

BERKHAMSTED TOWN COUNCIL

Minutes of the Meeting of the

TOWN PLANNING COMMITTEE

held in the Council Chamber, Civic Centre, Berkhamsted on

Monday 25 March 2019 at 7.30 pm

MEMBERS PRESENT:

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

ALSO PRESENT:

Councillors: T Ritchie
G Corry

Officer: Mrs J Harley. Deputy Town Clerk

15 members of the public

TP 45/19 To receive **Apologies for Absence**

None were received

TP 46/19 To receive **Declarations of Interest** regarding items on the agenda.

Cllr G Stevens declared a personal interest in the following applications:

4/00528/19/FUL as a number of the objectors were known to him; and

4/03026/18/MFA as a number of the objectors were known to him.

Cllr B Newton declared a personal interest in 4/00528/19/FUL as a number of the objectors were known to her.

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

All of the Committee Members declared a personal interest in 4/00134/19/FUL as an objector was known to them.

TP 47/19 **Minutes of the Previous Meeting** held on 4 March 2019.

The minutes of the meeting held on 4 March 2019 were approved as a correct record and were duly signed as such by the Chair.

TP 48/19

Chair's Communications

1. Road Traffic Orders

THE HERTFORDSHIRE (VARIOUS ROADS, BERKHAMSTED) (20MPH) ORDER 2018

The Hertfordshire County Council in exercise of their powers under Section 84 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby make the following Order: -

1. This Order may be cited as "The Hertfordshire (Various Roads, Berkhamsted) (20 mph Zone) Order 2018" and shall come into effect on Monday 17 June 2019.
2. No person shall drive any motor vehicle at a speed exceeding 20 miles per hour on those lengths of road in Berkhamsted as specified in the Schedule to this Order.
3. For the avoidance of doubt where a length of road is described within Article 2 and the Schedule to this Order, that restriction (unless stated to the contrary within this Schedule) shall apply to the whole width of the road so described and, in all directions, along those said lengths of road.
4. No speed limit imposed by this Order applies to vehicles failing with Regulation 3 (4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with Regulation 3 (5) of those Regulations.
5. The Interpretation Act 1978 shall apply for the Interpretation of this Order as it applies for the interpretation of an Act of Parliament.

SCHEDULE

Lengths of road in Berkhamsted - 20 mph zone

The following roads are subject to a 20mph speed restriction for their entire lengths:

Chapel Street, Manor Street, Holliday Street, Ellesmere Road, Robertson Road, McDougall Road, New Street, Little Bridge Road, Ravens Wharf, Bridge Street, Mill Street, Castle Street,

Ravens Lane, George Street, Bank Mill, Cooper Way, Paxton Road, Old Mill Gardens and Manor Close.

The following roads are subject to a 20mph speed restriction as specified:

Station Road	from its junction with Castle Street to its junction with Gravel Path, a distance of approximately 318 metres.
Gravel Path	from its junction with Chapel Street to a point 5 metres south west of its junction with Beech Hill Court, a distance of approximately 232 metres.
A4251 High Street	from its junction with Manor Street to its junction with Swing Gate Lane, a distance of approximately 340 metres.
Ivy House Lane	from its junction with Paxton Road to a point 50 metres north east of its junction with Ellesmere Road, a distance of approximately 180 metres.
Bank Mill Lane	from its junction with London Road to its junction with Bank Mill, a distance of approximately 188 metres.
The Wilderness	between its junction with Water Lane Car Park and its junction with Church Lane

ii. NOTICE UNDER SECTION 14.2 OF THE ROAD TRAFFIC REGULATION ACT 1984

TEMPORARY CLOSING OF GRAVEL PATH, BERKHAMSTED BY NOTICE

NOTICE is given that owing to the likelihood of danger to the public whilst utility repair works are being undertaken, all traffic is temporarily prohibited from using that length of Gravel Path, Berkhamsted from its junction with Meadway north eastwards for a distance of approximately 40 metres, except for access.

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

The work is expected to take 1 day to complete when started on the 1 March 2019.

iii. THE HERTFORDSHIRE (TEMPORARY TRAFFIC MANAGEMENT MEASURES ON VARIOUS ROADS, FOOTPATHS AND PUBLIC FOOTPATH IN BERKHAMSTED, HEMEL HEMPSTEAD AND CUPID GREEN) 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, the effect of which will be: -

1.To prohibit all traffic from using the following lengths of roads (“the Roads”), except for access and to prohibit all vehicles from waiting at any time on both sides of these lengths of Roads whilst works are in progress: -

a) that length of Castle Hill Avenue, Berkhamsted from its westernmost junction with Bridgewater Road north eastwards, south eastwards and south westwards to its easternmost junction with Bridgewater Road, a distance of approximately 393 metres.

An alternative route will be via Bridgewater Road.

2. To prohibit all pedestrians from using Berkhamsted Public Footpath No.018 (“the Public Footpath”) from its junction with Barncroft Road north eastwards to its junction with Crossways, a distance of approximately 73 metres.

An alternative route will be via the footway situated on the east side of Barncroft Road, the footway situated on the north side of Shootersway and the footway situated on the west side of Crossways.

The Order is needed because works are proposed to be executed on or near the Roads, Footpaths and Public Footpath.

If the Order is made, it shall come into force on 8 April 2019 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 Roads, Footpaths and Public Footpath.

iv. THE HERTFORDSHIRE (TEMPORARY CLOSING AND TEMPORARY WAITING RESTRICTIONS IN VARIOUS ROADS IN BERKHAMSTED, TRING, HEMEL HEMPSTEAD AND FLAMSTEAD) 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 the following lengths of roads (“the Roads”), except for access and to prohibit all vehicles from waiting at any time on both sides of these lengths of Roads whilst works are in progress: -

1.that length of Chesham Road, Berkhamsted from its junction with A4251 High Street south westwards to its junction with the A416 Kingshill Way/A41 (unnamed road) roundabout, a distance of approximately 1149 metres.

An alternative route will be via A4251 High Street and A416 (Kings Road/Kingshill Way).

2. that length of Plover Close, Berkhamsted from its junction with St Edmunds north westwards and north eastwards for its entire length.

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.

3. that length of Hilltop Road, Berkhamsted from its junction with Chesham Road south eastwards, north eastwards, south eastwards and north westwards to its junction with Beech Drive, a distance of approximately 646 metres.

An alternative route will be via Chesham Road, A416 (Kingshill Way/Kings Road), A4251 High Street, Swing Gate Lane and Woodlands Avenue.

4. that length of Beech Drive, Berkhamsted from its junction with Woodlands Avenue north westwards to its junction with Hilltop Road, a distance of approximately 178 metres.

An alternative route will be via Woodlands Avenue, Swing Gate Lane, A4251 High Street, A416 (Kings Road/Kingshill Way) and Chesham Road.

5. that length of Holliday Street, Berkhamsted from its junction with Ravens Lane south eastwards and south westwards to its junction with A4251 High Street, a distance of approximately 186 metres.

An alternative route will be via Ravens Lane and A4251 High Street.

6. that length of Priory Gardens, Berkhamsted from its junction with Chesham Road south eastwards, southwards, south westwards and south eastwards for its entire length.

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.

7. that length of Priory Court, Berkhamsted from its junction with Priory Gardens north westwards for its entire length.

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 1 April 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.

2. Tree preservation orders

None had been received.

3. Licensing

M048008 Licensing Act 2003 s.34

Premises licence – Full Variation application

New licence application in respect of the following premises:

Carluccio's
196 High Street
Berkhamsted
Hertfordshire
HP4 3BA

The Committee expressed a **concern** that the proposed outdoor furniture would clutter the High Street, particularly on market days and would also cause an obstruction to pedestrians. It was requested that this furniture be removed on market days. The proposed late-night drinking hours outside are a concern, especially as it is a 'no-alcohol zone'. A closing time of midnight was considered to be more appropriate. It was felt that the proposed late-night drinking hours and live music would be disruptive to the neighbouring properties, particularly to the residential block situated opposite.

Cllr T Ritchie left the meeting after this item.

4. Dacorum's new Statement of Community Involvement (SCI)

To **receive** a letter and accompanying documents dated 25 February 2019 advising the Town Council; of the above

draft document. The current SCI has been updated to reflect new Government requirements and feedback for this new document should be submitted to Dacorum Borough Council by the 14 April 2019.

Copies of the documents are available for inspection at <http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/statement-of-community-involvement>

The document was **noted**.

TP 49/19 Multi Storey Car Park Update

It was **noted** that work is underway on the car park and that the temporary car park has been re-opened.

TP 50/19 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 51/19

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.

4/00043/19/FHA	<p>AMENDED/ADDITIONAL INFORMATION Single Storey Side and Rear Extension, Two Storey Front Extension. Front Facing Dormer Window 5 Egerton Road (WC)</p> <p>Noted</p>
4/00409/19/FHA	<p>AMENDED/ADDITIONAL INFORMATION Single Storey Rear Extension, First Floor Side Extension with Creation of a Carport / Storage Area Below, Alterations Including Raising the Ridge Line to Part of the Existing Roof, Enlargement of Front Gable and Other Alterations New England, 9b Kingsdale Road (JM)</p> <p>No Objection</p> <p>The Committee request that any trees affected be replaced.</p>

4/00452/19/FHA	<p>AMENDED/ADDITIONAL INFORMATION Single Side Extension with Front Porch + Full Single Storey Rear Extension 20 Lochnell Road (EP)</p> <p>No Objection</p>
4/02980/18/FHA	<p>AMENDED/ADDITIONAL INFORMATION New Rear Dormer and Alterations to Terrace 7 Gaveston Drive (RF)</p> <p>Objection</p> <p>The rear dormer is over dominant. There is loss of amenity and privacy to adjoining properties in Trevelyan Way.</p> <p>Appendix 3, (i)</p>
4/03026/18/MFA	<p>AMENDED/ADDITIONAL INFORMATION 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)</p> <p>The Chair suspended standing orders to enable members of the public to speak.</p> <p>A resident, Ms Ann Foster, objected to the application on three grounds. Firstly, that the site in question does not seem to have been considered as an entity in context with the Master Plan which proposes 180 houses and an area of open space. She requested that the proposed development be deferred until the new Local Plan is issued and the site is considered as a whole as per the Master Plan. Secondly, she expressed concern with regard to the impact on educational infrastructure, with local schools already nearing capacity. Lastly, there is no traffic report on the impact of traffic from the development onto Durrants Lane. and then the High Street.</p> <p>Susan Johnson, speaking on behalf of the Berkhamsted Citizens Association (BCA) Townscape Group, objected to the new proposed access onto Durrants Lane and its resulting impact on the traffic towards the station and Bridgewater School. The group also view the development to be an unacceptable development of the Master Plan and are concerned with the lack of consideration given to educational infrastructure.</p> <p>The Chair reinstated standing orders.</p>

Objection

The Committee object to the application as it is contrary to saved Policy 116 of the Local Plan (Open Land in Towns and Large Villages) and is not in accordance with the Masterplan (Development Brief) for this site, dated 2012. The site is designated as Open Land in the present Local Plan and confirmed in the Masterplan for the site. Policy 116 was not superseded in the Core Strategy and consequently is a 'saved policy' and is still in force.

Policy 116 (Open Land in Towns and Large Villages) states that open land will be protected from building and other inappropriate development. In the supporting text for this Policy it is stated (para 116.24) that, '... Berkhamsted is deficient in terms of leisure space provision, with only 1.5 ha per 1000 population compared with the standard of 2.8 ha per 1000.' The Framework Masterplan Document for this site (adopted in revised form in 2012) identifies this piece of land as Open Land. Para 2.18 of the Masterplan states that this site can be retained for playing fields.

The Case Officer, in para 8.13 of his report states, '...the loss of open space and associated conflicts with Policy CS4 of the Local Plan are considered to be outweighed by the benefits arising from this Scheme.' In other words, the Case Officer is arguing that the loss of the benefits of Open Land is outweighed by the benefit of the additional housing. The Town Council strongly disagrees with this view. The Town has a shortage of Open Space as recognised in the statistics quoted.

The proposed taller structures would over dominate and be detrimental to views over the adjoining fields. The lack of a traffic assessment from the development to the town is also a strong concern.

In addition, there was concern that the private driveways in the proposed scheme would make the development a gated community. This was considered to not be good practice as the driveway maintenance would be the responsibility of the residents and would not be able to be adopted as highways in the future.

P116, CS11, CS12, Appendix 3 (v)

4/00430/19/LDP	<p>FOR INFORMATION ONLY Construction of Loft Conversion Including Rear Dormer and Front Velux Windows. 25 Elizabeth li Avenue (RF)</p> <p>Noted</p>
4/00134/19/FUL	<p>Conversion of Building to Six Flats, Demolition of Buildings to Rear and Construction of Three Dwellings 13 Shrublands Road (JS)</p> <p>The Chair suspended standing orders to enable members of the public to speak.</p> <p>A resident, Mrs Susan Johnson, although in favour of the demolition of the old extensions at the rear of the property, objected to the proposed development's lack of amenity space and lost amenity to neighbouring properties by way of overlooking, inadequate parking numbers and unacceptable proposed use of design and materials in the Conservation Area on a house which has an Article 4 Direction on it.</p> <p>Charlotte Di-cello, a resident of an adjoining property, objected to the application, with concerns relating to impact on amenity for neighbours, standard of environment, character and appearance and inadequate parking provisions, as only 9 spaces would be provided resulting in a 5.5 car parking shortage. She explained that a previously submitted planning application of a smaller build has already been rejected, and the new application occupies all of the plot up to the boundary wall.</p> <p>Dave Marsden, an adjoining resident, objected to the seemingly inaccurate drawings not truthfully depicting the scale, layout, build and density of the build, which is also not in keeping with the area. He also expressed concern with the noise which would be created by the number of proposed dwellings and the insufficient outdoor space to any future occupants. He was disappointed that local residents were not made aware of the development and that there have been no 'orange notices' on the street.</p> <p>The Chair resumed standing orders.</p> <p>Objection</p> <p>The Committee agreed that the proposed scheme is a gross overdevelopment on the edge of the Conservation Area which would adversely affect neighbouring properties amenity. Highway safety on a busy street was also considered to be a</p>

	<p>concern, particularly for school children. The potential for loss of trees was also discussed.</p> <p>CS11, CS12, CS27, Appendix 3 (i, ii, iii, iv, vi), Appendix 5</p>
4/00138/19/FHA	<p>Demolition of Existing Single Storey Garage. Construction of New Single Storey Extension with Pitched Roof 35 North Road (CL)</p> <p>No Objection</p>
4/00397/19/FHA	<p>First Floor Rear Extension, Loft Conversion with Hip to Gable, Rear Dormer, New Rooflights and Associated Internal Alterations. 79 Charles Street (JG)</p> <p>No Objection</p>
4/00422/19/TCA	<p>Work to Trees The Chapel, Chapel Street (HE)</p> <p>Noted</p>
4/00431/19/LBC	<p>Retention of Externally Illuminated High Level Sign and Non-Illuminated Projecting Sign. 222 High Street (RF)</p> <p>No Objection</p>
4/00435/19/FHA	<p>Installation of 3 Rooflights, a Bi-Folding Door, and Adding a Juliette Balcony 17 Millfield (JM)</p> <p>No Objection</p>
4/00438/19/FHA	<p>Conversion of Garage. Single Storey Side Extension, Single Storey Rear Extension 27 Connaught Gardens (HE)</p> <p>No Objection</p>
4/00445/19/FHA	<p>Construction of a New Link Block Behind Garage, New Pitched Roof to The Garage & Loft Conversion 24 Egerton Road (JM)</p> <p>Concern</p> <p>The proposed front and rear dormers are overbearing.</p> <p>Appendix 7 (vi)</p>

4/00448/19/TCA	<p>Work to Trees 41 High Street (HE)</p> <p>Noted</p>
4/00472/19/FHA	<p>New Pitched Roof and Rooflights to Existing Side and Rear Extensions 38 Finch Road (WC)</p> <p>No Objection</p>
4/00481/19/FHA	<p>Single Storey Rear Extension and Garage Conversion/Front Alterations Trees, Kitsbury Terrace (JM)</p> <p>No Objection</p>
4/00486/19/TCA	<p>Work to Trees Travis Perkins, Station Road (HE)</p> <p>No Objection</p>
4/00500/19/FHA	<p>Single Storey Rear Extension 134 Bridgewater Road (JM)</p> <p>No Objection</p>
4/00505/19/FHA	<p>Proposed Single Storey Rear Extension. New Front Wall and Piers. Adjusting Windows and Doors to Existing Garage. Marchmont House, Doctors Commons Road (HE)</p> <p>No Objection</p>
4/00515/19/TCA	<p>Work to Trees Land Adj. 35, Kitsbury Terrace (JM)</p> <p>Noted</p>
4/00520/19/TCA	<p>Fell Tree 1 Montague Road (RM)</p> <p>Noted</p> <p>It is requested that the tree be replaced with a suitable native species.</p>
4/00528/19/FUL	<p>Construction of Two 3-Bed Semi Detached Dwellings Land Adj. To 26, Station Road (JG)</p>

	<p>The Chair suspended standing orders to enable members of the public to speak.</p> <p>Neil Richards, speaking on behalf of a group of local residents, objected to the proposed development on a large number of grounds, including: the location's unsuitability for development, the Planning Notice not being properly displayed, its proximity to the railway, with the noise impact and build on a slope seemingly not being taken into account, loss of amenity to adjacent houses due to multiple skylights, inadequate safety due to traffic congestion and the design not being in keeping with the existing properties.</p> <p>Susan Johnson, speaking on behalf of the BCA Townscape Group, raised concerns regarding the inclusion of tandem parking and resident safety as vehicles emerge from the site onto the road.</p> <p>The Chair resumed standing orders.</p> <p>Objection</p> <p>The proposed dwellings would be badly affected by the noise from the railway. The removal of parking spaces relied upon by local residents is inappropriate and furthermore, tandem parking is unacceptable, particularly in an already congested street. The negative impact on trees and wildlife from the proposed development was also considered to be a concern, as well as the potential loss of amenity to neighbouring properties resulting from the skylights.</p> <p>The immediate proximity to the main West Coast rail-line makes development on this site inappropriate.</p> <p>CS11, CS12, Appendix 3 (i, vi)</p>
4/00530/19/TCA	<p>Work to Trees 22 Ellesmere Road (WC)</p> <p>Noted</p>
4/00534/19/TCA	<p>Work to Sycamore and Mediterranean Cypress Trees 22 Ellesmere Road (JM)</p> <p>Noted</p>
4/00550/19/FHA	<p>Part Single, Part Two Storey Rear Extension with Side Canopy 23 Millfield (BC)</p> <p>No Objection</p>

4/00551/19/FHA	Two Storey Side Extension 15 St Katherines Way (HE) No Objection
4/00554/19/FHA	Two Storey Side Extension Westmount, Gravel Path (BC) No Objection
4/00556/19/FHA	Ground Floor in-Fill Extension to the Front Section of the Property, a Part Extension to the Rear and a Second Floor Dormer. 5 Priory Gardens (NG) No Objection
4/00578/19/FUL	Demolition of Existing Dwelling and Garage. Construction of New Dwelling. Juniper Hill, Graemesdyke Road (IK) No Objection
4/00584/19/LDP	Single Storey Rear Extension 6 Dellfield Avenue (HE) Noted

TP 52/19

Planning Appeals

None had been received

TP 53/19

Planning Appeal Decisions

None had been received.

TP 54/19

Planning decisions

There were brief comments regarding recent decisions.

TP 55/19

Close of Meeting

The meeting closed at 9:00pm

Signed.....

Date.....