

BERKHAMSTED TOWN COUNCIL

Minutes of the Meeting of the

TOWN PLANNING COMMITTEE

held in the Council Chamber, Civic Centre, Berkhamsted on

Monday 8 October 2018 at 7.30 pm

MEMBERS PRESENT:

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

ALSO PRESENT:

Officer: Mrs J Mason. Town Clerk

Cllr T Douris, Hertfordshire County Council
7 members of the public were present.

TP 156/18 To receive **Apologies for Absence**

There were no apologies for absence

TP 157/18 To receive **Declarations of Interest** regarding items on the agenda

Cllr G Stevens declared a personal interest in application 4/02344/18/ROC because the architect was known to him as was the objector. It was noted that the latter, as a former councillor, was known to most committee members. He also declared a personal interest in application 4/02266/18/FHA because the architect was known to him.

Cllr I Reay declared a personal interest in application 4/02213/18/FUL because he is a Town Council appointed trustee of Berkhamsted Market Fund.

TP 158/18 **Minutes of the Previous Meeting** held on 17 September 2018

The minutes of the meeting held on 17 September 2018 were approved as a correct record and were duly signed as such by the Chair.

The following had been received:

1. Road Traffic Orders

a) THE HERTFORDSHIRE (TEMPORARY CLOSING OF THE FOOTPATH SITUATED ON THE NORTH EAST SIDE OF NO.47 LOMBARDY DRIVE, BERKHAMSTED) ORDER 2018

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 pedestrians from using the footpath situated on the north east side of No.47 Lombardy Drive, Berkhamsted from its junction with A4251 London Road south eastwards for a distance of approximately 50 metres ("the Footpath").

An alternative route will be via the footway situated on the south side of A4251 London Road, the footway situated on the east side of Swing Gate Lane, the footway situated on the north side of Hillside Gardens and the footway situated on the west side of Lombardy Drive.

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

If the Order is made, it shall come into force on 15 October 2018 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.

b) THE HERTFORDSHIRE (TEMPORARY CLOSING OF THREE CLOSE LANE, BERKHAMSTED) ORDER 2018

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 Three Close Lane, Berkhamsted from its junction with A4251 High Street south westwards and south eastwards to its junction with Beech Drive ("the Road"), a distance of approximately 328 metres, except for access.

An alternative route will be via A4251 High Street, Swing Gate Lane, Woodlands Avenue and Beech Drive.

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

If the Order is made, it shall come into force on 22 October 2018 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.

c) THE HERTFORDSHIRE (TEMPORARY CLOSING OF IVY HOUSE LANE, BERKHAMSTED) ORDER 2018

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 Ivy House Lane, Berkhamsted from a point 145 metres south east of its junction with The Common south westwards for a distance of approximately 182 metres (“the Road”).

An alternative route will be via Ivy House Lane, The Common, Gravel Path, George Street and Ivy House Lane.

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

If the Order is made, it shall come into force on 5 November 2018 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 attached.)

d) Remedial works by UKPN at junction of Shootersway, Kingshill Way and Kings Road

Last week Herts County Council had advised that remedial works by UKPN to the depth of ducting were required. The works are programmed for Friday 5 October– Sunday 4 November 2018 (subject to UKPN). The works are expected to take less time, however, this duration is to allow for any unforeseen circumstances that may arise.

Weekday and weekend working will take place between 07:00 – 20:00. Works will initially take place under lane closures but will be fully closed for a maximum of 4 days between Saturday 27 October - Thursday 4 November 2018. HCC are liaising with UKPN to ensure a smooth delivery of the works.

2. Tree preservation orders

None received.

3. Licensing

No matters have been notified.

4. Taylor Wimpey public consultation leaflet regarding land North of Shootersway and East of Durrants Lane.

- (i) As advised by Richard Butler of Bidwells in his 20 September e-mail the above leaflet had been sent to approximately 590 dwellings surrounding the application site. The company has invited comments by e-mail and will summarise matters within a statement of community involvement within the Planning Statement to be submitted with the application.

The Chair suspended standing orders to allow members of the public to speak.

Ms L Winmill of Elizabeth II Avenue spoke on behalf of residents in the vicinity of the development being proposed by Taylor Wimpey. Although residents had been well aware when they purchased their properties that phase II of the overall development would eventually take place, they were now shocked and worried by the proposals. The outline plans circulate by Taylor Wimpey show access to phase II through the phase I site via Elizabeth II Avenue. This is a narrow, curving road which is often limited to single file traffic because of parked cars. Safety of pedestrians, children playing and other road users was therefore a serious concern given the increase in traffic volume that would occur following the development. Emergency and service vehicle access would also be adversely compromised. Noise, dust and pollution were also issues as was the impact on the junction at Shootersway/ Kingshill Way and Kings Road. Ms Winmill also referred to the apparent inadequacy of the circulation of the consultation leaflet. To her knowledge only a handful of the 590 circulated had been received and as a result Taylor Wimpey would be reissuing the leaflet. In conclusion, turning to the wooded area between the phase I and phase II sites, residents had been assured that this would be maintained by Taylor Wimpey. However, it had been neglected and now attracted a variety of anti-social behaviour and drug dealing.

Another member of the public queried whether the proposed phase II was in fact earmarked as open land or land for development.

Thanking members of the public for their contributions the Chair reinstated standing orders.

- (ii) To consider the Town Council's response.

During discussion it was confirmed that the proposed site was indeed categorised as open land in DBC's master plan for the Borough. Originally the site to be developed was land to the

rear of Egerton Rothesay School. Taylor Wimpey had also undertaken to maintain football pitches under the s106 agreement. It would seem that little had been undertaken in this respect.

It was **RESOLVED** that the Town Clerk should write to DBC alerting officers to concerns and copy that letter to Taylor Wimpey. Emphasis would be placed on the apparent non-delivery of the leaflets, the current shortage of accessible open space in Berkhamsted, the need for and shortage of sports pitches, Taylor Wimpey's divergence from the master plan and the unsuitability of the proposed access. She would also refer the anti-social behaviour element of residents' concerns to the neighbourhood policing team.

TP 160/18

Multi Storey Car Park Update

To receive any updates.

Following representations made to DBC by Town Councillors following the T & E Committee on 24 September 2018 and as had been widely circulated the previous week, the Town Clerk confirmed that DBC had made the following statement:

Dacorum Borough Council are in the process of submitting an amended planning application for the temporary car park at The Moor, Berkhamsted.

The amended application looks to retain the trees that had been put forward for removal in the previous application.

The Council stands by the independent assessment of the trees in the original arboricultural report, but has listened to public concern and has worked with specialist highways and arboricultural organisations to create a solution that would result in the trees remaining.

The amended planning application is due to be submitted early next week and will go out for consultation with a decision being made at the next available Development Management Committee.

DBC's project manager had indicated that the application should be received by the development management department the following day for processing.

(Following the meeting, on 9 October, the planning officer advised that she expected to be in receipt of the complete revised application by 11 October and that the application would be subject to a 14 day public consultation period. Comments made at the Town Planning Committee on 29 October will be accepted.)

TP 161/18 Public Participation

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

TP 162/18 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.

4/01449/18/ADV 1 Fascia and 2 Free Standing Signs
Kings, Berkhamsted Collegiate School, Kings Road (PN)

No objection subject to the constraints on operation times of illumination set out in the plans and drawings document, forming a condition of any permission granted.

4/02032/18/FHA Two Storey Rear Extension
52 High Street (AP)

Objection.

The plans should be reviewed as they are inaccurate and incomplete on two counts. First, the drawings and floor plans do not correspond, with the elevation plans showing a full width development which the floor plans do not show. Secondly, the impact of the 45° line on no 54 cannot be assessed.

CS12.

4/02062/18/FUL Change Of Use From Estate Agents (Class B) To Class A1.
Replace Shop Front and Fascia Signage Panel. Fit Air Conditioning System With Condensers to Rear of Property
233 High Street (EP)

No objection on the condition that any signage is externally lit in this prominent Conservation Area setting.

P120.

4/02063/18/ADV Illuminated Fascia and Hanging Signage
233 High Street, Berkhamsted (EP)

No objection on the condition that any signage is externally lit in this prominent Conservation Area setting.

P120.

4/02075/18/FHA Demolition of Conservatory and Construction of a Rear Extension and a Side Extension Over Garage and Complete Change of Roof Tiles.
3 Oakwood (EP)

The **objection** expressed previously is sustained. In the meantime and following discussions with the planning officer and receipt of a further consultation letter and information, this application will now be considered at the meeting on 29 October 2018.

4/02167/18/FHA Single-Storey Rear Extension and Raised Patio
7 Beech Drive (MS)

The Committee has **no objection** to the structure but has concerns about the impact of the scale and height of the proposed patio on the amenity of neighbours. It would ask that DBC's planning officer is satisfied on this point before granting any permission.

Appendix 3 (i)

4/02184/18/FHA First floor rear extension and front porch
65 Gossoms End (CL)

The Committee has **no objection** to the proposed front porch. However, it does **object to the rear extension** which would result in overlooking and loss of light to the neighbours.

CS12; Appendix 3 (i)

4/02196/18/FHA Demolition of Existing Conservatory and Replacement With Single Storey Extension. New Window To First Floor Rear Window and Two Rear Rooflights
3 Park Street (MS)

No objection.

4/02213/18/FUL+ Change Of Use From A3 To A4. Minor Internal Changes. Two Replacement Signs.
196 High Street (RM)

The Committee has **no objection** to the change of use. However it does share some of the **concerns** and reservations also voiced by members of the public regarding the proposed late opening hours. Whilst licensing is not strictly a planning issue the

Committee would ask that this point be made to the applicant and appropriate officers. A closing time of 23.00 hours would be more acceptable.

4/02227/18/FHA Two storey front extension. New bay windows to front elevation. Part single storey/part two storey rear extension. New raised roof over existing single storey extension. Change of facing materials.
(AMENDED SCHEME)
Mulberry House, Shootersway Lane (RM)

No objection.

4/02263/18/FHA New driveway and associated works
2 Whitewood Road (JR)

No objection.

4/02266/18/FHA Two-storey side extension and single-storey rear extension
Appletrees, London Road, Bourne End (PN)

Objection.

The property is located in the Green Belt and the scale of the proposals, whilst difficult to gauge accurately from the plans as submitted, would seem to be inappropriate to this setting.

Policy 22

4/02274/18/FHA Single storey rear extension
Chilham House, Byways (MS)

No objection.

4/02283/18/FHA Single storey rear extension
39 Long View (JG)

No objection.

4/02293/18/TCA **FOR INFORMATION ONLY-** Fell trees and work to trees
105 Cross Oak Road (SR)

Noted.

4/02315/18/FHA Garage Conversion, Porch Alterations and First Floor Rear Extension (**Amended Scheme**)
Bayridge, Kitsbury Road (EP)

No objection. However, the Committee would continue to question the existence of a garage.

4/02330/18/FHA Replacement Conservatory, Replacement Windows, New Rooflight and Porch Canopy
41 Ashlyns Road (RF)

No objection.

4/02339/18/TCA **For information only**
Work To Trees
Rectory Land Cemetery, Rectory Lane, Berkhamsted (RM)

Noted.

4/02342/18/TPO Work To Trees
Cherry Trees, Shootersway Lane, (CL)

No objection.

4/02344/18/ROC Single and Two Storey Side, Front, and Rear Extensions.
Demolition of Existing Garage and Construction of New Detached Garage with Reconfigured Drive (**Revised Scheme**).
17 Anglefield Road (MS)

See comments below.

4/02344/18/ROC **Variation Of Condition 3** (Approved Plans) Attached To
Planning Permission 4/00583/18/FHA (Single and Two Storey Side, Front, and Rear Extensions. Demolition of Existing Garage and Construction of New Detached Garage with Reconfigured Drive).
17 Anglefield Road (MS)

The Chair suspended standing orders to allow Dr L Handy to speak.

Referring to a letter of objection that he had prepared for DBC and copied to the Town Council, Dr Handy, an adjoining owner, outlined the reasons for refusal set out in that letter. Not only had work started without consent but he was also very disappointed that the variations proposed seemed to revert to plans submitted in March 2018. There had been concerns regarding these plans which were subsequently improved following discussions with the Conservation Officer. The variation would obviate these improvements, resulting in an increase in mass and proximity to neighbouring property, impacting adversely on and detracting from the adjacent Conservation Area. He also referred to apparent damage to the root system of a yew tree in his own garden when excavation work had commenced. Photographs

were circulated showing exposed roots. The impact on this Conservation Area tree had not been properly assessed because it was not mapped on the plans.

Thanking Dr Handy for his contribution the Chair reinstated standing orders.

Objection

Once again the Committee was disappointed to receive plans for consideration when in reality work would appear to have already commenced. The plans submitted revert to plans previously amended in consultation with the Conservation Officer. The proposed variation would result in an enlargement and realignment of the development bringing it much closer to the boundary of the neighbouring property which is in the Conservation Area. The size, proximity and overall massing of the proposals would be detrimental to the Conservation Area. It would also appear that excavation work has damaged the root system of the neighbour's yew tree so the Committee would ask that the planning officer review the impact of any proposals on trees in the Conservation Area and apply appropriate conditions, such as root protection measures, as necessary.

P120; CS12.

4/02351/18/TCA

For information only
Work To Trees
14 Manor Street (BC)

Noted.

4/02375/18/FHA

Single Storey Rear Extension, Front Porch and Internal Alterations Including Garage Conversion.
121 Cross Oak Road (JS)

No objection.

4/02376/18/TPO

Removal Of Tree
5 Greystoke Close (MS)

No objection. The committee hopes that the tree can be pruned and re-shaped rather than felled. If felling is necessary it should be replaced by a tree of a native species.

4/02405/18/FHA

Two Storey Side Extension
34 Loxley Road (MS)

No objection.

4/02408/18/FHA Two Storey Side Extension
Willow House, Kingshill Way (SR)

No objection.

4/02409/18/FHA Loft Conversion with Rear Dormer and Rear Velux Window
6 Shrublands Avenue (RF)

No objection.

4/02411/18/TCA Work To Trees
18 Boxwell Road (MS)

Noted, however, any trees felled should be replaced by trees of a native species.

4/02443/18/TPO Works To T1 and T2 Trees
Deerhurst Lodge, Ivy House Lane (CL)

No objection. The beech tree should be replaced by a tree of a native species.

4/02445/18/FHA Single Storey Side Extension with Front Porch. Part Single Storey
Rear Extension.
20 Lochnell Road (EP)

No objection.

TP 163/18

Planning Appeals

Berkhamsted Footpath Orders re footpath 27 between Lower Kings Road and St Johns Well Lane around the north side of Waitrose car park:

The Town Council was consulted regarding a proposed diversion of this footpath in September 2017 (TP143/17 refers).

The HCC Definitive Maps Officer advised on 2 October that because of objections to the Orders which have not been withdrawn she has sent the Orders to the Planning Inspectorate for an independent determination.

TP 164/18

Planning Appeal Decisions

None had been received.

TP 165/18

Planning decisions

The schedule of recent decisions will be presented at the next meeting.

TP 166/18

Close of meeting

The meeting closed at 9 pm.

Signed.....

Date.....