

# BERKHAMSTED TOWN COUNCIL



Tel: 01442 800146  
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Website: [www.berkhamstedtowncouncil.gov.uk](http://www.berkhamstedtowncouncil.gov.uk)

2<sup>nd</sup> Floor, Civic Centre  
161 High Street, Berkhamsted  
Herts HP4 3HD

28<sup>th</sup> April 2023

## 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 3<sup>rd</sup> April** at **6pm**

The purpose of the meeting is to transact the business set out in the agenda below and you are hereby summoned to attend.

**Joanna Harley**  
Deputy Town Clerk

### MEMBERS:

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

### SUBSTITUTES:

Councillors: R. Freedman  
M. Hardinge  
A. Foster

**Members of the public are invited to attend all meetings of the Town Council.**

Should you wish to speak about an item of the agenda at this meeting, please contact the Deputy Town Clerk on 01442 800146 or [deputyclerk@berkhamstedtowncouncil.gov.uk](mailto:deputyclerk@berkhamstedtowncouncil.gov.uk) by **midday on 3<sup>rd</sup> April 2023**.

Alternatively, you may send in written comments on any agenda item by email. Please address these to the Deputy Town Clerk at: [deputyclerk@berkhamstedtowncouncil.gov.uk](mailto:deputyclerk@berkhamstedtowncouncil.gov.uk) by **midday on 3<sup>rd</sup> April**. Any comments received by email will be passed to the Town Planning Committee ahead of the meeting.



## AGENDA

### Town Planning Committee Meeting Monday 3<sup>rd</sup> April 2023 at 6pm Council Chamber, Civic Centre, Berkhamsted

- TP 36/23**                    **To receive and approve Apologies for Absence**
- TP 37/23**                    **Declarations of Interest**
- i. To **receive** declarations of interest from councillors on items on the agenda;  
ii. To **receive** written requests for dispensations for declarable interests; and  
iii. To **grant** any requests for dispensation as appropriate.
- TP 38/23**                    **To receive and approve Minutes of the Previous Meeting held on 13<sup>th</sup> March 2023** (previously circulated).
- TP 39/23**                    **Chair's Communications**
- 1. Road traffic orders**
- i. THE HERTFORDSHIRE (TEMPORARY CLOSING OF CASTLE HILL AVENUE, BERKHAMSTED DURING A 'KING'S CORONATION STREET PARTY') ORDER 2023
- To **note**. Papers included in agenda.
- 2. Tree Preservation Orders**
- None have been received.
- 3. Licensing Applications**
- None have been received.
- TP 40/23**                    **Public Participation**
- To invite public participation on items on the agenda.
- TP 41/23**                    **Multi Storey Car Park**
- To receive any updates.
- TP 42/23**                    **To consider for resolution planning applications relating to the Town of Berkhamsted received from Dacorum Borough Council.**

Details of all planning applications and appeals can be found on Dacorum Borough Council's website:

<https://planning.dacorum.gov.uk/publicaccess/>

<i>DBC Ref</i>	<i>Proposal</i>	<i>Location</i>	<i>Case Officer</i>
23/00291/FHA	<b>AMENDED/ADDITIONAL INFORMATION</b> Proposed ground floor single storey extension, loft conversion with front and rear dormers and replacement garden room	13 Montague Road	HE



23/00383/FHA	<b>AMENDED/ADDITIONAL INFORMATION</b> Single storey side return, addition of a first floor rear window and addition of rear dormer and Velux windows.	3 Kitsbury Terrace	EP
23/00343/FHA	First floor side extension, part single storey front extension and erection of new roof over existing front porch.	29 Westfield Road	VU
23/00559/FHA	Rear, part infill, ground floor extension. New patio. Internal changes and new side lights to the front door	1 Finch Road	JM
23/00565/FHA	Loft conversion into bedroom and en-suite. Dormers added to front and rear. New porch and alterations to front landscaping to create additional parking spaces. Raising of hipped roof to gable.	46 Egerton Road	JM
23/00575/FHA	A brick built shed, not attached to the main body of the house, but within the garden to store and allow access to disability equipment	10 Admiral Way	LMC
23/00609/FHA	Two storey side and rear extensions.	5 Castle Hill Close	SR
23/00615/FHA	Double storey side extension	10 Dellfield Close	LMC
23/00652/FHA	Garage conversion, rear garden outbuilding and altered porch.	36 Highfield Road	VU
23/00661/FHA	Detached Garage.	32 Bridgewater Road	HE
23/00675/FHA	Incorporate and convert existing garage building into a garden room/guest room and conversion of existing car port into garage.	27 Finch Road	VU
23/00676/FHA	Single-storey front, side and rear extensions	2 Whitewood Road	LMC
23/00680/FHA	Loft conversion with new dormer, reconstruction of front boundary walls, new black railings and gate and new tiled paving to front patio.	19 Clarence Road	EP
23/00696/FHA	Construction of a rear infill extension, modernisation of the external appearance of the house and garage, roof modifications and associated changes to the elevations	3 Gresham Court	VU
23/00705/FHA	Ground floor side extension, with additional windows to the front and side of the dwelling and changes to the window and door configuration at the rear of the dwelling.	16 Queens Road	LMC
23/00656/LDP	Proposed rear single storey extension	7 Coram Close	LMC
23/00684/TPO	Works to trees (TPO no. 65)	Grey Stoke, Cross Oak Road	SR
23/00750/TPO	Felling on Pear tree	The Grey House, Kitsbury Road	LMC



**TP 43/23**

**Planning Appeals**

To **note** appeals received for:

- 37A 39 Highfield Road
- Solar Array, Little Heath Lane, Little Heath.

Papers included in agenda.

**TP 44/23**

**Enforcement Appeals**

To **note** appeal received for 85 - 87 High Street.

Papers included in agenda.

**TP 45/23**

**Planning Inspectorate Appeal Decisions**

To **note** appeal decision for Green Bank, Gossoms End.

Papers included in agenda

**TP 46/23**

**Dacorum Borough Council Planning decisions**

To **note** schedule included within the agenda.

## TP 46/23 – Dacorum Borough Council Planning Decisions

Reference	Description	Location	Date	BTC Response	DBC Response	DBC Input Date	Appeal	Decision	Amended
22/02933/FUL	Change of use to bike shop	Kings Road Garage 1, Kings Road	09/11/2022	No objection	Refused	20/03/2023			
22/03642/LDP	Proposed hardstanding	Haresfoot Farm (Commercial), Chesham Road	07/02/2023	Noted	Refused	20/03/2023			
22/03643/LDP	Proposed hardstanding	Haresfoot Farm (Commercial), Chesham Road	07/02/2023	Noted	Refused	20/03/2023			
22/03644/LDP	Proposed hardstanding	Haresfoot Farm (Commercial), Chesham Road	07/02/2023	Noted	Refused	20/03/2023			
23/00112/FHA	Two storey side extension	Little Corner, Cross Oak Road	07/02/2023	No Objection	Granted	20/03/2023			
23/00199/FHA	Installation of EV charging point at front of dwellinghouse	12 Bedford Street	07/02/2023	No Objection	Granted	20/03/2023			
23/00234/FHA	First floor side extension. Insertion of one side dormer and one rear dormer, and one front velux window. Solar panels to roof	22 Castle Hill Avenue	07/02/2023	No Objection	Granted	20/03/2023			
23/00302/FHA	Part conversion and raising roof of garage	24 Gaveston Drive	07/02/2023	No Objection	Granted	20/03/2023			
23/00292/FHA	Single storey side extension	1 Lombardy Drive	08/03/2023	No Objection	Granted	20/03/2023			
23/00481/TCA	Works to Tree	Old School House, 12B Chapel Street	08/03/2023	Refer to T&W	Granted	20/03/2023			
23/00530/TCA	Works to row of Leylandii	St Johns Well Court	08/03/2023	Refer to T&W	Granted	20/03/2023			
23/00540/TCA	Works to tree	3 Torrington Road	08/03/2023	Refer to T&W	Granted	20/03/2023			
23/00293/TPO	Works to tree	6 Gaveston Drive	08/03/2023	Refer to T&W	Granted	20/03/2023			

## **HERTFORDSHIRE COUNTY COUNCIL**

### **THE HERTFORDSHIRE (TEMPORARY CLOSING OF CASTLE HILL AVENUE, BERKHAMSTED DURING A 'KING'S CORONATION STREET PARTY') ORDER 2023**

NOTICE is given that Hertfordshire County Council intends to make an Order under Section 16(A) of the Road Traffic Regulation Act 1984, to prohibit all vehicular traffic from using that length of Castle Hill Avenue, Berkhamsted from its westernmost junction with Bridgewater Road north eastwards, south eastwards and south westwards for its entire length.

There is no alternative route available for vehicles whilst the event takes place. However vehicular access to properties in this road will be maintained whenever possible throughout the duration of the event.

The section of road will be closed between the hours of 9.00am and 9.00pm on Sunday 7 May 2023, when signs are in place.

The purpose of the Order is to ensure public safety and prevent accidents for the duration of the 'King's Coronation Street Party'.

A copy of the proposed Order may be inspected free of charge at County Hall, Hertford between the hours of 9.00am and 5.00pm (excluding weekends, bank and public holidays).

If you have any queries about the temporary road closure please contact the Organiser Holly Dunnett tel. 0790 5232199 or Ben Crabbe tel. 0300 123 4047 at Hertfordshire County Council.

County Hall  
Hertford  
Herts SG13 8DE

Mark Kemp  
Executive Director  
Environment & Transport



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-  Closure
-  Diversion

Castle Hill Avenue, Berkhamsted  
TEMPORARY TRAFFIC REGULATION ORDER





## Appeal Decision

Site visit made on 14 February 2023

by **S Pearce BA(Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21<sup>st</sup> March 2023

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**Appeal Ref: APP/A1910/D/22/3310774**

**Green Bank, Gossoms End, Berkhamsted, Hertfordshire HP4 1DD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
  - The appeal is made by Mrs Niomi Hannon against the decision of Dacorum Borough Council.
  - The application Ref 22/02721/FHA, dated 1 September 2022, was refused by notice dated 13 October 2022.
  - The development proposed is a single storey side and rear extension.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed extension on the living conditions of the occupiers of no. 87 Gossoms End, with particular regard to outlook, sunlight and daylight.

### Reasons

3. Green Bank is a two-storey mid-terrace property. Both Green Bank and adjoining neighbouring property, no. 87 Gossoms End, have two storey rear outriggers. The outriggers are stepped away from the shared boundary. This layout provides space for narrow patio areas, leading to private rear gardens.
4. Pedestrian access to the rear of both Green Bank and no. 87 Gossoms End, is via a shared covered walkway located between the two properties. The immediate rear side boundary between Green Bank and no. 87 is defined by a brick wall, sited centrally to the covered walkway. Two gates either side of the boundary wall provide access to the rear of each respective property.
5. The proposed extension is single storey in height and its length extends beyond the depth of the existing two storey rear outrigger. The proposed plans indicate that the boundary wall will be retained, with the side elevation of the proposed extension being located within close proximity of the wall.
6. A ground floor, rear facing habitable room window serves no. 87. This window is sited within close proximity of the covered walkway and shared boundary with Green Bank. This appears to be the only window serving the room. No. 87 also has two kitchen windows. One of these windows faces directly towards Green Bank, with the second window facing towards the rear garden of no. 87.
7. The proposed extension, due to its proximity with the shared boundary, height and significant length, would result in a visually dominant and overbearing



structure when viewed from the rear ground floor of no. 87. Furthermore, this arrangement would also overshadow and thereby reduce the amount of daylight to the adjacent patio area and ground floor, rear facing habitable room at no. 87.

8. I observed on my site visit that there is a ground floor side kitchen window at no. 87 that faces directly towards Green Bank. Whilst this window may experience some loss of daylight as a result of the proposed extension, the kitchen is also served by a second window. Due to the location and orientation of this second window, it would not be directly affected by the proposal. As a result of this arrangement, there would be no material loss of daylight to the kitchen as a result of the proposed development.
9. The proposed extension would be within a line drawn at 45 degrees from the rear facing window of no. 87. This demonstrates that the amount of sunlight reaching that window would be reduced from what it receives at present. Having regards to the orientation of the properties, the sunlight would be most affected during the afternoons. Taking account of the extent of the conflict, I consider that the development would result in an unacceptable loss of sunlight to the room this window serves.
10. Both parties accept that the existing layout of Green Bank already impacts on the 45 degree line when applied to rear facing habitable room window at no. 87. It has also been highlighted that the rear of these properties spend a large portion of the day in direct sunlight. Whilst having regard to the existing layout and orientation of the properties, I have found that the proposed layout would significantly exacerbate the current situation. It would result in a loss of sunlight of an unacceptable level.
11. It has been highlighted that the extension is modest in scale in terms of surrounding development and similar developments have been drawn to my attention. Based on the information submitted, the cases are not directly comparable due the layout, orientation, topography and relationship with surrounding properties. In any case, I have had regard to this case on its own merits.
12. For the above reasons, the proposed single storey side and rear extension would have a harmful effect on the living conditions of the occupiers of no. 87 Gossoms End, with regards to outlook and loss of sunlight and daylight. Accordingly, it would conflict with Policy CS12 of the Dacorum Borough Core Strategy 2013 (CS) and the Framework, which collectively seek, amongst other things, to avoid visual intrusion, loss of sunlight and daylight and provide a high standard of amenity for existing and future users.

### **Other Matters**

13. I note the comments relating to the design of the proposed extension, with reference to the development being in scale and character with the original property and area. The Council have not raised any concerns regarding these matters, and I see no reason to disagree.
14. The extension has been designed to provide additional space that the family consider is necessary and meet the constraints of the site. It is also to replace the conservatory which, I understand, is no longer suitable for habitation due to the poor condition and lack of thermal efficiency. I have had regard to these

matters, but they do not carry sufficient weight to overcome the harm I have found to the living conditions of the occupiers of no. 87.

15. The appellant has stated they are open to amendments via condition. Plans have not been provided to demonstrate what amendments may be possible and I have to deal with the proposal based on the information before me.

**Conclusion**

16. For the above reasons, having considered all the policies drawn to my attention, the conflict with Policy CS12 of the CS leads me to conclude that there is conflict with the development plan as a whole. There are no material considerations that indicate I should conclude other than in accordance with the development plan. Consequently, I conclude that the appeal should be dismissed.

*S Pearce*

INSPECTOR

**Date:** 9th March 2023  
**Officer:** Elspeth Palmer  
**Phone:** 01442 228 401  
**Email:** elspeth.palmer@dacorum.gov.uk  
**Reference:** 22/00063/REFU



Parish/Town Council

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<b>Appeal At:</b>	<b>37A □ 39 Highfield Road Berkhamsted Hertfordshire HP4 2DD</b>
<b>For:</b>	<b>Construction of home office and garden store within rear garden area</b>
<b>LPA Ref:</b>	<b>22/01897/FUL</b>
<b>PINS Ref:</b>	<b>APP/A1910/W/22/3310230</b>

Dear Sir/Madam,

The applicant has appealed to the Secretary of State against the Council's refusal of planning permission for:-

Construction of home office and garden store within rear garden area

This appeal is being dealt with by an exchange of written statements between the applicant and the Council and will be decided by a Planning Inspector appointed by the Secretary of State.

If you made any comments on the original application for planning permission (unless they were marked confidential), the Council will send them to the Planning Inspectorate (PINS). Your comments will be taken into account by the Inspector unless they are subsequently withdrawn.

If you wish amend your comments or make any new ones, please contact the Planning Inspectorate by **13th April 2023** quoting reference APP/A1910/W/22/3310230. You can make a comment at [www.planningportal.gov.uk/planning/appeals/online/comment](http://www.planningportal.gov.uk/planning/appeals/online/comment) or in writing to, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Planning Inspectorate will not acknowledge your correspondence unless you specifically ask them to do so. They will, however, ensure that your comments are passed on to the Inspector dealing with the appeal, the Council and the applicant. Please ensure that any comments which you wish to make on this appeal are

received by the Planning Inspectorate by the deadline above otherwise your representations will not be seen by the Inspector and they will be returned.

If you would like to see details of the Council's decision and the applicant's reasons for appealing, they are available for inspection on the Local Planning Authority's (LPA's) website (<https://planning.dacorum.gov.uk>). Search for the LPA reference number: 22/01897/FUL and click on 'Related Cases' to view the appeal documents.

The Planning Inspectorate has published a guide for taking part in planning appeals. This can be found at [www.planningportal.gov.uk/uploads/pins/taking-part\\_planning-written.pdf](http://www.planningportal.gov.uk/uploads/pins/taking-part_planning-written.pdf).

Yours sincerely,

Development Management  
Dacorum Borough Council

**Date:** 27th March 2023  
**Officer:** Andrew Parrish  
**Phone:** 01442 228 334  
**Email:** andrew.parrish@dacorum.gov.uk  
**Reference:** 23/00021/REFU



Parish/Town Council

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<b>Appeal At:</b>	<b>Solar Array Little Heath Lane Little Heath Berkhamsted Hertfordshire</b>
<b>For:</b>	<b>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.</b>
<b>LPA Ref:</b>	<b>22/01106/MFA</b>
<b>PINS Ref:</b>	<b>APP/A1910/W/23/3317818</b>

Dear Sir/Madam,

The applicant has appealed to the Secretary of State against the Council's refusal of planning permission for:-

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.

This appeal will be decided by an Inspector appointed by the Secretary of State at a Public Inquiry and I will inform you of the inquiry details as soon as they are available.

If you made any comments on the original application for planning permission (unless they were marked confidential), the Council will send them to the Planning Inspectorate (PINS). Your comments will be taken into account by the Inspector unless they are subsequently withdrawn.

If you wish amend your comments or make any new ones, please contact the Planning Inspectorate by **27th April 2023** quoting reference APP/A1910/W/23/3317818. You can make a comment at

[www.planningportal.gov.uk/planning/appeals/online/comment](http://www.planningportal.gov.uk/planning/appeals/online/comment) or in writing to, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Planning Inspectorate will not acknowledge your correspondence unless you specifically ask them to do so. They will, however, ensure that your comments are passed on to the Inspector dealing with the appeal, the Council and the applicant. Your comments may be read out at the inquiry. Please ensure that any comments which you wish to make on this appeal are received by the Planning Inspectorate by the deadline above otherwise your representations will not be seen by the Inspector and they will be returned.

If you would like to see details of the Council's decision and the applicant's reasons for appealing, they are available for inspection on the Local Planning Authority's (LPA's) website (<https://planning.dacorum.gov.uk>). Search for the LPA reference number: 22/01106/MFA and click on 'Related Cases' to view the appeal documents.

The Planning Inspectorate has published a guide for taking part in planning appeals. This can be found at [www.planningportal.gov.uk/uploads/pins/taking-part\\_planning-inquiry.pdf](http://www.planningportal.gov.uk/uploads/pins/taking-part_planning-inquiry.pdf).

Yours sincerely,

Development Management  
Dacorum Borough Council



Berkhamsted Town Council  
The Civic Centre  
161-163 High Street  
Berkhamsted  
Hertfordshire  
HP4 3HB

Date: 22nd March 2023  
Your ref:  
My ref: 23/00018/ENFORC  
Ask for: Kyle Dalton  
Telephone: 01442 228 2506  
E-mail: [kyle.dalton@dacorum.gov.uk](mailto:kyle.dalton@dacorum.gov.uk)

Dear Parish Clerk,

**Enforcement Appeal:**      **85-87 High Street**  
   **Berkhamsted**  
   **HP4 2DF**

Manager (Tobias Trigg) has appealed to the Secretary of State against the enforcement notice issued by the council concerning:-

*Without planning permission, the replacement of a ground floor bay window, ground floor window and entrance door on the principle elevation*

However, the notice will not take effect until the appeal has been determined and only if the decision is to dismiss the appeal.

Manager (Tobias Trigg) has appealed on the grounds:

Ground A That planning permission should be granted for what is alleged in the notice.

Ground F The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

These are grounds from the Section 174(2) of the Town and Country Planning Act 1990 (As Amended).

It will be open to the Secretary of State to grant planning permission.

This appeal is being dealt with by an exchange of written statements between Manager (Tobias Trigg) and the Council and will be decided by an Inspector appointed by the Secretary of State.

If you wish to make any comments, please send three copies of your comments to:-

The Planning Inspectorate  
Room 3/26  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Or you can submit your comments using the PINs appeals portal:

<https://acp.planninginspectorate.gov.uk/>

quoting reference APP/A1910/C/23/3316925 by **18th April 2023** (which is six weeks after the start date of the appeal). The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will however ensure that your letter is passed on to the Inspector dealing with the appeal, the Council and Manager (Tobias Trigg). Please ensure that any comments which you wish to make on this appeal are received by the Planning Inspectorate by the deadline for making comments otherwise your representations will not be seen by the Inspector and they will be returned to you.

If you would like to see details of the Council's decision and Manager (Tobias Trigg)'s reasons for appealing, they are available for inspection on the Online Planning Register on the Council's website, <https://planning.dacorum.gov.uk>

The Planning Inspectorate has published a Guide to taking part in Enforcement Appeals which is available online [www.planningportal.gov.uk/uploads/pins/taking-part\\_enforcement-written.pdf](http://www.planningportal.gov.uk/uploads/pins/taking-part_enforcement-written.pdf). Please contact me on the number given above if you require a printed copy

Yours sincerely

*Kyle Dalton*

Assistant Team Leader Planning Enforcement