

ADDENDUM SHEET

DEVELOPMENT MANAGEMENT COMMITTEE

2nd September 2021

Item 5a

21/00737/FUL Change of use to house of multiple occupancy .

40 Valleyside Hemel Hempstead Hertfordshire HP1 2LN

NO UPDATE REQUIRED.

Recommendation

As per the published report.

Item 5b

21/01483/FUL Demolition of existing bungalows, construction of 8 semi-detached houses and associated access, parking and landscaping.

45 - 46 Chesham Road Bovington Hertfordshire HP3 0EA

NO UPDATE REQUIRED.

Recommendation

As per the published report.

Item 5c

21/02260/FUL Construction of two detached dwellings

Annapurna Hogpits Bottom Flaunden Hemel Hempstead Hertfordshire HP3 0PX

An amended Location Plan has been received, drawing no. 110 REV C. This Location Plan corrects an error where the bellmouth was incorrectly included on the original plan.

This has now been corrected, however it is important to note that the proposal does not include any changes to the access onto the highway itself.

Amendment to Condition 2 (plans):

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

- 110 REV B**
- 200 REV A**
- 201 REV B**
- 202 REV B**
- 210 REV C**
- 211 REV B**

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

Recommendation

As per the published report.

Item 5d

20/03194/MFA Use of land for film making to include earth works to remove 'bund' and construction of 3 permanent studios & creation of 'backlot space' to allow for construction of temporary studios with associated support services and parking. Use of former control tower as office space and/ or as film set. Construction of security building at entrance.

Bovingdon Airfield Chesham Road Bovingdon Hemel Hempstead Hertfordshire HP5 3RR

Additional Plan

An additional plan (drawing no. 110 – Proposed Car Parking Layout) has subsequently been provided and indicates that a total of 99 car parking spaces are to be provided in the area surrounding Studios I, II and III.



Amendments to Conditions 2 and 5:

This information is considered to be sufficient to deal with the requirements of Condition 5, the wording of which is as follows:

Notwithstanding the details shown on the approved plans, no development (other than that associated with Studio 1) shall take place until a formalised parking layout showing the total number of parking spaces (no more than 99) has been submitted to and approved in writing by the local planning authority.

The parking spaces shall be provided in accordance with the approved particulars within a period of 6 months from the date the details are approved and thereafter permanently retained.

Reason: To ensure that an appropriate level of parking is provided, in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).

As a result, it is recommended that the wording of Condition 5 be amended as follows:

The parking spaces shown on drawing no. 110 (Proposed Car Parking Layout) shall be provided within a period of 6 months and thereafter permanently retained.

Reason: To ensure that an appropriate level of parking is provided, in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).

Furthermore, Condition 2 (Approved Plans) will also need to be updated accordingly.

Flood Risk Assessment and Drainage Strategy

A FRA and Drainage Strategy was received on 31st August.

The report analyses the current flood risk to the site from a variety of sources – i.e. flooding from rivers and the sea, surface water flooding, ground water flooding, flooding from infrastructure failure, and flooding from artificial sources.

In terms of flooding from rivers and the sea, states that:

*The EA Flood Map for Planning (**Appendix I**) shows that the site is located within Flood Zone 1 (less than 1 in 1000 annual probability of flooding from rivers or the sea).*

In accordance with the 2021 NPPF, buildings used for other services are classed as a 'Less Vulnerable' land use and, as such, the proposed development is appropriately located within in Flood Zone 1.

In terms of surface water flooding, the report concludes that:

The Surface Water Flood Map shows that the of the site is at 'Very Low' risk of surface water flooding (outside of the modelled 1 in 1000 rainfall event). The site is therefore considered to be at very low risk of flooding from surface water.

Having analysed the underlying geology, borehole records and Dacorum's Strategic Flood Risk Assessment (which does not show any record of flooding at Bovingdon Airfield) the FRA advises that *"the site can be considered to be at very low risk of groundwater flooding."*

Turning to the matter of flooding from infrastructure failure, the report states:

As the site is currently undeveloped, there is no drainage infrastructure on site at risk of failure. As such, the site is considered to be at low risk of flooding from infrastructure failure.

In terms of future flood risk from infrastructure failure, this will be dealt with, in part, through the design of the drainage strategy, but also in the drainage management and maintenance plan, which is discussed later in this report under Section 8.0.

Flooding from artificial sources is considered and it is concluded that the site is at a very low risk of flooding from artificial sources.

The FRA is proportionate to the scale of development and confirms that the site is at low risk of flooding. It is nonetheless recommended that the report be forwarded to the Lead Local Flood Authority for review.

A Drainage Strategy is also included within the report. At this stage, the intention is that the site will not connect surface water to the public sewer and will connect to the existing airfield drainage. The report states that:

The proposed drainage strategy has shown that it can manage surface water runoff from the site up to and including the design storm, plus an inclusion for climate change and, as such, the proposed drainage strategy should not cause impediment to the proposed development at Bovingdon Airfield.

Due to the timing of when this report was received, it will not be possible to obtain LLFA comments prior to the DMC meeting. Consequently, it is recommended that the application recommendation be changed as stated below.

Recommendation

It is recommended that the application recommendation be changed from:

DELEGATED with a view to **APPROVAL** subject to completion of a S106 agreement and referral to the Secretary of State (as per report)

To:

DELEGATED with a view to **APPROVAL** subject to completion of a S106 agreement, **withdrawal of LLFA objection**, and referral to the Secretary of State

Item 5e

21/02104/FUL Replacement dwellinghouse

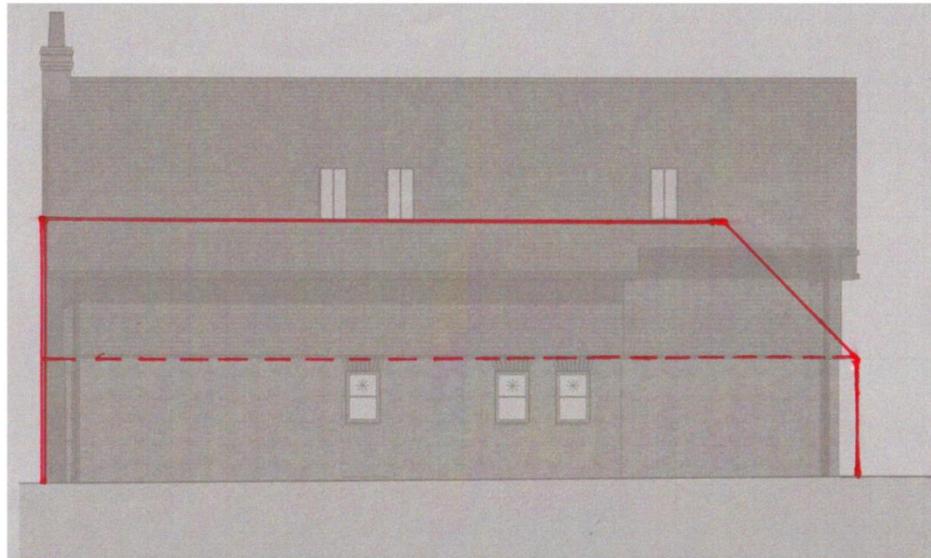
Garden Cottage Kingshill Way Berkhamsted Hertfordshire HP4 3TP

Further comments were received from the neighbours at Kingshill on 26th July 2021 however due to an error these were not made public until after the agenda had been published:

- *We would like to thank Mr Higenbottam and Mr and Mrs Higgins for the consideration shown to one of our major concerns in removing the side door from the utility/boot room from the proposal. We also recognise that the design of the proposed new building minimises the effect on the privacy of our property.*
- *However we are still very unhappy about the increased height and extent of the NW side of the new building as seen from our window, the impact on the available light, and the rather overpowering presence of the proposed building particularly along the driveway in front of Garden Cottage leading to the entrance to the forecourt which serves both houses.*

The inclusion of the superimposed image and dimensions of the existing building on the front view “street scene” of the proposed new building is helpful but does not address the view from our facing window. The marked up drawing below, using the dimensions from Mr Higenbottam’s input, shows in red the outline of the current

building in relation to the proposed replacement of the north-west facing wall which is what we see from our house.



It shows more starkly that the impact will be substantial when viewed from Kingshill, not just because of the increased height, which we recognise is consistent with both our house and those surrounding, but also the length of the roof ridge, which appears now to be approaching 16m, and extends to the full length of the building rather than tapering down to gutter height, with a hipped end. All the other houses in this cul-de-sac, whilst of similar height, have hipped roof designs which mitigate the effect on surrounding properties of the height of adjacent buildings, and none has a continuous ridge length of anything approaching 16m.

- *Our hope still is that any permission given will restrict the building to something similar in size and height to the current house which we believe would be more consistent with the plot size and position. But in the event that the Planning Committee consider it acceptable for a 2 storey house to be constructed we would request that the roof of the new building should be hipped, following a similar profile to the existing roof. That would not only shorten the ridge length somewhat but also reduce the height of the wall along the southern side of the new build to something like 3.8m (cf~2.35m of the current wall) rather than the 7.9m to the peak of the gable in the proposal, making the approach to the forecourt used by both us and Garden Cottage less oppressive. We feel this could be done without having a material effect on the floor space in the proposed house and would also help the issue of the inevitable loss of light to that side of our house.*

In response to these comments, the planning agent amended the plans to include the provision of half-hipped roofs to the three ends of the buildings instead of the gables originally shown on the plans. The original and amended plans are set out as follows:



Detail No. 100.00

STREET ELEVATION



Detail No. 100.00

STREET ELEVATION



FRONT SOUTH - WEST ELEVATION

Detail line 100.00



SIDE SOUTH - EAST ELEVATION



REAR NORTH - EAST ELEVATION

Detail line 100.00



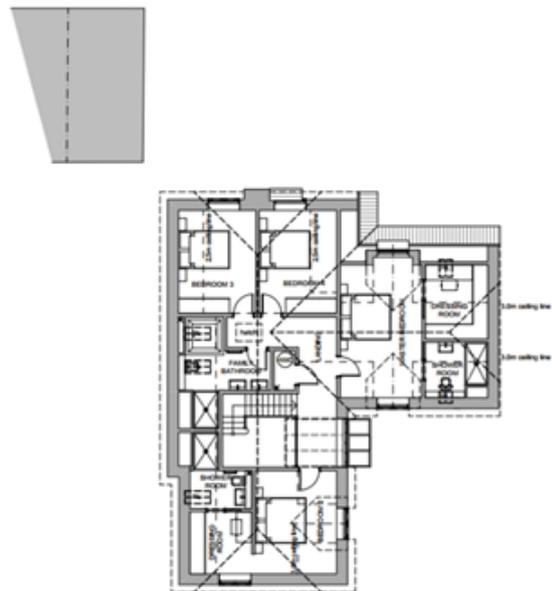
SIDE NORTH - WEST ELEVATION

* OBSCURE WINDOWS

100/00/001 100/00/001



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Officers consider the amendments shown on the plans to be acceptable.

Amended Condition

It is therefore recommended that the planning condition in relation to the approved plans be amended to:

Condition 3:

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

**2270/02G;
2270/03G;
2270/04B;
2270/05B.**

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

Further Neighbour comment

A further comment from the neighbour at Gooseberry End has been provided via email and is set out verbatim:

On reviewing the correspondence provided by the agent I would like to point out that as I am sure you are aware, just because I property is not on a street and not visible from a public vantage point, it still forms part of a 'street scene' given its setting within a residential area. It is a little naive of the agent to suggest or think otherwise. So a change from a single storey bungalow to a large two storey house that substantially increases the mass and bulk of the dwelling would naturally change, and in this case detrimentally, the existing street scene.

The agent refers to the existing hedging being extended to improve the relationship with its surroundings. Whilst landscaping treatment on most applications can be conditioned to remain for 5 years after planting, landscaping is therefore not a permanent feature and can be removed at any time after that, so it not really of benefit to the surroundings. And the height of the privet hedge would not screen the proposed two storey dwelling.

The agent also suggests that the proposal cannot be an overdevelopment because it only results in an increase of only 6.5sqm of the footprint and a far greater increase could be achieved under permitted development. The agent refers to a single storey extension and a roof extension as being able to be carried out. However, no application has been submitted for Permitted Development works and there has been no indication from the agent or applicant that works under permitted development would be carried out, so there is no PD fall-back position to rely upon as a planning argument. The current proposal cannot be compared to something that has not been designed and assessed against PD criteria.

Just because it is only a small increase in footprint, it does not mean that it cannot be overdevelopment. The assessment of overdevelopment is through more than just increase in footprint. In this instance an increase in the habitable floor area of over 50% over and above the original floor area and an increase in mass and bulk together with an increase in ridge height all amount to overdevelopment especially when considering the size and shape of the plot.

The agents statement about the Garden Cottage being the original dwelling within the area, which is now surrounded by two storey properties seems to imply that it has a right to be able to be replaced with a new two storey dwelling. The information provided here is questionable as to whether Garden Cottage was actually a dwelling at this point in time, however this specific argument is not relevant. What is relevant is that by producing the 1938 OS extract, it actually demonstrates that the building itself has history in the area dating back to 1938 and that by replacing it with a two storey modern dwelling it would result in a change to the character and appearance of this individual plot. The change would have an adverse impact on the plots setting, as it currently has historic merit.

It is perfectly acceptable to request that if permission is granted that any windows overlooking into the neighbouring properties amenity areas are conditioned to be obscurely glazed. The glazing still allows light into the habitable rooms but it prevents the residents looking out.

Once again I ask that this application is refused on the grounds referred to in my previous objection to this application as well as the aforementioned points.

Recommendation

As per the published report.

Item 5f

21/00072/FUL New dwelling

5 Highbarns Hemel Hempstead Hertfordshire HP3 8AF

An additional objection was received by residents who are currently involved in the sale of number 7 Highbarns on 27.08.2021:

*I have spoken to my partner and feel like we need to register our **objection** towards the planning permission for a new dwelling referenced **21/00072/FUL** at 5 Highbarns which we can hopefully have represented at the actual committee meeting on the date of Thursday 2nd September 2021 by your good self.*

Our concerns are as follows:

- We have recently agreed and confirmed a sale of 7 Highbarns, the property adjoining 5 Highbarns currently as a semidetached building. Should planning permission be granted our property will become an end of terraced property which is unfair to us, our new home would lose value and to some perspective buyers, desirability, should we choose to sell in the future or try to remortgage.
- There is concern about the property blocking natural light in the evenings to the rear of our garden that is north facing, we are lucky in that it's elevated and makes use of evening sunlight and sunsets in the gap between where 5 Highbarns ends and Pond hill starts but the proposed plans would cut this light out due to the nature of how much further to the rear the new property will sit in comparison to the current semi-detached dwellings, whilst also taking into account how it stands on the current elevations of land we feel it will appear imposing not only to us, but to tenants in dwellings to the left and rear of the property at pond road, during the winter months the sun trajectory will most likely leave tenants at pond road with very low light to the front and sides of their properties with minimal to the rear.
- Whilst the parking has been re-addressed in the newly submitted plans it still looks like the plan is to have parking access to 5 Highbarns by driving through the rear garden of the new property (5A?), how does 5 leave their property if 5A has not left in their car for the day? there is also no mention of dropped kerb for this rear parking access and given that this is on a hill with many blind spots and heavy congestion during rush hours I feel that this could potentially cause danger to pedestrians using the footpath that runs alongside the boundary, the footpath is also narrow so would not allow a pedestrian to pass bins without walking in the road which is another risk of concern.
- The existing semi-detached structure of 5 and 7 Highbarns has in recent past been under some extensive work at the governments expense to support the chalk mines beneath. Of all the works carried out on Highbarns the semidetached structure of 5 and 7 had the most work carried out with more than 300 metric tons of grout being pumped beneath number 7 alone, and more than 40 metric tons beneath number 5 to support this in addition to further works to the rear and front of the properties, will there be any guarantee that should additional buildings be attached to the existing structure that this won't risk putting too much strain on what was put beneath to support the mines in 2013? the information I have referenced in the articles below suggests that the work carried out was to fill the void, but additional published supporting documentation provided by the contractors of the project suggested that the density of mixture in the material used was also measured to support the buildings above the voids and shafts - to support this as [referenced here](#), paragraph 3 on page 4 it states "the scheme success is measured by removal of significant blight that previously affected the area, enabling owners/occupiers to again obtain insurance and sell/improve properties." but there is no mention as to whether the material or support work carried out on the ground beneath would be sufficient enough to support the weight of a new development - This is a really big concern for us.
- It has come to my attention there is also an active sinkhole adjacent to the semi-detached structure of 5 & 7 Highbarns, and more recently another opened on the boundary of 5 Highbarns - with this in mind, and should planning permission be

granted will the necessary precaution and processes be taken to ensure the grouting work carried out in 2013 will be checked again before work is commenced, and that the land beneath the proposed building site and the current structure it's going to be attached to will be checked to ensure the safety of not only the contractors carrying out the work but existing resident in them?

• *References regarding this Concern:*

1. [High-Barns-Chalk-Mine-Remediation.pdf \(ice.org.uk\)](#)
2. [Microsoft Word - 0013-UA000857-TR-01-TAR0003 - Treatment Area Report for Nos 5-19 Highbarns \(dacorum.gov.uk\)](#)
3. [Highbarns Chalk Mines \(dacorum.gov.uk\)](#)

On a personal level, myself and my partner have worked so hard to get ourselves up the property ladder, we feel very lucky and humble to be able to move into a semi-detached home to raise our two little girls in, our main concern is the safety of our children and that should planning permission go ahead that the necessary precautions and checks are made on the existing works beneath the existing structures, and if they are what upheaval should be expected on our part? We offered and fell in love with 7 Highbarns before we knew about the development so as you can understand why we would feel it unfair that what we are buying now, which is a semi-detached property in a lovely area of Nash Mills that could potentially become an end of terraced property with limited rear property sun light in the evenings which is exactly what we are moving away from, it just feels like the applicant has everything to gain from this development, whilst neighbours and surrounding roads will be left with financial repercussions and quality of life changes due to loss of light throughout the year.

We really appreciated the time taken to read the above and would be grateful if can you respond to re-assure us that these concerns will be presented and taken into consideration by the committee during the meeting on Thursday 2nd September 2021?

Email received from Nash Mills Parish Council on 31.08.2021 requesting that the below photographs of car parking stress at the site during the weekend of 28/29 August are shown to the committee:





Recommendation

As per the published report.

Item 5g

20/01889/FUL New Dwelling

**Land At Birch Lane To Side Of Annexe Of 96/97 Flaunden Flaunden Hertfordshire
HP3 0PT**

Amendment to Condition 5 (use of garage for parking):

Prior to first occupation of the dwelling hereby approved, the existing garage shown on the proposed Site Plan (Rev B), shall be made available for the parking of a vehicle. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), this garage shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwelling and shall not be converted or adapted to form living accommodation without the express permission of the local planning authority following the submission of a planning application.

Reason: In order to ensure a satisfactory level of off-street parking and to protect highway safety and the amenity of other users of the public highway, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Paragraphs 108 and 110 of the National Planning Policy Framework (2019) and the Dacorum Borough Parking Standards Supplementary Parking Document (2020).

Additional Comments from applicant:

The applicant has also provided additional comments on the application. These have been set out below:

The current report currently has two issues:

1. Parking

The site currently provides two off-street car parking spaces – one in the garage and one to the side of the garage. The parking space to the side of the garage has been measured on the ground and is policy compliant, measuring 2.7m x 7m to the start of garage.

2. Planning Application History

An application linked to Flaunden Stables has been listed under the past planning history for the site, however this application does not relate to the application site.

It is advised that the published report be revised to account for these changes.

Additional comments from Flaunden Parish Council (covering letter and associated presentation):

Flaunden Parish Council

September Cottage
Hogpits Bottom
Hemel Hempstead
HP3 0QB

01 September 2021

To: The Development Management Committee

Dear Councillors

Re. Planning Application 20/01889/FUL New Dwelling, Land at Birch Lane to Side of Annex 96/97 Flaunden HP3 OPT

Please find attached a document with supporting information from Flaunden Parish Council in its objection to the above application.

Please note that we have referred to the application site as '94 Flaunden' throughout – the reason for this is that the site of the application is the garden, garage and off street parking area for 94 Flaunden and not a separate parcel of land.

Thank you for taking the time to read this document and we hope that you will find it helpful in illustrating our points and assisting the Committee in their decision.

Yours sincerely



**Vivienne Adams,
Chairman, Flaunden Parish Council**

Presentation submitted by Flaunden Parish Council

Slide 1

New Dwelling, Land at Birch Lane to Side of Annex 96/97 Flaunden HP3 OPT
20/01889/FUL, (Garden of 94 Flaunden)

Slide 2

Flaunden Parish Council's main reasons for objection to the application are summarised below:

Inappropriate Green Belt development

Openness is an essential character of the village, which is marked by several gaps between buildings and large open areas. Cumulatively these ensure that the village harmonises with its rural surroundings. (As commented by the Planning Inspector in dismissing the appeal by Flaunden Stables for infill buildings on paddocks at Birch Lane immediately to the north of 94 Flaunden).

The area cannot be considered as 'limited infilling' as there is no continuous run of buildings on the Eastern side of Birch Lane. The premise of infilling is between dwellings, not simply ancillary structures such as the small single garage in this proposal.

Harm to the Conservation Area

The proposal would result in an undeveloped area of land being built on. This would have a negative impact on the character and appearance of the conservation area. The property would be in a prominent location close to the road and easily visible, changing the open character of the area. Removal of parts of hedgerow would be harmful to the Conservation area. Removing the garden from 94 in perpetuity would also have a negative impact on the area.

Parking and Highways issues

Removing all of the off-street parking for 94 Flaunden would cause problems for the residents of this property as there is no suitable off-street parking. We also question the suitability of the parking arrangements for the new property, as the garage has been included as a parking space, whereas at present it is not suitable to accommodate a vehicle.

Loss of amenity space

Impact on number 94 Flaunden (the other half of this land title) is detrimental and irreversible. Removing all of the current garden, parking and amenity space leaves 94 with a tiny courtyard, within which storage of refuse bins would further reduce any useable space. This is contrary to Dacorum's policy of providing open space for all residents.

Overdevelopment of site

The proposed dwelling is too large for the very small site, leaving insufficient space around it. The only garden is to the side and too small.

Impact on Copse Cottage, 96/97 Flaunden

Overlooking of the annex and garden of Copse Cottage from the first floor bedroom window. Overlooking of the land to the east from the landing and bathroom windows. Overshadowing of garden area on both the south and east side.

Land Ownership

The Title Plan provided with the application includes a strip of land, which is under the ownership of Copse Cottage 96/97 Flaunden. Whilst the planning officer's report suggests it is not a planning issue, this is relevant to the application as it gives the impression that the application site is larger than it is because the red line plan includes part of Copse Cottage 96/97 land.

Slide 3

Birch Lane, looking south towards 94 Flaunden. Entrances to Flaunden Stables and parking area of 94 can just be seen on the left-hand side of road.

It is clearly evident that there is no built up frontage along eastern side of Birch Lane.



Looking North along Eastern side of Birch Lane. Showing established hedgerow to garden of 94 Flaunden.

94 Flaunden's garage roof is just visible.

The small single garage, set back from the road, cannot be considered as contributing to built up frontage. The premise of infill is between dwellings, and not simply ancillary structures



Slide 4



94 Flaunden on left (with porch), looking towards the Crossroads.

The entrance of 94 Flaunden opens onto a narrow footpath with no on-street parking.

Planning Officer suggests alternative parking of outside 1-6 Birch Lane or Flaunden Village Hall (125 metres away). Both of these suggestions are unacceptable.

Flaunden Village Hall Car Park is leased from Dacorum Council and is solely for the use of Village Hall users and visitors to the playing fields. It is not to be used as an overflow parking area for village residents. Using this would also cause safety issues by the need to walk along a narrow lane with no pavement or street lighting.

Parking in the lay-by on Birch Lane is also impractical as addressed on the following page.

All other properties in Flaunden have facilities for off-street parking or on-street parking directly in front of their property.

Slide 5

The only off-street parking on Birch Lane is a lay-by which can accommodate a limited number of vehicles.

The Planning Officer suggests this lay-by outside numbers 1-6 Birch Lane would provide a suitable parking area for residents at no. 94 Flaunden. However, as can be seen in the photo below, this parking area is constantly occupied by the residents of 1-6 Birch Lane and does not provide a suitable alternative area.

(The gaps between the parked cars are entrances to driveways of 1-6 Birch Lane.)



Slide 6



Photographs show the existing parking area for 94 Birch Lane.

As can be seen (and commented on in the Highways Officer's response) garage doors are too small to accommodate a car (the garage was converted some years ago into an annex room).

In its present form it would not comply with planning condition 5 and therefore cannot be counted as an allocated parking space.

The application does not therefore provide any appropriate parking space.

The Highways report asks that parking plans would need to demonstrate that parked vehicles do not obstruct the highway and insist that no vehicles park in front of the property as this would impact highway safety.

Slide 7

View from the neighbours garden (Copse Cottage 96/97 Flaunden) showing the boundary between 94 and Copse Cottage.

94 Flaunden's garage roof can be seen on the right.



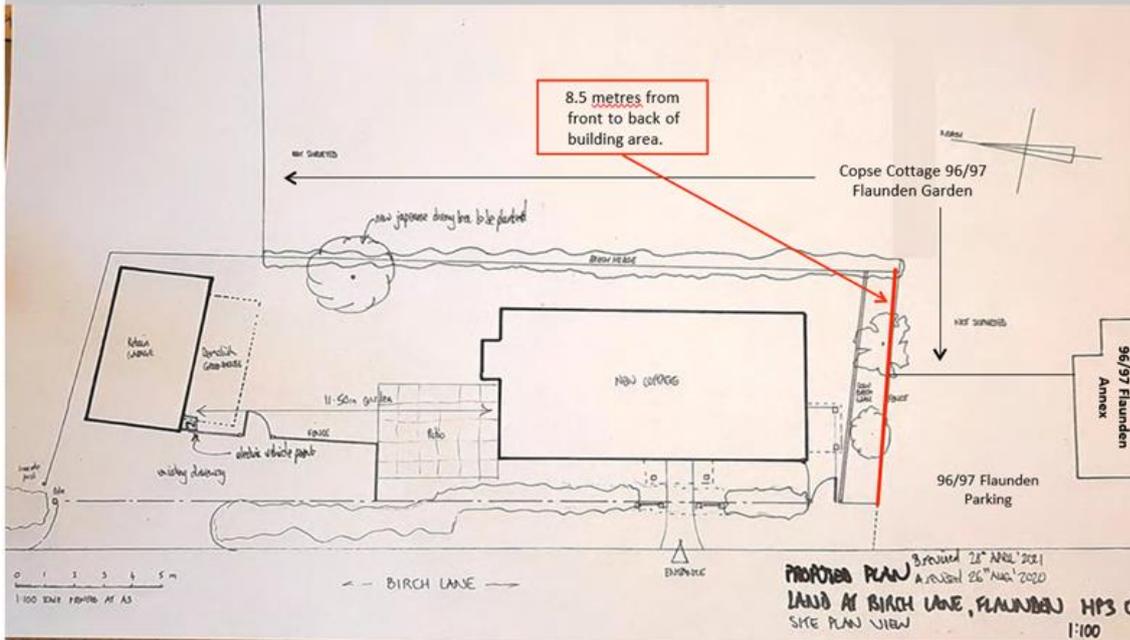
Photo taken from the annex window of Copse Cottage 96/97 Flaunden, showing the boundary fence with 94 Flaunden.

These windows would be overlooked by the new dwelling.



Slide 8

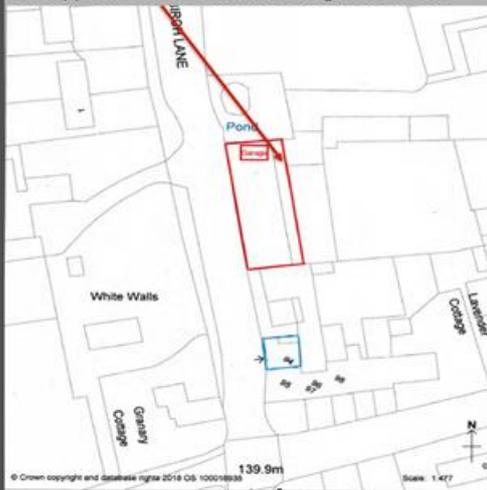
On viewing the plans it is apparent how restricted the area is, with the actual depth of plot available to build on being restricted to 8.5m at the southern boundary, widening to 10.5m at the northern end.



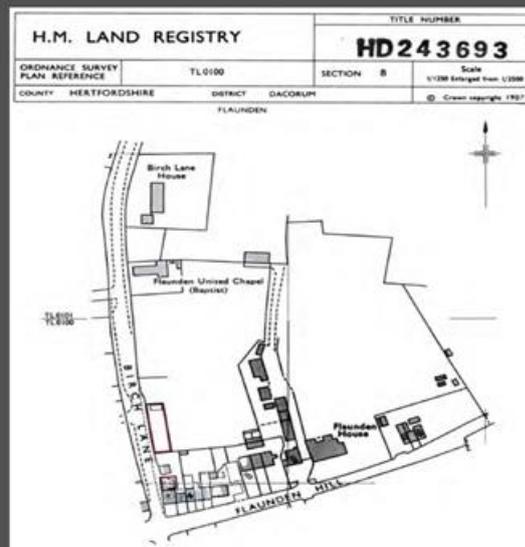
Slide 9

Photo on left is title plan submitted for 94 Flaunden. Arrow indicates the strip of land which is part of 96/97 Copse Cottage's land.

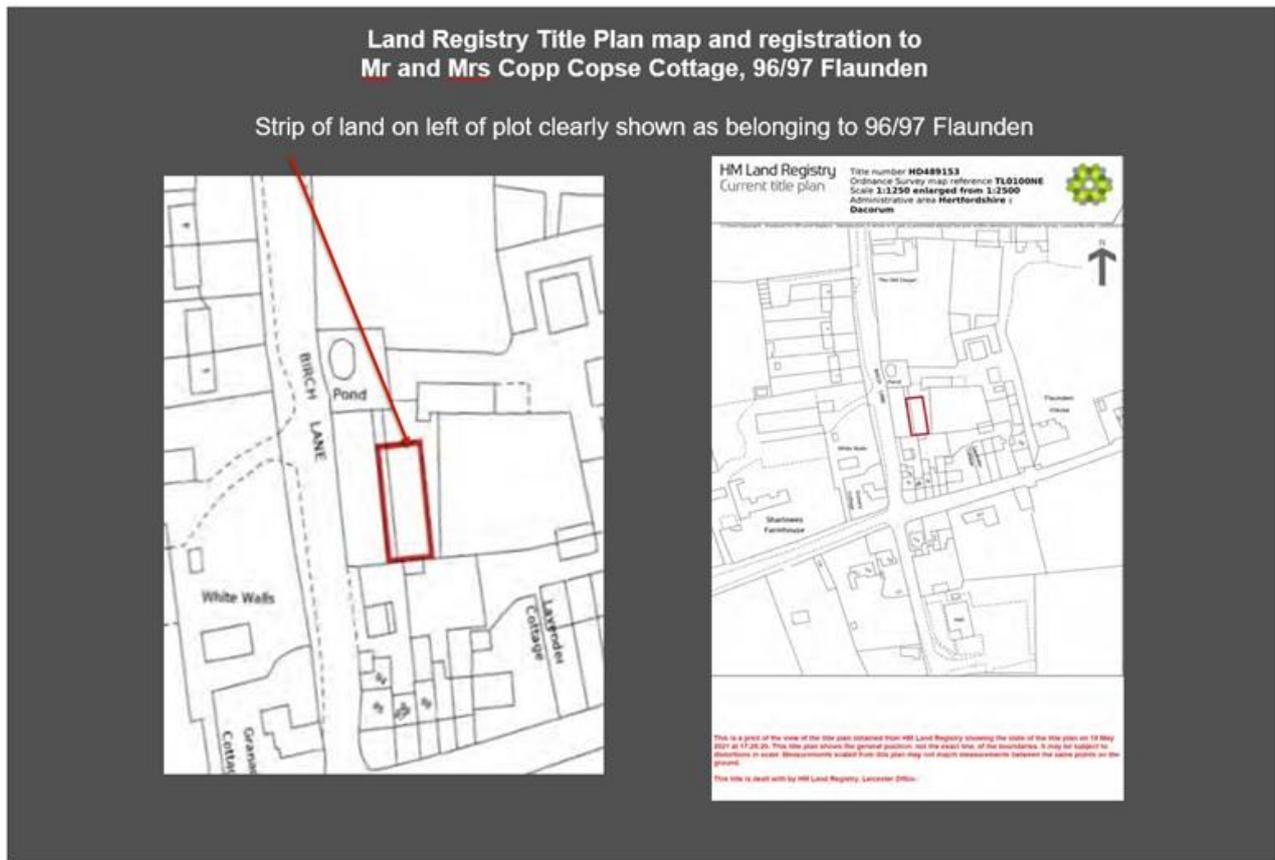
As this plan is shown in the application this give the appearance that the site is larger than it is.



Below - Land Registry document for 94 Flaunden which correctly show boundaries.



Slide 10



Recommendation

As per the published report.

Item 5h

20/03929/RET Retention of agricultural building and glasshouse

Land East Of Delmer End Lane Flamstead St Albans Hertfordshire AL3 8ER

NO UPDATES REQUIRED.

Recommendation

As per the published report.

Item 5i

21/01882/FHA Alteration to boundary wall including removal of a 3m section of 2.4m high garden wall at the rear of 17 Castle St. Replacement wall to be built on new boundary line.

17 Castle Street Berkhamsted Hertfordshire HP4 2BQ

NO UPDATES REQUIRED.

Recommendation

As per the published report.
