



# BERKHAMSTED TOWN COUNCIL

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## MINUTES

### TOWN PLANNING COMMITTEE MEETING

held in the Main Hall, Civic Centre, Berkhamsted

on **Monday 9th May 2022** at **7.30 pm**

#### MEMBERS PRESENT:

**Councillors:** P. White– Chair  
G. Stevens  
A Armytage  
G. Corry  
P. de Hoest  
P. Fisher  
J. Jones

#### ALSO PRESENT:

**Councillors:** A. Foster  
**Officers:** D. McGlynn, Deputy Town Clerk (Minutes)  
**Members of Public:** 12

#### **TP 71/22** To receive Apologies for Absence

No apologies were received and all Members were present.

#### **TP 72/22** Declarations of Interest

- i. Cllr P. de Hoest declared an interest in the following planning applications:
  - a. 22/00907/FUL as he is a Director of the block of flats sited opposite the proposed development; and
  - b. 22/01190/RET as the Applicant is known to him.
- ii. No written requests for dispensations for declarable interests were received; and
- iii. No requests for dispensation were received.

**TP 73/22 To receive Minutes of the Previous Meeting held on 11<sup>th</sup> April 2022**

The Chair thanked the Deputy Clerk for preparing the Minutes of the Previous Meeting held on 11<sup>th</sup> April 2022 (previously circulated). These were received and approved by the Committee as a correct record and, as such, could be duly signed by the Chair of the Meeting.

**TP 74/22 To receive Chair's Communications**

**1. Road Traffic Orders**

**THE HERTFORDSHIRE (TEMPORARY CLOSING AND TEMPORARY WAITING RESTRICTIONS IN VARIOUS ROADS IN BERKHAMSTED, BOURNE END AND HEMEL HEMPSTEAD) ORDER NO.3 2022**

NOTICE is given that Hertfordshire County Council intends to make an Order under Section 14(1) of the Road Traffic Regulation Act 1984, to prohibit all vehicular traffic from using the following lengths of roads ("the Roads"), except for access and to prohibit all vehicles from waiting at any time on both sides of these lengths of Roads whilst works are in progress:-

1. that length of A4251 High Street, Berkhamsted/A4251 London Road, Berkhamsted/ Bourne End/Hemel Hempstead from its junction with A416 Kings Road south eastwards, north eastwards, south eastwards and north eastwards to its junction with the Fishery Road roundabout, a distance of approximately 5720 metres.

An alternative route will be via A416 (Kings Road/Kingshill Way), A41 (unnamed road/Two Waters Way) and A4251 London Road or via A4251 London Road, A41 (Two Waters Way/unnamed road) and A416 (Chesham Road/Kingshill Way/Kings Road).

2. the A4251 London Road roundabout, Hemel Hempstead from its junction with the A41 eastbound slip road leading onto A41 unnamed road clockwise for its entire length.

An alternative route will be via A4251 London Road, A416 (Kings Road/Kingshill Way), A41 (unnamed road/Two Waters Way) and A4251 London Road or via A4251 London Road, A41 (Two Waters Way/unnamed road), A416 (Chesham Road/Kingshill Way/Kings Road) and A4251 London Road.

3. the A41 eastbound slip road leading onto A4251 London Road, Hemel Hempstead from its junction with the northbound carriageway of A41 (unnamed road) north eastwards, north westwards and south westwards to its junction with the A4251 London Road roundabout, a distance of approximately 233 metres.

An alternative route will be via A41 (unnamed road/Two Waters Way) and A4251 London Road.

4. the A41 westbound slip road leading onto the A41 (unnamed road), Hemel Hempstead from its junction with the A4251 London Road roundabout south westwards and north westwards to its junction with the westbound carriageway of A41 (unnamed road), a distance of approximately 266 metres.

An alternative route will be via A4251 London Road and A41 (Two Waters Way/unnamed road).

5. the A41 westbound slip road leading onto A4251 London Road, Hemel Hempstead from its junction with the westbound carriageway of A41 (unnamed road) south westwards and south eastwards for a distance of approximately 103 metres.

An alternative route will be via A41 (unnamed road), A416 (Chesham Road/Kingshill Way/Kings Road) and A4251 London Road.

6. the A4251 London Road roundabout, Hemel Hempstead from its junction with the A41 westbound slip road leading onto A41 (unnamed road) clockwise for its entire length.

An alternative route will be via A41 (unnamed road), A416 (Chesham Road/Kingshill Way/Kings Road) and A4251 London Road or via A4251 London Road, A416 (Kings Road/Kingshill Way), A41 (unnamed road/Two Waters Way) and A4251 London Road

7. that length of A41 (unnamed road), Berkhamsted/Hemel Hempstead from its junction with the A41 eastbound slip road leading from the A416 Kingshill Way roundabout south eastwards, north eastwards and south eastwards for a distance of approximately 6200 metres.

An alternative route will be via A416 (Kingshill Way/Kings Road), A4251 London Road and A41 Two Waters Way.

The Order is needed because works are proposed to be executed on or near the Roads.

If the Order is made, it shall come into force on 30 May 2022 for a period of up to 18 months. However, the restrictions specified shall only take effect at the times indicated by signs on or near the Roads. Papers included within the Agenda.

## 2. **Tree Preservation Orders**

None were received.

## **TP 75/22 Licensing Applications**

- i. The Committee **discussed** and **noted** the Application for a Pavement Licence no. M054181- Gail's Ltd, 189 High Street.
- ii. No pavement licences were received.

**TP 76/22 Berkhamsted School Consultation - Highways Act 1980 S119 Berkhamsted 61 Modification Order 2020 and Diversion Order 2022**

The Committee discussed Berkhamsted School's proposed diversion of Footpath 61, as shown in the Highways Act 1980 S119 Berkhamsted 61 Modification Order 2020 and Diversion Order 2022, and **agreed** that it had **no objection** to the proposed diversion.

**TP 77/22 Multi Storey Car Park Update**

There were no updates.

**TP 78/22 Public Participation**

It was noted that Standing Orders may be suspended to allow public participation on items on the agenda.

**TP 79/22 To receive an update on the Chilterns Beechwoods Special Area of Conservation Development Restrictions**

Cllr Stevens provided the Committee with a brief report of Dacorum Borough Council's debriefing session following the outcome of its Habitats Regulations Assessment (HRA) carried out as part of its Local Plan. This has implications for the emerging Local Plan and planning application processes. The HRA concluded that the Chiltern Beechwoods SACs (including Ashridge Estate and the Tring Beechwoods part of Tring Park) are being significantly damaged by visitor numbers. A mitigation strategy, overseen by Natural England, is to be introduced to reduce numbers visiting the estates.

In the meantime, only planning applications for extensions and single properties are being approved, while larger scale developments are not being progressed.

These interim measures are anticipated to be in place for 3-6 months, until the mitigation strategy has been developed.

Cllr Stevens will update the Committee as and when further information becomes available.

**TP 80/22 To consider, for Resolution, forms and drawings for planning applications relating to the Town of Berkhamsted received from Dacorum Borough Council.**

<b>DBC Ref.</b>	<b>Proposal</b>	<b>Location</b>
22/01106/MFA	Installation of ground-mounted solar PV panels, vehicular access, internal access track, landscaping and associated infrastructure including security fencing, CCTV cameras, and grid connection infrastructure including transformers, substation compound buildings and cabling route to the point of connection.  Standing Orders were suspended to enable members of the public to speak.	Solar Array Little Heath Lane, Little Heath

DBC Ref.	Proposal	Location
	<p>A representative of the Berkhamsted Citizen's Association ("BCA") spoke in objection of the proposed development on the grounds that it would affect local ecology and amenity, conflict with the Local Plan and is out of keeping with character of area and overdevelopment of the site.</p> <p>3 residents of Berkhamsted and 2 residents from the Nettleden and Potten End parish spoke in objection of the proposed development on the grounds of loss of agricultural land, inappropriate development on protected green belt land contrary to government guidelines, concern about the change of use to brown field land leaving the site open for future housing development and eventual merging of settlements, detrimental effect on an Area of Outstanding Natural Beauty (AONB) given its visual prominence on the landscape, including concern that the proposed high hedging would lead to a loss of visual amenity. Whilst mindful of the need to use renewal energy and contribute to energy security, the residents felt that this particular site was not appropriate for such a development and DBC should seek other solar energy opportunities, such as industrial estates rooftops, eg Maylands Avenue. The residents supported the comments made by CPRE Herts and the Chiltern Society.</p> <p>Standing Orders were reinstated.</p> <p><b>Concern</b></p> <p>The Committee noted the concerns and objections of the residents but were mindful of the need to contribute to energy security and the fact that a Climate Emergency has been declared.</p> <p>The Committee is concerned about the visual impact on the large, south-facing slope and the impact on the AONB. There was also concern about the loss of green belt land and the potential for transference to a residential site in the future. The Committee regarded the merits of the benefit to the public (potential of renewable power supply for 8,500 homes) should be considered against the potential harm (loss of the land from agricultural use and amenity).</p> <p>The Committee requested that, in the event that DBC is minded to grant approval of this application, there</p>	

DBC Ref.	Proposal	Location
	<p>should be a condition that the land be returned to agricultural use at the end of its use as a solar array.</p>	
22/00907/FUL	<p>Construction of detached garage on land at rear of 332 High Street.</p> <p>Standing Orders were suspended to enable members of the public to speak.</p> <p>The Secretary of St. Johns Well Court Association, representing 24 dwellings overlooking the proposed development, spoke in objection of the application on the grounds of :</p> <ul style="list-style-type: none"> <li>• safety and visibility issues;</li> <li>• the height of the construction;</li> <li>• inadequate drawings; and</li> <li>• insufficient space to accommodate the proposed development, including retention of the sycamore tree at the rear of the site.</li> </ul> <p>The Applicants spoke in support of their application and assured the Committee that they had liaised fully with DBC Conservation and Design officers who were happy with the design, save for the colour of the garage doors. The Applicants confirmed that the proposed development would have micropiling support to ensure that there was no damage to the Sycamore tree roots on site.</p> <p>Standing Orders were reinstated.</p> <p><b>Concern</b></p> <p>The Committee requested that the Case Officer fully considers any public safety issues associated with the proposed development, whether there is sufficient space to accommodate the structure and whether a Tree Protection Order is required on the sycamore tree on site to ensure its safety.</p>	332 High Street
22/01089/FHA	<p>Extension to existing annex to attach to main house and conversion of garage and annex to become part of the main house.</p> <p>Standing Orders were suspended to enable members of the public to speak.</p>	6 Castle Gateway

DBC Ref.	Proposal	Location
	<p>A representative of the BCA spoke in objection of the proposed development on the grounds of harm to the boundary wall of significant historic interest, the height of the conversion, the inadequacy of information, over development and the loss of residential amenity.</p> <p>Standing Orders were reinstated.</p> <p><b>Objection</b></p> <p>The Committee considered that the proposed development was an overdevelopment of the site.</p> <p>CS12</p>	
22/01185/FUL	<p>Proposed demolition of existing house and garage. Construction of new part 2 storey/part 3 storey dwelling with integral garage.</p> <p>Standing Orders were suspended to enable members of the public to speak.</p> <p>A representative of BCA spoke in objection of the proposed development on the grounds of its height, that it was out of keeping with the street scene and there was loss of residential amenity.</p> <p>Standing Orders were reinstated.</p> <p><b>Objection</b></p> <p>The Committee objected to this application on the grounds of scale, mass and bulk and that it is out of keeping with street scene, with no redeeming features to ameliorate its impact on the AONB.</p> <p>Re CS 24 abstract <i>"Development will have regard to the policies and actions set out in the Chilterns Conservation Board's Management Plan and support the principles set out within the Chilterns Buildings Design Guide and associated technical notes."</i></p> <p>CS12, 24, 25</p>	22 Castle Hill
22/01140/TPO	<p>Oak (T6) – Fell</p> <p>Standing Orders were suspended to enable members of the public to speak.</p>	Gable Cottage, Byways

DBC Ref.	Proposal	Location
	<p>A representative of the BCA spoke in objection of the proposed development on the grounds that insufficient information and reasons had been supplied to support the felling of this tree and that the role of the Applicant was unclear.</p> <p>Standing Orders were reinstated</p> <p><b>Objection</b></p> <p>The Committee objected to this application on the grounds of lack of publicly available information.</p>	
22/00987/FHA	<p><b>AMENDED SCHEME/ADDITIONAL INFORMATION</b> Single storey side and rear extension, heat pump, PV solar panels, front juliet balcony and Car Port (Amended scheme)</p> <p><b>No objection</b></p>	7 Berkhamsted Hill Cottages
22/00991/FHA	<p><b>AMENDED SCHEME/ADDITIONAL INFORMATION</b> Two storey side/rear extension and single storey rear extension (amended scheme)</p> <p><b>Objection</b></p> <p>The Committee objected to this development on the grounds of scale, mass and bulk and the loss of amenity to the neighbouring property.</p> <p><b>CS12</b></p>	24 Finch Road
22/01190/RET	<p><b>AMENDED SCHEME/ADDITIONAL INFORMATION</b> Retention of climbing frame (re-submission)</p> <p><b>No objection</b></p>	22 Shrublands Road
22/00483/TPO	<p><b>AMENDED SCHEME/ADDITIONAL INFORMATION</b> Felling a tree</p> <p><b>Defer decision</b></p> <p>The Committee deferred its decision on this application as all documents should be publicly available on the DBC planning portal.</p>	Alton 36 Kitsbury Road

22/00926/FHA 22/01193/LBC	Proposed 4 conservation roof-lights and vaulted ceiling in existing rear annex  <b>No objection</b>	103 High Street
22/00993/FHA	Levelling to part of the garden  <b>No objection</b>	164 Bridgewater Road
22/01035/FHA	Re-configuration of internal layout and windows to first floor.  <b>No objection</b>	30 Meadow Road
22/01055/FHA	Front facing dormer window  <b>No objection</b>	41 Egerton Road
22/01085/FHA	Demolition of existing single storey extension, construction of part single, part two-storey extension and associated external works  <b>No objection</b>	1 Shrublands Road
22/01091/FHA	Single storey front extension  The Committee <b>noted</b> that consent for this application had already been granted by DBC.	56 Swing Gate Lane
22/01102/FHA	First floor front extension  <b>No objection</b>	58 Valley Road
22/01123/FHA	Garage conversion with front window, new rear doors, side window and alterations to front driveway and boundaries  <b>No objection</b>	Horizon, 36A Kitsbury Road
22/01177/FHA	Retention of rear dormer window  <b>No objection</b>	Mayfly Cottage 3 Canal Court
22/01182/FHA	Demolition of existing extension and garage.  <b>No objection</b>	Heatherdale George Street
22/01208/FHA	Double side extension with internal remodelling  <b>Objection</b>	15 Cedar Road

	<p>The Committee objected to the proposed development on the grounds of potential loss of amenity to the neighbouring property, lack of parking provision for a 5 bedroom dwelling and scale, mass and bulk.</p> <p>CS12</p>	
22/01213/FHA	<p>Single storey side and rear extension</p> <p><b>No objection</b></p>	36 Valley Road
22/01214/FHA	<p>Front extension and upward extension with alterations</p> <p><b>Objection</b></p> <p>The Committee noted the neighbour objections and objected to the proposed development on the grounds of scale, mass and bulk and loss of amenity to the neighbouring property in terms of overshadowing.</p> <p>CS12</p>	2 Bulbourne Close
22/01242/FHA	<p>Demolition of garden stores to the rear of the garage and a single storey side extension.</p> <p><b>No objection</b></p>	39 Cedar Road
22/01260/FHA	<p>Single storey front and rear extensions, 1st floor side extensions and loft conversion with new rooflights, side dormer plus associated internal alterations</p> <p><b>No objection</b></p>	18 Castle Hill
22/01306/FHA	<p>Single storey extension to replace conservatory</p> <p><b>No objection</b></p>	2 Old Orchard Mews
22/01309/FHA	<p>Loft conversion incorporating a rear dormer window and rooflight (amendment to the previously approved scheme, relating to a minor increase in the width of the rear dormer window)</p> <p><b>No objection</b></p>	13 Clarence Road
22/01335/FHA	<p>Garage conversion and internal alterations</p> <p><b>No objection</b></p>	10 Haynes Mead

22/01084/FUL	Demolition of 5 Sheds and construction of 2 bed bungalow  <b>No objection</b>  The Committee queried whether the site was too cramped and noted that the drawings were unclear about the residual amenity space of the host but, overall, had <b>no objection</b> to the proposed development.	7 Kitsbury Road
22/01104/FUL 22/01105/LBC	Conversion of existing retail units to restaurant, single storey rear extension housing ancillary accommodation and new shop front facing High Street  <b>Objection</b>  The Committee objected to the proposed pavement seating arrangements due to the camber and safety issues of the pavement in that particular location, However, it had no objection to the rest of the application.	212-220 High Street
22/01252/FUL 22/01253/LBC	Removal of existing air conditioning condenser and installation of 3 new condensers to rear lightwell, 1 new vent to side elevation of modern extension.  <b>No objection</b>	189 - 191 High Street
22/01012/RET 22/01100/LBC	Change of use of upper floors for use as a House of Multiple Occupation and separate office space  <b>No objection</b>	125 High Street
22/01233/RET	Retention of first floor side extension and single storey rear extension with new velux rooflights and associated alterations.  <b>No objection</b>	16 Gaveston Drive
22/01103/LDP	Loft conversion, with rear dormer  <b>Noted</b>	58 Valley Road
22/01092/TPO	Felling of two trees  The Committee requested that this application be referred to a DBC Trees and Woodlands Officer and that any felled tree be replaced by a suitable native species.	15 Oakwood

22/01109/TPO	Works to trees  The Committee requested that this application be referred to a DBC Trees and Woodlands Officer.	26 Millfield
22/01293/TPO	Modifications to trees  <b>Defer</b>  The Committee deferred this application on the grounds of lack of publicly available information.	3 Beechcroft
22/01150/TCA	Work to trees.  The Committee requested that this application be referred to a DBC Trees and Woodlands Officer.	Colwyn 1 Greenway
22/01175/TCA	Fell Trees  The Committee requested that this application be referred to a DBC Trees and Woodlands Officer and that any felled tree be replaced by a suitable native species.	Heatherdale, George St

### TP 81/22 Planning Appeals

The Committee **noted** that the following Planning Appeals had been lodged with the Planning Inspectorate:

DBC ref	Details	PINS ref
21/04792/ROC	Variation of Condition 2 attached to planning permission 20/00964/FUL subsequently allowed at appeal - APP/A1910/W/3256852 - Construction of a detached dwelling Highlands, Kings Road	W/22/3294068
21/02639/FUL	Construction of 2no. detached dwellings Land to r/o Chertford, 126 Cross Oak Road	W/22/3294476
21/04453/FHA	Single Storey Rear Extension, installation of roof lights and construction of outbuilding. 16 Cowper Road	D/22/3297019

### TP 81/22 To receive and note Planning Appeal Decisions

The Committee discussed Application No. 21/01961/FHA (for replacement fence and gates at Moorings, 13 Anglefield Road) which had been previously dismissed by the Planning Inspectorate on 5th April 2022.

**TP 82/22 To receive and note Dacorum Borough Council Planning decisions (04/04/2022 – 24/04/2022)**

After a brief discussion, the Committee noted the contents of the schedule of planning decisions made between 3rd April 2022 and 24<sup>th</sup> April 2022 which had been circulated with the Agenda.

**TP 83/22 Close of meeting**

The meeting closed at 21:37 pm.

**Signed:**

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Cllr Peter White, Chair

**Dated:**

**Date of next meeting:**

Tuesday 31<sup>st</sup> May 2022