

**ITEM NUMBER: 5a**

<b>21/02419/FUL</b>	<b>Conversion of building to seven self-contained flats.</b>	
<b>Site Address:</b>	<b>Abeegale House, 13 Shrublands Road, Berkhamsted, Hertfordshire, HP4 3HY</b>	
<b>Applicant/Agent:</b>	<b>Mrs Prasad</b>	<b>Mr Donald Shearer</b>
<b>Case Officer:</b>	<b>Andrew Parrish</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted West</b>
<b>Referral to Committee:</b>	<b>Due to contrary views of the Berkhamsted Town Council</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED

**2. SUMMARY**

2.1 The application is recommended for approval. Permission is sought for conversion of the building to seven self-contained flats. Permission was granted in 2014 for change of use to seven dwellings with car parking, cycle storage and amenity space and therefore the principle of conversion has been accepted, although that was never implemented.

2.2 Appeals against the Council's refusal of two applications submitted in 2020 for conversion and construction of additional dwellings in the rear garden were dismissed on grounds inter alia of providing insufficient amenity space, insufficient car parking and appearing cramped and harmful to the street scene / Conservation Area.

2.3 The current application seeks to address these issues. The proposal is for conversion only and does not involve new dwellings in the rear garden. External alterations to the Edwardian building are relatively minimal, involving mainly fenestration changes, and seek to improve its contribution to the significance of the Berkhamsted Conservation Area. The Conservation Officer considers that the proposals will preserve the character and appearance of the Conservation Area.

2.4 The car parking arrangements will be rationalised and improved with an access from Shrublands Road rather than Shrublands Avenue. The overall provision accords with the Car Parking SPD and the Highway Engineer has raised no objections subject to conditions.

2.5 The combination of private and communal outdoor amenity space in the scheme would be a significant improvement in the overall quantum and quality of amenity space proposed in connection with the recently refused and dismissed schemes for this site in April 2021 and the previously permitted scheme in 2014, and accords with Appendix 3 and Policy CS12.

2.6 The proposals will not result in any material detriment to surrounding residential properties by reason of overlooking, loss of sunlight or daylight or overbearing appearance. Whilst there would be some potential light pollution from additional windows overlooking No. 11 Shrublands Road, a refusal on this ground is not considered to be justifiable.

2.7 Details of materials, landscaping, EV charging, completion of a sustainability checklist and highway requirements are recommended by condition.

2.8 On balance, applying the 'tilted balance', it is considered that the benefits of the development in terms of making a contribution to the Council's housing requirements, significantly and demonstrably outweighs the limited amount of harm identified from this proposal.

**3. SITE DESCRIPTION**

3.1 The site is rectangular in shape and measures approximately 17.5 m wide x 40 m deep. The site comprises a large three-storey detached Edwardian dwellinghouse (plus basement) which is situated on a corner plot on the junction of Shrublands Road and Shrublands Avenue, Berkhamsted. The surrounding area is predominantly residential in terms of both use and character and comprises a mix of larger, mainly pre-war C20 detached and semi-detached dwellings set back from their respective frontages and, in Shrublands Road, set within a more mature landscaped setting. The site falls within the Berkhamsted Conservation Area.

3.2 The site rises steeply from front to rear and is bounded by a mature clipped hedge to its frontage with Shrublands Road and by a brick wall to its Shrublands Avenue frontage. There is vehicular access from Shrublands Avenue to a tarmacked hardstanding area on the frontage. There is pedestrian access to the rear garden and side garden / door from Shrublands Avenue. The property features a number of flat roofed additions to the rear which are generally sympathetic in terms of materials and fenestration.

#### **4. PROPOSAL**

4.1 Permission is sought for conversion of the building to seven self-contained flats. The proposals involve the rearrangement of the frontage to form 8 parking spaces with access from Shrublands Road, the provision of a communal amenity area and alterations to fenestration and other details.

#### **5. PLANNING HISTORY**

##### Planning Applications

20/01677/FUL - Conversion of building to six self-contained flats, partial demolition of building at rear and construction of one dwelling.

*REF - 19th August 2020*

4/00134/19/FUL - Conversion of building to six flats, demolition of buildings to rear and construction of three dwellings

*REF - 4th February 2020*

4/03031/14/FUL - Change of use from single dwelling (c3) to seven dwellings with car parking, cycle storage and amenity space

*GRA - 21st April 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)

*GRA - 23rd September 2013*

4/01974/07/FUL - Change of use to residential development comprising eight one and two bedroom apartments (amended scheme)

*REF - 25th October 2007*

4/01881/02/FUL - Change of use from residential care home to private dwelling

*REF - 3rd December 2002*

4/01234/02/FUL - Change of use from nursing home (class c2) to residential (class c3)

*WDN - 5th August 2002*

4/00722/94/FUL - Two storey & single storey rear extension, first floor & attic extensions and alterations to nursing home. (revised scheme)

*GRA - 1st September 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)  
WDN - 1st June 1994

4/00167/93/FUL - Two storey and single storey rear extension first floor side extensions and alterations to nursing home  
GRA - 12th August 1993

4/01274/91/FUL - Conversion to form three residential flats creation of new access and provision of car parking  
REF - 7th January 1992

## Appeals

20/00039/REFU - Conversion of building to six flats, demolition of buildings to rear and construction of three dwellings  
DISMISSED - 6th April 2021

20/00064/REFU - Conversion of building to six self-contained flats, partial demolition of building at rear and construction of one dwelling.  
DISMISSED - 6th April 2021

4/01974/07/FUL - Change of use to residential development comprising eight one and two bedroom apartments (amended scheme)  
DISMISSED - 15th May 2008

## 6. CONSTRAINTS

Article 4 Directions: Shrublands Road, Berkhamsted No's: 5-15(Odd)  
CIL Zone: CIL1  
Berkhamsted Conservation Area  
Parish: Berkhamsted CP  
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE  
RAF Halton and Chenies Zone: Green (15.2m)  
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)  
Parking Standards: New Zone 3  
EA Source Protection Zone: 3  
EA Source Protection Zone: 2  
Town: Berkhamsted

## 7. REPRESENTATIONS

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## 8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)

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

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  
CS13 – Quality of Public Realm  
CS27 – Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 - Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions

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

Policy 10 – Optimising the Use of Urban Land  
Policy 13 - Planning Conditions and Planning Obligations  
Policy 18 – The Size of New Dwellings  
Policy 19 - Conversions  
Policy 51 – Development and Transport Impacts  
Policy 54 – Highway Design  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 100 – Tree and Woodland Planting  
Policy 120 - Development in Conservation Areas  
Policy 129 - Storage and Recycling of Waste on Development Sites  
Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents:

Environmental Guidelines (April 2004)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)  
Water Conservation & Sustainable Drainage (June 2005)  
Energy Efficiency & Conservation (June 2006)  
Parking Standards SPD (Nov. 2020)  
Refuse Storage Guidance Note (Feb 2015)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

Background  
Policy and Principle  
Suitability of the Site for Development;  
Impact on Street Scene and Berkhamsted Conservation Area  
Access and Highway Safety  
Parking  
Impact on Residential Amenity  
Sustainability Requirements

Infrastructure & Developer Contributions  
Other Matters  
The Planning Balance

Background

9.2 The current residential use of the property resulted from a permission granted in September 2013 for a change of use from residential care home (C2) with ancillary living accommodation to use as a single dwelling house (C3) (4/01392/13/FUL).

9.3 In 2015, a change of use was granted from a single dwelling house (C3) to seven dwellings with car parking, cycle storage and amenity space (4/03031/14/FUL). That permission however was not implemented.

9.4 In February 2020, an application for conversion of the building to six flats, demolition of buildings to the rear and construction of three dwellings (4/00134/19/FUL) was refused by the Committee on grounds inter alia of:

- ❑ Insufficient provision of amenity space, insufficient cycle storage and vehicle parking and overdevelopment of the site.
- ❑ The proposed development was also considered to be of a scale and density which was not respectful of neighbouring properties, was overbearing on the street scene and out of character with the surrounding area.

9.5 A subsequent appeal was dismissed on 6<sup>th</sup> April 2021 for three main reasons:

1. Appearing cramped and out of scale with the predominantly smaller, narrower fronted properties in Shrublands Avenue, and closing the gap offering views of the verdant backdrop of surrounding properties. The Inspector also considered that the open frontages with car parking would jar with the walled frontages of other properties. The public benefits of housing provision were not deemed sufficient to outweigh the harm to the Berkhamsted Conservation Area.
2. Providing insufficient and unsuitable private and shared outdoor space that would be open to the street and lack privacy, or otherwise not be useable.
3. A shortfall in vehicle and cycle parking provision would be likely to encourage additional on-street parking in surrounding residential streets, and the capacity for on-street parking in Shrublands Avenue would be reduced by the vehicle crossovers for curtilage parking for the proposed houses.

9.6 A revised application in August 2020 for conversion of the building to six self-contained flats, partial demolition of the building at the rear and construction of one dwelling (20/01677/FUL) was refused under delegated authority on grounds of:

- ❑ Insufficient provision of amenity space
- ❑ Due to its architectural styling and overall design, the development would be incongruous and incompatible with the prevailing street scene and harmful to the significance of the Berkhamsted Conservation Area.

9.7 A subsequent appeal was dismissed on 6<sup>th</sup> April 2021 for two main reasons:

1. The form and appearance of the new dwelling to the rear of the appeal property with its sunken external space would contrast with the established characteristics of houses in the locality, projecting significantly closer to Shrublands Avenue, and with cumbersome detailing, would stand out as an ungainly addendum to the street. The additions at second floor level to the appeal property would be a further prominent and unsuitable flat roofed addition that would jar with its architectural form and detailing. The public benefits of housing provision were deemed not sufficient to outweigh the harm to the Berkhamsted Conservation Area.
2. Providing insufficient and unsuitable private and shared outdoor space for the flats, and due to the sunken nature of the space for the house would be of such poor quality as to create substandard living conditions for the occupants of the house.

### Policy and Principle

9.8 The site falls within the urban area of Berkhamsted wherein, under Policies CS1 and CS4 of the Core Strategy, appropriate residential development is encouraged subject to complying with all other relevant policy criteria. Policy CS17 encourages the development of housing to meet the district housing allocation.

9.9 Saved Policy 19 of the DBLP states that conversion of houses to flats will be permitted subject to various criteria.

9.10 Saved Policy 18 states that regard will be paid to the need to provide accommodation for new, small households.

9.11 Saved Policy 10 encourages the optimisation of urban land provided, inter alia, general building development is designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies in the plan.

9.12 The NPPF (Para. 117) also encourages the effective use of land to meet the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

9.13 Furthermore, planning permission has previously been granted on the site for residential use as a single dwellinghouse under application 4/01392/13/FUL and subsequently under 4/03031/14/FUL for change of use to seven dwellings under the same policy framework noted above.

9.14 The principle of conversion for residential use is therefore acceptable.

9.15 The main considerations relate to the impact of the development on the street scene and the character and appearance of the Conservation Area, the adequacy of car parking, and the impact on residential amenities including suitability of private amenity space.

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

9.16 Policies CS10, 11, 12 and 13 of the Core Strategy are overarching design policies that expect a high standard of design and layout in all development proposals at the settlement, neighbourhood and site level, including the public realm. Policy CS12 notes that on each site, development should integrate with streetscape character.

9.17 The site falls within the Berkhamsted Conservation Area where under Policy CS27 proposals should favour the conservation of heritage assets, and under both saved Policy 120 and Policy CS27, proposals should preserve or enhance the established character or appearance of the area.

9.18 Furthermore, Paragraph 200 of the 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.

9.19 No. 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.*'

9.20 Whilst 13 Shrublands Road has been extended and altered, particularly to the rear in an unsympathetic way, the property nevertheless 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.

9.21 As noted by the Conservation Officer, amended plans have been received during the course of the application which address a number of concerns raised in respect of the initial plans submitted. These alterations have gone hand in hand with amendments to the parking arrangements which provide a more logical and coherent layout alongside a single point of access from Shrublands Road. This has importantly enabled the retention of the porch to the frontage which is an important part of the overall character of the property.

9.22 Due to the site being situated directly on a corner plot, the impacts of the development upon the street scene need to be assessed in relation to both Shrublands Road and Shrublands Avenue.

9.23 In regards to Shrublands Road, relatively minor alterations are proposed to the front elevation comprising improvements to the balance and proportions of the fenestration, replacing windows to match the style of the existing historic windows, replacing the main front entrance door with a new window and door, replacement black metal balustrading, introduction of bin store doors into the proposed undercroft area and other minor alterations. The proposals in this respect are considered to enhance the Edwardian character of the property and to make a positive contribution to the Conservation Area.

9.24 In terms of Shrublands Avenue, improvements are again proposed to the balance and proportions of the fenestration including replacement windows as necessary to match the historic pattern. An existing dormer window facing the road would be slightly enlarged to no significant detriment, and the existing entrance door from Shrublands Avenue would be protected from the weather by a hipped and tiled porch, similar in design to the front porch. In addition, the proposals would introduce an 1100 mm high balustrade and 1800 mm dividing horizontal slatted timber privacy screen to the proposed first floor roof terrace which the Conservation Officer considers preferable to the previously proposed opaque glass screen. The existing boundary wall would be retained with only minor alterations to accommodate improved pedestrian access to the side door, close off pedestrian access to the rear patio / garden area and close off the existing vehicular access to the frontage car park from Shrublands Avenue. The proposals in respect of this elevation are considered to cause no harm to the Conservation Area and in a number of respects to enhance it.

9.25 In regards to the rear elevation no major changes are proposed other than to fenestration to suit the proposed use of the flats, the reduction in size of the rear dormer and associated removal of balcony and balustrade and the introduction of a roof terrace and metal balustrading over the ground floor flat roofed extension. On balance these changes would not be considered harmful to the appearance of the property or to the street scene or Conservation Area.

9.26 In regards to the south east elevation the only material changes relate to the introduction of larger and additional windows to the ground floor and two additional windows to the first floor but

given that these would not be highly visible to the street scene, there would be no material detriment and the proposals would not harm the Conservation Area.

9.27 Together with the alterations to the parking arrangements at the front, which include block paving in lieu of tarmac, and the retention of boundary enclosures, and subject to details of external landscaping and matching materials, the Conservation Officer considers that the proposals will preserve the character and appearance of the Berkhamsted Conservation Area. By extension the proposals would also be acceptable with regards to their impact on the street scene. The proposals would therefore accord with Policies CS10, 11, 12, 13 and 27 of the Core Strategy and saved Policy 120 of the Local Plan.

### Access and Highway Safety

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

9.29 Furthermore, Saved Policy 51 of the DBLP states that the acceptability of all development proposals will always be assessed specifically in highway and traffic terms and 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.

9.30 In providing context, the site lies approximately 200m from the High Street in Berkhamsted and therefore is within easy walking and cycling distance of shops and services. Berkhamsted Railway Station is approximately 1.3km from the site and within a reasonable walking and cycling distance and there is access to regular bus services in the High Street and the canal towpath for longer distance walking and cycling connections.

9.31 During the processing of the application, it was apparent that the initial proposals utilising the existing access from Shrublands Avenue would result in a somewhat disorganised and incoherent layout that would disrupt and interfere with the layout and design of the building to its detriment whilst also opening up unsightly views of a car park to the frontage and result in the loss of potential for boundary planting.

9.32 The proposals have been revised such that car parking would be accessed from the frontage along Shrublands Road and the existing access from Shrublands Avenue would be closed off and reinstated with a boundary wall and hedging. The Highway Engineer has assessed the proposals and raises no objections to the access, noting that its width at 7.2 m (which is wider than normal) is acceptable owing to the number of parking spaces served. Conditions are recommended covering details / specifications of the access, closure of the existing access and requiring any gates, chain or other obstructions to be set back a minimum of 5.5 m from the back edge of the footway. Various highway informatives are also recommended.

9.33 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. Whilst not a major development, refuse bins are to be stored within an undercroft area accessible via doors within the frontage of the building from the car park. These would be situated within 25 metres of the Highway, therefore would comply with the Council's Refuse Storage Guidance Note maximum walk distance for refuse operatives.

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

### Parking

9.35 The Town Council and a number of residents have raised concerns at the adequacy of car parking.

9.36 Policy CS12 of the Core Strategy states that on each site, development should provide sufficient parking. The site is situated within Zone 3 as defined by the Parking Standards SPD.

9.37 The development comprises the following sizes of flats:

- ☐ Two x 1 bedroom
- ☐ Five x 2 bedroom

9.38 The SPD parking standards for Zone 3 are as follows:

- ☐ 1 bedroom dwellings = 1.25 spaces }
- ☐ 2 bedroom dwellings = 1.5 spaces } All allocated
  
- ☐ 1 bedroom dwellings = 1 space }
- ☐ 2 bedroom dwellings = 1.2 spaces } All unallocated

9.39 Eight off-street parking spaces are proposed and it is confirmed on plan that all the spaces are unallocated. On this basis, the provision meets the required standard of eight spaces which is therefore acceptable. There are no parking restrictions on the roads directly outside of the site or nearby and as such, they are capable of accommodating vehicles associated with occasional visitors to the development if necessary. However, as unallocated spaces they would be available to visitors.

9.40 The spaces would measure be 2.4 m x 4.8 m in accordance with standards set out in the SPD and the bay separation distance of 6.17 m would accord with the minimum requirement of 6 m. The overall parking provision is therefore sufficient and would accord with Policy CS12 of the Core Strategy.

#### Impact on Residential Amenity

9.41 Policy CS12(c) of the Core Strategy seeks to ensure that there is no visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties. Saved Appendix 3 of the Dacorum Borough Local Plan also sets out guidelines on protecting the amenities of neighbouring properties.

9.42 The location of the site in relation to surrounding properties, coupled with the limited increase in scale of the proposals is such that the above considerations are largely limited to those impacts upon No. 11 Shrublands Avenue located to the immediate east of the application site and No. 15 Shrublands Avenue situated to the immediate south of the site.

9.43 The elevation facing No. 15 would not be materially changed as a result of the conversion. The ground floor doors/windows would be enlarged. However, as these are at ground level and there is a significant difference in level with No. 15 in its favour, there would be no loss of privacy caused. A first floor window would be slightly enlarged to serve a lounge. However, given boundary fencing there would be no material loss of privacy to the garden of No. 15 and there are no windows in the gable of No. 15 that would be overlooked. On the second floor, no alterations to rooflights in the rear elevation are proposed. Overall there would be no material detriment to No. 15 Shrublands Avenue.

9.44 Regarding the impact on No. 11 Shrublands Road, there would be no increase in the height, bulk or depth of buildings such that there would be no loss of sunlight or daylight from the proposals.

9.45 Two new windows and an enlarged window are proposed at first floor level within the flank wall of the development facing No. 11. The new windows would serve a kitchen and a bedroom respectively to flats 5 and 6 and the enlarged window would serve the kitchen to flat 6. The neighbour objects to these on grounds of light pollution, notwithstanding that these windows would be fixed and opaque. However, the window to the bedroom would not be opaque or fixed and it would be recommended by condition that this be obscure glazed and fixed to prevent a loss of privacy. Regarding the potential light intrusion, given that this would be most noticeable after dark when the occupants of No. 11 would be least likely to be outdoors, it is not considered that a refusal on this ground would be justifiable, noting also that the flat occupants would be likely to install curtains or blinds to these windows and that only one window would be visible from the rear patio area serving No. 11.

9.46 The proposals would have an acceptable relationship to other neighbouring properties. Objections from No. 1 Shrublands Avenue raise concerns about loss of privacy from the roof terrace. However, it is not considered that an objection could be sustained on this ground given these frontages are already in the public arena. 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.

9.47 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.

9.48 The proposed flats would be dual aspect and provide a minimum of 51.6 sq m and 66.69 sq m respectively for the one bedroom and two bedroom units which would meet minimum nationally described space standards and is 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.

#### Amenity Provision

9.49 The Town Council, Berkhamsted Citizens Association and a number of residents refer to the lack of amenity space and to the proposal as overdevelopment.

9.50 Saved Appendix 3 of the DBLP states that all residential development is required to provide private open space for use by residents. For flats, it states that:

*“Residential development designed for multiple occupancy will be required to provide 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.”*

9.51 The proposals would provide a communal outdoor amenity area to the rear of the development of some 105 sq m or an area measuring just over 10 metres x 10 metres. Whilst this would be only about a third of the footprint of the existing building, it would be considered to comprise a reasonably functional and private space. Furthermore, it would be no worse in area than the provision already serving the property and about the same as that proposed with the scheme of 7 dwellings permitted at this site in 2015 (4/03031/14/FUL). Moreover, in contrast to the 2015 scheme, the shortfall would be offset by an element of private balconies, patio gardens and roof terraces serving all but the two one bedroom flats and one of the two bedroom flats. However, this shortfall in private balcony space would be offset by a small communal roof terrace on the first floor extending to 9.78 sq m in area which would offer additional amenity provision which any apartment occupier could make use of.

9.52 As the proposal is a conversion rather than new build, and making better use of a sustainably located brownfield site to provide housing, it is considered reasonable to relax certain standards to

achieve good use of land provided this would not severely impact on living conditions or result in harm to design, heritage or other considerations.

9.53 Overall, the combination of private and communal outdoor spaces in the scheme is considered to be a significant improvement in the overall quantum and quality of amenity space proposed in connection with the recently refused and dismissed schemes for this site in April 2021 (4/00134/19/FUL and 20/01677/FUL). The 2019 scheme did not provide any outdoor amenity space whilst the 2020 scheme provided much less than half that proposed here, and no private balconies or terraces at all.

9.54 On balance, it is considered that reasonable provision and quality of outdoor amenity space would be provided as part of this scheme to meet residents' reasonable expectations. The landscaped space, subject to further details by condition, would also be considered to maintain the established character and appearance of the area and contribute to the character and appearance of the Conservation Area. Therefore, the proposals accord with Appendix 3 and Policy CS12.

### Sustainability Requirements

9.55 Any new development should be consistent with the principles of sustainable design as set out in Policies CS29, CS30 and CS31 of the Core Strategy.

9.56 A CS29 sustainability checklist has not been submitted in accordance with Policy CS29. It is therefore unclear if the full sustainable development principles will be met. However, it is noted that rather than demolish and rebuild, the proposals seek to convert the existing building which is inherently more sustainable. The proposals include soft landscaping in the form of hedge and tree planting which will contribute to improving the biodiversity of the site. No details of surface water drainage have been provided but given this is an existing building, it is not considered that the drainage proposals will be materially worse and could include water harvesting for irrigation purposes. Similarly, details of energy conservation are not provided but will more than likely be better than existing.

9.57 It would be recommended that a pre-commencement condition requiring completion of the checklist details be provided. Details of sustainable drainage measures can form part of details submitted pursuant to a landscaping condition.

### Infrastructure & Developer Contributions

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

9.59 The Charging Schedule clarifies that the site is in Zone 1 within which a charge of £250 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. Given there is no net increase, the scheme is unlikely to make any contribution.

### Other Material Planning Considerations

9.60 The Trees and Woodlands Officer has confirmed that no trees will be detrimentally affected by the development and raises no objections. There is a magnolia tree within the rear space. However, this is not specifically identified or shown to be retained. This is not a visually significant tree in the overall street context. However, its loss can be compensated by tree planting elsewhere as part of the landscaping details to be submitted.

9.61 Due to the quantum of development proposed, the proposal for 7 flats is not liable to affordable housing contributions in accordance with the Council's Affordable Housing SPD - Clarification Note (Version 3: August 2019).

### Response to Neighbour Comments

9.62 The Town Council, neighbours and Citizens Association comments and objections have been considered above.

### The planning balance

9.63 The Council cannot demonstrate a five-year housing land supply. In consequence, the provisions of Paragraph 11(d) of the Framework are invoked. This states that planning permission should be given for a development unless the benefits are significantly and demonstrably outweighed. This is referred to as the 'tilted balance'.

9.64 In this instance, the benefits of the development are 6 additional new dwellings suitable as starter homes with a reasonable level of amenities for its occupants. This would represent a modest but nevertheless useful contribution towards the provision of housing within the Borough and should be given a significant amount of weight. In providing small homes, the proposal would, to some degree make a contribution to addressing local need for new housing in the surrounding area.

9.65 In addition, the proposed development would generate some economic benefits arising from the construction process and ongoing support for local facilities, albeit these benefits would be of a limited amount. Therefore, they can only be given a limited amount of weight.

9.66 In terms of the environment, the proposals would preserve the character and appearance of the Conservation Area and in a number of respects would make a positive improvement to the appearance of the building and its surrounds through improvements to fenestration, parking arrangements and landscaping to which significant weight can be given.

9.67 No material harm from the development would arise. Whilst there would be some light pollution to the adjoining residential property from new windows, this is not to such a degree that a refusal could be justified. Therefore very limited weight is applied to this.

9.68 On balance, having applied the 'tilted balance', it is considered that the benefits of the development significantly and demonstrably outweigh the limited amount of harm identified.

## **10. CONCLUSION**

10.1 The proposed flat conversion is acceptable in principle and the alterations will preserve the character and appearance of the Berkhamsted Conservation Area and in a number of respects provide a positive benefit. The proposed car parking arrangements with access from Shrublands Road meet SPD standards and the provision of communal outdoor amenity space with supplementary balconies and roof terraces is considered to accord with Appendix 3 and Policy CS12. There would be no material detriment to adjoining residential amenities. Applying the tilted balance, the benefits of the development significantly and demonstrably outweigh the limited amount of harm identified.

## **11. RECOMMENDATION**

11.1 That planning permission be **GRANTED**

**Condition(s) and Reason(s):**

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

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

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

**1545-BA-100  
1545-BA-111 rev C  
1545-BA-112 rev C  
1545-BA-113 rev D  
1545-BA-114 rev B  
1545-BA-115 rev C  
1545-BA-116 rev B  
1545-BA-117 rev C  
1545-BA-118 rev D  
1545-BA-119 rev B  
1545-BA-120 rev C  
1545-BA-121 rev A  
1545-BA-123 rev C**

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

- 3. No development (excluding demolition, site preparation, ground works) shall take place until samples of the materials (together with summary details) to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to 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. The development shall be carried out in accordance with the approved plans and elevations and no development (excluding demolition, site preparation, ground works) shall take place until 1:20 details of the design and appearance of the following shall have been submitted to and approved in writing by the local planning authority:**

- o all new windows, replacement windows, external doors and openings (including materials, finishes, sills, window headers). The details shall include vertical and horizontal cross-sections through the openings to show the position of joinery within the openings;**
- o dormer window;**
- o bin store doors;**
- o eaves joinery and rainwater goods to the new porch;**
- o Balustrades.**

**The development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and street scene in accordance with Policy CS12 and CS27 of the Dacorum Core Strategy September 2013 and saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

- 5. All replacement brickwork in association with removed or repositioned openings shall be made good and keyed into existing brickwork in a matching brickbond, brick /mortar colour / texture.**

Reason: In the interests of preserving the character and appearance of the Berkhamsted Conservation Area as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013), saved Policy 120 of the Dacorum Borough Local Plan 1991-2011 and Section 16 of the National Planning Policy Framework (2021).

- 6. Notwithstanding any details submitted, no development (excluding demolition, site preparation, ground works) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o hard surfacing materials;**
- o means of enclosure, including height of screen fences;**
- o soft landscape works including planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- o trees to be retained;**
- o proposed finished levels or contours;**
- o sustainable drainage measures;**
- o minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
- o retained historic landscape features and proposals for restoration, where relevant.**

**The approved landscape works shall be carried out prior to the first use of the development hereby permitted and retained fully in position.**

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character and ecology of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12, 13 and 29 of the Dacorum Core Strategy September 2013.

- 7. Prior to the use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 1545-BA-113 D in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and**

**disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and saved Policy 54 of the Dacorum Borough Local Plan 1991-2011.

- 8. Prior to the first use of the development hereby permitted the vehicular and pedestrian (and cyclist) access to, and egress from, the adjoining public highway shall be limited to the access(es) shown on drawing number 1545-BA-113 D only. Any other access(es) or egresses shall be permanently closed, and the footway / kerb / highway verge shall be reinstated in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018), Policy 12 of the Dacorum Core Strategy September 2013 and saved Policy 54 of the Dacorum Borough Local Plan 1991-2011.

- 9. Prior to the first occupation of the development hereby permitted the proposed on-site car parking, turning area and cycle storage shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for those specific uses. The parking spaces shall at all times remain unallocated to any specific flat.**

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), saved Policy 51 of the Dacorum Borough Local Plan and Section 9 of the National Planning Policy Framework (2021).

- 10. Prior to the first use of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be installed to open inwards, set back, and thereafter retained (in perpetuity) at a minimum distance of 6 (may be reduced to 5.5) metres from the edge of the highway.**

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018), Policy 12 of the Dacorum Core Strategy September 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 11. Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

- 12. No development shall take place until details of proposed sustainability measures within the development, through submission of a CS29 Checklist shall have been**

**submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 154 and 157 of the National Planning Policy Framework (2021).

- 13. The window(s) at first floor level in the south east elevation of the development hereby permitted shall be non-opening and permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

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

**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. Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
4. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
5. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical

means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	<p>Objection</p> <p>The proposals are an overdevelopment of the site and would result in a lack of amenity space for residents. There is also a lack of parking provision.</p> <p>Appendix 3</p>
Hertfordshire Highways (HCC)	<p>The proposal is for the conversion of a building to seven self-contained flats. This is an interim response to obtain more information regarding the access arrangements. Drawing number 1545-BA-111 states that the existing access will be widened without giving any measurements by how much. HCC Highways does not allow a dropped kerb to be larger than 7.2 metres (6 dropped kerbs and 2 risers). However, it does appear that the existing kerb is not 100% clear and maybe partially dropped in some locations owing to the adjacent road height. Therefore, we would like clarification on the total length of the extended dropped kerb and if any work is proposed to the highway network. Alternatively the existing dropped kerb could be retained and just the entrance to the site be widened. Secondly, HCC Highways would like to see swept path analysis for each space to ensure that each space is accessible and 2.4m x 4.8 metres as per standards. Once these have been provided, HCC Highways can make an informed recommendation on the sites impact on the highway network.</p>
Trees & Woodlands	<p>According to the information submitted the applicant advises no trees will be detrimentally impacted by the development. I have examined the information and can confirm no trees are affected and subsequently have no objections to the application being approved.</p>
Parish/Town Council	<p>Objection</p> <p>There was an objection to the proposed parking arrangements on the grounds that it is considered there are an inadequate number of spaces for the number of dwellings, the spaces are too narrow and there is no provision of EV parking spaces. Furthermore, given that the parking arrangements do not provide for adequate turning capacity and Shrublands Road is a busy thoroughfare, there is a concern that drivers would have difficulty exiting the carpark in forward gear. In addition, the</p>

	<p>new access road would change the street scene on Shrublands Road.</p> <p>There was also an objection on the grounds of Amenity Space. The proposed development lacks amenity space and therefore, is considered an overdevelopment of the site.</p> <p>CS12, SLP Appendix 3</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> <p>1) Prior to the use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 1545-BA-113 D in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2) Existing Access - Closure Prior to the first use of the development hereby permitted the vehicular and pedestrian (and cyclist) access to, and egress from, the adjoining public highway shall be limited to the access(es) shown on drawing number 1545-BA-113 D only. Any other access(es) or egresses shall be permanently closed, and the footway / kerb / highway verge shall be reinstated in accordance with a detailed scheme to be approved in writing by the Local Planning Authority in consultation with the highway authority. Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>3) Access Gates / Bollard / Chain - Configuration Prior to the first use of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be installed to open inwards, set back, and thereafter retained (in perpetuity) at a minimum distance of 6 (may be</p>

reduced to 5.5) metres from the edge of the highway.

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informatives

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

AN 1) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN 2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

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

AN 3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the

applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

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

AN 4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

#### Comments

The proposal is regarding amendments for the conversion of a building to seven self-contained flats at Abeegale House, 13 Shrublands Road, Berkhamsted. Shrublands Road is a 30 mph unclassified local access route that is highway maintainable at public expense. The proposal has changed from previous iterations to now have the access coming from Shrublands Road.

#### Vehicle Access

The existing site has an access off of Shrublands Avenue. This access is to be closed and a new access is proposed onto Shrublands Road. The new access is to be 7.2 metres to ensure that vehicles can enter the site safely. Although our dropped kerbs: terms and conditions only allows dropped kerbs up to 5.4 metres, in this instance HCC Highways feel that 7.2 metres (a double dropped kerb) would be acceptable owing to the sites number of parking spaces. This stipulation can be found within HCC Highways design guide. The access should normally be greater than 10 metres from the nearby junction. The proposed access is close to this number and it is not deemed unsafe for this location being slightly closer owing to classification and speed of Shrublands Road. The new access must be constructed by a contractor who has been chosen by HCC Highways under a section 184 agreement - please see informative 1 above. Parking is a matter for the local planning authority and therefore any parking arrangements must be agreed by them. The applicant has mentioned in

	<p>emails the use of raising bollards, although not shown within the drawings, this is not deemed acceptable as it would not be greater than 5.5 metres from the highway network. Therefore, HCC Highways has placed condition 3 above to ensure that no raising bollards are placed at the entrance of the site.</p> <p><b>Drainage</b> The proposed new driveways has made adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need be collected and disposed of on site.</p> <p><b>Refuse / Waste Collection</b> Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p><b>Emergency Vehicle Access</b> The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.</p> <p><b>Conclusion</b> HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative (in relation to entering into a Section 184 Agreement) and conditions.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>In relation to the revised plans; in my view the front elevation will now be enhanced under the current proposals and the alterations to the side elevation (new entrance door / porch and windows) are sympathetic to the existing character of 13 Shrublands Road.</p> <p>The only part I do have some reservations about is the proposed 1.8 metre high etched glazed screen to the first floor patio area - due to its visibility within the street scene. I don't know if there would be any alternatives to this, providing privacy screening is often awkward.</p>

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	6	0	6	0

## Neighbour Responses

Address	Comments
<p>The Rowans 11 Shrublands Road Berkhamsted Hertfordshire HP4 3HY</p>	<p>Our concerns are with the addition of new windows overlooking our property. Despite being fixed and opaque, the light generated from the high traffic living areas will be intrusive. We also feel there are not enough parking spaces - we cannot see how you can practically squeeze in 9 spaces and also guidance is minimum 1.5 spaces per dwelling. With 7 apartments and 11 bedrooms we do not see the number spaces being practical. We have also have concerns with the increase in height of the roofs obstructing light onto our property on what is already in breach of policy and compounds the over development of the site. We feel there is not enough amenity space in what is already constrained with the current plans of 6 apartments. We would expect the large magnolia tree would remain to protect the environment.</p> <p>We continue to object on the grounds we have previously specified as we do not believe the matters raised previously have not been addressed. Below are our previous comments which remain our continued position - we are supportive of the existing approved plans.</p> <p>Our concerns are with the addition of new windows overlooking our property. Despite being fixed and opaque, the light generated from the high traffic living areas will be intrusive. We also feel there are not enough parking spaces - we cannot see how you can practically squeeze in 9 spaces and also guidance is minimum 1.5 spaces per dwelling. With 7 apartments and 11 bedrooms we do not see the number spaces being practical. We have also have concerns with the increase in height of the roofs obstructing light onto our property on what is already in breach of policy and compounds the over development of the site. We feel there is not enough amenity space in what is already constrained with the current plans of 6 apartments. We would expect the large magnolia tree would remain to protect the environment</p>
<p>Selattyn Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>I object to this planning application the following reasons:</p> <ul style="list-style-type: none"> <li>- Insufficient parking provision for the planned 7 flats - 7 spaces for 7 flats is inadequate. This application would need 11 spaces which are not provided for by this plan</li> <li>- Inadequate space for usage of the car park. Given the actual space at the front of the property there appears to be insufficient turning space for access to the proposed 7 parking spaces. This needs to be scrutinised in detail as the access point is narrow.</li> <li>- As a consequence, there is a strong likelihood that this application will lead to overflow parking on Shrublands Road and Avenue which are already very busy and dangerous</li> <li>- Insufficient amenity space for the new residents - where is the green space, and drying space for 7 sets of residents?</li> <li>- Application will destroy established trees in the grounds</li> <li>- Excessive development - the building line is out of step and needs to be addressed, this property is not in keeping with the rest of Shrublands Road due to the rear extension which is out of character with the area.</li> </ul>

	<p>- Dangerous access to the site for the increased residents' traffic, because the property is on the corner to a busy road. Why hasn't direct access from Shrublands Road to the parking spaces been proposed - removing the front wall and hedge? This may also increase the available parking space.</p>
<p>The Colt House 1 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>We object to this plan Concern over privacy , a new balcony and additional windows will significantly overlook our property. There is insufficient parking spaces. With 7 apartments and 11 bedrooms we do not see the number spaces being practical. There is not enough amenity space for 7 apartments. Protected trees would need to be removed and have not ben acknowledge in the plan.</p>
<p>7 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p>	<p>I do not believe that there is enough parking provision for this development. It would appear that the parking plan is not a true representation of the size of the area and I would seriously doubt that there is room for 9 cars to park, let alone manoeuvre in to a space without the help of a crane!</p> <p>I would suggest that the applicant is asked to show that the proposed carpark is actually usable otherwise the residents of the flats will park on the, already, extremely busy Shrublands Road and Avenue, rather than try to squeeze into an impossible parking space, which will create further congestion on the roads and additional hazards when trying to cross, on foot, or pull out of/into the Shrublands Avenue/Road junction.</p>
<p>Stonycroft 9 Shrublands Road Berkhamsted Hertfordshire HP4 3HY</p>	<p>I write as a neighbour of 13 Shrublands Road. I am commenting on the revised plans of 1st December 2021.</p> <p>I continue to object to the plans on the following grounds:</p> <ol style="list-style-type: none"> <li>1 Overdevelopment in that 7 flats are proposed where 6 would be more proportionate.</li> <li>2 Inadequate parking provision given the number of flats proposed.</li> <li>3 The overlooking of no.11 (The Rowans) should be reviewed.</li> <li>4 The entrance/egress of the car park proposed in Shrublands Road is too close to the corner; and would conflict with that for no.11 already given consent.</li> </ol> <p>However I support the main pedestrian entrance being preserved fronting Shrublands Road as more appropriate in the conservation area.</p> <p>I write as a neighbour of 13 Shrublands Road. I am commenting on the revised plans of 1st December 2021.</p> <p>I continue to object to the plans on the following grounds:</p>

	1
22 Bridgewater Road Berkhamsted Hertfordshire HP4 1HN	<p>I write on behalf of the Berkhamsted Citizens Association Townscape Group of which I am a member. We would like to strongly object on the basis of 1 (Gross overdevelopment of the site with too great a density which would lead to a detrimental effect on the appearance and character of the Conservation Area. 2) There is a woeful lack of parking on the site and it does not comply with the current parking provision legislation. 3) The effect of this plan on the current onstreet parking would be detrimental to the area.</p> <p>The Association therefore urges refusal of this plan in the current format.</p>