

BERKHAMSTED TOWN COUNCIL
01442 800146
enquiries@berkhamstedtowncouncil.gov.uk
www.berkhamstedtowncouncil.gov.uk

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

06 April 2021

SUMMONS

Notice is hereby given that there will be a meeting of the **Town Planning Committee** on **Monday 12 April 2021 at 7.30 pm.**

The following business, as set out on the agenda below, will be considered and decisions made by Town Councillors using Zoom video conferencing.



Mrs J 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
N Woolner

Members of the public are invited to attend all meetings of the Town Council and it has put in place procedures to facilitate this for virtual meetings.

Anyone wishing to attend this Town Planning meeting should contact the Deputy Town Clerk for the meeting log in details. Email deputyclerk@berkhamstedtowncouncil.gov.uk and confirm your name, your address in Berkhamsted and details of any items on the agenda you wish to speak about. The cut off point for requests to join the meeting is **midday on the 12 April 2021.**

Alternatively, if you wish to comment on an item on this agenda by email, please do so by emailing deputyclerk@berkhamstedtowncouncil.gov.uk by **midday on the 12 April 2021.** Email comments will be passed to the Town Planning Committee ahead of the meeting.

AGENDA

TP 49/21 To receive **Apologies for Absence**

TP 50/21 To receive **Declarations of Interest** regarding items on the agenda.

TP 51/21 Minutes of the Previous Meeting held on 22 March 2021 (previously circulated).

TP 52/21 Chair's Communications

1. Road Traffic Orders

i. THE HERTFORDSHIRE (TEMPORARY CLOSING OF DENNYS LANE, BERKHAMSTED) ORDER 2021

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 that length of Dennys Lane, Berkhamsted from its junction with Shootersway south westwards for a distance of approximately 200 metres ("the Road"), except for access.

An alternative route will be via Shootersway, A416 (Kingshill Way/Chesham Road/Ashley Green Road), Hog Lane, Johns Lane and Dennys Lane.

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

If the Order is made, it shall come into force on 22 April 2021 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 Road (papers included as an addendum to the agenda).

ii. THE HERTFORDSHIRE (TEMPORARY CLOSING AND TEMPORARY WAITING RESTRICTIONS IN VARIOUS ROADS IN BERKHAMSTED, FLAMSTEAD AND HEMEL HEMPSTEAD) ORDER 2021

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 that length of Station Road/Lower Kings Road, Berkhamsted from its junction with Castle Street north westwards and south westwards for a distance of approximately 430 metres.

An alternative route will be via Station Road, Gravel Path, Ravens Lane, A4251 High Street and Lower Kings Road.

There is no alternative route available for vehicles when the works are being carried out. However vehicular access to properties in this road will be maintained whenever possible throughout the duration of the works.

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 19 April 2021 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 as an addendum to the agenda).

iii. THE HERTFORDSHIRE (TEMPORARY CLOSING OF STATION ROAD, BERKHAMSTED) ORDER 2021

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 that length of Station Road, Berkhamsted from its junction with Castle Street south eastwards to its junction with Gravel Path (“the Road”), a distance of approximately 317 metres, except for access.

An alternative route will be via Gravel Path, Ravens Lane, A4125 High Street and Castle Street.

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

If the Order is made, it shall come into force on 29 April 2021 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 Road (papers included as an addendum to the agenda).

iv. THE HERTFORDSHIRE (TEMPORARY CLOSING AND TEMPORARY WAITING RESTRICTIONS IN A4251 (GOSSOMS END/HIGH STREET), BERKHAMSTED) ORDER 2021

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 that length of A4251 (Gossoms End/High Street), Berkhamsted from its junction with A4251 High Street, Northchurch south eastwards to its junction with A4251 London Road (“the length of Roads”), a distance of approximately 1867 metres, except for access.

An alternative route will be via A4251 (High Street/Tring Road), A41 (Interchange Tring/unnamed road) and A4251 London Road.

ADDITIONALLY all vehicles are prohibited from waiting at any time on both sides of this length of Roads whilst works are in progress.

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

If the Order is made, it shall come into force on 28 April 2021 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 length of Roads (papers included as an addendum to the agenda).

2. Tree Preservation Orders

None have been received.

3. Licensing

Pavement licence application received for Caffe Nero, 230 High Street.

Papers within agenda and attached as a separate document.

TP 53/21 Multi Storey Car Park Update

To receive any updates.

TP 54/21 Public Participation

To suspend Standing Orders to invite **public participation** on items on the agenda

TP 55/21 To consider, for Resolution, forms and drawings for applications relating to the Town of Berkhamsted received from Dacorum Borough Council.

21/00736/FHA	AMENDED/ADDITIONAL INFORMATION Single storey side extension Cedar House, 1 The Hemmings (TG) <i>Additional information from the Planning Officer within the agenda.</i>
21/00899/FHA	AMENDED/ADDITIONAL INFORMATION Single story rear extension and loft alterations with rear dormer window. 12 Kings Road (LB)
21/01026/FHA	AMENDED/ADDITIONAL INFORMATION Loft Conversion consisting of rear dormer with conservation style window. Together with 3no. conservation style roof windows to front roof slope. 26 Boxwell Road (MM) <i>Additional information from the Planning Officer within the agenda.</i>
21/00008/FHA	Construction of single storey rear extension and alteration to first floor bay window 17 Anglefield Road (AS)
21/00590/FHA	Insertion of side lights to existing rear dormer 7 West Road (LB)
21/01034/FHA	New Garden Room Annexe to replace existing Garage Lock Cottage Bank Mill Lane (JM)
21/01068/FHA	Single storey rear side extension, new window and associated internal works Hillview, Gossoms End (AS)
21/01098/FHA	Renovation and extension of an existing garden studio 7 Chapel Street (LB)
21/01130/FHA	Part single, part double storey side extension (minor changes to approved planning application ref 4/00703/19/FHA to include raising the roof above garage by 1.00m) Willow House, Kingshill Way (JG)
21/01180/FHA	New part ground, part two-storey rear extension, terrace and driveway alterations. 5 Finch Road (AS)
21/01306/FHA	Proposed rear and side return extension at ground floor with new rooflight, sash window and rear doors. Loft conversion with rear dormer and new rooflights 63 Kitsbury Road (AS)
21/00691/FUL	Driveway crossover 80 Westfield Road (MM)
21/01207/FUL	Install additional sky dish for use by residents.

	23 Nightingale Lodge, Cowper Road (JG)
21/01252/FUL	Replacement Mechanical Plant & Minor Car Park Alterations Waitrose Ltd, St Johns Well Lane (CL)
21/01307/FUL	Change of use from storage unit to hand car-wash. New vehicular site access. Advertisement of business use Unit 1 Canalside, Northbridge Road (NG)
21/01308/ADV	1 no. fascia sign. 2 no. direction fascia signs. Unit 1 Canalside, Northbridge Road (NG)
21/01035/LBC	New Garden Room Annexe to replace existing Garage Lock Cottage, Bank Mill Lane (JM)
21/01254/LBC	Improvements and alterations to dining room and kitchen The Old Cottage, Bank Mill Lane (NR)
21/01291/LDP	Single storey rear extension and loft conversion 20 Elizabeth II Avenue (AS)
21/01088/TCA	Reduce height of 4 conifers in hedgerow, by approximately 3 metres. Greyfold, Cross Oak Road (TG)
21/01146/TCA	Works to Cherry Tree 69 George Street (TG)
21/01170/TCA	Works to Yew Tree 10 Charles Street (AS)
21/01179/TCA	Works to trees 52 Cross Oak Road (AS)
21/01215/TCA	Works to trees 6 Cowper Road (TG)
21/01326/TCA	Works to trees 14 Torrington Road (TG)
21/01045/TPO	Works to trees. Kennet House Kitsbury Road (TG)
21/01064/TPO	Fell Tree 11 Greystoke Close (TG)
21/01132/TPO	Fell Tree High View, 44 Castle Hill (AS)
21/01325/TPO	Works to tree 14 Torrington Road (TG)

TP 56/21 Planning Appeals

None have been received.

TP 57/21 Planning Appeal Decisions

None have been received.

TP 58/21 Planning decisions

Schedule included within the agenda.

JH 06/04/2021

Our reference: M052249

Business and Planning Act 2020 – part 1 Application for Pavement Licence

An application has been made to Dacorum Borough Council for a new Pavement Licence, as follows:

Applicant(s):	Nero Holdings Limited
Business name:	Caffe Nero
Premises address:	230 High Street Berkhamsted Hertfordshire HP4 1BP
Ward:	Berkhamsted Castle
Premises unique ID:	88281 (Civica APP reference only)
Premises UPRN:	100081183293
Application date:	31 March 2021

Proposed trading hours for pavement area:

Monday:	07:00 until 19:00
Tuesday:	07:00 until 19:00
Wednesday:	07:00 until 19:00
Thursday:	07:00 until 19:00
Friday:	07:00 until 19:00
Saturday:	07:00 until 19:00
Sunday:	08:00 until 18:00

Furniture proposed to be used:	Number proposed:
• Counters or stalls for selling or serving food or drink:	0
• Tables (or similar)	2
• Chairs, benches or other seating	6
• Umbrellas	0
• Barriers	2
• Heaters	0
• Other	

If granted, a Pavement Licence would allow the business to temporarily place removable furniture on part(s) of the public highway adjacent to their premises, for the purposes of selling, serving or enabling the consumption of food and drink supplied in the course of their business. Businesses entitled to apply for licences include public houses, wine bars, other drinking establishments, or other premises which sell food or drink for consumption on or off of those premises.

These measures are part of the Government's COVID-19 response and any licences granted would cease to have effect on the 30th September 2021.

Should you hold any information which you believe should be taken into account when we determine this application, or otherwise wish to comment on or object to this application, please send your comments along with any applicable supporting evidence, to licensing@dacorum.gov.uk, quoting the reference number **M052249**, **no later than the end of the 7th day after the above application date.**

When determining this application, the local authority must:

- have regard to any guidance issued by the Secretary of State;
- take into account any representations from members of the public, the highways authority, or other consultees received during the prescribed consultation period;
- consider whether, taking into account any standard conditions applying to such licences, there would be one of the following effects:
 - preventing non-vehicular traffic from entering the relevant highway at a place it would usually do so, from passing along the relevant highway, or having normal access to premises adjoining the relevant highway;
 - preventing any use of vehicles otherwise permitted by pedestrian planning order, or not prohibited by a traffic order;
 - preventing statutory undertakers or electronic communications code network operators from accessing any apparatus under, in or over the highway;
- determine within 14 days of the application date whether to grant a licence in full or in part, or reject the application (failure to do so will result in the deemed grant of a licence).

By virtue of section 7 of the Act, if a licence is granted, it will:

- authorise the restriction of public access to the part of the relevant highway to which the licence relates (notwithstanding any 'no obstruction' conditions as may apply);
- constitute deemed planning permission for the authorised activities for the duration of the licence;
- remove the need to obtain a street trading permission for the authorised activities;
- remove the LA's power to require that a licence-holder applies for permission under Part 7A of the Highways Act 1980 for the authorised activities (although a licence-holder may still choose to apply of their own volition for such permission – however, any such permission granted subsequent to the pavement licence shall have no effect so long as the pavement licence remains in force);
- any undetermined application made under s.115E of the Highways Act 1980 shall be treated as withdrawn.

Please be aware that there are consequential amendments to the Highways Act 1980 and the Town and Country Planning Act 1990 made by s. 7(6)-(8) of this Act.

Should you have any enquiries or require further information regarding this application, please contact me on 01442 228860 or by emailing licensing@dacorum.gov.uk.

TP 55/21, 21/00736/FHA

Dear Mrs Harley,

I hope you're well. I am the planning officer assigned to the application for a side extension at 1 The Hemmings Berkhamsted. Thank you for the following comments made regarding this application:

'No Objection, subject to a condition to protect the tree roots to the adjacent hedges.'

Unfortunately, I cannot condition anything in relation to the hedges for this application. Therefore, would it be possible to confirm that your no objection would stand without this condition?

Kind regards,

Tristan

Tristan Goldsmid

TP 55/21, 21/01026/FHA

From: Melissa Martin
Sent: 29 March 2021 12:23
To: Townclerk
Subject: FW: 26 Boxwell Road, 21/01026/FHA

Good Morning Joanna,

I hope you are well. Please see below the first section of the agents email which responds to the comment received for 26 Boxwell Road which objected to the construction of roof lights due to Article 4 Directions.

I have looked at the article 4 directions and the Article 4 Directions in place do not remove permitted development rights for Schedule 2, Part 1 Class C which allow the construction of roof lights. Therefore, under permitted development rights, the applicant could construct roof lights that would be much more harmful to the street scene, not small scale or of conservation design. Whereas, within a planning application, we can control the size of roof lights and condition that they are constructed in conservation style.

I would appreciate if you could pass this comment on.

If you could let me know when a response would be received that would be great. I look forward to hearing from you.

Kind Regards,

Melissa Martin
Planning Officer – Development Management

From: Shane Tyler
Sent: 26 March 2021 11:12
To: Melissa Martin
Subject: RE: 26 Boxwell Road, 21/01026/FHA

Hello Melissa,

I hope you are well,

I have sent the clients your email,
I do have a few questions before I make any amendments,

. **The roof lights on the front roof slope are removed**

Please see the photos below, there are various amounts of front roofs with conservation style velux windows within the Street,

I do understand what there is an article 4 Direction since 25-05-2004 between number 1-9 and 10-28 Boxwell Road,

I have done some research and please see the applications below that have been approved with conservation style windows.

15 Boxwell Road, application number: 4/02401/17/FHA (2017)
8 Boxwell Road, application number: 4/02037/17/FHA (2017)
14 Boxwell Road, Application number 4/03167/15/FHA (2015)

Given these properties have been granted within the conversation area and the Article 4 Direction limitations, I feel it would be unfair to restrict my clients limitations as previous applications have not had the article 4 direction enforced.

Can I please ask you to check over this and please let me know if I am mistaken as I am unable to justify why other properties have been approved to my clients.

I would like to propose a reduced amount of front roof lights, two roof lights are the maximum within the current street scene, is this likely to be approved ?

- . **The windows on the rear dormer are changed to sash windows.**

This is not a problem, as soon as I receive an email back explaining the above, I will make the amendments with sash windows within the rear dormer.

- . **The proposed floor plan is fixed to show the dormer is set away from the roof of the rear wing.**

I believe there is some confusion, the area refenced to in the email below is a internal wall, Please see the attached showing the difference between them. Please let me know if you need further clarification on this.

Please let me know asap so I can discuss with the clients and send through the required amendments before 31st March 2021.

Thank you very much for allowing me the opportunity to amended the proposal to obtain an approval.



Kind Regards
Shane Tyler

TP 58/21

Reference	Description	Date	Location	BTC Response	DBC Response	DBC Input Date	Appeal	Decision	Amended
20/02021/MFA	Construction of extra care (Class C2) (103 units) development including associated highway access works, car parking, landscaping and other works incidental to the development	05/08/2020	Land to The Rear of Hanburys, Shootersway	No Objection	Granted	31/03/2021			
20/03720/FHA	Works to basement, rear side infill, replacement of a conservatory and loft conversion	22/12/2020	80 Ellesmere Road	No Objection	Granted	31/03/2021			Yes
20/03940/FUL	Retention of temporary canvas tent to rear of public house, to provide covered external space for public house customers	20/01/2021	The Old Mill, London Road	Concern	Granted	06/04/2021			Yes
21/00300/ADV	2X Fascia signs, 1X Projecting sign and 3 X Graphic signs	10/02/2021	Tesco Metro, 160 High Street	No Objection	Granted	31/03/2021			
21/00115/FHA	Demolition of existing single storey lean to at rear, replace with part two storey and part single storey rear extension	10/02/2021	41 Cross Oak Road	No Objection	Granted	31/03/2021			
21/00399/FHA	First floor extension, new front entrance projection and alterations to existing house.	23/02/2021	Ponderosa, Barncroft Road	No Objection	Granted	31/03/2021			
21/00692/ROC	Variation of Condition 2 (Approved Plans) Attached to Planning Permission 20/00077/FHA (Single story side return extension with rendered finish, dark metal bifold doors, roof lights and timber decking to rear.)	23/02/2021	28 Kings Road	No Objection	Granted	31/03/2021			
21/00645/TCA	Works to tree	23/02/2021	11 Shrublands Avenue	No Objection	No Objection	31/03/2021			
21/00522/TPO	Works to Copper Beech tree	23/02/2021	5 Townsend Gate	No Objection	Granted	06/04/2021			
21/00025/FHA	Demolition of garage and replacement garage extension. Proposed loft extension, dormer and alterations to roof lights. Alterations to rear patio terrace, landscaping and internal alterations	25/03/2021	27 Castle Hill Avenue	No Objection	Granted	31/03/2021			

Reference	Description	Date	Location	BTC Response	DBC Response	DBC Input Date	Appeal	Decision	Amended
21/00713/FHA	Replacement conservatory roof	25/03/2021	95 Cross Oak Road	No Objection	Granted	31/03/2021			
21/00715/FHA	Single storey side extension with rooflights, garage conversion, replacement front dormer, new porch canopy and associated alterations	25/03/2021	4 Pages Croft	No Objection	Granted	31/03/2021			
21/00830/FHA	One and two storey side and rear extensions	25/03/2021	5 Castle Hill Close	No Objection	Granted	06/04/2021			
21/00845/FHA	One and two storey rear extension and alterations to fenestration	25/03/2021	1 Millfield	No Objection	Granted	06/04/2021			
21/00891/FHA	Conversion of double garage into habitable room. Construction of single garage	25/03/2021	Gillams, Cross Oak Road	No Objection	Granted	06/04/2021			
21/00728/LBC	Construction of small canopy over back door. (Alteration to design in approved application 20/00551/FHA)	25/03/2021	Gorseside, The Common	No Objection	Granted	31/03/2021			
21/00856/TCA	Works to tree	25/03/2021	61 Shrublands Avenue	No Objection	No Objection	31/03/2021			