. I do not have any objection to the actual conversion of the property, but I strongly advise that a consultation is made on either painting marked bays onto the road or bringing in permit only parking.</p> <p>Alternatively, the new properties should be made to have drives or garages to avoid extra cars on the already congested roads.</p>
<p>49 Shrublands Avenue</p> <p>Berkhamsted</p> <p>HP4 3JQ</p>	<p>I strongly object to the proposal of turning this property into 9 dwellings. Parking on Shrublands road and Shrublands Avenue is virtually impossible at present and this is without 9 additional vehicles - presuming that each residence would only have 1 car each. Something needs to be done to address the parking situation if this is to go ahead as it is becoming increasingly frustrating!</p>
<p>12 Shrublands Road</p> <p>Berkhamsted</p> <p>HP4 3HY</p>	<p>I have concerns that traffic, parking and road safety would be negatively impacted by the increase in the occupancy of this space. I feel nine dwellings is too many for the size of the property considering the access.</p>

<p>Sarnia Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>Object due to over development of the site and specifically:</p> <ul style="list-style-type: none"> <li>- Density of housing not in keeping with the area</li> <li>- The impact on parking in the area. The allocated parking spaces in front of each proposed new house will take the same space away from the road therefore not providing any additional parking for the 3 new dwellings.</li> </ul> <p>Object due to loss of privacy in our home with the proposed new windows and dormers looking directly into our property.</p> <p>If planning should be granted, we would request that working times should be limited to sociable hours (8am-6pm) due to the work taking place in an area densely populated with family homes, many with young children.</p>
<p>Stonycroft 9 Shrublands Road Berkhamsted HP4 3HY</p>	<p>Whilst welcoming some action on developing this site, I have some concerns about the application itself. My main concerns are the lack of amenity space for the three additional houses fronting Shrublands Avenue; the additional roof light overlooking the gardens of nos. 11 and 9 Shrublands Road; and the inadequate number of parking spaces proposed in an area already full of parking displaced from adjoining roads.</p> <p>However I welcome the demolition of the old, unsightly extensions at the rear of the property, a left-over from the days when it was a residential home. I also find the design and materials of the new-build acceptable, especially as this house is prominent in the Conservation Area and has an A4 Direction on it.</p>
<p>15 Shrublands Avenue  Berkhamsted HP4 3JH</p>	<p>I object to the above application on the following grounds:</p> <p>Overdevelopment of the site leaving no amenity space whatsoever;</p> <p>The development would therefore impact on the Conservation area;</p> <p>Landscaping. The development would have an impact on trees. The extension would involve the felling of the tree on land belonging to 1 Shrublands Avenue (The Colt House). This tree is not shown on the plans and is the only tree in the Avenue;</p> <p>Parking; the development would result in the loss of perhaps 5 on street parking spaces in an already congested road. This would be exasperated by the increase of the additional dwellings The development would have an adverse impact on 11 Shrublands Road (The Rowans) an Undesignated Heritage Asset;</p> <p>The development would result in overlooking onto 15 Shrublands Road;</p> <p>13 Shrublands is covered by an Article 4 (2) direction which requires permission to demolish a wall, to provide off street parking;</p>
<p>13 Shrublands Avenue  Berkhamsted HP4 3JH</p>	<p>We object to this development at the already crowded area at the bottom of Shrublands Avenue:</p> <p>1)It will make road crossing on the routes to the schools and town centre more dangerous.</p>

	<p>2)It will negatively impact the already crowded parking on Shrublands Avenue and Shrublands Road. With provision of only 9 spaces for the development, parking will become even more unsafe and crowded for the current residents and visitors.</p> <p>3)The new development is just cramming as many flats and houses into a small site without sufficient consideration for the local community.</p> <p>4)Density of properties proposed is not in keeping with the conservation area.</p>
<p>2 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>Planning objections -13 Shrublands Avenue. 4/00134/19/FUL</p> <ol style="list-style-type: none"> <li>1. The whole development will increase the parking difficulties already experienced by Shrublands Avenue residents.</li> <li>2. There will be no graduation between the properties deemed worthy of preservation and the proposed houses, making the uninvented and enforced preservation an irritation to those subject to it.</li> <li>3. The evidently edited photograph does not reflect the nature of congestion in Shrublands Avenue.</li> <li>4. The same photograph does not show the reality of the abutment with 1 Shrublands Avenue, the abutment will in reality be an eyesore if the existing site boundary wall on Shrublands Avenue is removed.</li> <li>5. There appears to be no amenity provision (garden, courtyard etc.) for what appear to be family accommodations.</li> </ol> <p>In principle, the conversion of the existing structures would be acceptable WITHOUT the inclusion of the proposed three new houses.</p>
<p>51 Shrublands Avenue  Berkhamsted HP4 3JQ</p>	<p>I object to this planning application for these reasons</p> <p>It is overcrowded and not in keeping with the conservation status of our road.</p> <p>It will negatively impact the parking situation an already crowded street and cause congestion. It will also impact on the safety of the many pedestrians including children walking to and from school every day.</p> <p>We as local residents have not been made aware of this development &amp; have not been consulted publicly. There has been no concern for residents opinions, safety &amp; ability to park.</p>
<p>86 Shrublands Avenue  Berkhamsted HP4 3JG</p>	<p>I object due to concerns over parking in an already very crammed road. More often than not I can't park on my own street which is frustrating, especially with a loaded car. Our baby is due in June and I am really worried about the impact even more traffic will have when loading and unloading him into the car and how far away I will have to park. If residents are unable to park in their own street, this will have knock on effects on nearby streets. Parking shouldn't be the end of day stressor when all you want to do is come home and relax!</p>

<p>67 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p>	<p>I strongly object based on the below comments.</p> <ol style="list-style-type: none"> <li>1) There will be a large impact to parking on road and surrounding areas. Parking is already very congested and insufficient to meet demand for current houses and facilities, such as the nearby Church.</li> <li>2) The additional volume of cars will increase the dangers of people walking in the area. In particular for the safety of the many children walking to and from the nearby schools.</li> <li>3) The additional volume of cars from the location will increase the problems of driving on the Shrublands Road and Shrublands Avenue junction. This junction is already very busy due to poor visibility and congestion.</li> <li>4) The proposal is not in keeping with the conservation area. There are simply too many dwellings planned for a small space. It is very frustrating to see such a proposal when other people in the area are very considerate to observing the conservation planning rules.</li> </ol>
<p>1 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>The Colt House, 1 Shrublands Avenue, Berkhamsted, HP43JH (Object)</p> <ol style="list-style-type: none"> <li>1. Inaccurate drawings and images (layout, scale, height and bulk)</li> <li>2. Density of proposed housing not in keeping with the area, Proposed build significantly larger than current building. Not suitable to go from a one dwelling property to nine! This proposal is out of proportion to other properties on Shrublands Avenue/Shrublands Road</li> <li>3. The building looks like it would be erected very close to the boundary of my property and I would question if it is too close to be approved</li> <li>4. Noise pollution will increase due to number of proposed dwellings on the plot.</li> <li>5. The three proposed three storey houses will overlook our property and compromise our privacy</li> <li>6. The local residents have not been made aware of this development &amp; have not been consulted publicly. We have not seen any orange notices on the street</li> <li>7. Concern over the excavation to allow basement areas and condition of underlying soil/ground on such a severe hill which forms the road ( landslip etc)</li> <li>8. Concern of proximity of proposed excavation to nearby property. How many meters should it be away from the other property please confirm that this will meet all the necessary building regs? It is very close to my boundary and property</li> <li>9. Potential structural damage to immediate properties subsidence, movement etc.</li> <li>10. Increase to water table based on proposed excavation</li> <li>11. Lack of amenity space and notion to remove or compromise mature trees, insufficient outdoor space which is detrimental to the health and well-being of the occupants</li> <li>12. Concern over the excavation and building process and disruption of</li> </ol>

	<p>the development to highways</p> <p>13. Underground services water, gas, sewage, telecoms will be effected</p> <p>14. Health of immediate neighbours, my daughter has a respiratory illness and I don't want her health to be compromised by excessive building works, on a personal note both my children will be sitting exams and the noise and works will affect their revision</p> <p>15. The proposed change of sky line not suitable</p> <p>16. I question the roof line conformability</p> <p>17. Does not harmonise the character of the surrounding areas</p> <p>18. Insufficient landscaping</p> <p>19. Loss of sunlight and daylight to our property. Our garden will be overlooked and shadowed by such a huge building</p> <p>20.</p> <p>21. The plan doesn't respect the adjoining property</p> <p>22. Highway and traffic will be significantly impacted, there will be a higher capacity of use on local routes</p> <p>23. Parking is very limited as it is and this proposal will cause a major problem on Shrublands Avenue and Shrublands road, 9 parking spaces is ridiculous, there is likely to be at least 20 more cars around the property based on the proposed plan. Parking on the 3 storey house driveways will be near on impossible to use and turning out onto Shrublands Avenue with tightly parked vehicles either side will not be manageable</p> <p>24. The glazing on the proposed plan (south west elevation) will compromise our privacy and we will be overlooked</p> <p>25. Major impact on the safety of the many pedestrians including children walking to and from school every day. These walking routes are used every day for many children making their way to Greenway Primary school &amp; St Thomas Moore school, residents who use the local church or make their way into the Town centre regularly will also be at risk. Local schools, doctors surgeries and other services are at full capacity already and this development would add a further burden to these vital services.</p> <p>26. The junction at the bottom of Shrublands Avenue is already very busy due to poor visibility and this plan would produce further danger to motorists and pedestrians</p> <p>27. It is clear that the proposed new development is just cramming in as many flats and houses into a small site without sufficient consideration of the interests of the local community. It is simply an opportunity for the developer to make money without any care of the residents.</p>
<p>7 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>The development is too big and over-bearing for the size of the site and not in keeping with the conservation area.</p> <p>The parking in Shrublands Avenue and Shrublands Road is already stretched to its limits with cars parked right up to the corners of both roads making it difficult and dangerous to pull out of or in to Shrublands Avenue - oncoming vehicles and pedestrians who are crossing can not be seen until the last minute. The addition of these 9 flats/houses and associated increased traffic will make the situation even worse.</p> <p>The inclusion of driveways for the three houses will mean that 4 existing</p>

	<p>parking spaces on Shrublands Avenue will be lost causing even more difficulty for existing homeowners to park.</p> <p>There has been no orange planning notice displayed alerting residence to this application.</p>
<p>61 Shrublands Avenue Berkhamsted HP4 3JQ</p>	<p>Along with the other comments, it should be noted that approx 8 car park spaces will be lost at the bottom of Shrublands Ave / Shrublands Road junction when double yellow lines are added. The breakdown is 4 on Shrublands Road, each side of Shrublands Ave and 2 on each side of Shrublands Ave. A similar number will be lost at the junction of Greenway and Shrublands Ave.</p>
<p>20 Shrublands Avenue Berkhamsted HP4 3JH</p>	<p>I strongly object to this planning application for the following reasons:</p> <p>It will put increased pressure on parking in Shrublands Avenue where it is already often difficult for residents to find a parking space close to home.</p> <p>The increased number of cars in the area will have a negative impact on the safety of pedestrians, especially children walking to and from school.</p> <p>It is not in keeping with the conservation area.</p> <p>There have been no planning notices that I have seen alerting residents to this application.</p>
<p>11 Shrublands Road Berkhamsted HP4 3HY</p>	<p>Please note that the below referenced document is available, including all illustrations, upon request. We have copied in the text from the document as no ability to upload the file. Many thanks</p> <p><b>1. INTRODUCTION</b></p> <p>1.1 My name is Hayden Todd and I am an Associate Director with Aitchison Raffety, Chartered Town Planning Consultants. I have a Bachelor's Degree in Environmental and Resource Planning (Hons) and am a Member of the Royal Town Planning Institute.</p> <p>1.2 I am appointed on behalf of Mr and Mrs Di Cello of the Rowans, 11 Shrublands Road, Berkhamsted, who adjoin the application site and strongly OBJECT to the planning application.</p> <p>1.3 The planning application is for the conversion of the building into six flats and construction of three dwellings at 13 Shrublands Road, Berkhamsted HP4 3HY.</p> <p><b>2. REASONS FOR OBJECTION</b></p> <p>2.1 The main concerns with the proposed development relate to the impact on the amenity of the neighbouring occupiers, standard of environment, character and appearance and parking provision.</p>

## Neighbouring amenity

2.2 The National Planning Policy Framework seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

2.3 Policy CS12 of the Core Strategy aims to protect the amenity of adjoining occupiers and states that development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

2.4 Appendix 3 (iv) of the Local Plan makes clear that "Residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided (see the Building Research Establishment's report 'Site Layout Planning for Daylight and Sunlight' 1991)."

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

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

## Proposed scheme would intrude into the 45 degree line of visibility

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

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

occupiers than the existing extension.

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

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

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

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

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

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

2.13 The proposed development would therefore, by reason of its excessive scale, bulk, rearward projection and proximity to the common boundary, result in an unacceptable loss of light, overshadowing, overlooking and overbearing impact, to the detriment

of the visual and residential amenity of the occupiers of 11 Shrublands Road, contrary to the provisions of Policy CS12 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

#### Standard of Environment

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

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

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

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

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

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

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

#### Character and Appearance

2.21 The National Planning Policy Framework seeks a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change. It specifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. With reference to the historic environment, it states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Development should conserve or enhance the character and appearance of Conservation Areas.

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

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

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

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

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

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

#### Highway Consideration

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

#### High demand for on-street parking

### 3. CONCLUSION

3.1 The proposed dwellings would abut the common boundary and extend the full depth of the garden. This is clearly unacceptable and would dominate the outlook from the adjacent dwelling and result in a harmful loss of light and overshadowing. The dwellings would also have a visually obtrusive and overbearing impact. These points were recognised by an Inspector for a previously proposed rear extension that was dismissed at appeal. The proposed development would therefore harm the visual and residential amenity of the occupiers of 11

	<p>Shrublands Road and cannot be approved.</p> <p>3.2 The proposed development would introduce habitable windows directly adjacent to the adjoining property, 11 Shrublands Road, resulting in a harmful loss of privacy and overlooking.</p> <p>3.3 The restricted outlook, low levels of natural light to key habitable rooms, combined with the fact that there is no amenity space, would not provide a satisfactory living environment for the future occupiers.</p> <p>3.4 The proposal would not comply with local parking standards. The proposed scheme would result in the loss of 4 on-street parking spaces to provide 3 on-site parking spaces. The proposal will exacerbate an existing parking problem in this part of Berkhamsted.</p> <p>3.5 For the above reasons, the proposal is contrary to adopted planning policies and guidance and we respectfully recommend that planning permission be refused.</p>
<p>43 Shrublands Avenue</p> <p>Berkhamsted HP4 3JQ</p>	<p>We object to the planning application for 13 Shrublands Rd.</p> <p>Given that most families have two cars, and the application is for 9 dwellings overall, even though there is parking included in the planning design it is more than likely that this will not accommodate 18 cars. There is already not enough parking on Shrublands Avenue and current residents often have to park on the surrounding roads (which are also crowded). This is inconvenient especially with young children. The addition of 9 homes to this road would undoubtedly compound the problem of not enough parking on our road.</p> <p>The addition of 9 homes on the corner of Shrublands Road and Shrublands Avenue and the amount of cars and extra traffic that this would bring poses a problem in terms of safety for both pedestrians and motorists. This is a busy juncture, especially in the mornings and afternoons, with commuters driving to work and school and families walking to and from school (many primary age children who are unaccompanied by adults cross Shrublands Rd at this corner to walk up the hill to Greenway School). There will be more traffic for pedestrians to navigate, which means that this already busy corner will be more dangerous. Cars already park all along this corner and it is difficult to see when turning from Shrublands Ave into Shrublands Rd - again, 9 families and their vehicles can only compound this problem.</p>
<p>29 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p>	<p>I have a number of reasons why I believe that this development isn't acceptable in this location, these are:</p> <ol style="list-style-type: none"> <li>1. The development is far too dense for the size of plot: The infill development of three houses in the small garden area of No 13 is excessive.</li> <li>2. The proposed three houses have one off street parking space: The allocation of one space per house is unrealistic. Parking space guidelines for new build are generally as follows: Single bedroom or studio unit</li> </ol>

- 1 per dwelling unit

Two bedroom unit

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

Three or more bedrooms -

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

Visitor parking

- 1 for each 5 dwelling units

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

The new parking restrictions are omitted from the planning statement.

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

3. Impact on road safety:

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

4. Conservation area and article 4:

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

(See 5.33 additional comments from pre -planning meeting: The dormers would need to be omitted, as they would appear at odds with the street scene, the use of a limited number of conservation style roof lights may be acceptable. If dormers are required for height, these

	<p>should be located to the rear roof slope but would need to be obscure glazed to ensure no overlooking to the properties of Shrublands Road).</p> <p>5. Poor architectural design: Looking at the floorplans of the proposed three houses, it is evident that the light levels inside the properties will be very low and in some areas non-existent. This is worse than back-to-back housing.</p> <p>The proposed three houses will have no rear outside space and very limited front outside space. The comments in the planning statements mitigating this are laughable.</p> <p>(See 5.33: The proposal is 20m away from a bus stop and also the playing fields on Shrublands Road. The site is in walking distance to the sports centre, the shops at Gossoms End and to Berkhamsted town centre).</p> <p>6. The very close proximity to neighbouring properties will negatively affect those existing residents - this is unacceptable.</p> <p>7. Planning Statement: It is noted that the MD of the company that has written the planning statement on behalf of the developer was previously Head of Conservation Team at Dacorum Borough Council.</p> <p>To sum up the proposed development of this site is excessive and smacks of property developer greed. I would welcome a sympathetic development of the existing building at 13 Shrublands Road - this building has been empty for far too long, but the infill development will have a serious negative impact on the residents of Shrublands Avenue.</p> <p>I would also like to ask why the official orange notice for this planning permission was not displayed until 28th March 2019.</p>
<p>31 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p>	<p>We object to the proposed development of the site.</p> <p>Whilst some form of development of the property is welcome, this plan appears to give little regard to residents of Shrublands Avenue and Shrublands Road or indeed to future residents of the development in question, where there is very little outside space and a number of dwellings that is excessively disproportionate to the size of the plot.</p> <p>The number of parking spaces allocated will in all likelihood be insufficient and will mean more cars trying to park on street. Parking is already an issue on Shrublands Avenue; it is rare that we get a parking space in front of our house and not unusual to have to park on a neighbouring road. There is a busy church on Shrublands Road, used for a number of activities as well as services, and this too places demand for parking in the immediate area.</p> <p>The density of dwellings is not in keeping with the conservation area.</p>

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

<p>35 Shrublands Avenue</p> <p>Berkhamsted Hertfordshire HP4 3JQ</p>	<p>I'd like to strongly oppose the plans to build 6 flats on Shrublands Avenue.</p> <p>This initiative clearly demonstrates a lack of research into the parking availability on the street. As house owner on Shrublands Avenue, there's already an issue whereby I'm regularly forced to park a considerable distance from my house.</p> <p>This is going to create real issues. My car has suffered multiple signs of damage due to fellow neighbors attempting to occupy spaces that are simply just too tight. This is, of course, is a result of having too many car owners for the size of the street.</p> <p>There's a universal opinion on the street that this construction work is bad for the neighborhood.</p> <p>I await your response on this subject.</p>
<p>The Rowans 11 Shrublands Road Berkhamsted Hertfordshire HP4 3HY</p>	<p>I am writing in response of the amended plans. Our views have not changed from those in my comments on the original designs and I shall send a follow up email with the previous Chartered Town Planning consultants opinion on this matter that we sought which clearly outlines the various significant reasons for objecting to this proposal. Our opinion on this matter has not changed and has in fact strengthened in our belief this proposal is gross overdevelopment on the edge of the conservation area, and would adversely affect our property. There is still inadequate parking provision in an area that already suffers congestion - in fact there are times we are unable to get our vehicle out of our driveway because of the severe parking congestion not allowing our vehicle to turn safely on to Shrublands Rd. The proposed new townhouses and flats are unacceptably close to the perimeter of our property causing overlooking and significantly impacting the natural light onto our property and the use of all of the site's open space for building cannot be acceptable in an already highly developed area. All of these matters were the reason why this proposal was rejected historically and the circumstances have not changed and see no reason why it should be upheld. Many thanks David &amp; Charlotte</p>
<p>Selattyn Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>Once again this appalling application has bounced back with little notice and no changes or improvements. AND NO ORANGE NOTICE.</p> <p>For all the reasons stated before in my previous objection I object, I object, I object.</p> <p>This is a blatant attempt at profiteering without any regard for the character, impact, or the safety of children, passers by and the elderly. Parking is already under severe pressure and what right does this application have to take away six much needed parking spaces?</p> <p>The impact on adjoining properties is unacceptable. In terms of light, character, noise, pollution, strain and all the above tick boxes.</p>

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

	<p>We have personally been through the planning process and, like many of our neighbours, have had to adhere to quite specific conditions because of our conservation area status (this includes changes to items that are not visible from the street). Should this application be granted, this would certainly undermine and raise questions about the planning process.</p> <p>Parking is also a concern. Parking on Shrublands Avenue is already a problem and, at certain times of the day / evening, it is not always possible to park in Shrublands Avenue with cars spilling into Greenway and Shrublands Road. Although this planning comes with 9 parking spaces, this does not solve the problem of tenants with multiple cars and visitors.</p> <p>I hope that these points will be given due consideration.</p>
<p>4 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>This proposal will have a detrimental effect on this conservation area. The strain in traffic and especially parking in this area is already high and this will put increased pressure on the local residents. The disruption to residents will be considerable and the number of new residents is large although as I understand it no new provision is being made for local amenities such as doctor's surgeries or schools. In short this proposal is ill thought out and is designed primarily as a source of profit for developers rather than a plan that will lead to the improvement of the local community. I strongly object to this proposal.</p>
<p>22 Bridgewater Road Berkhamsted Hertfordshire HP4 1HN</p>	<p>I write on behalf of the Berkhamsted Citizens Association Townscape group of which I am a member. We would like to object to this application on the basis of a) Lack of amenity space. b) Lack of adequate parking with only 9 spaces for 9 dwellings. c) Overdevelopment.</p>
<p>84 Shrublands Avenue  Berkhamsted Hertfordshire HP4 3JG</p>	<p>Shrublands Avenue is a skinny Victorian Street where parking is already a nightmare and only one car can travel up and down the street. Meaning cars are always reversing up and down and queueing to get up and down the street, which is already risky and not ideal. I have seen many accidents where cars are hitting wing mirrors and scraping the sides of other cars.</p> <p>Bring on some ice and snow and cars are hit and it's even more super dangerous.</p> <p>There is already inadequate parking and the residents are having to park on other streets, causing people to park on curbs and having to walk a long way to get home after using their cars.</p> <p>Building flats does not fit with the Victorian style houses but most importantly is the extra parking and traffic is a danger to the children walking to the local schools in the area - Greenway and St Thomas Moore. Parents who drive their children to the schools already cause chaos each morning and extra traffic and parking needs would create even more danger and pollution on an already packed and over populated street. As a parent my concerns and worry about extra cars, visitors and people are real. Young children on bikes, scooters and crossing roads do not need any more traffic as they make their already quite dangerous journeys to school.</p>

	<p>This street and the area is already struggling and we can never park near our house as it is. I object strongly to flats being built on Shrublands Avenue and am shocked it's even being considered based on the traffic and problems on this round and surrounding streets. The weekends are a complete nightmare too. A few visitors to the houses round here and the street is blocked and tempers soar. Environmentally adding six more properties in too will be adding more pollution and the need for resources in an already struggling Victorian Street. No thanks.</p>
<p>The Colt House 1 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>I object to the plan base on my previous comments, the plan doesn't seemed to have changed radically , There are more windows from what I can see which furthers a privacy issue to the other Neighbours properties, the scheme is trying to overdevelop on the land, there is no garden space, parking is directly effected on both Shrublands Road and Shrublands Avenue and the immediate road junction will become even more dangerous for pedestrians and people in vehicles, two gardens will be significantly overlooked and will reduce daylight in those spaces. We have a large conifer tree in our front garden which hasn't been considered in the scheme and will be affected, the depth and height seem to have been increased on the plan. Locals schools, sports facilities , doctors surgeries and other amenities are stretched as it is and this plan will add more pressure on the local area. I have serious concerns about them building underground on a road with a significant slope/gradient, I am concerned about potential subsidence to my property and their existing building.</p> <p>I object to the plan based on my previous comments which are The Colt House, 1 Shrublands Avenue, Berkhamsted, HP43JH (Object)</p> <ol style="list-style-type: none"> <li>1. Inaccurate drawings and images (layout, scale, height and bulk)</li> <li>2. Density of proposed housing not in keeping with the area, Proposed build significantly larger than current building. Not suitable to go from a one dwelling property to nine! This proposal is out of proportion to other properties on Shrublands Avenue/Shrublands Road</li> <li>3. The building looks like it would be erected very close to the boundary of my property and I would question if it is too close to be approved</li> <li>4. Noise pollution will increase due to number of proposed dwellings on the plot.</li> <li>5. The three proposed three storey houses will overlook our property and compromise our privacy</li> <li>6. The local residents have not been made aware of this development &amp; have not been consulted publicly. We have not seen any orange notices on the street</li> <li>7. Concern over the excavation to allow basement areas and condition of underlying soil/ground on such a severe hill which forms the road ( landslip etc)</li> <li>8. Concern of proximity of proposed excavation to nearby property. How many meters should it be away from the other property please confirm that this will meet all the necessary building regs? It is very close to my boundary and property</li> <li>9. Potential structural damage to immediate properties subsidence,</li> </ol>

movement etc.

10. Increase to water table based on proposed excavation
11. Lack of amenity space and notion to remove or compromise mature trees, insufficient outdoor space which is detrimental to the health and well-being of the occupants
12. Concern over the excavation and building process and disruption of the development to highways
13. Underground services water, gas, sewage, telecoms will be effected
14. Health of immediate neighbours, my daughter has a respiratory illness and I don't want her health to be compromised by excessive building works, on a personal note both my children will be sitting exams and the noise and works will affect their revision
15. The proposed change of sky line not suitable
16. I question the roof line conformability
17. Does not harmonise the character of the surrounding areas
18. Insufficient landscaping
19. Loss of sunlight and daylight to our property. Our garden will be overlooked and shadowed by such a huge building
- 20.
21. The plan doesn't respect the adjoining property
22. Highway and traffic will be significantly impacted, there will be a higher capacity of use on local routes
23. Parking is very limited as it is and this proposal will cause a major problem on Shrublands Avenue and Shrublands road, 9 parking spaces is ridiculous, there is likely to be at least 20 more cars around the property based on the proposed plan. Parking on the 3 storey house driveways will be near on impossible to use and turning out onto Shrublands Avenue with tightly parked vehicles either side will not be manageable
24. The glazing on the proposed plan (south west elevation) will compromise our privacy and we will be overlooked
25. Major impact on the safety of the many pedestrians including children walking to and from school every day. These walking routes are used every day for many children making their way to Greenway Primary school & St Thomas Moore school, residents who use the local church or make their way into the Town centre regularly will also be at risk. Local schools, doctors surgeries and other services are at full capacity already and this development would add a further burden to these vital services.
26. The junction at the bottom of Shrublands Avenue is already very busy due to poor visibility and this plan would produce further danger to motorists and pedestrians
27. It is clear that the proposed new development is just cramming in as many flats and houses into a small site without sufficient consideration of the interests of the local community. It is simply an opportunity for the developer to make money without any care of the residents.

The plan doesn't seemed to have changed radically , There are more windows from what I can see which furthers a privacy issue to the other Neighbours properties, the scheme is trying to overdevelop on the land, there is no garden space, parking is directly effected on both Shrublands Road and Shrublands Avenue and the immediate road

	<p>junction will become even more dangerous for pedestrians and people in vehicles, two gardens will be significantly overlooked and will reduce daylight in those spaces. We have a large conifer tree in our front garden which hasn't been considered in the scheme and will be affected, the depth and height seem to have been increased on the plan. Locals schools, sports facilities , doctors surgeries and other amenities are stretched as it is and this plan will add more pressure on the local area. I have serious concerns about them building underground on a road with a significant slope/gradient, I am concerned about potential subsidence to my property and their existing building.</p>
--	--