

## DEVELOPMENT MANAGEMENT COMMITTEE

Thursday 15 October 2020

### ADDENDUM SHEET

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#### Item 5a

**20/01235/MFA Artificial Games Pitch/Multi Use Games Area with Fencing and Floodlights.**

**Berkhamsted Hockey Club, Tring Road, Tring, Hertfordshire**

1) The Report

Dacorum Core Strategy Policies. This includes Policy CS24 Chilterns Area of Outstanding Beauty, which is referred to other parts of the Report.

2) Response from Hertfordshire County Council: Lead Flood Authority

Following a review of the information submitted online, we have no further comments to make. We maintain our position as recommended in our letter dated 10 July 2020.

3) Response from Hertfordshire Ecology to BHHHC clarification of moving the pitch 17m North East towards the club house and 3.5m to the South East

If it's about the 17x3.5m then Hertfordshire Ecology is happy with that. HE just hoped it had been in the submitted documents.

4) Orchard Cottage, Tring Road, Tring, Hertfordshire, HP23 5RF

Objection

Reasons for Objection:

- Affect Local Ecology
- Inadequate Access
- Inadequate Parking Provision

Whilst we recognise the need for an artificial hockey pitch at BHHHC - given the lack of similar facilities locally and the significant demand, we feel that the infrastructure

will not support the increase in traffic and parking, and turn what is already, at peak times, a chaotic situation into an unmanageable one and it is therefore imperative that, if approved there are concrete plans built in to solve these logistical issues, which are outlined below.

There is a high level of support for these plans (hundreds of people and schools clearly require a decent pitch to play hockey on) but few supporters are adversely impacted by the realities of the access issues. Living at the property next door to the hockey club, we feel positioned to comment on the realities of the traffic issues.

#### The issue of access

Access is via the 'BOAT' (Byway open to all traffic): a mostly single-width track in extremely poor repair and too narrow to support even the modest traffic it handles today. An artificial pitch will boost traffic: more players and more spectators: the plan suggests up to 90 extra cars and school buses/coaches a day. Currently, at peak times, it can take 15 minutes to navigate the 200m from our house to the A4251, with traffic queuing on the A4251.

There are 3 sections of the road that have issues:

- a) Section A: the 20 or so metres immediately after turning off the A4251. This is a narrow single car-width section with properties adjacent on either side. At peak times traffic is backed up both ways, backing up on to the A4251.
- b) Section B: the main section of the BOAT. Generally single track, with occasional passing points, providing cars are not parked. But at peak times cars are parked here, rendering it single track.
- c) Section C: the last 30 - 40 metres after turning left, just before reaching the Hockey Club gate and car park. This is a private road owned by the hockey club, over which our property has a Right of Way easement. It is a single-track road, and another pinch-point. Again, at peak times we already struggle to get out of our house.

#### The issue of road quality

The road surface is dreadful, and the source of much frustration from anyone that has travelled it. It is not fit in its current state for the current traffic load, let alone an increase. Myself and others have had car damage due to the size and severity of the potholes.

Regardless of the outcome of this application, the road should be tarmacked, and should be one of the conditions applied to this application if approved.

#### The issue of parking

The plans include a suggested site for additional parking, which would be essential. However, using the existing grass surface (as per the existing plan) would not suit and would force people to park along the BOAT when it is wet, making it impossible for cars to pass. The current plans should therefore be conditional on the proposed parking sites being suitably surfaced (hardcore or tarmac).

#### Preserving the AONB

The proposed site is in an Area of Outstanding Natural Beauty. Care must be taken to ensure the pitch blends in with the surroundings and does not spoil the spectacular surroundings. Whilst floodlighting is necessary, there will be light pollution up to 10pm each evening. We welcome the proposal of using LEDs for reduced light pollution, although we would urge consideration of whether the height of the lighting itself could be reduced to minimize the impact?

#### 5) Chiltern House, Tring Road, Cow Roast

A letter referring to the submitted representation on the Agenda includes the following photograph:



#### 6) Fendley Barn, Cow Roast

We would like to object the application state above due to the following considerations:

1. **Extensive light pollution, light disturbance and noise pollution.** The extensive lighting and the long hours of use stated will create a huge amount of light disturbance and noise pollution. The poles mentioned in the application are higher than the surrounding trees that only partially cover the proposed pitch already. This will cause a huge amount of light disturbance for the surrounding houses and especially in winter when there will be no trees on the leaves acting as a screen and when the pitches will be in use on the dark evenings. The applicants have falsely claimed that the trees will screen the lights and due to the long periods stated for us it will create a continual unfair disturbance for local households such as ours which face the proposed pitch.

As well as the light pollution there will also be noise pollution. The hockey club regularly without the large increase in the amount of people using the facility and the night time use from both cars and people.

2. **A4251 Road entry and exit level of danger.** The single lane in place is so far from adequate for the proposed 90 cars that will be arriving at the new proposed pitch. This 'track' is already overused due to 40 or so cars parking there already on weekdays due to Stratstone Garage's use of it and sometimes on Saturdays when the lower pitches are used for Football. This creates an overspill already on to the main road which is dangerous for the local residence and for the Hockey Club members themselves. The potential to have around 100 cars using this entrance and exit poorly surfaced track is unrealistic and dangerous for the 100 or so cars to be pulling out on a blind corner where often traffic is going 60mph instead of the proposed 40mph in Cow Roast. This stretch of road has seen multiple accidents over the years and the addition of 100's of cars entering this corner under pressure from large amounts of cars all also trying to leave at the same time is dangerous. It is not only cars pulling out that is the issue but also cars pulling in. It is a one-way section so if there is queues to get in this will lead to cars sticking out in to the main road. Due to the nature of matches this is highly likely with teams and supporters arriving at the same time and exiting together. This level of danger will only be heightened further when the Cow Roast Pub reopens and there are adjacent exits with no priority processes in place and this only enhances the blind spot even further by having others car entering and exiting alongside.
3. **The local area is an area has the status of outstanding natural beauty (AONB).** The development put forward would go against this and it should continue to be protected due to its AONB status. Many people use this area to go on walks through the landscape and it has many rolling hills situated around the proposed development. The proposed site would be clearly visible and damage this natural beauty.
4. **Car parking levels underestimation and dangerous spill over.** Stratstone Garage use the track road leading up to the proposed pitch already and this has led to problems already. Normal days can see a significant amount of cars already parked there. They were stopped from parking on the more suitable parking area that was built alongside BHHHC and now use this stretch of the one lane track. The levels of car parking required are far more than proposed by BHHHC. The planning application does not take the garage in to account and the increase in the number of cars that would be entering the sight. This again only heightens the level of danger entering and exiting the sight as well as the over spill of cars forced to park on the verges when there is not enough space.

We would like Dacorum Borough Council to consider these dangers and points mentioned when considering this application. There will be extensive light and noise pollution and the proposed pitch is not going to be built in the correct location for something of its size and for the high amount of use. We have already seen from previous high-speed accidents in and around Cow Roast that the vast increase in the

amount of cars entering and exiting the sight from a single track means a life changing accident is only a matter of time.

Recommendation

As per the published report.

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**Item 5b**

**20/01866/FUL      Demolition of Existing Dwelling and Construction of Five Dwellings**

**16 Park Road, Hemel Hempstead, Hertfordshire**

Cllr Uttley has requested that the following pictures are circulated.

- a) Front Elevation to 16 Park Road
- b) Garden to 16 Park Road
- c) View from Vicarage Close





## RESIDENTS OBJECTION PACK

For Planning Ref: 20/01866/FUL  
Proposed development of 5 houses  
at 16 Park Road, Boxmoor

Committee Meeting Date:  
15<sup>th</sup> October 2020 6.30pm

## Reasons to Refuse Planning Proposal and why the Planning Report is Misleading

This plan has been looked at by an independent ex Dacorum town planner and 2 senior town planners from Aitchison Raffety and it is the **worst planning application they have seen in 15 years**. They could not understand how this is being recommended to be granted, stating that the only option for sensible development is to have 2 semi-detached houses with their gardens running up the close as is now the case with the current property. Any other development does not comply with core policies and would be severely detrimental to existing residents.

### **Current view of 1-7 Vicarage Close**

This open area allows light, and a place for children to play safely and for cars to see what is coming up and down the close. The footpath is used by lots of school children going to Hemel Hempstead and South Hill schools. This area was and is a play area for local children in a neighbourhood watch area and has been maintained by the council.





**Current open and light view from 1 Vicarage Close**



The view if plans are granted. This completely blocks view, is overbearing and compromises security as the houses are now hidden from the close which is a neighbourhood watch area.

Proposed view from 1 Vicarage Close – Report states that this would not be overbearing but clearly is.



The amenity area was sold to the potential developer for £10,000. The reason it was so cheap is that the covenant below states that it should not be built on to preserve the open aspect of the Close as a whole.

Title number HD585542

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 4 OCT 2020 at 17:16:50. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

### A: Property Register

This register describes the land and estate comprised in the title.

HERTFORDSHIRE : DACORUM

- 1 (28.07.1965) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land on the west side of 16 Park Road, Hemel Hempstead (HP1 1JS).

### B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (30.07.2019) PROPRIETOR: RAYMOND GARY ADDE and LISA ADDE of 16 Park Road, Hemel Hempstead HP1 1JS.
- 2 (30.07.2019) The price stated to have been paid on 25 July 2019 was £10,000.

### C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to rights of drainage.
- 2 A Deed of Covenant dated 15 July 1867 made between (1) The several persons whose names and seals were thereunto subscribed and affixed and (2) Charles Edward Barlow contains restrictive covenants but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 3 An Agreement under Seal dated 24 MARCH 1966 made between (1) Rickmansworth and Uxbridge Valley Water Company (Company) and (2) Sunley Homes Limited (Owners) relates to the laying of water mains in the approximate position indicated by brown broken lines on the title plan and to the supply of water. The said agreement also contains a grant of easements over the roads and footpaths in the title and a restrictive undertaking in the following terms:-

"THE Owners undertake that no building or erection shall be placed on any part of the land under which the mains or other works of the Company for the purposes hereinbefore referred to less easy or convenient."

End of register

Open aspect of close will be ruined and put safety and security at risk



Current view from 18 Park Road

View if proposal is granted



I hope this gives a good idea of the imposing and overbearing environment this would cause. Images are not 100% accurate here but the impact of the development will be very similar if not worse to this. **The plans never mention or show the 18 Park Road north facing French doors that would face the development directly (12 meters apart).**



Reasons to Refuse Planning Proposal and why the Planning Report is Misleading Contd.

### **The following points directly address the Town Planning Report.**

1) *Point 2.1 of the Report* states the proposals are considered to be a high quality residential scheme in accordance with CS11, CS12 and CS17.

i) The proposal does not satisfy CS11

HOWEVER to be in accordance with these policies the development would need to respect the typical density intended in an area and enhance spaces between buildings and general character. It would need to protect or enhance significant views within character areas and incorporate natural surveillance to deter crime and the fear of crime. This development goes against all of these points in CS11.

The proposal does not respect typical densities as the houses opposite represent 26 dwellings per hectare with a maximum density in Vicarage Close of 49 dwellings per hectare. This development would represent approximately 86 dwellings per hectare. This is against the core strategy of CS11(a).

This proposal will significantly reduce views rather than enhance significant views and is therefore contrary to CS11(d).

Finally, for CS11(e), Vicarage Close is currently open and in a Neighbourhood Watch area. The house proposed on the hard standing area will create blind spots for at least four properties which have already suffered criminal activity within recent months.

The deeds for Vicarage close and Park Road (section 6 below) also state the close must remain an open plan layout.

condition to the satisfaction of the Vendor's Surveyor

6. THE Purchaser shall not do or permit any act matter or thing which shall or may prejudice the open plan layout of the said Estate and in particular no wall fence shrub rockery or hedge shall be erected

ii) The proposal does not satisfy CS12

Policy CS12(a) states that a development should provide a safe and satisfactory means of access for all users. This development does not satisfy this. Due to the proposed houses not having front gardens (due to overdevelopment) any car reversing out of their carport will have obstructed views. There must be a visibility splay of 2 meters by 2 meters which is impossible to have on this proposed site. Vicarage Close is a narrow road and a school cut through for children and this proposed site will put users of Vicarage Close at risk and in danger.

Policy CS12(b) states that there should be sufficient parking, however, there is a shortfall of 2.25 cars for this proposed site. This area is Zone 3 and parking is already overloaded and to compare us to Zone 2 in the report which is an attempt to justify something that clearly is not correct. The carports will mean that currently available permit parking will be lost along the close as the road would need to be clear for cars to swing into and out of the carports.

Policy CS12(c) states a proposal should avoid loss of privacy and disturbance to the surrounding properties. This proposal will create loss of privacy to the neighbouring properties from four of the five proposed houses. These proposed properties would be built only 4.6 meters from the neighbour's garden and the houses and carport roofs would look directly in to the neighbouring property. Downstairs windows will also look directly into 1 Vicarage close only 12 meters apart.

This proposal is against Policy CS12 (g) which states it should respect adjoining properties in terms of 1) layout, 2) security, 3) site coverage, 4) scale, 5) height, 6) bulk, 7) materials, and 8) landscaping and amenity space. This proposal does not respect any of these key aspects.

- 2) *Point 2.2 of the Report* states that the proposals are in "broad accordance" with policies CS11 and CS12. As you can see from the above facts this is simply untrue. The Report states that the proposals would not result in significant harm to the amenities of neighbouring properties, however, four of the five proposed two story houses will be built on an inclined hill will look directly in to the neighbour's garden and house windows and the house proposed to be built on the current amenity area will have a rear two story brick wall approximately 7 meters tall and approximately only 12 meters from the fronts of several houses in Vicarage Close. How this cannot be seen as harming the amenities of neighbouring properties is quite unbelievable.
- 3) *Point 2.3 of the Report* states that the proposals would be sufficient, safe and have convenient measures for access in accordance with Policies CS8 and CS12. We have already proved that CS12 has not been met, which brings us on to Policy CS8.

- i) CS8(d) states that new developments should create safer and continuous footpaths and cycle networks particularly in the towns. This proposal builds on an establish footpath and would make the existing pathway more dangerous. This was flagged by the highways agency.
- ii) However, more importantly, CS8(f) states that all new developments should improve road safety and air quality. This proposal would result in compromised road safety in an area full of children as there would be insufficient visibility from reversing cars and turning angles, and the proposed house on current amenity land would obscure traffic from pedestrians and cars, which is currently open space.

#### 4) *Site Description*

The Report would like you to think that this is a large detached dwelling when the reality is that this is a standard detached home with a standard garden. This is why five dwellings on this site would equate to 86 dwellings per hectare which is clearly an overdevelopment.

#### 5) *Semi Circular Area of Hard Standing*

This amenity area was originally proposed as a play area for Vicarage Close. It was maintained by the Council and without the knowledge of the Council or residents this valuable asset to Vicarage Close was sold to the developer on 25 July 2019. The price paid for this land (Title Number HD585542) was just £10,000.00 with a restrictive undertaking that the owner's undertake that no building or erection shall be placed on any part of the land under which the mains or other works of the company for the purposes herein before referred to less easy or convenient. Local residents would have bought the land had they known it was available to buy with the aim of preserving the open safe area for children to play.

This Vicarage Close amenity space was never intended to be built on, but to be used as a play area for residents. The whole area of Vicarage Close is in fact governed by a Covenant to protect against development. However, we believe the developer has unfortunately been allowed to purchase the covenant for his property. Regardless of this, the intention of the Covenant was always to keep the Close open and protect its character which it has done since 1965.

Regarding the sale of the shared amenity space there is an ongoing investigation in to the legality of this sale.

The Report accurately states that the site slopes up resulting in a level change of approximately 3.9 meters. This will result in the proposed houses overbearing nature being compounded with four of the five proposed houses being overbearing and overlooking 18 Park Road, and Vicarage close.

#### 6) *The Proposal*

Section 4.2 of the Report states there will be "first floor terraces above carports". These are enclosed boxes which will have brick walls either side and 1.5 meter fences at each end offering limited enjoyment of views for potential occupiers, all of which will be overlooked by existing houses. Due to the unsuitable size of the proposed site and the fact that rear gardens are virtually non-existent (the majority of the proposed gardens being 4.6 meters in length as opposed to the required 11.5 meter length) the developer is attempting to give the illusion that there is sufficient amenity space for the proposed occupiers by adding a door and fencing out on to the top of a carport.

#### 7) *Planning History*

The developer has worked with Town Planners with two lots of pre-planning and the shortfalls of the proposed project are trying to be overlooked. As residents, we have received no interaction from the Council Town Planning until a week ago when a complaint was made.

A considerable number of residents (36 houses) all complained separately with valid reasons to object which seemed to have been ignored and glossed over, as has the Core Strategy for Development.

## 8) *Considerations*

The residents agree that new housing is desirable however, in this instance this proposed development is not in line with the Core Policies and would be detrimental to existing residents and a potential danger to road users and pedestrians.

Further to Point 8.6 in the Report, we understand the benefits to the Council of securing contributions from the developer, however this proposed development should be rejected based on the detrimental impacts it will have on local residents.

Point 8.8 acknowledges the challenging issues of amenity space and the impact to the area. **It is of the opinion of residents, ex-Town Planners and current senior Town Planners that this statement is completely untrue and the proposals do not provide a satisfactory approach to the challenging issues.**

Section 8.10 of the Report states that walled amenity spaces above carports seeks to reflect the treatment of terraced and detached units in Vicarage Close through the choice of materials and detailing. **This design is completely out of character with anything in the area and is simply a reflection of overdevelopment.**

Point 8.11 of the Report states that the 1.5 meter fences on top of carports are there to allow light in to 18 Park Road. However, four two-story houses on an inclined hill running along the entire length of the garden will have a large over bearing impact on the neighbouring property.

Point 8.13 states that the scheme is set back sufficient distance from the edge of the highway to allow vehicles to enter carports. **This scheme however, is unsafe for cars to reverse out of the carports as pointed out by Highways with the need for visibility splays made worse as the road is very narrow and does not have the width of a two lane road. The proposal would see an additional four dropped curbs needing to be added to the current footpath, with bin storage being an additional hazard to vision.**

## 9) *Residential Amenity of Proposed Homes*

The Report tries to give the impression of a viable development. The Report states that four dwellings would have access to ground floor amenity space and says it is limited in length but south facing. Limited in length is 4.6 meters with a boundary fence and two story brick work either side. To say that additional amenity space can be gained by walking to the town center shows a desperation to get this poor proposal pushed through.

## 10) *Impact on Residential Amenity*

### i) 1-7 Vicarage Close

The Planning Officer has stated he is satisfied that the building would not be unduly overbearing. **The recommended distance to a neighbouring house should be 23 meters as stated in the saved appendix 3 of the local plan . The proposed site will be almost half at 12.6 meters. How this can be seen as not overbearing is unfathomable. As an example, Number 1 Vicarage Close enjoys unrestricted views but the proposed plan will see a two-story rear brick wall placed just 12.6 meters from the front of their property.**

### ii) 18 Park Road

The Report leads you to believe that the primary concern of the development is daylight. Whilst this is a concern, the actual primary concern is overbearing and overlooking in to 18 Park Road's garden and windows. The impact of this development will be devastating in terms of noise pollution and overlooking due to the slope and the fact that these houses would be built just 4.6 meters all the way up the boundary of the garden.

Core Planning rules such as the 45 degree Rule have been ignored and broken by the architects and have been ignored by Town Planning, as have rear garden distances and rights to privacy.

**11) Impact on Highway Safety**

The Report states that there is a shortfall of parking for this development. The Town Planner has tried to negate this shortfall by suggesting that if this development were in a different location there would still be a shortfall but even with this in mind they consider it adequate.

Worryingly, there is a real risk with this development to the safety of pedestrians and road users. There is no evidence provided of visibility splays even though the report states they are included. We don't think a visibility splay is achievable with this proposal.

**12) Site Notice**

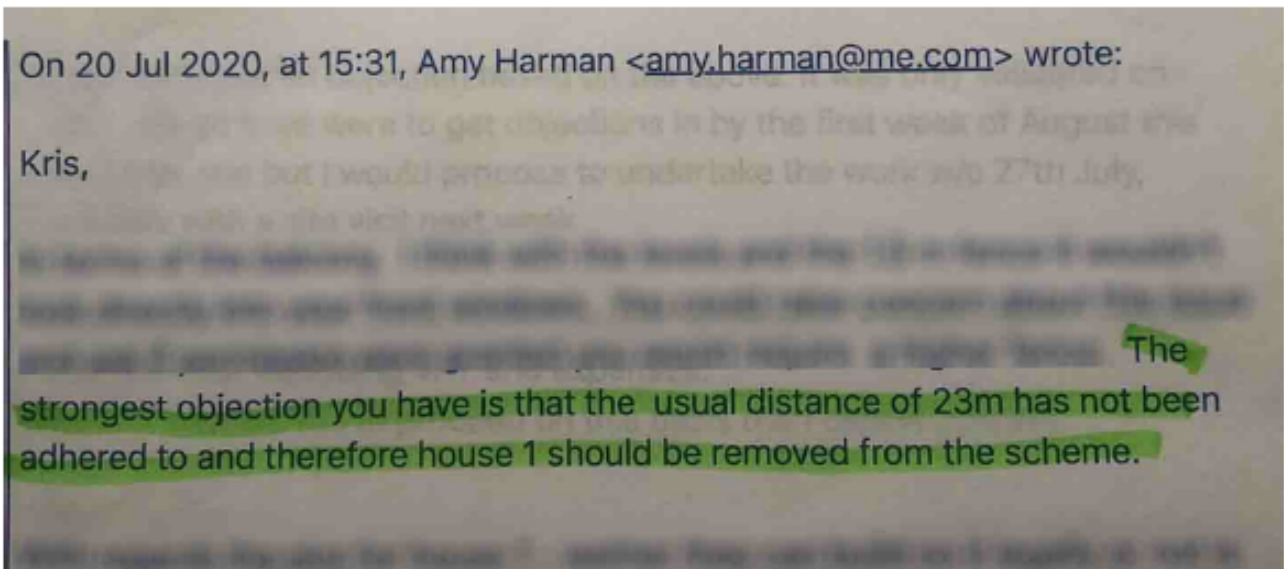
The Town Planner states that a Site Notice did not need to be displayed in view of its location and scale. This is a major development for this area and as such should have had Site Notices provided. Only a few residents were contacted by the Council and we feel extremely let down by the approach taken.

Point 8.31 – We believe such a major development and change to the area required a Site Notice. The number of objections was as a result of the strong community network working together and overriding public opinion against the proposed development, not because there was sufficient consultation from the Town Planner. **To suggest the consultation process proved a Site Notice was not necessary is insulting. It was discovered through community discussions that many of the local neighbours were unaware that a planning application for 16 Park Road had been submitted.**

**13) Loss of Amenity Area**

Contrary to the Report, this area has been played on by children since the 1960's with evidence to back this up in the form of photos. It is an important part of keeping Vicarage Close open, light and safe.

**14) Below is a copy of an email sent from an ex Dacorum head town planner, who is familiar with current planning core policies and it shows the severe lack of distance on the proposal between houses.**





15) Important objections from at least 2 residents that we know of have been mislaid by the council and were therefore not considered. One was from 18 Vicarage Close who has very strong and valid objections being one of the closest houses to the development.

**We trust that this shows you the numerous shortfalls in this proposed development, there are many other errors throughout the proposal. We hope that you will reject this proposal in favour of something more suitable to the plot size and area.**

Many thanks,

Vicarage Close and Park Road Residents

### Recommendation

As per the published report.

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## Item 5c

**20/01667/FUL Demolition of 4 single story barns currently used as dwelling. Erection of a low carbon 1.5 storey 4 bed family home, annex and garage.**

**Greenings Farm, Stocks Road, Aldbury, Tring. Hertfordshire**

### Objection received from resident:

- . Little Stocks is the old house overlooking both Stocks and Greenings Farm including the current low level barn dwellings and the current gardens at the property. I am quite staggered by the proposed development and the inclusion of a 9.3m dwelling which would be a blot on the current aspect from the north and the main aspect of our house Little Stocks, Little Stocks Cottage and all dwellings in North Aldbury facing the village.*
- . At present there are four low level buildings and the proposal is to knock these down and build a hanger type barn which is some 100 yards in length with limited cover from a road side hedge some 2m high. It will be overly visible from all aspects.*
- . The interesting fact is that the new proposal does not actually sit on the current location and it appears some 80% of the new build will be on the current garden (undeveloped land) in full view of our house, the Cottage and the numerous footpaths up into the Ashridge Monument Estate, along Stocks Road and the main footpath into Aldbury which is an incredibly popular route. In reality this is a new development on a current garden / undeveloped land.*
- . The 9.3m high barn has a number of roof lights increasing considerably not just light pollution but light from a material height impacting views across the village from the North side of the village. As you will appreciate Aldbury has little lighting and this will change the outlook.*
- . The proposed substantial use of glass on the front aspect and the right elevation is not in keeping with the current barn dwellings either at the site or Stocks Barns.*
- . The proposal is for a 9.3m high roof line which must be in the region of 6m higher than the current dwellings located at the site.*
- . The plans are surely not in keeping the village feel or aspect of one that is an area of outstanding natural beauty (CAONB) and would be a huge development in the valley seen from all aspects by walkers and those that live and look onto the current site. It is interesting that the full proposed views ignore the impact of the valley and present a flat landscape which is far from reality.*
- . I cannot see how this type of development can be aligned to the current planning strategy and would urge a major rethink and downsizing of the proposal.*

### Recommendation

As per the published report

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**Item 5d**

**4/02109/19/FUL Site fencing and hardstanding (retrospective)**

**Land off Pipers Hill/Church Meadow, Great Gaddesden**

- 1) Comments received from Pipers Barn, Pipers Hill, Great Gaddesden 08.10.2020

**Comments:**

I continue to OBJECT to this Retrospective Planning Application and reiterate the main points contained in my previous submissions to Object to both 4/01875/19/FUL and 4/02109/19/FUL.

As a resident of Great Gaddesden village, every time I leave and come back to my residence, I pass the intersection of Pipers Hill and Church Meadows, which has been referred to as "the prominent corner", and would be the first view of the village itself that any visitor would encounter.

It is important to consider the situation that appertained at the time of the fence's first erection - over a year ago in 2019 - and disregard any comments that the growth of flora and greenery have lessened the impact of this fence.

This application should be rejected, in my opinion, for several robust arguments:

1. It is a retrospective application - i.e. it acknowledges that planning laws have already been breached, and this is now a cynical attempt to gain approval as if nothing untoward had ever happened by the applicants.
2. The fence's construction is totally inappropriate and out of all sympathy with its surroundings, Great Gaddesden village's location in an Area of Outstanding Natural Beauty, the Conservation Area, and the general natural Chiltern habitats and scenery.
3. The height of the fence is also out of proportion with adjoining boundary walls and the need to keep any livestock intended to be grazed on Bishop's Tip. At 1800 mm high, the height is 50% above that height recommended for enclosing sheep and the fence height on the water meadows opposite.
4. Whilst acknowledging the Applicants' offer to reduce the height at "the prominent corner" to 750 mm, it would make sense, from the perspective of keeping livestock secured within the fence boundary, to have a consistent height of 750mm everywhere.

5. The fence has been erected in a completely arbitrary way such that it now encloses vital utilities such as telephone posts and access chambers, and has grabbed land from the ownership of both Herts CC and Dacorum BC without permission or a valid transfer of land process.

No robust evidence has been brought forward to support the allegations of garden waste being deposited onto Bishop's Tip land, nor has the "frequently blocked gates" accusation levelled at parents dropping pupils off for the village school been proven. Other agricultural land owners and farmers appear to manage perfectly well in transferring sheep and livestock in and out of fields without the benefits of an extensive hardstanding that has been laid down with the Bishop's Tip area itself.

The following would be the statement I would make to the Development Committee under the 3-minute rule pertaining to individual objectors:

To the members of the Dacorum Council's Development Committee.

Thank you for letting me speak at this meeting.

This is an application for Retrospective planning approval in respect of the erection of fencing on Bishop's Tip within the Great Gaddesden Conservation Area and at the most prominent corner of our lovely village.

"Retrospective" is generally used to denote looking back and in this case, this application is seeking to gain official approval for a past action - the erection of a fence - that was undertaken without any planning permission being granted.

It is obvious that the applicant only applied for retrospective planning permission after objections were raised. Any responsible landowner would have complied with the law and followed due process.

The fence's construction cannot be held under any method of judgement as "sympathetic" to the Conservation Area. This type of fence is only suitable for a ball-court, and is marketed by manufacturers as such. It is wholly inappropriate for agricultural and livestock usage.

In addition, it has not been erected on the line of the existing paling and wire fence, which had not been looked after or maintained effectively over many years. Therefore, where the new fence has been erected, this has resulted in a "land grab" from land owned by Herts County Council and Dacorum Borough Council. This is illegal, as well as enclosing public utilities behind the fence, and should not

be permitted.

The corner between Pipers Hill and Church Meadows is the main access point to Great Gaddesden village - "the prominent corner" - and the 1800mm high ball-court fence originally proposed, and currently erected, forms an eyesore, completely out of keeping with our lovely village, and out of character with the surrounding beauty of the Chilterns. It is also 50% higher than that recommended for sheep enclosures.

A re-application offered to reduce the fence height to 750mm in one corner to match the height of an adjacent wall. If this reduction is of sufficient height to retain livestock, then this can surely be the norm for the whole fence, and not just in that one corner. This would reduce the visual impact at the prominent corner of Great Gaddesden.

Lastly, the fence material is inappropriate and adversely affects the village at its most prominent point, and if the 2010 Conservation Area Report's words are to mean anything, then I would remind the Committee to resist proposals which fail to respect the form and materials of traditional boundary treatments.

In summary, my request of this Development Committee is to reject the retrospective planning application on 3 substantive grounds:-

- The fence has been erected in an incorrect position;
- Its height is out of all proportion with requirements to enclose sheep or other livestock;
- The fence's construction has no sympathy with the Conservation Area and does not represent traditional boundary treatments.

In addition, there are spurious claims of garden waste deposits, none of which has been supported by robust evidence, as a rationale for erecting the fencing.

I have lodged detailed objections against both the original application and the revised plan - and these expand on my summarised objections in this statement.

Thank You.

## 2) 4 Church Cottages, Church Meadow

There is little change since the original flawed application. All previous objections still apply. The land remains contaminated with toxic material and is subject to

investigation by the Environment Agency. It would be negligent of Dacorum to allow Mr Bishop to disturb this land, no matter how attractive his inducements. The health and safety of residents and school children is at stake; Dacorum should accept their responsibilities towards the local population, and not just rubber-stamp this application.

Recommendation

As per the published report

.....  
**Item 5e**

**20/02050/FHA Rear extension, hip to gable roof extension with new dormer. New 2 storey side extension. Replacement windows.**

**10 Bunkers Lane, Hemel Hempstead, Hertfordshire**

Recommendation

As per the published report

.....  
**Item 5f**

**20/02549/FHA Two storey side/rear extension with a single storey rear extension and front porch (amended scheme)**

**24 Finch Road, Berkhamsted, Hertfordshire**

Statement received from the neighbouring property at No.22 (Finch Road):

Dear Sirs,

Thank you in advance for your consideration of this objection to planning proposal 20/02549/FHA concerning the proposed development at 24 Finch Road. The key points to our objection to this latest proposal were set out in detail and are included in Agenda reports pack, in Appendix B under 'Neighbours Responses' on page 341.

As the Committee will be aware, this planning proposal represents an amended design/plan to one which was previously rejected by both Berkhamsted, twice and Dacorum Management Committee due to the layout, scale, bulk and height of the

second storey rear extension being overbearing and would cause loss of amenity to number 22 Finch Road (in March, September and May this year respectively).

I have read that 45° rule is guidance only. It is not a panacea for everything. Other factors are also important, for example;

- a. Distance between houses (there is only 2m between 24 and 22 Finch Rd).
- b. Compass directions (South more affected than North). 22 Finch Rd is SSW.
- c. A right to light acquired rule when there has been an uninterrupted period of 20 years. We had uninterrupted light in this way for a period of 36 years.
- d. Precedence. There is no precedence of the development of this scale, especially the second storey rear extension where houses are so close like ours. This is a fact.
- e. Loss of light, loss of sun light.
- f. Overshadowing.

We recognise our neighbour's right to refurbish their house. I want to use this written statement to be clear that our objection to this new planning proposal is not an attempt by us to frustrate or delay this process but to flag that our concerns about the proposal remain and have not been adequately addressed.

In short, the only minor alteration made to these latest proposals is that the design for the second-storey rear extension has been moved back by 79cm. This immaterial change to the prior plans, which were rejected and deemed overbearing, means that this large extension will still project well beyond the existing footprint of the building in a dramatic way that does not have precedent in our local area where house are so close like ours. In addition, it is apparent that the architects have partly offset the loss to square footage caused by the above by taking the opportunity to further extend the single-storey component to the rear extension by at least 30cm.

Reiterating our key concern on this; we strongly believe that the layout, scale, bulk and height of this extension will overshadow the rear of our house, which is south west facing, including our ground-floor rear windows / French doors which are the natural source of light to our dining room and a rear paved patio area which we have enjoyed the sunshine. The plans, as they stand, will reduce our enjoyment of this area; what was previously a sun-trap will become damp and dark.

With a view to resolving this matter in a pragmatic way, and looking at other existing developments in our local area which were permitted, it seems clear that a simple adjustment to the plans can be made so that the height of the rear extension is reduced so that the second storey rear extension does not go beyond the original blueprint of the house (in line with other houses on the road). As a compromise we would be comfortable with the proposal if the second storey part of the extension does not extend beyond the rear of 22 Finch Road, reducing the impact of the overshadowing and loss of sun light.

I am disappointed and frustrated that other developments within the street scene such as Nos. 17, 19, 21, 26 and 35 are being used as justification for this two storey rear extension. I had explained previously that none of the properties have the second storey rear extension beyond the blue print of the original house. Number 17 extension does not go beyond the rear end of number 19. 26 Finch Road second storey rear extension does not extend beyond the blue print of the original house as seen in Fig 8 in DESIGN\_AND\_ACCESS\_STATEMENT-1107933.

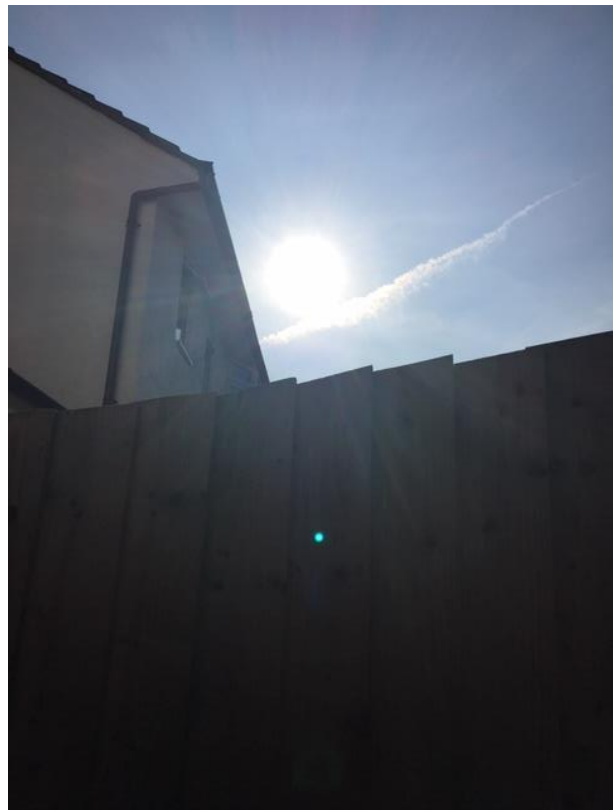
Having visited the properties and looked from the street, there is no precedent for a rear and side extension of the scale proposed here where the houses are so close like ours, which would overshadow us and reduce our quality of life. This is a fact. There is no justification for this development on this basis.

Our secondary objection is that the proposed front-facing extension to create a porch area, projecting the footprint closer to the street beyond the existing bay window will be overbearing and will take an unacceptable amount of light from our front facing living room bay windows. Again, this is the only natural source of light to our living room which we've enjoyed for the previous 36 years uninterrupted. We would ask that this design is also modified to reduce the impact on our amenity. In planning officer's report, paragraph 9.7 states that the first floor extension (porch) would measure approximately 1.2 meters from the front elevation but in 'DESIGN\_AND\_ACCESS\_STATEMENT-1107933' paragraph 3.3 says that it will project no further than the line of the existing bay windows to the front elevation, the difference of about 1m. We would be comfortable with the latter.

In summary, we remain very concerned that the proposed plans do not incorporate the feedback of Dacorum or Berkhamsted Management Committee which rejected them on the grounds of layout/scale/bulk/height and overshadowing. Although the initial impression created by the submitted plans could be that many alterations have been made, the substance of the design is closely similar with only a 79cm concession made to the double-storey element which would continue to overshadow 22 Finch Road.



Photographs received from the neighbouring property at No.22 (Finch Road):



Recommendation

As per the published report

