

**BERKHAMSTED TOWN COUNCIL**

Minutes of the Meeting of the

**TOWN PLANNING COMMITTEE**

held in the Council Chamber, Civic Centre, Berkhamsted on

**Monday 07 January 2019 at 7.30 pm**

**MEMBERS PRESENT:**

Councillors: A Armytage – Chair  
B Newton – Vice Chair  
I Reay  
G Stevens  
G Yearwood

**ALSO PRESENT:**

Ex Officio: Cllr S Beardshaw – Town Major  
Non-Committee Members: Cllr Peter Matthews  
Cllr Tom Ritchie  
Officers: Mrs J Mason. Town Clerk  
Mrs J Harley. Deputy Town Clerk

48 members of the public

**TP 01/19** To receive **Apologies for Absence**

Apologies for absence were received from Cllr S Bateman and Cllr J Jones

**TP 02/19** To receive **Declarations of Interest** regarding items on the agenda

Cllr I Reay declared a personal interest in application 4/02980/18/FHA as he lives opposite the residence.

Cllr B Newton and Cllr S Beardshaw both declared a personal interest in application 4/01866/18/FUL as the objectors were known to them.

Cllr P Matthews and Cllr T Ritchie both declared a personal interest in application 4/02991/18/FUL as they are members of DBC's Development Management Committee.

Cllr S Beardshaw declared a personal interest in application 4/03026/18/MFA as the objectors were known to her.

Cllr A Armytage declared a personal interest in application 4/03048/18/FHA because he used to live at the residence.

Cllr G Stevens declared personal interests in the following applications:

4/01866/18/FUL because the agent made contact regarding a site visit;

4/03042/18/FHA because he completed a site visit;

4/02934/18/MFA because the objector was known to him;

4/02980/18/FHA because the architect was known to him;

4/02991/18/FUL because the architect was known to him;

4/03011/18/TPO because the applicant was known to him. It was noted that the applicant was known to a number of councillors; and

4/03026/18/MFA because the Rotary Club, of which he is a member, received a donation from Taylor Wimpey.

#### **TP 03/19**

**Minutes of the Previous Meeting** held on 03 December 2018

The minutes of the meeting held on 3 December were approved as a correct record and were duly signed as such by the Chair.

#### **TP 04/19**

**Chair's Communications**

##### **1. Road Traffic Orders**

##### **i. TEMPORARY CLOSING OF CROSS OAK ROAD & GRAEMESDYKE ROAD, BERKHAMSTED**

NOTICE is given that the Hertfordshire County Council intends to make an order under Section 14(2) of the Road Traffic Regulation Act 1984, advising of the temporary closing of Cross Oak Road and Graemesdyke Road, owing to the likelihood of danger to the public whilst works to repair a gas escape are being undertaken.

All traffic is temporarily prohibited from using the following lengths of roads, except for access:

1. That length of Cross Oak Road, Berkhamsted from its junction with Greystoke Close north eastwards for a distance of approximately 70 metres.
2. that length of Graemesdyke Road, Berkhamsted from its junction with Cross Oak Road north eastwards for a distance of approximately 30 metres.

The work is expected to take 8 days to complete when started on the 28 November 2018. Alternative signed

routes will be provided for traffic whilst the road closures are in place.

The prohibition imposed by this notice can remain in force for up to 21 days.

**ii. TEMPORARY CLOSING AND TEMPORARY WAITING RESTRICTIONS IN PAXTON ROAD**

NOTICE is given that the Hertfordshire County Council intends to make an order under Section 14(2) of the Road Traffic Regulation Act 1984, advising of the temporary closing and temporary waiting restrictions in Paxton Road. The order is needed because works are proposed to be executed on or near the Roads.

All traffic is temporarily prohibited from using the following lengths of roads, except for access and all vehicles are prohibited from waiting at any time on both sides of these lengths of Roads whilst works are in progress:

1. That length of Paxton Road, Berkhamsted from its junction with George Street north eastwards to its junction with Ellesmere Road, a distance of approximately 228 metres.

An alternative route will be via George Street, Gravel Path and Ellesmere Road.

If the Order is made, it shall come into force on 14 January 2019 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.

**iii. THE HERTFORDSHIRE (TEMPORARY CLOSING OF BANK MILL, BERKHAMSTED) ORDER 2019**

NOTICE is given that the Hertfordshire County Council intends to make an Order under Section 14(1) of the Road Traffic Regulation Act 1984, to prohibit all traffic from using that length of Bank Mill, Berkhamsted from its junction with Ivy House Lane south eastwards and south westwards for a distance of approximately 220 metres (“the Road”), except for access.

An alternative route will be via Ivy House Lane, George Street, Gravel Path, Ravens Lane, A4251 (High Street/London Road), Bank Mill Lane and Bank Mill.

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

If the Order is made, it shall come into force on 28 January 2019 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.

## **2. Tree preservation orders**

None had been received.

## **3. Licensing**

No applications had been received.

## **4. Code of Practice for Planning**

It was **noted** that an email dated 30 November 2018, advising of the Town Council of the above draft version of the Planning Code of Practice, had been received. Any comments or suggested amendments should be sent to Mark Brookes at Dacorum by 31 January 2019.

It was **agreed** that the document would be a useful addition to the Council's policies. Any suggested amendments should be sent to the Town Clerk, in advance of the next meeting on the 21 January, so that the document can be reviewed at that meeting. In the meantime, the Town Clerk will advise Mr Brookes that the Town Council supports the document in principle and will make comments to him after the next meeting.

## **5. Buckinghamshire Minerals and Waste Local Plan Modification Consultation**

To **receive** an e-mail dated 10 December 2018 advising the Town Council of the above consultation, which runs for an 8-week period, finishing at 5pm on Monday the 4 February 2018

The closing date was **noted**.

**6. To receive an update on an issue originally raised at the Town Planning Meeting on the 3 December 2018**

At the 3 December 2018 Town Planning Meeting, the Citizens Association requested the Town Council's help to encourage DBC to produce a leaflet for residents living in streets where an Article 4 Direction is in place, reminding them of the planning obligations arising in such circumstances. The Berkhamsted Citizen's Association would be pleased to undertake delivery to save on postage.

Following a brief discussion at the Finance and Policy Meeting on the 10 December 2018, it was **agreed** that the Town Clerk or Deputy Town Clerk should ask DBC if such a leaflet could be produced and then report back to the Town Planning Committee to progress matters as appropriate. There would be no financial cost to the Town Council.

The Deputy Town Clerk will be visiting the Planning Team at DBC on the 23 January 2019 and will query the leaflet then.

**TP 05/19 Multi Storey Car Park Update**

To receive any updates.

Upper Kings Road car park is now closed and the Moor Car Park is open. There are further details available on the DBC website.

**TP 06/19 Public Participation**

It was **RESOLVED** to suspend Standing Orders during the course of the meeting to invite **public participation** on items on the agenda.

**TP 07/19** The Committee considered forms and drawings for applications relating to the Town of Berkhamsted received from Dacorum Borough Council (DBC) and it was **RESOLVED:**

That Dacorum Borough Council be informed of the Council's comments and observations, if any, as follows. The Council trusted that due regard would be taken of any objection which might be received from neighbours in the vicinity.

4/01866/18/FUL **AMENDED/ADDITIONAL INFORMATION**  
Demolition of Existing Buildings and Construction of Six 4  
Bedroom Detached Dwellings with Associated Landscaping and  
Access  
57 South Park Gardens (JS)

The Chair suspended Standing Orders to enable members of the public to speak.

Speaking on behalf of the application, the Developer, Mr Farris of Farris Associates, expressed the view that the now 5 dwelling scheme meets all statutory planning requirements and is supported in principle by Dacorum.

The Chair thanked Mr Farris for his contribution and opened the floor to other comments.

Mr D Giles, a resident of South Park Gardens, summarised his key objections: overdevelopment, environmental and safety issues, with emphasis on child safety, grid patterns, plot sizes and the proposed access road size versus the existing road size.

Mrs S Johnson, on behalf of the BCA Townscape Group, expressed concern on the grounds of there being too many houses proposed and also because of inadequate access.

The Chair reinstated Standing Orders.

### **Objection**

The Committee's objections previously submitted prevail.

The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties. Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.

The Committee emphasised that the Noise Report supports its view that the noise in the rear gardens would be excessive and very large acoustic fences would need to be erected as a result.

CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.

4/02579/18/RET

### **AMENDED/ADDITIONAL INFORMATION**

Replacement of Flue and Addition of Rear Delivery Area  
Canopy  
376 High Street (JS)

## **No Objection**

4/03042/18/FHA

### **AMENDED/ADDITIONAL INFORMATION**

New Sustainable Composite Decked Patio Created Over Existing Rear Decked Patio and External Steps (Amended Scheme)

9 Upper Hall Park (BC)

The Chair suspended Standing Orders.

Neil Gungah, an adjoining owner, spoke against the completed works. He stated that the timber decking is at a height where the neighbours can see over his fence, impacting his privacy.

The Chair reinstated Standing Orders.

Cllr G Stevens confirmed that he had visited the site and advised that, although the original application plans were rudimentary, the slated fence screen gives sufficient privacy.

## **Objection**

The majority of the Committee considered that there would be loss of privacy and therefore amenity. It was disappointed that this is a retrospective application, and members were being asked, once again, to comment on an application that had already been completed.

4/02715/18/LDP

Garage Conversion  
42 Long View (RM)

**Granted 30/10/2018**

4/02884/18/TPO

Work to Trees  
1 Hill Mead (JG)

## **No Objection**

4/02934/18/MFA

Demolition of Existing Buildings and Redevelopment of the Land for 17 Residential Apartments within a Mansion Block with Associated, Vehicular Access, Car Parking, Landscaping and Engineering Works.

The Old Orchard, Shootersway (RF)

The Chair suspended Standing Orders.

Susan Johnson, on behalf of the BCA Townscape Group, objected on the grounds of unsuitability in terms of bulk, density, impact on adjacent buildings and concern about the

proposed access which is dangerously close to the junction with Kings Road and Kingshill Way.

A resident, Mr Mitchell, lives opposite the site, and expressed concern over the size and impact of the construction site, bearing in mind excavation for the underground parking area. The proposed parking might be inadequate and did not account for visitors.

The Chair reinstated Standing Orders.

### **Objection**

The Council **discussed** the issues of access and safety. Cllr T Ritchie advised that it was difficult to assess the application in the absence of a Highways report. Notwithstanding, the access was too close to the Kings Road junction.

The proposals represent an overdevelopment of the site, with 94 dwellings per hectare. Furthermore, the development would be highly visible from the A41 and would adversely affect the landscape. Further, a mansion block would be out of keeping with the surroundings.

Cllr G Stevens stated that there is a lack of conformity with the Masterplan re. Hanbury site and suggested that perhaps the proposal should not have been put forward. Furthermore, the lack of a Highways report is a serious failing.

BCA12, Appendix 3, (v), CS10, CS11, CS25

4/02939/18/FHA Two Storey Side Extension, Alterations to Roofscape Over Bedroom and Conversion of Garage to Family Room.  
Willow Bank, Gravel Path (RF)

### **No Objection**

4/02971/18/TCA Work to Trees  
1 Londrina Terrace (WC)

### **Noted**

4/02980/18/FHA New Rear Dormer and Alterations to Terrace  
7 Gaveston Drive (RF)

### **Objection**

The rear dormer is over dominant. There is loss of amenity and privacy to adjoining properties in Trevelyan Way.



Appendix 3, (i)

4/02985/18/FHA Construction of Side and Rear Extensions. Replacement of Front Porch, Infill Garage Door Opening and Insert New Window, Replace Windows Throughout Fosse House, Brownlow Road (RM)

**No Objection**

4/02988/18/FHA Front Porch  
39 Hazel Road (EP)

**No Objection**

4/02991/18/FUL Demolition of Existing House, Garage and Outbuilding. Construction of Lodge with Detached Work Unit, 3 New Three-Bed Dwellings, 2 Four Bed Detached Dwellings and Associated Access Arrangements.  
Greyfold, Cross Oak Road (EP)

The Chair suspended Standing Orders.

Mr Higgenbottom, the architect speaking on behalf of the application, thanked the Chair. Stating that he was aware of the objections, he gave the following updates:

As the site is secluded, it was felt that the proposed new dwellings would preserve the existing character of the area;

A bat survey is due to be commissioned;

The height of the proposed houses would be no greater than existing buildings on the site;

Daylight would not be impacted;

Parking provisions meet required standards and would stop any overspill;

Hedges are not protected and would be replaced where necessary; and

The speed survey completed during the school holidays in August was to the applicant's disadvantage, due to higher traffic speeds.

Speaking against the application were Ms S Watson and Mr A Hopson, two representatives of the Cross Oak Road Safety Group. Ms Watson outlined a key point from a report completed for them by an independent planning officer. This stated that the development should respect the existing density of the area to the south and east, not that of Greenway and recommended 15 dwellings per hectare. Mr Hopson then gave the Group's objections to the following: the height of the development, safety issues surrounding the egress of access and school highway safety, construction and noise, emergency and large vehicular access and preservation of trees and hedgerows.

Mrs S Johnson, on behalf of the BCA Townscape Group, objected on the grounds of harm to the character of the conservation area in contravention of CS27 and Policy 120.

A resident, Ms V Latham, raised a concern regarding the impact of the proposed basement excavation on adjacent properties and resulting insurance implications. She hoped that neighbours would be indemnified. She was also of the view that the plans misrepresented garden lengths, for example, by not accounting for conservatories.

Two more residents, Mr G Bright and Mr C Burghs, drew attention to the adverse impact on sunlight in gardens and boundary issues.

The Chair reinstated Standing Orders.

### **Objection**

The access to the properties would be inadequate. Cross Oak Road is a narrow road, at that specific location, and pedestrian and vehicle safety would be jeopardised. There would be loss of amenity through overlooking of adjoining properties and the proposals represent an overdevelopment in this Conservation Area setting.

P120, CS12, CS27, Appendix 3, (i), (iv), (v)

4/02996/18/TCA Work to Trees  
39 Charles Street (HE)

### **Noted**

4/02999/18/LDP Single Storey Rear Extension  
60 Upper Hall Park (HE)

### **Granted 07/12/2018**

4/03011/18/TPO Fell Tree  
Kingsmere, Kingsdale Road (AP)

### **Noted**

The Committee request that the tree be replaced with a specimen of the same species.

4/03020/18/FUL New Ventilation Ducts to Rear, New Security Roller Shutter to the West Elevation and Personnel Door to Front Elevation  
1a River Park Industrial Estate, Billet Lane (AP)

4/03026/18/MFA

### **No Objection**

Development of Site to Provide 84 Dwellings with Access from Shootersway (Via Phase 1) and Provision of Amenity Space, Landscaping and Other Associated Works including Drainage Infrastructure

Land at Junction of Durrants Lane & Shootersway (RF)

The Chair suspended Standing Orders.

In attendance on behalf of the developers was chartered town planner, Mr D Bainbridge from Bidwells. He would be happy to respond to any comments from the public.

A resident of the Phase 1 development, Ms L Winmill, stated that although she was not against the development, she did have serious concerns about the access point. This is already full of parked cars and is on a blind bend. She asked whether the access point could be reconsidered. Ms Winmill was also concerned that the proposed development raised a number of issues, such as noise, pollution and safety concerns, particularly for pedestrians, motorists and the many children who play out in the area.

Ms A Foster, queried why the Masterplan for the site is seemingly not being adhered to. The area seemed to be subject to development by stealth. She would prefer to see the retention of open space and hoped that the developers would install and maintain an equipped playground.

Mrs S Johnson, on behalf of the BCA Townscape Group, commented that the proposed density was surprising and noted the absence of additional infrastructure that would be required for so many additional residents.

The access was also problematic, Ms P Ferguson asked why the planning statement stated that there is no vehicular access into the land currently.

Mr D Bainbridge answered with the following: Taylor Wimpey have not yet settled a formal agreement with HCC, so vehicular access and parking spaces are still to be agreed, the site was identified for development back in the 1999 local plan and that it has already been allocated and would not be part of a new local plan. The access had been planned to support development and could accommodate 200 vehicles He did, however, await a report from Highways to verify the point.

The Chair reinstated Standing Orders.

### **Objection**

Cllr I Reay advised that the Highways Report should be available for discussion at the Development Management Committee. Notwithstanding 100+ extra cars would result in near misses and requested that a second access be considered between Durrants Lane and the existing egress onto Shootersway from Phase 1. It was suggested that a mini roundabout and a 20mph speed limit would reduce traffic speed.

The proposed taller structures would be over dominate and be detrimental to views over the adjoining fields. The Council's understanding is that where Phase 2 is proposed is designated as playing fields. There is a shortage of public, accessible open space in the town, and the Committee objects strongly to this. It is understood that when SS1 was taken out of greenbelt, the Masterplan that emerged was for 240 houses, then reduced to 150, which should have gone to the site adjoining Egerton Rothesay school.

Appendix 3 (v), CS10, CS12

4/03039/18/FHA Part Single Part Two Storey Rear Extension and Two New Windows in the Existing Rear Bathroom and Rear Rooflight 147 George Street (RF)

**No Objection**

4/03048/18/FHA Single Storey Rear Extension  
1 Old Meadow Close (WC)

**No Objection**

4/03054/18/FHA Loft Conversion with Provision of Front & Rear Dormer Windows. Raising of Hip to Gable Wall.  
57 Egerton Road (RM)

**No Objection**

4/03095/18/FHA Two Storey Side Extension.  
70 Chiltern Park Avenue (JG)

**No Objection**

4/03120/18/FHA Construction of Self-Contained Detached 4 Bedroom Dwelling with Associated Parking  
28 Hall Park (MS)

**Objection**

The proposal would be out of character with the street scene due to the proposed 3 storey height. It was also noted that there was no application form on the website.

CS11, CS12

4/03138/18/FHA Single Storey Rear Extension, Replacement First Floor Roof and Loft Conversion with Rear and Side Dormer and Front Roof Lights.  
16 Dellfield Avenue (RF)

**No Objection**

4/03140/18/FHA Single Storey Rear, Side and Front Extensions  
111 Bridgewater Road (SR)

**No Objection**

**TP 08/19 Planning Appeals**

None had been received.

**TP 09/19 Planning Appeal Decisions**

The following Planning Appeal notifications have been received:

4/02625/17/FHA; APP/A1910/D/18/3215618 for the extension of the boundary wall, fencing and works to driveway at 2 Whitewood Road.

4/01969/18/FHA; APP/A1910/D/18/3214491 for the construction of a wall and gate at 7 Birtchnell Close.

The appeals were **noted**.

**TP 10/19 Planning decisions**

There were brief comments regarding relevant decisions.

**TP 11/19 Close of Meeting**

The meeting closed at 9.45 pm.

**Signed**.....

**Date**.....