

**4/00381/13/FUL - EXTERNAL LIFT ON NORTH ELEVATION.
EVELYN SHARP HOUSE, FIELD ROAD, HEMEL HEMPSTEAD, HP2.
APPLICANT: DACORUM BOROUGH COUNCIL - PROPERTY AND PLACE DEPT..**
[Case Officer - Andrew Parrish] [Grid Ref - TL 07503 07009]

Summary

The application is recommended for approval. The proposed lift shaft would be modest in size and have an acceptable design and appearance. There would be no impact on adjoining residential amenities in terms of noise, privacy, loss of light, or any adverse effect on means of escape from the adjoining flat. There would be no harm to nearby existing mature trees. The proposals are considered acceptable for approval.

Site Description

Evelyn Sharp House is a Council owned housing development comprising some 54 apartment units on 3 stories. The C shaped block sits within an island block fronting Field and Farland Roads with open plan frontages and a car park with access off Farland Road.

The site is within a primarily residential area and the surrounding area comprises a mix of two storey flats and terraced dwellings.

Proposal

Permission is sought for an external lift on the part north elevation fronting Field Road and a small amenity green. The lift shaft would be three stories high and measure 1.5 m wide by 1.8 m deep with white framework to glazed infill panels. The shaft would be sited approximately 800 mm from the flank wall of a ground floor apartment which projects from the main building.

Referral to Committee

The application is referred to the Development Control Committee because the applicant is Dacorum Borough Council.

Planning History

None

Policies

National Policy Guidance

NPPF
Circular 11/95

Dacorum Borough Local Plan

Policies 1, 9, 11, 13, 58 and 99
Appendices 1 and 5

Emerging Core Strategy

Policies CS1, 4, 8, 10, 11, 12, 13, 26, 29, 31 and 32

Supplementary Planning Guidance

Environmental Guidelines

Residential Character Area [BCA 3:Bank Mill]

Water Conservation & Sustainable Drainage

Energy Efficiency & Conservation

Advice Note on Achieving Sustainable Development through Sustainability Statements

Accessibility Zones for the Application of Parking Standards

Representations

Building Control

Orally raised no objections.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

10 Evelyn Sharp House - Objects:

- Lift will overlap bedroom window by 50% and obstruct opening of the window which forms a fire escape. Asks whether this breaches a health and safety or fire regulation.
- Noise and disturbance from the operation of the lift.

Considerations

Policy and Principle

In residential areas appropriate residential development is acceptable in accordance with Policies 2 and 9 of the Borough Plan.

The main issues in this case relate to the impact of the lift on the visual and residential amenities of the area.

Effects on appearance of building

The proposed lift shaft would be modest in scale and its design and appearance would harmonise with the existing building.

The proposal would comply with Policy 11.

Impact on Street Scene

There would be no adverse effects on the street scene. Existing tree planting will help soften and screen the development.

The proposal would comply with Policy 11.

Impact on Trees and Landscaping

There are a number of existing mature trees to the frontage of the development. These would not be directly affected by the development but the associated amenity area was proposed as a contractors' compound for the period of the development which would have interfered with the canopy of trees. However, amended plans now adjust the compound to avoid this issue.

The proposals would comply with Policy 99.

Impact on Neighbours

The lift shaft would be sited in close proximity to a neighbour's window. However, given its cladding in glass, it is not considered that there would be any material loss of light or overshadowing.

With regards to privacy we have asked for clarification as to whether the lift compartment itself will be glass or an obscure material.

A letter of objection from one of the residents who would be directly affected by the development raises concerns about the proximity of the lift to his bedroom window which could obstruct emergency escape during a fire.

The applicant has advised that the window of No.10 next to the lift is not intended to be an escape window by virtue of its design. The applicant also understands that it is not the policy of DBC to have people escaping from windows as they should be rescued by the fire brigade in the event of a fire. The lift appears to be sufficient distance from the window such that obstruction would not be an issue. However, we have asked for further information including a floorplan of the flat so that Building Control can comment on this aspect.

The resident has also stated that he will be inconvenienced a great deal by the use and proximity of the lift due to noise and vibration. The applicant has advised that the lift is hydraulic and therefore there will be no significant noise or any vibration. The hydraulic pump is to be housed inside the building in a ground floor store away from the windows of No. 10. On this basis it is considered that there should be no material harm, although the applicant has asked the manufacturer for actual sound readings and further details will be reported at the meeting.

Subject to the above, the proposal would accord with Policy 11.

Sustainability

A sustainability statement has been requested in accordance with Policy 11.

Other Material Planning Considerations

Car parking would not be affected by the development.

It is understood that following concerns raised separately by the neighbour with the

applicants about security and the possibility of people congregating in the alcove between the lift and the window of No. 10, a security light is to be provided in the alcove which it is understood the tenant found acceptable.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings or such other materials as may be agreed in writing by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development.

Reason: To safeguard the character and appearance of the Listed Building.

Reason: In the interests of the visual amenities of the Conservation Area.

- 3 **The trees shown for retention on the approved Drawing No. 13022/01A shall be protected during the whole period of site excavation and construction by the erection and retention of fencing in accordance with BS5837:2012 positioned as shown on the approved plan.**

Reason: To ensure that damage does not occur to the trees during building operations in accordance with Policy 99 of the Dacorum Borough Local Plan 1991-2011.

- 4 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Site Location Plan
13022/01A**

Reason: For the avoidance of doubt and in the interests of proper planning.

NOTE 1:

This decision to grant planning permission has been taken for the following reason and having regard to the policies and proposals in the development plan set out below and to all other material planning considerations, including relevant supplementary planning guidance.

The site is located in an area where residential development is acceptable in principle in accordance with Policies 2 and 9 of the Borough Plan. There would be no adverse effects on the appearance of the building or the appearance of the street scene. The amenity of adjoining neighbours would not be harmed and there would be no adverse effect on means of escape from the adjoining flat. There would be no harm to nearby existing mature trees. Car parking would not be affected. The proposal would accord with the sustainability principles of the Plan. The proposals therefore accord with Policy 11 of the Borough Plan.

NOTE 2:

The following policies of the development plan are relevant to this decision:

Dacorum Borough Local Plan 1991 - 2011

Policies 1, 9, 11, 13, 58 and 99

Appendices 1 and 5

Supplementary Planning Guidance

Development in Residential Areas

Environmental Guidelines

Water Conservation & Sustainable Drainage

Energy Efficiency & Conservation

Advice Note on Achieving Sustainable Development through Sustainability Statements

NOTE 3:

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.