

BERKHAMSTED TOWN COUNCIL

Minutes of the Meeting of the

TOWN PLANNING COMMITTEE

held via Remote Meeting Technology

Monday 13 July 2020 at 7.30 pm

MEMBERS PRESENT:

Councillors: P White – Vice Chair
A Armytage
P de Hoest
P Fisher
J Jones

ALSO PRESENT:

Councillors: W Conian (left at 20:21 pm)
R Freedman
N Taylor
S Cloughton (left at 20: 31 pm)

Officers: Mrs J Harley, Deputy Town Clerk (minutes)
Mr T Noakes, Town Clerk

2 members of the public

TP 91/20 To receive **Apologies for Absence**

Apologies were received from Cllr G Corry and Cllr G Stevens.

TP 92/20 To receive **Declarations of Interest** regarding items on the agenda.

Cllr A Armytage declared a personal interest in the following applications:
20/01487/FUL as the applicant was known to him and 20/01799/FHA
as an objector was known to him.

Cllr P de Hoest declared a personal interest in the following applications:
20/01370/MFA as an objector was known to him; 20/01677/FUL as the
applicant was known to him and 20/01209/FHA as the applicant was known
to him.

Cllr P Fisher declared a personal interest in application 20/01370/MFA as
an objector was known to him.

Cllr S Cloughton declared a personal interest in application 20/01370/MFA as he lives on the same road as the applicant.

TP 93/20 Minutes of the Previous Meeting held on 22 June 2020.

Cllr P De Hoest requested that item 83/20, 4, be amended to include a sentence confirming that the importance of pedestrian access would be raised in future consultation with Dacorum on The Local Transport Plan. This amendment was agreed.

Pending this amendment, the minutes of the meeting held on 22 June 2020 (previously circulated) were then approved as a correct record and as such could be duly signed by the Chair.

TP 94/20 Chair's Communications

1. Road Traffic Orders

THE HERTFORDSHIRE (TEMPORARY CLOSING OF NEW 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 vehicular traffic from using that length of New Road, Berkhamsted from its junction with Station Road north eastwards for a distance of approximately 40 metres ("the Road").

An alternative route will be via Station Road, Brownlow Road, Whitehill and New Road.

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

If the Order is made, it shall come into force on 4 August 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 Road (papers included as an addendum to the agenda).

2. Tree Preservation Orders

None have been received.

3. Licensing

None have been received

4. Consultation on the New Draft Dacorum Borough Council's Strategic Design Guide Supplementary Planning Document

- a. To **note** the request to respond to the consultation for the Draft Dacorum Strategic Design Guide Supplementary Planning Document (SPD). The consultation information is on the Dacorum website: <https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

The request was **noted**.

- b. To **propose** that a small group of councillors from the Town Planning Committee and the Town Clerk/Deputy Town Clerk prepare a draft response for discussion at the next Town Planning meeting on the 3rd of August, so that it can be submitted to Dacorum by the closing date of 16th of August.

It was **agreed** that Cllr P White, Cllr P de Hoest and Cllr J Jones and the Deputy Town Clerk (DTC) would meet to formulate a draft response to the consultation for sign off at the next Town Planning Committee meeting on the 3rd of August.

Action: Cllrs P White, P de Hoest, J Jones and DTC

5. Berkhamsted District Chamber of Commerce: Local Online Survey

To **note** this online survey, which has been created with the purpose of collecting feedback from residents and businesses regarding proposals which would be put forward to Hertfordshire County Council to:

- Pedestrianise the High Street on Saturday (Market Day) between the main cross roads and Castle Street by closing to all vehicles;
- Remove some of the parking bays in the High Street to increase space for pedestrians/shoppers.

The aim of these changes is to:

- Aid the post-Covid-19 recovery;
- Boost the local economy;
- Increase opportunities for businesses to extend trading areas;
- Encourage the local community to continue supporting local business safely.

The survey is available here: <https://www.surveymonkey.co.uk/r/berko-high-street>. The link will also be published on the Town Council website and Facebook page.

The survey was **noted**.

TP 95/20 Multi Storey Car Park Update

There has been a delay due to the need for a lighting assessment of the new roundabout. The estimated completion date of the car park is currently mid-august.

TP 96/20 Public Participation

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

TP 97/20 To consider, for Resolution, forms and drawings for applications relating to the Town of Berkhamsted received from Dacorum Borough Council.

20/01639/FUL	<p>AMENDED/ADDITIONAL INFORMATION</p> <p>New two storey dwelling, with accommodation at basement level, adjacent to 36 Kitsbury Road with associated landscaping (resubmission of 4/02135/19/FUL) 36 Kitsbury Road (EP)</p> <p>The Chair suspended Standing Orders to enable members of the public to speak.</p> <p>Mr Phil Parry thanked the Committee for the opportunity to speak at the meeting. He outlined his objections as follows:</p> <ul style="list-style-type: none">• His garden is adjacent to 36 Kitsbury Road and the proposed development would overlook his private amenity space and significantly compromise his access to light and sun. It would breach his privacy as his property would be overlooked by eight windows and doors and lead to significant visual intrusion. Contrary to the views of the developer, this loss of privacy and light would not be protected by the Silver Birch tree at the bottom of 36 Kitsbury Road.• This proposed house in a small space, with a small garden will have a detrimental impact on this streetscene in the Conservation Area. It is a cramped overdevelopment which would detract from the character of the area.• Kitsbury Terrace has a strong building line which includes Alton and extends to the Grey House on the other side of Kitsbury Road. The building line can be seen from the other side of the Valley and would be breached by the development.• The development would place further pressure on street parking particularly at night and at the weekends.• Alton's garden contains a number of mature trees and shrubs which are attractive to the eye, enhance the environment and provide a valuable habitat for birds and wildlife. It is in the community's interest that the mature trees and shrubs in the garden of 36 Kitsbury Road are retained as they attract birds and wildlife.
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The Committee thanked Mr Parry for his contribution.

The Committee had received 4 other objections from local residents prior to the meeting, which are summarised as follows:

- Mr and Mrs Dewar objected to a material loss of green space, the impact on street parking and the infill of a plot that is the starting point moving from the town to larger gardens.
- Mr and Mrs Franklin objected to the proposed development's overbearing impact on the Conservation Area, its potential impact on trees at 37 Kitsbury Road and Kitsbury Terrace, the negative impact on the building line of Kitsbury Terrace and the impact on street parking.
- The BCA Townscape Group objected to the application on the grounds that it is destructive of a heritage asset (locally-listed building) in a prominent position in the Conservation Area. The redesign of the proposed in-fill does nothing to change that position; the existing building line should not be breached. Additionally, the plans offer little amenity space for either the new or the original house; and the loss of habitat is deleterious to that corner of Kitsbury Road/Terrace. Alton should be allowed to stand alone in the conservation area among other impressive Victorian villas, with its vista across the valley uncluttered by an incongruous infill.
- Mr and Mrs Wright objected to the application on a number of grounds. The slope of the land would lead to overlooking onto their property and subsequent lack of privacy via the proposed scheme's northern elevation windows and the sides of the bay windows to the eastern elevation. They stated that the development would overshadow their property and result in loss of light. The proposed removal of the sycamore tree would have a negative effect on the streetscene and lead to loss of wildlife. The strong building line which currently exists would be breached by the development. Alton is a locally listed building and its character would be adversely impacted by the proposed dwelling. The proposed development does not enhance the characteristics of the street scene in the Conservation Area, contrary to planning policy. They also expressed concern about the potential impact on street parking caused by the proposed scheme.
- Ms Howard objected to the application, stating it as damaging to the Conservation Area, for its impact on trees, hedges and grass, parking pressure, precedent setting, and the potential for flooding caused by the loss of the present garden of Alton,

The Committee noted the objections received and thanked the residents for their contribution.

The Chair reinstated Standing Orders.

	<p>It was noted that there is an extensive history of refused applications relating to this property. The Committee agreed that the objectors all raised very valid points.</p> <p>Objection</p> <p>The Committee's view had not changed from when it objected to the previous application.</p> <p>The application is an overdevelopment and its scale, design and citing out of keeping with the street scene. The proposed scheme would destroy the current building line, have a detrimental effect on a locally listed building in the Conservation Area and unnecessarily remove mature trees at detriment to the natural habitat. The proposal would result in a loss of amenity for the neighbour to the rear, number 5 Kitsbury Terrace, due to overlooking into their private amenity space. The proposal would also significantly impact on local parking provision.</p> <p>NPPF (paras 127, 230, 184, 193 and 194) CS12 (b, c, d, l, g), CS27, Appendix 3 (i, ii, iv), P120</p>
20/01760/FUL	<p>AMENDED/ADDITIONAL INFORMATION</p> <p>Addition of all-weather path around the perimeter of the playing field. (Amended scheme). Westfield Jmi School, Durrants Lane (CL)</p> <p>No Objection</p>
20/01370/MFA	<p>Construction of 16 apartments with landscaping Bank Mill (AP)</p> <p>The Chair suspended Standing Orders to enable members of the public to speak.</p> <p>Ms Julie Gabriel thanked the Committee for the chance to speak on behalf of herself and other residents of Heron Place. Her key objections to the proposed development were that:</p> <ul style="list-style-type: none"> • The labelling of the proposal as Phase II is incorrect as Phase 1 is not itself in the Green Belt; • The proposal breaches Green Belt and Conservation Area planning policies; • Access to the site via Bankmill is poor and tight and the development would add to this issue. Heavy machinery could cause damage to the existing Heron Place site. • Flooding could be an issue, as excess rain water which currently drains onto the meadow will have nowhere to go and could flood the existing flats.

- There are no specific details in the application as to what is meant by affordable housing and how much the new apartments would cost to purchase;
- The wildlife and natural habitat on the site have already been previously damaged by development work in 2017, which it then recovered from. Any further development work would be of detriment to the natural habitat of the meadow, which include bats, birds and other species. Work to flatten the meadow using a large tractor appears to have already started on the 29th of June.

The Committee had received the following 11 other objections from local residents prior to the meeting, which are summarised as follows:

- Mrs Southgate objected to: building on the Green Belt, impact on wildlife, damage to the Heron Place site, dangerous access via Bank Mill and increased noise levels.
- Mr Donham objected to: building on the Green Belt and Conservation Area, dangerous access to the site via a sharp bend and single track hump back bridge, potential flooding, conflicting information on affordable housing, impact on wildlife.
- Mr Gray objected to: building on the Green Belt and Conservation Area, dangerous access, impact on wildlife on the existing meadow.
- Ms Imms objected to: building on the Green Belt and Conservation Area Green Belt, limited access into Heron Place, potential loss of privacy and light, impact on wildlife, work already being undertaken on the site prior to the application being determined.
- Mr Rainnie objected to: the lack of public engagement on the application, as notices were not made visible on site until the 30th of June 1, giving less time for residents to comment on the application by the deadline date, that misinformation has led to confusion that access to the site would be through Lismere House Land, to which he is the owner, which is incorrect. Mr Rainnie also objected to overlooking and loss of light and privacy onto his property.
- The BCA Townscape Group objected to: impact to local ecology, close to adjoining properties, conflict with local plan, general dislike of proposal, inadequate access, increase danger of flooding, increase in traffic, increase of pollution, overdevelopment, residential amenity, traffic or highways.
- Mr Parsons objected to: inappropriate development in the Green Belt and Conservation Area, inadequate information regarding impact on the landscape and access.
- Mrs Steel objected to: inappropriate overdevelopment in the Green Belt and the Conservation Area, noise, disturbance and pollution, impact on existing Heron Place residents, impact to wildlife, inadequate access to Heron Place and potential damage to the existing site.
- Mr Spence objected to: Green Belt development, impact on residents, canal bridge unequipped to deal with heavy machinery.

	<ul style="list-style-type: none"> • Mr Strong objected to: Green Belt development, dangerous access and damage to wildlife. • Mr Hughes objected to: Green Belt and Conservation Area development, damage to habitat, noise caused by the train line, increase of traffic on a road with already dangerous access. <p>The Chair reinstated Standing Orders.</p> <p>The Committee thanked the residents for their contributions.</p> <p>Objection</p> <p>This application is situated in the Conservation area and the Green Belt, and contravenes the policies in the Core Strategy. The proposals do not, in the Committee’s opinion, meet the NPPF special circumstances criteria for removal of land from the Green Belt and is an inappropriate and harmful overdevelopment of the site. Access to the site is insufficient and dangerous. There would also be an additional impact on wildlife. The Committee was also not assured that the proposed buffer would sufficiently reduce the noise from the railway.</p> <p>The Committee would also like the Planning Officer to confirm whether it is correct that work had already been undertaken on site on the 29th of June and if so, what damage has been caused as a result. It was noted that there is an ongoing enforcement investigation into a complaint of the removal of trees in conservation area without consent.</p> <p>NPPF (paras 143-145), CS5, CS10 (a, b, g) CS11 (b), CS12 (a, b, g) satisfactory access, CS12 (b) sufficient car parking, CS12 (g) scale, bulk, BCA3, P120</p>
20/01461/FUL	<p>Extension of existing property for use as a separate dwelling 20 Greene Walk (JS)</p> <p>No Objection</p>
20/01487/FUL	<p>First floor Rear Extension on 10, 11 and 12 New Street 10 -12 New Street (MS)</p> <p>No Objection</p> <p>Provided that the Conservation Officer’s request that the original buildings and the extension be slated, rather than being replaced with concrete tiles is met.</p>
20/01495/FUL	<p>Change of use from Doctor's Surgery (Use Class D1) to single residential dwelling (Use Class C3) and associated works Milton House, Doctors Commons Road (EP)</p> <p>No Objection</p>

<p>20/01629/FUL</p>	<p>New single-story private dwelling with integral garages. Homeland, 11A Meadway (RF)</p> <p>The Committee noted two objections which had been received for the application and thanked the residents for sending them</p> <p>Mr and Mrs Sewell have a joint boundary with the proposed development and objected to the proposed development for the following reasons: that the design statement is inaccurate as it cites positive community feedback. The proposed flank wall is too close to the joint boundary hedge causing it to suffer in screening terms by loss of light. A maintenance corridor to a flank boundary of at least 1 metre is desirable in terms of building with scaffolding, maintenance, fire risk and general appearance.</p> <p>The site has been cleared of trees and the remaining mature hedge has been cut back; he requests that an independent arboriculture report be obtained and approved by the council tree officer with the object of retaining as much of the existing landscaping and trees as possible. He is concerned that the addition of a bedroom/studio over the garage is an unnecessary adjunct and opens up a potential Trojan Horse to building on the flat roof area a 2-storey extension at a later date which would negate the reasoning of a single storey dwelling. Also, further because of its location close to the boundary this increases the overshadowing of the surrounding landscaping. The double storey apex design of the garage studio is out of keeping with the low-rise design of the rest of the building making it look incongruous.</p> <p>In order to prevent any further development of an unacceptable nature he requested that a standard condition be inserted into the planning application to withdraw permitted development rights under the Town and Country Planning Development Order, unless prior approval of the proposed changes to the external appearance of the buildings are the subject of an express planning permission by the planning authority. He requested that this condition be added as well as the hours of work condition and those pertaining to new development, along with a Section 106 agreement to limit any further alteration.</p> <p>Mr Aitchison agreed with the points raised by Mr Sewell and requested that if the applicant makes the proposed alterations with substitution drawings and satisfies the tree officer and the adjoining neighbours regarding the points raised then the application could be permitted, however if the alterations are not made then the application is objected to and should be refused.</p> <p>No Objection</p> <p>Provided that the concerns of the neighbours are taken into account and a condition is put in place to prevent any further development of an unacceptable nature be permitted without express planning permission being sought first.</p>
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20/01657/FUL	<p>Installation of external lighting to the south, east and west facades of the multi-storey car park. Installation of light posts within the DDA parking area Public Car Park, Lower Kings Road (NG)</p> <p>Concern</p> <p>The Committee were concerned that the lights may not all be downward facing and could result in air pollution. They requested confirmation of this from the Planning Officer.</p>
20/01677/FUL	<p>Conversion of building to six self-contained flats, partial demolition of building at rear and construction of one dwelling Abeegale House, 13 Shrublands Road (JS)</p> <p>The Committee noted two objections which had been received for the application and thanked the residents for sending them.</p> <p>Mrs Johnson objected to the addition of a house in the garden of number 13 for the following reasons:</p> <ul style="list-style-type: none"> • The design is inappropriate and does not enhance nor conserve the conservation area. It makes no attempt to fit in or compliment. It must be remembered that nos. 5 to 15 (exempting no. 13) are locally listed and thus 'heritage assets' to be conserved as a group. It is no doubt significant that no pre-application advice was sought on this particular design. • Materials: The use of uPVC is not suitable. The rebuild occasions the re-instatement of painted wood in all but the most inaccessible windows. Even there white powder-coated aluminium would be more appropriate. • Density is too great. The host building needs amenity space of an adequate size (and this is barely adequate without the additional house) comprising a proper communal garden. • Traffic: On-street parking provision has been made safer recently by the introduction of double yellow lines at the Shrublands Road/Avenue junction. But another house, with perhaps 2 cars, will wipe out any advantage gained, and will compromise safety further for those crossing at the junction. <p>The BCA Townscape Group objected for the following reasons:</p> <ul style="list-style-type: none"> • That the application is a gross overdevelopment of the site with too great a density which would lead to a detrimental effect on the appearance and character of the Conservation Area. • Woeful lack of parking on the site. • Lack of amenity space with this plan could be remedied with a reduction to a 6 flat scheme and removing the house. • The proposed scheme has flat roofs proposed which would jar with the street scene. A more imaginative scheme is called for. • The tree belonging to No 1 Shrublands Avenue has been omitted and would further reduce already limited amenity space.

	<ul style="list-style-type: none"> The proposed development does not preserve or enhance the Conservation Area. <p>Concern</p> <p>The Committee requested that the materials used be in keeping with the Conservation Area.</p>
20/01050/FHA	<p>Loft conversion 30 Swing Gate Lane (JM)</p> <p>No Objection</p>
20/01209/FHA	<p>Alterations to garage including an external electric meter, replacement of the existing garage door with a wall, a new door, installation of velux window and internal works 39 Hill View (CL)</p> <p>No Objection</p>
20/01537/FHA	<p>Demolition of existing single storey glazed infill extension and other single storey rear projections. Construction of new rear infill extension, a new dormer extension to the rear roof pitch, replacement rear first floor sash windows and basement window with like-for-like double glazed, repainting the front of the house and removal of non-original ironmongery from the front of the house 3 Boxwell Road (MS)</p> <p>The Committee noted an objection which had been received from the BCA Townscape Group. The Group had reservations about the size of the proposed rear dormer, and the disproportionate size of the rear windows. Reduction in width would enable the original side entrance to the garden to be restored. It also considered that the windows should be constructed in traditional materials, rather than composite materials. The removal of the railings (20th century) on the front wall and windows, and the installation of wall railings of a more suitable design, is welcomed; as recommended by the Conservation Officer.</p> <p>Objection</p> <p>The Committee agreed with the views of the Conservation Officer and objected to the scale, mass and bulk of the proposed rear dormer.</p> <p>CS12, Appendix 7 (vi)</p>
20/01578/FHA	<p>Single storey front extension 21 Egerton Road (NV)</p> <p>No Objection</p>

20/01638/FHA	<p>Two storey rear/side extension, single storey rear extension and replacement of windows 8 Lochnell Road (JS)</p> <p>No Objection</p>
20/01709/FHA	<p>First Floor level extension to side of existing building 60 Bridgewater Road (MS)</p> <p>Defer Decision</p> <p>The Committee were unable to view the plans and drawings.</p>
20/01713/FHA	<p>2 storey side extension 6 Haynes Mead (AP)</p> <p>No Objection</p>
20/01730/FHA	<p>Replacement of existing first floor of chalet bungalow with new first floor on existing footprint to create two storey house. 22A Ashlyns Road (MS)</p> <p>No Objection</p>
20/01739/FHA	<p>Construction of a detached timber garden out-building 3 Headlands Drive (EP)</p> <p>No Objection</p>
20/01799/FHA	<p>Construction of new entrance gates and fencing 17 Anglefield Road (MS)</p> <p>The Committee had received an objection to the application from Dr Handy. He stated that by virtue of its design scale, height and siting the proposal would:</p> <ul style="list-style-type: none"> • be out of character with, and detrimental to, the street scene/public realm in the area; • adversely affect the character and setting of No 21 and the BCA in which it is situated; • create considerable disturbance and loss of amenity to the neighbouring property no 21 North Road; • create a less safe and satisfactory means of access; • have an adverse impact on the security of both numbers 17 and 21. • Contrary to planning Policies CS 11, CS 12, CS13, CS 27 and Saved Local Plan Policy 120 <p>Objection</p>

	<p>The proposed location, style, scale and height of the gates are obtrusive and a feature out of character with the surrounding streetscene, as no other properties on Anglefield Road have architectural gates or installed walls to their frontage.</p> <p>CS11, CS12</p>
20/01679/RET	<p>Retention of Garden Room 84 Shrublands Avenue (JS)</p> <p>No Objection</p>
20/01554/ADV	<p>Change of signage to reflect new business name 2 High Street (BC)</p> <p>No Objection</p>
20/01540/LDP	<p>Insertion of a new window to the front elevation at ground floor, in place of the existing garage door, with matching brickwork below. Insertion of new bifold doors to the rear elevation at ground floor, in place of existing door and window. Insertion of a new sloping rooflight and two sunpipes to the rear facing existing pitched roof. 14 Park Street (AP)</p> <p>Noted</p>
20/01599/TCA	<p>T1 - Cherry tree - Reduce by 30% in height and Spread 8 Montague Road (JM)</p> <p>No Objection</p>
20/01610/TCA	<p>Work to trees 12 Middle Road (MS)</p> <p>No Objection</p>
20/01694/TCA	<p>T1 - Ash cut back towards boundary line by 3m Conservadent, 6B Highfield Road (NG)</p> <p>No Objection</p>
20/01122/TCA	<p>Fell tree 1A Shrublands Road (JG)</p> <p>No Objection</p>

	The Committee requested replacement with a suitable native species.
20/01524/TPO	Work to T1 Blue Cedar Tree Sunnyside Church, Ivy House Lane (NV) No Objection
20/01539/TPO	Works to trees. 127 High Street (NR) No Objection
20/01586/TPO	Works to Oak Tree Town End Shootersway Lane (NV) No Objection
20/01636/TPO	Works to trees Public Car Park Lower Kings Road (JR) No Objection

TP 98/20 Planning Appeals

None had been received.

TP 99/20 Planning Appeal Decisions

None had been received.

TP 100/20 Planning decisions

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

TP 101/20 Close of Meeting

The meeting closed at 21:07 pm

Signed.....

Date.....