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BERKHAMSTED TOWN COUNCIL

Minutes of the Meeting of the

TOWN PLANNING COMMITTEE

held via Remote Meeting Technology

Monday 07 December 2020 at 7.30 pm

MEMBERS PRESENT:

Councillors: G Stevens – Chair
P White - Vice Chair (arrived at 19:48pm)
A Armytage
P de Hoest
P Fisher
J Jones

ALSO PRESENT:

Councillors: W Conian, Berkhamsted Town Councillor, Castle Ward (left at 21:01pm)
S Cloughton, Berkhamsted Town and Dacorum Borough Councillor, Castle Ward (left at 21:01pm)

Officer: Mrs J Harley, Deputy Town Clerk (minutes)

Other: 10 members of the public

TP 168/20 To receive **Apologies for Absence**

Apologies were received from Cllr G Corry.

TP 169/20 To receive **Declarations of Interest** regarding items on the agenda.

Cllrs P de Hoest and P White declared an interest in application 20/03372/FHA as an objector was known to them.

Cllr G Stevens declared an interest in application 20/03567/FHA as the architect was known to him.

Cllrs A Armytage and G Stevens declared an interest in application 20/03299/FUL as an objector was known to them.

Cllr A Armytage, P de Hoest and G Stevens declared an interest in application 20/03499/MFA as they had attended a presentation by the School.

Cllr J Jones declared an interest in application 20/03492/FUL as she is a member of the Berkhamsted Local History & Museum Society.

TP 170/20 Minutes of the Previous Meeting held on 16 November 2020 (previously circulated).

The minutes of the meeting held on 16 November 2020 (previously circulated) were approved as a correct record and as such could be duly signed by the Chair.

TP 171/20 Chair's Communications

1. Road Traffic Orders

i. THE HERTFORDSHIRE (TEMPORARY CLOSING OF VARIOUS ROADS IN BERKHAMSTED) ORDER 2020

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: -

1. that length of Station Road, Berkhamsted from its junction with New Road south eastwards for a distance of approximately 75 metres.

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

2. that length of White Hill, Berkhamsted from its junction with Brownlow Road south eastwards for a distance of approximately 219 metres.

An alternative route will be via Brownlow Road and New Road.

3. that length of New Road, Berkhamsted from its junction with Station Road north eastwards to its junctions with White Hill, a distance of approximately 50 metres.

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 the removal of vegetation and railway inspection works are proposed to be executed on or near the Roads.

If the Order is made, it shall come into force on 14 December 2020 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 a separate attachment).

ii. THE HERTFORDSHIRE (TEMPORARY CLOSING OF THE FOOTPATH SITUATED BETWEEN NO.33 AND NO.35 KINGS ROAD, BERKHAMSTED) ORDER 2020

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 pedestrians from using the footpath situated between No.33 and No.35 Kings Road, Berkhamsted

from its junction with A416 Kings Road north westwards to its junction with Doctors Commons Road ("the Footpath"), a distance of approximately 68 metres.

An alternative route will be via the footway situated on the north side of A416 Kings Road, the footway situated on the south side of Charles Street and the footway situated on the south side of Doctors Commons Road.

The Order is needed because the replacement of existing gas mains is proposed to be executed on or near the Footpath.

If the Order is made, it shall come into force on 4 January 2021 for a period of up to 6 months. However, the restrictions specified shall only take effect at the times indicated by signs on or near the Footpath Roads (papers included as a separate attachment).

2. Tree Preservation Orders

None have been received.

3. Licensing

None have been received.

TP 172/20 Draft proposals by Dacorum Borough Council (DBC) to change the consultation criteria on planning applications

- i. The Committee **received** details from Cllr G Stevens regarding draft proposals which had been presented to members of the Town Council by the Head of DBC's Development Management on the 17 November 2020.

The key change proposed is that the number of full householder applications to be referred to DBC's Development Management Committee will be reduced, with decisions being taken instead by the Planning Officer and a senior manager.

These draft proposals have been presented to town and parish councils, prior to the topic being discussed by the Development Management Committee and the Cabinet at DBC.

It was also advised by DBC that there were plans to increase the engagement process between DBC and local councils for pre-planning applications, design codes and major applications.

- ii. The proposals were **discussed**, in particular the importance of residents' views on applications continuing to be represented by the Town Council. It was **agreed** that the Town Council would write formally to the Borough to object to the draft proposals, copying in the MP for South West Hertfordshire.

Action: Cllr G Stevens/Deputy Town Clerk

TP 173/20 DACORUM LOCAL PLAN (2020-2038) EMERGING STRATEGY FOR GROWTH – CONSULTATION

It was **noted** that Dacorum Borough Council is consulting on the Emerging Strategy for Growth, which is the next stage of preparing the new Dacorum Local Plan 2020-2038. It will be a key document in shaping the future of the Borough. Once adopted, the new Local Plan will replace the Core Strategy and Site Allocations DPDs and the 'saved' policies from the 2004 Local Plan.

Anyone can comment on the Emerging Strategy for Growth document between Friday the 27 November 2020 and 11:59pm Sunday the 7 February 2021.

Further information is available at Dacorum's website: [here](#)

Details were also included with the agenda for this meeting and on the Town Council's website and social media.

Cllr G Stevens highlighted two recent planning consultations from the Ministry of Housing, which would mean major changes for the planning system, and to which the Borough Council had recently responded to expressing concern regarding the high number of house numbers requested by the Ministry.

The Town Council has formed a Working Group in order to formulate its response to the Local Plan Consultation.

TP 174/20 Multi Storey Car Park Update

It was **noted** that the MSCP has been frequented by young people on bikes and skateboards. The Town Clerk is following this up with the Police and Dacorum Borough Council.

TP 175/20 Public Participation

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

Standing Orders were suspended to enable members of the public to speak.

A representative from the Berkhamsted Citizens Association (BCA) spoke about its opposition to the proposals by Dacorum Borough Council, as outlined in agenda item TP 172/20, which seeks to amend the current Scheme of Delegation which currently permits for parishes' objections to FHA applications to be referred to the Development Management Committee. The BCA's view is that the proposal would remove democracy and disrupt relationships between Councillors and constituents.

Standing Orders were reinstated.

TP 176/20 To consider, for Resolution, forms and drawings for applications relating to the Town of Berkhamsted received from Dacorum Borough Council.

20/03054/FHA	<p>AMENDED/ADDITIONAL INFORMATION</p> <p>Roof Extension Including Two Rear Dormers, Roof Lights, Front Bay Window, Amended Front Gable, Single Storey Rear Extension, New Parking Space Cross Over and Associated Alterations 15 Fieldway (JM)</p> <p>The Committee noted an objection from a neighbour regarding potential loss of amenity.</p> <p>The Committee also noted an email from the Planning Officer confirming that the rear dormer and single storey extension is approved as an LDP.</p> <p>Objection</p> <p>The proposed scheme is substantial and a potential overdevelopment of the site. The proposal includes additional underground living space: excavation for a new front car standing space would remove a significant part of the front garden space, therefore altering the setting of the property and the street scene.</p>
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	CS11, CS12.
20/03492/FUL	<p>AMENDED/ADDITIONAL INFORMATION</p> <p>Conversion of existing public house (A4) to form three residential dwellings (C3), including a single storey extension above the existing single-storey element of the building, utilising existing access with associated hard and soft landscaping and vehicular parking. (AMENDED SCHEME) Previous application: 20/02234/FUL The Crystal Palace, Station Road (EP)</p> <p>Cllr P White arrived before this item commenced at 19:48pm.</p> <p>Standing Orders were suspended to enable members of the public to speak.</p> <p>A representative from CPC Ltd, the planning agent acting on behalf of Punch Partnerships (PML), spoke on behalf of the applicant. He stated that the Viability Report evidenced the dwelling as unviable as a public house and that if not redeveloped it would be closed for the foreseeable. In the applicant's view, the proposed scheme had sought to preserve a heritage asset in the Conservation Area and would be built to a high specification.</p> <p>A Trustee from the Berkhamsted Castle Trust objected to the application for the following reasons: that the Pub has been in operation for over 160 years and conversion to homes would eradicate this history, inadequate Heritage Statement and Viability Report and the unjustified loss of an anchor building and Pub, where the alternative applied for would neither enhance nor preserve the Conservation Area. The Trust has, for a second time nominated the Pub as an Asset of Community Value and provided an alternative model, which seeks to reconnect the Pub with the Castle, proposing that the Pub be used as a Heritage Hub, a visitor centre and other community offerings.</p> <p>A representative from the BCA Townscape Group spoke in objection to the application for the following reasons: that this is one of three locally listed canal-side Pubs, which should be protected for its original purpose, an inadequate and misleading Heritage Report, insufficient parking provision, a design incongruent with the Conservation Area and a Viability report which does not seek alternative business models. The BCA also support the Berkhamsted Castle Trust's application.</p> <p>The Committee queried the tenancy agreement and the Planning Agent advised that Punch Partnerships are not obliged to accept surrender of the lease from the current tenant and so the application is an exit route for them as they are currently in rent arrears.</p> <p>The Committee also queried the Viability Report which does not explore the provision of an alternative tenant to continue running the building as a Pub. The Planning Agent stated that there is no room in the existing Pub for commercial food cover, particularly with COVID-19 restrictions.</p> <p>Cllr W Conian objected to the application as a Ward Councillor which, if approved, would lead to a loss of a Community Asset and that investment from the right tenant could see it continue as a Pub with the capacity for dining.</p> <p>Standing Orders were reinstated.</p>

	<p>The Committee noted the large number of objections to the applications on the planning portal and those sent directly to the Town Council.</p> <p>Objection</p> <p>The Committee objected to the proposed inappropriate redevelopment of this locally listed building in the Conservation Area which neither preserves nor enhances the character or appearance of the area. The proposal also represents an overdevelopment of the site. Both the current building and its usage are important assets to the community and the Committee objected to the potential loss of this historic public house.</p> <p>CS11, CS12, P120</p>
20/03499/MFA	<p>Demolition of 3 buildings on site (Cox's, Estates and Wilson House) and construction of part two, part three storey Sixth Form Centre for Berkhamsted School, and associated landscaping. Castle Campus, Berkhamsted School, Castle Street (BC)</p> <p>Standing Orders were suspended to enable members of the public to speak.</p> <p>Representatives from Berkhamsted School spoke on behalf of the application to advise that suggested changes, such as concerns about the entrance area had been taken into account and that public engagement with the town had been completed.</p> <p>Cllr W Conian queried the biodiversity provisions and it was advised that full landscaping details, including a green roof are to follow, and that the central quad area will be turned into a meadow.</p> <p>Standing Orders were reinstated.</p> <p>There was debate amongst the Committee.</p> <p>No Objection</p> <p>The Committee commended the School for working with the Borough Planning Dept in the preparation of the application and for its extensive consultation with the public.</p> <p>It had no objection to the build of the scheme, subject to approval by the Borough on the materials to be used above ground level and proposed landscaping of the site.</p> <p>The Committee were concerned that the Environment Agency and the applicant's GEA report¹ refers to potential risk to the aquifer arising from the historic structures on the site: in accordance with NPPF Para 54, conditions are requested to address these issues.</p> <p>[¹ p13 Para 2.7.4 Preliminary Risk Appraisal On the basis of the above, it is considered that there is a risk of there being a significant contaminant linkage at this site which would result in a requirement for remediation work]</p> <p>Cllrs W Conian and S Cloughton left after this item at 21:01pm</p>

20/03372/FHA	<p>Renovation of existing detached dwelling including a single storey rear extension, replacement of existing roof coverings + render, raising of existing ridge + eaves heights, construction of dormer to rear pitch, removal of existing dormer to lower front pitch, adjustment of lower front pitch and external works. 3 Finch Road (AP)</p> <p>Standing Orders were suspended to enable members of the public to speak.</p> <p>A neighbour spoke in objection to the application as the proposed raising of the existing ridge and eaves height with full-height box dormer windows to the rear could result in loss of privacy in their garden which borders the rear of the applicant's property.</p> <p>Standing Orders were reinstated.</p> <p>The Committee noted an objection from an adjacent neighbour concerned that the rear box dormer proposed would not be in keeping with the street scene and would result in overlooking to their garden.</p> <p>Objection</p> <p>The Committee objected to the application, as the proposed full-width dormer does not comply with Policy and could adversely impact the adjacent neighbour's amenity.</p> <p>CS12, Appendix 3, Appendix 7</p>
20/03425/FHA	<p>Single storey rear extension. Partial conversion of garage. April Cottage, 18 Hall Park (MM)</p> <p>No Objection</p>
20/03433/FHA	<p>Infill single storey rear extension with 2 rooflights. Loft conversion with addition of a dormer on the rear with 3 rooflights to the front. 15 Greenway (AS)</p> <p>Objection</p> <p>The Committee agreed with the views of the Conservation Officer that the proposed rear dormer is unsympathetic in its design, scale and position on the rear roof slope.</p> <p>CS27</p>
20/03436/FHA	<p>Single storey rear extension 42A Cross Oak Road (CL)</p> <p>Concern</p> <p>The Committee requested that the Planning Officer confirm whether the proposed extension would have an adverse impact on neighbouring properties.</p>
20/03442/FHA	<p>Single storey front and side extension</p>

	30 Cedar Road (LB) No Objection
20/03468/FHA	Loft conversion. 19 Station Road (JG) No Objection
20/03483/FHA	Demolition of existing conservatory & new single storey rear extension incorporating existing garage 13 St Margaret's Close (MM) Concern The Committee were concerned about the potential loss of rear access to the property. Appendix 3
20/03543/FHA	Single storey rear extension with new rooflights, garage conversion and single storey front extension, loft conversion with rear dormer and front rooflights plus associated internal alterations. 8 Torrington Road (NV) No Objection
20/03567/FHA	Single storey rear extension and garage conversion 4 Oakwood (CL) No Objection
20/03583/FHA	Proposed extension of existing lower ground floor, new front window at low level and front lightwell with a flush metal grille 3A Station Road (EP) Concern The Committee requested that the Planning Officer confirm whether the boarding up of the sash windows is permitted under an Article 4 Direction.
20/03585/FHA	Single storey rear extension and replacement of rear patio doorset. 56 Charles Street (NR) No Objection
20/03590/FHA	Creation of undercroft with first floor side extension over single storey porch extension and internal alterations. 25 Hillside Gardens (EP) Concern The Committee were concerned about the potential loss of light to the adjacent neighbour's property.

20/03601/FHA	<p>Proposed Basement. Loft Conversion with Construction of Rear Dormer Window and Two Velux to Front Roof. 160 George Street (SR)</p> <p>No Objection, although the Committee requested that the roof lights be Conservation style.</p>
20/03619/FHA	<p>Replacement of 1no. dormer window and addition of 2no. roof windows at third floor. All roof slates removed for repair to underlay. Existing slates re-fixed. 66 Ellesmere Road (MM)</p> <p>No Objection</p>
20/03627/FHA	<p>Proposed alterations to front elevation including amendment to front lean too roof & window locations. Amendments to front garden & entrance stairs including raised area with open bin store below & altered stepped front access 4 Mortain Drive (MM)</p> <p>No Objection</p>
20/03629/FHA	<p>Single storey rear extension. Insertion of roof light into garage roof 15 Greene Walk (JG)</p> <p>No Objection</p>
20/03299/FUL	<p>Construction of detached dwelling Highlands, Kings Road (RF)</p> <p>Objection</p> <p>There were insufficient changes made to the application to change the Committee's opinion and its objections remains as previous: that the proximity and height of the proposed dwelling could result in loss of amenity to the adjoining neighbours. The Committee also had issue with the design, layout and land use and the scheme's noticeable lack of garden and landscaping. If approved, a landscaping plan and retention of substantial hedges should be conditioned.</p> <p>Appendix 3 (i), BCA12.</p>
20/03413/FUL	<p>Conversion of building to form a single dwelling house, replacing existing shop front, new rear extension and internal alterations 42 Charles Street (NG)</p> <p>No Objection, subject to the render to the front matching that of 44 Charles Street, as requested by the Conservation Officer.</p>
20/03479/LDP	<p>Conversion of roof space to habitable rooms 49 Elizabeth II Avenue (EP)</p> <p>Noted, subject to the dormer complying with Policy.</p>

20/03542/LDP	Construction of Dormer to rear elevation. Window to side elevation. Rooflights to front elevation. 1 Dorriens Croft (NV) Noted
20/03639/LDP	Garden outbuilding to replace existing timber garden shed. 16 Priory Gardens (LB) Noted
20/03437/TCA	Works to tree 3 Brackenhill (LB) No Objection
20/03472/TCA	Works to tree 43 Ellesmere Road (AS) No Objection
20/03607/TCA	Works to tree. 14 Kings Road (MM) No Objection
20/03621/TCA	Works to Trees 9 St Johns Well Court (MM) No Objection
20/03450/TPO	Works to tree 19 Oakwood (LB) No Objection
20/03485/TPO	Works to Trees 3 Gilpins Ride (NV) Objection The Committee requested a formal report on the condition of the trees which have been requested for felling.
20/03572/TPO	Works to Prunus Tree 12 Greenway (AS) No Objection

TP 177/20 Planning Appeals

None had been received.

TP 178/20 Planning Appeal Decisions

None had been received.

TP 179/20 Planning decisions

There was a short discussion regarding the recent decisions schedule that had been circulated with the agenda.

TP 180/20 Close of Meeting

The meeting closed at 21:37 pm

Signed.....

Date.....