

BERKHAMSTED TOWN COUNCIL

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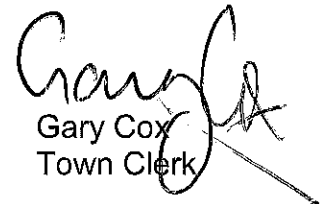
www.berkhamstedtowncouncil.gov.uk

2nd Floor
Civic Centre
161 High Street
Berkhamsted
Herts HP4 3HD

26 August 2014

SUMMONS

Notice is hereby given that there will be a meeting of the **Town Planning Committee** in the Council Chamber, Civic Centre, Berkhamsted, on **Monday 1 September 2014 at 7.30pm** for the purpose of transacting the business set out in the agenda below and you are hereby summoned to attend.


Gary Cox
Town Clerk

MEMBERS:

Councillors: L Handy - Chair
P Warren - Vice Chair
A Armytage
J Ashbourn
T Ritchie
G Stevens

SUBSTITUTES:

Councillors: D Bonnett
D Collins
Mrs C Green
J Laws

EX OFFICIO:

Councillor P Matthews -Town Mayor

THE PUBLIC ARE INVITED TO ATTEND ALL MEETINGS OF THE TOWN COUNCIL

AGENDA

- TP 130/14 To receive **Apologies for Absence**
- TP 131/14 To receive **Declarations of Interest** regarding items on the agenda
- TP 132 /14 To agree **Minutes of the Last Meeting** held on 11 August 2014
- TP 133/14 **Chair's Communications**
- Community Infrastructure Levy – Examination Hearing***
- To note that an **independent examination of Dacorum Borough Council's draft Community Infrastructre Levy Schedule** is due to take place in public on Friday 26 September at 10.00am at the Dacorum Civic Centre, Marlowes, Hemel Hempstead.
- TP 134/14 **Public Participation**
- To suspend Standing Orders to invite **public participation** on items on the agenda.
- TP 135/14 **To consider, for Resolution, forms and drawings for applications relating to the Town of Berkhamsted received from Dacorum Borough Council**
- 950PL/0535/13 Modernisation of Little Hay Golf Complex. Remodelling of the 18 Hole Golf Course and construction of a multi-shot driving range and associated drainage/water harvesting works, through the importation of 247,000 cubic metres of material, in addition to the temporary formation of access on Upper Bourne End Lane for construction works. (JF)
- 4/01260/14/FHA **AMENDED and/or ADDITIONAL PLANS / INFORMATION** – Ground floor rear extension at 50 Kitsbury Road. (EW)
- 4/01369/14/OUT **AMENDED and/or ADDITIONAL PLANS / INFORMATION** – Demolition of side extension to number 20 and construction of detached family dwelling with pedestrian access- outline application with access and layout (deletion of double garage, with car parking in area of demolished garage and pedestrian path only, through to proposed house. Retention of large Conifer trees) at land to rear of 18 & 20 Millfield. (JA)
- 4/01613/14/FHA **AMENDED and/or ADDITIONAL PLANS / INFORMATION** – First floor extension over part of existing single storey building at 15 Gaveston Drive. (RB)
- 4/01641/14/LDP **FOR INFORMATION** – Single storey rear extension at 3 Middle Road. (NP)
- 4/01905/14/FUL Installation of automatic vehicle gates at Callaghan Court, High Street. (NP)

4/01940/14/RET	Retention of all air conditioning condensers at Lloyds TSB, 205 High Street. (SS)
4/01941/14/LBC	Retention of all air conditioning condensers at Lloyds TSB, 205 High Street. (SS)
4/01954/14/FHA	Demolition of the existing rear swimming pool and extension and construction of a new single storey rear extension at 127 High Street. (JA)
4/02096/14/LBC	Installation of polypipe overlay lite heating system to ground floor at 127 High Street. (JA)
4/02103/14/LBC	Redecoration of external walls to front and rear of 127 High Street. (JA)
4/01970/14/FUL	Demolition of garage and construction of one three-bedroom dwelling at 13 Cobb Road. (IK)
4/2010/14/TCA	FOR INFORMATION ONLY – Fell a 50ft Cypress tree at 12 Chapel Street. (PD)
4/02020/14/FUL	Detached four-bedroom dwelling at land adj Holly House, Doctors Commons Road. (IK)
4/02086/14/TCA	FOR INFORMATION ONLY – Works to trees at 38 Kitsbury Road. (MD)
4/02091/14/TCA	FOR INFORMATION ONLY – Works to trees at 9 Park View Road. (NP)
4/02100/14/FHA	Removal of existing conservatory and construction of single storey rear extension and replacement timber decking at 38 Mortain Drive. (NG)
4/02101/14/FHA	Single storey front and rear extension, first floor side extension and ground floor side extension at 22 Castle Hill Avenue. (PD)
4/02106/14/TPO	Works to trees at 2 Beech Hill Court. (NP)
4/02108/14/FUL	Demolition of existing dwelling and construction of three detached 4-bed dwellings with associated access at 37 Ashlyns Road. (AMENDED SCHEME) (NG)
4/02118/14/FUL	Demolition of existing dwelling and construction of three detached 4-bed dwellings with associated access at 37 Ashlyns Road. (AMENDED SCHEME – INCLUDING UNILATERAL UNDERTAKING) (NG)
4/02122/14/ROC	Removal of Condition 4 (Windows) of planning permission 4/01217/14/FHA – Single storey rear extension and first floor side extension at 2 Upper Ashlyns Road. (PD)
4/02140/14/FHA	Demolition of existing outbuildings, replacement single storey rear extension and two-storey extension to existing two-storey outbuilding at 22 Castle Street. (NG)

- 4/02162/14/FUL Change of use from Builders Yard (Sui Generis) to Residential (C3), demolition of storage buildings, removal of hard standing and construction of detached three-bedroom dwelling and associated parking at land r/o 70 George Street. (IK)
- 4/02172/14/FUL Detached dwelling with access drive at White Gables, 11 Meadway. (JA)
- 4/02175/14/TPO Fell Holly tree at Holly House, 6 Barncroft Road. (AP)
- 4/02179/14/TCA **FOR INFORMATION ONLY** – Fell two Fir trees at Grey Fold, Cross Oak Road. (AP)
- 4/02182/14/FHA External alterations including replacement fenestration, re-roofing of main building, re-roofing and re-cladding of rear extension, landscaping and internal alterations at 84A High Street. (JR)
- 4/02183/14/LBC External alterations including replacement fenestration, re-roofing of main building, re-roofing and re-cladding of rear extension, landscaping and internal alterations at 84A High Street. (JR)
- 4/02190/14/TPO Work to trees at 8 The Hemmings. (NP)
- 4/02208/14/LDP **FOR INFORMATION** – Installation of rear dormers at 12 Queens Road. (EW)
- 4/02231/14/FHA Single-storey side and rear extension, demolition of chimney and new window to side elevation at 12 Queens Road. (EW)
- 4/02211/14/FHA Demolition of existing garage and workshop and construction of single storey extension to existing annexe at 37 Castle Street. (IK)
- 4/02212/14/LBC Demolition of existing garage and workshop and construction of single storey extension to existing annexe at 37 Castle Street. (IK)

TP 136/14

Planning Appeals

To note the following Planning Appeal has been received:

- 4/00322/14/FUL New dwelling with vehicle/pedestrian access and associated external works at site at Gates Heath, Shootersway.

TP137 /14

Planning Appeal Decisions

To note that no Planning Appeals Decisions have been received:

TP 138/14**Planning Decisions**

- 4/00868/14/FUL Change of use from Retail (A1) to Fast Food Outlet (A5), opening hours 11 am – 11pm and installation of an external flue pipe at Entreat, Gossoms End.
Refused / Object
- 4/01272/14/FUL Change of use from Business (B1) to Residential (C3) to create one four-bedroom dwelling including minor internal alterations at 107 High Street.
Granted / No objection
- 4/01273/14/LBC Change of use from Business (B1) to Residential (C3) to create one four-bedroom dwelling including minor internal alterations at 107 High Street.
Granted / No objection
- 4/01274/14/TPO Works to Sycamore trees at 2 Priory Gardens.
Granted / Given that these trees have TPO's on them, presumably for a purpose, we question the need to fell 3 out of the 4 trees.
- 4/01349/14/FHA Rear dormer loft conversion at 93 Cross Oak Road.
Granted / No objection
- 4/01431/14/FHA Demolition and replacement of ground floor extension at 38 St Edmunds.
Granted / No objection
- 4/01470/14/LBC Internal alterations including plastering of upper chimney breast and installation of working fireplace at ground floor at 47 Highfield Road.
Granted / No objection
- 4/01537/14/TCA Works to trees in the Conservation Area at 21 Torrington road.
No objections / Noted
- 4/01553/14/TCA Works to trees in the Conservation Area at 24 Greenway.
No objections / Noted
- 4/01554/14/TCA Works to trees in the Conservation Area at 64 Cross Oak Road.
No objections / Noted
- 4/01646/14/LDP Extension at 18 Priory Gardens.
Certificate of lawful use or development / Noted

JP 133/14
Ian Kemp

Planning Inquiry Administration Services

49 All Saints Place
Bromsgrove, Worcestershire, B61 0AX
Phone: 01527 837 920 Mobile: 07723 009 166
E-Mail: idkemp@icloud.com

Mr Gary Cox
Town Clerk
Berkhamstead Town Council
161 High Street
Town Centre
Berkhamstead
HP4 3HD

19th August 2014

Dear Mr Cox,

Further to your representations in respect of Dacorum Borough Council's Draft Community Infrastructure Levy (CIL) Schedule, I write to inform you that Mr Philip Staddon BSc, Dip, MBA, MRTPI has been appointed to undertake an independent examination of the Draft CIL Charging Schedule. I have been appointed as the Programme Officer for the examination and in this capacity my role is to assist the Examiner on procedural and administrative matters.

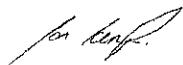
A Hearing is due to take place on Friday 26th September 2014 commencing at 10.00am within the Bulbourne Room, Civic Centre, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1HH. The hearings are expected to conclude that day.

Please find enclosed the Examiner's Note providing further details of his role and the examination process, an Agenda for the Hearings sessions is also included together with a copy of the Examiner's initial queries to the Borough Council for information.

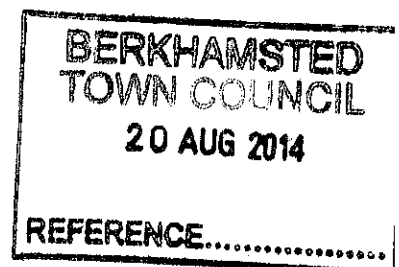
The Hearing Session will be open to the public to attend and observe however should you wish to participate orally in the discussions in relation to your submitted representations I would be grateful if you would advise me of your intention to do so by **5pm, on Friday 12th September 2014.**

Should you have any queries at this stage please do not hesitate to contact me and I shall be happy to assist.

Yours faithfully



Ian Kemp
Programme Officer
Dacorum Borough Council CIL Examination



10-10-1964

NO. 100-15

10-10-1964

DACORUM BOROUGH COUNCIL

DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE

EXAMINATION HEARING – 26 SEPTEMBER 2014

EXAMINER'S NOTE

1 Examiner

- 1.1 My name is Philip Staddon BSc, Dip, MBA, MRTPI. I have been appointed to undertake an independent examination of the Draft CIL Charging Schedule published by Dacorum Borough Council.

2 Programme Officer

- 2.1 The Programme Officer is Ian Kemp. The Programme Officer acts as an impartial officer of the examination, under my direction, and not as an employee of the Council. The Programme Officer's role is to:
- Liaise with all participants to ensure the smooth and efficient running of the examination.
 - Manage all documents and ensure they are recorded and made available to all parties.
 - Maintain the examination library.
 - Act as the point of contact on all procedural and administrative matters.

- 2.3 The Programme Officer's contact details are:

Ian Kemp
49 All Saints Place
Bromsgrove
Worcestershire
B61 0AX

Telephone: 01527 837920 / 07723 009166
Email: idkemp@icloud.com

3 The Examination and the Hearing Sessions

- 3.1 The examination is to consider whether the Draft Community Infrastructure Levy (CIL) Charging Schedule published by Dacorum Borough Council meets the requirements of the Planning Act 2008 and the associated Regulations and Guidance, in respect of legal compliance and economic viability.
- 3.2 I have read and studied carefully all of the documents submitted by the Council and those that have submitted representations, evidence and views through the consultation processes. That has given me a good understanding of the CIL proposals and enabled me to identify the main issues and questions that I need to explore further through the examination Hearing sessions.

- 3.3 The Hearing sessions will also give the opportunity for any Representors, who have indicated that they may wish to exercise their 'right to be heard', to participate in person in the examination process.
- 3.4 The Hearing sessions will be held on 26 September 2014 commencing at 10.00 a.m. and it is anticipated that the sessions will be completed on that day. The venue will be:
- The Bulbourne Room, Civic Centre, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1HH.
- 3.5 The examination of the CIL schedule through the Hearing process will be in the form of structured 'round table' discussions, which I will chair. I have attached an agenda to this note and we will be following the order set out. Although some of the agenda items may be straightforward clarifications, others may not. The longer and more complex sessions will relate to matters that have been subject to challenges and representations and / or areas where I need to probe key elements of the evidence and the way it has been used.
- 3.6 The Hearing sessions will run on a rolling programme. Each of the agenda topic issues will be discussed in full and I will invite contributions from the Council and from participating Representors. I may add to or amend the programme if I consider this to be appropriate and necessary to assist the examination. I will also ensure that the final session gives the opportunity for any of the participants to raise any matters not covered earlier in the Hearing sessions.
- 3.7 With the exception of the Council (see 3.8), there is no need for participants to make further written submissions in response to the agenda prior to the Hearing. However, participants should come to the Hearing equipped to answer detailed questions on the agenda topics. At the Hearing the Council's representatives should be equipped to expand, explain and justify its CIL evidence and how it has been applied to inform its CIL proposals. Representors should be prepared to explain any challenges to the Council's CIL proposals and set out the changes sought.
- 3.8 My initial preparation has identified a number of matters relating to the Council's evidence base that it would be helpful to clarify prior to the Hearing. I have set these out on the attached 'Examiner's Note to Dacorum Borough Council' and request that the Council provides a response to me, and publishes that response on its website, in advance of the Hearing date.
- 3.9 The Hearing will be open to the public and the media. Any filming / recording of the Hearing will be at my discretion. After the Hearing, I will not be accepting further evidence unless I have specifically requested it. I will then prepare and submit my report based upon my examination of the evidence.

Philip Staddon BSc, Dip, MBA, MRTPI 18 August 2014

DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE

DACORUM BOROUGH COUNCIL

EXAMINATION HEARING – 26 SEPTEMBER 2014

AGENDA

1. INTRODUCTIONS

Welcome, housekeeping matters and introductions.

2. EVIDENCE BASE – Development Plan and Infrastructure

- Dacorum Borough Core Strategy (adopted September 2013) and an overview of the Early Partial Review.
- Dacorum Infrastructure Delivery Plan Update (January 2014) and the suite of supporting (earlier) infrastructure studies, strategies and plans (2009 - 2013).
- The infrastructure funding gap assessments (2012 – 2014).
- CIL income projections.
- The Draft Regulation 123 List and June 2014 amendments to it.
- Residual role for S.106 Planning agreements.

3. RESIDENTIAL CIL

Background viability evidence

- The Stage 1 Economic Viability Assessment (December 2012).

The Updated Viability Study (July 2013)

Residential CIL Viability Modelling Assumptions

- The seven 'market areas'.
- The four benchmark land values (BLV1- 4).
- Sales values.
- The ten 'site types' - modelled residential development scenarios including housing mix and density assumptions.
- Build costs including Code for Sustainable Homes requirements.
- Externals and infrastructure costs.
- Affordable housing.
- Fees, contingencies and finance.
- S.278 and S.106 costs.
- Developer profit.

The Residential CIL Viability Appraisals

- The Updated Viability Study (July 2013) appraisals for residential schemes.
- The Strategic Sites Testing (October 2013) appraisals.
- Extra Care and retirement housing viability.

The Residential CIL Charges and Zones

- The process of defining the residential CIL rates.
- The Zone 1 ('Berkhamsted and surrounding area') £250 psm CIL charge for residential development.
- The Zone 2 ('Elsewhere') £150 psm CIL charge for residential development.
- The Zone 3 ('Hemel Hempstead and Markyate') £100 psm CIL charge for residential development.
- The Zone 4 ('Identified Sites') £0 psm CIL charge for residential development.
- The £125 psm CIL charge for 'retirement housing' in Zone 1 ('Berkhamsted and surrounding area').

Overall

- The overall effect of the residential CIL charges on the viability of residential development across the borough.

4. **COMMERCIAL CIL**

Background viability evidence

- The Stage 1 Economic Viability Assessment (December 2012).

The Updated Viability Study (July 2013)

Commercial CIL Viability Modelling Assumptions (July 2013)

- Development types.
- Current Use Values (CUV 1-3) and landowner's premiums.
- Commercial rents and yields.
- Commercial build costs.
- Infrastructure and externals.
- Contingencies.
- S.278 and S.106 costs.
- Developer profit.

The Commercial CIL Viability Appraisals (July 2013)

- Offices.
- Industrial (small and large).
- 'All Other Retail' – Berkhamstead Town Centre.
- 'All Other Retail' – Hemel Hempstead Town Centre.
- 'All Other Retail' – 'rest of the borough'.
- Convenience supermarket, superstore and retail warehouse.
- Hotel.

Additional Viability Note in Relation to Retail (April 2014)

- Updated viability appraisals for retail developments.

The Commercial CIL Charges

- The £150 psm borough wide CIL rate for 'convenience based supermarkets and superstores and retail warehousing (net retailing space of over 280 square metres).
- The £0 psm CIL rate for all 'other' development.

Overall

- The overall effect of the commercial CIL charges on the viability of development across the borough.

5. Other CIL Matters

- Discretionary relief for exceptional circumstances.
- Draft Instalment Policy.
- Payment in Kind Policy.
- Any other matters that the Council and Representors wish to raise.

6. Round Up and Conclusions

In this final session, I will give the participants an opportunity to sum up their views on the evidence. The focus of this session will be on an overarching examination question, which is whether the CIL proposals strike an 'appropriate balance' between funding necessary infrastructure and development viability.

Mr. P.J. Staddon – Appointed Examiner – 18 August 2014

DACORUM BOROUGH COUNCIL

DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE

EXAMINATION HEARING – 26 SEPTEMBER 2014

EXAMINER'S NOTE TO DACORUM BOROUGH COUNCIL

My initial examination of the Council's evidence has identified a number of matters that it would be helpful to clarify prior to the Hearing, as this will save time at the Hearing. I have set these out in the form of numbered requests below.

1. The viability evidence has been undertaken in two stages with different consultants (and approaches) for the two stages. Could the Council clarify the status of the two stages?
2. The Updated Viability Study (July 2013) uses seven 'market areas' for its analysis. Can the Council explain how these market areas have been defined and can it produce a map showing these areas?
3. Could the Council set out, by market area, the scale of new housing development anticipated (numbers and % of the Core Strategy total requirement)?
4. The Updated Viability Study (July 2013) includes a substantial number of residential development appraisal results. Ten different development types are tested in seven market areas and compared against four different land value benchmarks. Further results are generated by sensitivity testing variations in sales values, build costs and affordable housing content (less than the Core Strategy requires). Whilst this is all useful evidence, it inevitably includes many less relevant results such as modelling unlikely development types against benchmark land values that are not prevalent in certain locations. Could the Council clarify the most relevant results for CIL purposes, which will be those that, for a specific geographical location, are policy compliant and relate to the most likely development types compared to the most relevant benchmark land value?
5. Could the Council produce a summary table setting out the percentage viability buffers (above the proposed CIL rates) along with the CIL charges expressed as a percentage of development costs for the key appraisals (the distilled set from Question 4) and the appraisals for the strategic sites?
6. The Updated Viability Study (July 2013) includes Table 6.16.1 which sets out 'maximum CIL indicated by appraisals'. Could the Council explain how the appraisal results have been selected and used to define these maximum rates?
7. The Updated Viability Study (July 2013) includes conclusions on the viability of Extra Care and retirement housing schemes. Could the Council set out the

viability appraisals for retirement housing schemes (these do not seem to be included in the appendices)?

I request that the Council provides a response to me, and publishes that response on its website, in advance of the Hearing date. I have not set a deadline (as my request is made in the holiday season) but would request that the clarifications are made as soon as is reasonably practical.

Philip Staddon BSc, Dip, MBA, MRTPI 18 August 2014

Date: 13th August 2014
Your Ref: APP/A1910/A/14/2222187
Our Ref: 4/00322/14/FUL
Contact: Patrick Doyle
E-mail: Patrick.doyle@dacorum.gov.uk
Directline: (01442) 228087

TP 136/14



**BERKHAMSTED
TOWN COUNCIL**
14 AUG 2014
REFERENCE.....

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Civic Centre
Hemel Hempstead
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(01442) 228000 Switchboard
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DX 8804 Hemel Hempstead

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY: MR & Mrs Batchelder
LOCATION: SITE AT Gates Heath, Shootersway, Berkhamsted, HP4 3NJ
DEVELOPMENT: New Dwelling with vehicle/pedestrian access & associated external works (amended scheme)

I write to inform you that an appeal has been lodged with the Planning Inspectorate in respect of the above site following the refusal of planning permission by this Council. The appeal is to be decided on the basis of an exchange of written statements and a site visit by the inspector. Any observations that you may have sent to us at the application stage will be sent to the Secretary of State and the appellant (unless they are withdrawn before **28th August 2014**). If you wish to make comments, or modify/withdraw your previous representation, you can do so on the Planning Portal at www.planningportal.gov.uk/pcs or by emailing casework.plus@pins.gsi.gov.uk.

If you do not have access to the internet or email you can also send 3 copies to The Planning Inspectorate Room: 3/16 Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, quoting the above appeal reference number by **28th August 2014**. Representations received after this date will be dismissed. Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority. The Planning Inspectorate will not acknowledge representations, but will ensure any representations made will be passed to the Inspector dealing with the appeal.

The Council's reasons for refusal and the appellant's grounds of appeal can be inspected in the Planning Reception at the Civic Centre during normal office hours. If you require a copy of the Planning Inspectorate's booklet 'Guide to taking part in planning appeals' then this can be obtained free of charge from Dacorum Borough Council or via the Planning Portal (www.planningportal.gov.uk). The appeal decision can also be found on the planning portal website as above. Additionally, if you require a copy of the appeal decision then you must write to the Planning Inspectorate at the above address.



INVESTOR IN PEOPLE