



DEVELOPMENT CONTROL COMMITTEE AGENDA

THURSDAY 14 JANUARY 2016 AT 7.00 PM

COUNCIL CHAMBER, HEMEL HEMPSTEAD CIVIC CENTRE

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Birnie	Matthews
D Collins (Chairman)	Riddick
Conway	Ritchie
Clark	R Sutton
Fisher	Tindall
Guest (Vice-Chairman)	Whitman
Maddern	C Wyatt-Lowe

Substitute Members

Councillors Mrs Bassadone, Bateman, P Hearn, Peter, Link, Mills and Ransley

For further information please contact: Katie Mogan, Member Support Officer, on Tel: 01442 228221, E-mail katie.mogan@dacorum.gov.uk or visit our web-site www.dacorum.gov.uk

PART I

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1. MINUTES

To confirm the minutes of the meeting held on 17 December 2015 (these will be circulated separately).

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members complete the pink interest sheet which will be made available at the meeting and then hand this to the Committee Clerk at the meeting.

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation

Time per speaker	Total Time Available	How to let us know	When we need to know by
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	Noon the day of the meeting

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228221 or by email: Member.support@dacorum.gov.uk

There are limits on how much of each meeting can be taken up with people having their say

and how long each person can speak for. The permitted times are specified in the table above and are allocated for each of the following on a 'first come, first served basis':

- Town/Parish Council and Neighbourhood Associations;
- Objectors to an application;
- Supporters of the application.

Every person must, when invited to do so, address their statement or question to the Chairman of the Committee.

Every person must after making a statement or asking a question take their seat to listen to the reply or if they wish join the public for the rest of the meeting or leave the meeting.

- The questioner may not ask the same or a similar question within a six month period except for the following circumstances:
 - (a) deferred planning applications which have foregone a significant or material change since originally being considered
 - (b) resubmitted planning applications which have foregone a significant or material change
 - (c) any issues which are resubmitted to Committee in view of further facts or information to be considered.

At a meeting of the Development Control Committee, a person, or their representative, may speak on a particular planning application, provided that it is on the agenda to be considered at the meeting.

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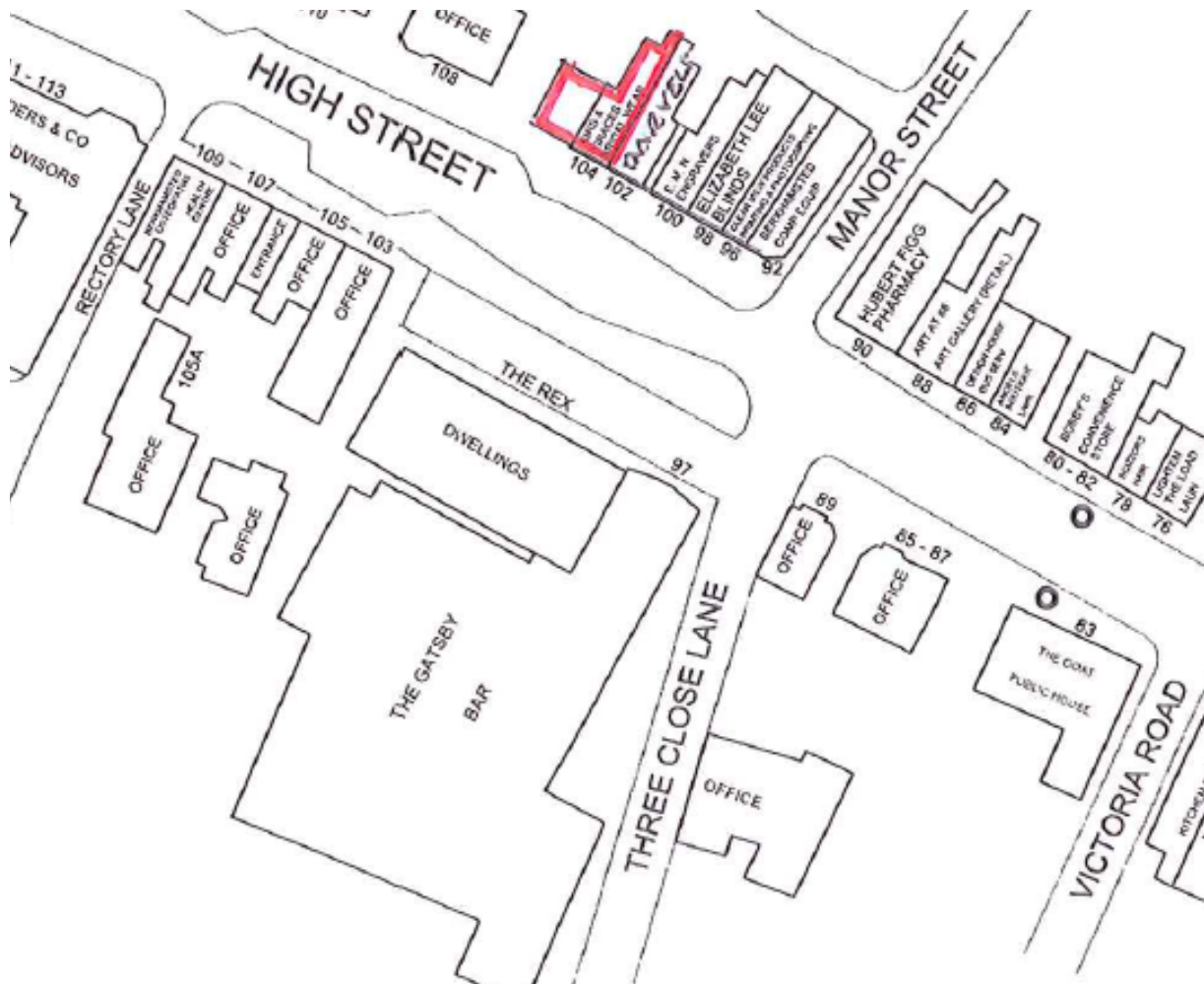
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Item 5.01

4/03329/15/FUL - CHANGE OF USE FROM A1 TO A1/A4

104 HIGH STREET, BERKHAMSTED, HP4 2BL



**4/03329/15/FUL - CHANGE OF USE FROM A1 TO A1/A4.
104 HIGH STREET, BERKHAMSTED, HP4 2BL.
APPLICANT: Mr P Wright.**

[Case Officer - Jason Seed]

Summary

The application is recommended for approval as it is considered the proposal complies with policies CS4, CS11, CS12, CS16 and CS27 of the Core Strategy and Policy Saved 120 of the Dacorum Borough Local Plan.

Site Description

The application site comprises a two storey commercial unit which is situated on the northern side of Berkhamsted High Street. The surrounding area is largely commercial with residential accommodation present above a number of the commercial units.

The site is subject to the following relevant planning designations: Berkhamsted Conservation Area, Area of Archaeological Importance, Town Centre / Local Centre. The building is also designated a Locally Listed Building.

It is noted that the use has already commenced and as such, this application is retrospective.

Proposal

The proposal is described as a change of use from A1(Shop) to a mixed A1 / A4 (Drinking establishment) use.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Berkhamsted Town Council.

Planning History

None

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS16 - Shops and Commerce

CS27 - Quality of the Historic Environment

Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policy 42 - Shopping Areas in Town Centres

Policy 51 - Development and Transport Impact

Policy 120 - Development in Conservation Areas

Advice Notes and Appraisals

Conservation Area Character Appraisal for Berkhamsted

Summary of Representations

Berkhamsted Town Council - The application is considered contrary to Policies CS11 and CS12 as it alters the streetscape and is in the Conservation Area. It is a locally listed building. The premises are not suitable for A4 use as there is no disabled access and no toilets.

102A High Street - This not occasional tasting on the 1st floor especially, it is noisy public drinking on site with off sales. We occupy 1st and 2nd Floor 102a High St 3 inches away from subject property. I have a young family and any noise after 9pm is unfair on us and my child. I object to its current use and would like restrictions placed on evenings to be no later 8pm otherwise it is effectively a public house.

9 Shrublands Road - This retrospective application, for change of use only, does not fully reflect the work which has been undertaken here. The application and documents make no mention of the large canopy with a huge logo over the side courtyard of this locally listed building, adversely affecting the street scene and the listed Dower House beside it.

Berkhamsted Citizens Association - The Berkhamsted Citizens Association (BCA) has no objection to the change of use proposed here, provided there is not an unacceptable increase in noise nuisance for neighbours. However it objects strongly to the installation of the large awning over the side courtyard, emblazoned with a huge logo. This has been installed to the detriment of this locally-listed building and affects, adversely, the setting of the adjacent listed Dower House.

Ashworth Homes - We manage a block of six small self-contained offices located to the rear of 108 High Street and in close proximity to the subject premises. Object to the application for change of use. The increase in noise pollution already experienced since the occupiers of 104 High Street installed an external drinking area, would only be exacerbated, to the frustration of other local residential and commercial occupiers, if formal A4 consent and longer hours of use were granted. Concerns also raised over parking.

74 High Street, Berkhamsted - Object on the grounds that there is already a number of late night outlets in this 200 meter radius of 104 High Street (Gatsbys, The Goat, Crystal Kebab takeaway, Bobbys off license, the Rex Cinema) and we feel the cumulative effect of another licensed premises will seriously jeopardize this conservation and residential area of town. Granting an application to sell alcohol for on premises consumption will significantly contribute to the late night comings and goings and will exacerbate serious ongoing problems experienced in this area at the weekend, relating to low level/non reportable disruption as well as more serious disturbances.

97 High Street, Berkhamsted - Object on the grounds that late licences have been granted and amplified live music has been played outside, ample supply of existing public houses, impact on local businesses and the social impact of the proposal, erroneous sales statistics supplied with the application.

The Goat (83 High Street) - Everything points towards the shop behaving as a pub and there seems to be very little focus on tasting or selling drinks to be consumed off the premises.

David O' Hara - My concern is should the premises be granted an A4 license which would increase the opening hours we would have even more people consuming large quantities of cheap alcohol very close to several businesses which could result in potential crime & disorder and potential public nuisance.

Mr. C. Belligero - If I choose to sell alcohol, for consumption on the premises, regardless of whether I call it a 'taster' or a Pint or indeed anything else, then I would need a full On-License/ Premises License and A4 planning consent. By using smoke and mirrors, this applicant is operating as the wine bars of the 1990's but riding the latest trend, i.e. craft beer.

Mr. Mark Grainger (Rising Sun Public House) - The planning permission granted as A1 is inappropriate for the actual and current trading style; this now requires A4 consent with all its incumbent statutory requirements, obligations and scrutiny. I note that an additional application is for A1/A4 "Sui Generis". Berkhamsted is well served by quality Public Houses that cater for the Real/Craft Ale market and do not need

another. The plans as submitted do not represent the current layout of the site, are in an incorrect size. The red line plans do not represent the full beer garden area and I would encourage you to further investigate these issues. If an planning application for A1/A4 is granted then a precedent will have been set allowing any shop (A1) to apply for a license to sell alcohol with all the implications to control & monitoring by the local authority. The creation of a beer garden or car park has never received planning permission. The new garden canopy, heat lamps & lighting have not got planning permission. Nor the hanging sign attached to the premises.

14a Brook Street, Tring - I fully support this venture as it brings trade to this end of town and is a great shop. The shop is a valuable asset to Berkhamsted and provides a selection of bottles unavailable anywhere else. I fully support this application.

53 Rushendon Furlong, Pitstone - I support this venture as it provides a service not available in the rest of Berkhamsted.

Tweedsmuir, South Heath - This shop is a great addition to the town, I drive to Berkhamsted specifically to visit the shop.

Tortoiseshell Way Resident - This has brought trade and employment to this end of the high street.

9 Glassmill House, Berkhamsted - I fully support this application.

61 Copes Shroves, Bucks - I am in favour of this application, I travel to Berkhamsted specifically to buy my bottles of beer.

15 Delmeade Road, Chesham - I travel to Berkhamsted specifically to visit this shop, it's great.

1 Cherry Tree Cottages, Tring - I support this application, I drive specifically to Berkhamsted to buy my beer from here.

81 George Street, Berkhamsted - The shop provides a good combination of off sales and the option to try before you buy.

Berkhamsted Schools – Excellent service and first class ale. Just what Berkhamsted needed.

2 Ball Court – Doctors Common Road, Berkhamsted - Great addition to the town. Much more variation of beers and great to learn about beers.

Historic Environment Unit - No objection

Conservation Officer - The change of use does not require any significant alteration to the building internally or externally so from a conservation perspective I can see no objection to this. Further comment made in respect of the awning.

Considerations

Policy and Principle

Policy CS4 of the Core Strategy states that in town centres, a mix of uses is sought including social and community uses. Mixed-use development will be supported where it supports the principles of sustainable development and does not conflict with other policies. Policy CS16 of the Core Strategy states that development proposals that promote a diverse evening economy in the town centres will be supported provided that their social and environmental impacts are controlled.

The proposal would provide a mixed retail / social use in an area of the town where such uses already exist and are encouraged. It is therefore considered that the principle of the proposal is acceptable, subject to the consideration of other planning considerations.

Impact on Host Property, Locally Listed Status and Berkhamsted Conservation Area

96 to 104 (even) High Street is a 1930s purpose-built, architect-designed parade of 5 shops with accommodation over. Designed in Tudorbethan style, the building is two storeys with prominent attic storey, clay tile roof with large dormers and substantial brick stacks. The walls are false timber framing with white painted infill render. Shops at ground floor level with timber shopfronts. This relatively unaltered parade of interwar shops / flats makes a positive contribution to the Berkhamsted Conservation Area and is included upon the list of locally important buildings.

Concerns have been raised in respect of the proposal's impact upon the Berkhamsted Conservation Area and the Locally Listed status of the building. The Council's conservation Officer has been consulted on the application and has no objection, noting that the change of use does not require any significant alteration to the building internally or externally. It is therefore considered that the proposal will not adversely impact upon the heritage assets of the site and as such, complies with Policy CS27 of the Core Strategy and Saved Policy 120 of the DBLP.

Impact on Neighbours

Representations have been received by the occupants of 102a High Street (adjoined to the immediate east of the proposal site) and the owners of the six small self-contained offices located to the rear of 108 High Street which assert that the proposal has the potential to create noise disturbance to the occupiers or surrounding residential and commercial properties.

The applicant has stated that the opening hours of the facility are currently (and will remain) as follows:

Mon - Thurs: 12:00 - 20:00

Fri: 12:00 - 21:00

Sat: 10:00 - 21:00

Sun and Bank Holidays: 11:30 - 17:30

It is considered that such opening hours, in a high street location (where examples of similar, more intensive operators such as The Gatsby), are considered acceptable and are securable by condition to ensure that the potential disturbance to occupiers of surrounding units is minimised. Furthermore, it is recommended that a condition be attached to any grant of planning permission which requires the applicants to provide details of soundproofing measures which are to be implemented and maintained in perpetuity to protect the residential amenity of the occupants of 102A High Street to the immediate east.

It is further considered that, given the nature of the use, the use of the courtyard area is likely to be limited during regular weekday office hours and as such, the impact of this part of the site on the occupants of the offices to the rear of 108 High Street is unlikely to be of a level which would justify a refusal of planning permission.

Representations have been received stating that live music has been played outside of the premises. It is considered that this is a matter for Licensing and / or Environmental Health to consider.

Impact on Parking and Highway Safety

The applicant has stated that there are 4 existing parking spaces with 4 proposed. As such, there will be no difference in parking spaces as a result of the proposal which is considered acceptable within the context of the proposal sited within the Town Centre.

Disabled Access and Fire Safety

Representations have been received which note that the application does not make provision for disabled access to the toilet facilities. It is noted that whilst this is the case, the NPPG states (Ref ID 21a-006-20140306) that conditions requiring compliance with other regulatory requirements (e.g. Building Regulations, Environmental Protection Act) requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. It is considered that in this instance, the matter of disabled access fall within the remit of Environmental Health and is covered by provisions contained within the Equalities Act 2010.

Similarly, matters relating to Fire Safety (which have already been raised through the consultation process) are covered by Part B of the Building Regulations. It is

noted that an application is currently being considered by the Council's Building Control Team for matters in respect of means of escape.

Other Matters

A number of representations have been received which refer to potential / perceived economic advantage of the proposed business and the various requirements of the Licensing regime. It should be noted that these are not matters for consideration by the Planning Department.

It is noted that there is an unauthorised awning which is attached to the subject property which does not form part of this application. The consideration of this awning is a matter for the Planning Enforcement Team and has not been considered as part of this application. Any future application to retain this awning will be considered upon its own merits.

Concerns have been raised in respect of the potential for an increase in crime / disorder as a result of the proposal. It is considered that the hours of operation combined with the nature of the business will limit the potential for such occurrences.

Conclusions

The applications seek permission for a change of use from retail (A1) to mixed-use (A1 and A4) in a town centre location. The planning matters associated with the proposal have been assessed and it is considered that with appropriate conditions in respect of hours of operation and noise insulation, the proposal will result in an acceptable use which does not create an unacceptable impact upon surrounding units and their occupiers. Furthermore, the proposal will not adversely impact upon the Berkhamsted Conservation Area or the site's Listed Building status and as such, is considered to comply with policies CS4, CS11, CS12, CS16 and CS27 of the Core Strategy and Policy Saved 120 of the Dacorum Borough Local Plan.

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 carried out in accordance with the following approved plans:**

LOCATION PLAN
2 X PLANS

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

- 2 **The premises shall only be open to customers between 12:00 and 20:00 on Mondays to Thursdays; 12:00 am to 21:00 pm on Fridays; 10:00 am to 21:00 pm on Saturdays and 11:30 to 17:30 on Sundays, Bank Holidays and Public Holidays.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings.

- 3 **Within 2 months of the date of this decision notice, details of soundproofing of the first floor levels will be submitted to the Planning Authority for approval and following approval, will be implemented and completed within 2 months of the date of that approval. The soundproofing will be provided and maintained in perpetuity for the lifetime of the development hereby approved.**

Reason: To protect the residential amenity of neighbouring occupants in accordance with Policy CS12 of the Core Strategy.

ARTICLE 35 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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) Order 2015.

INFORMATIVE

The applicant is advised that the awning which is affixed to the side of the proposal site does not benefit from planning permission and as such, you are advised to address this matter urgently, either by removing the awning and all associated fixtures and fittings and making good any resultant damage, or by submitting an application to the Planning Authority for its retention.

Item 5.02

4/03011/15/FUL - CHANGE OF USE FROM NON-RESIDENTIAL INSTITUTION (FORMER SALVATION ARMY HALL) (D1) TO ASSEMBLY AND LEISURE (YOGA STUDIO) (D2) AND ASSOCIATED INTERNAL ALTERATIONS INCLUDING CHANGE OF FLOORING AND CONVERSION OF OFFICE SPACE INTO RECEPTION AREA

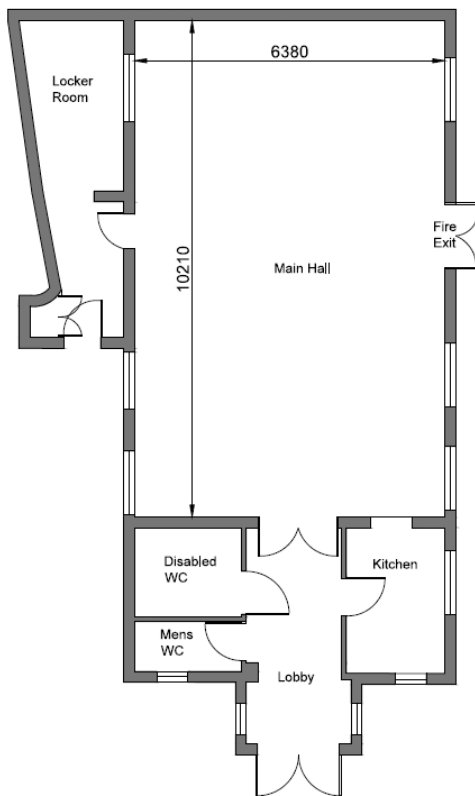
FORMER SALVATION ARMY HALL, ALBERT STREET, TRING, HP23 6AU



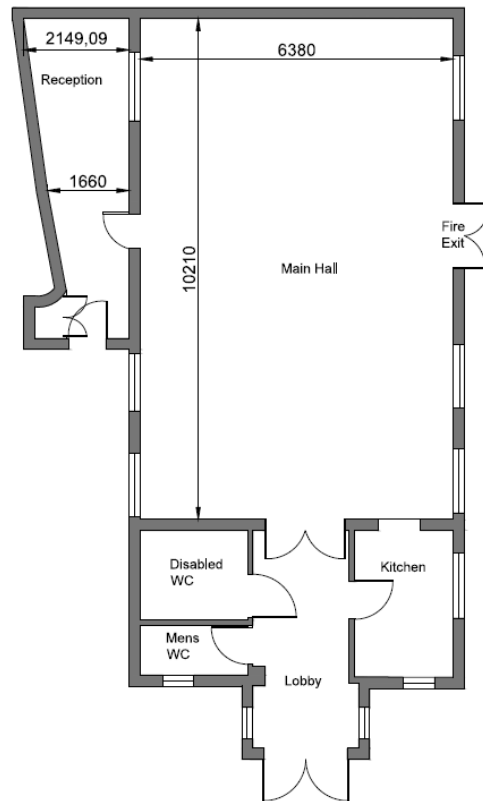
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FORMER SALVATION ARMY HALL, ALBERT STREET, TRING, HP23 6AU



FLOORPLAN 1:50@A1



PROPOSED FLOORPLAN

4/03011/15/FUL - CHANGE OF USE FROM NON-RESIDENTIAL INSTITUTION (FORMER SALVATION ARMY HALL) (D1) TO ASSEMBLY AND LEISURE (YOGA STUDIO) (D2) AND ASSOCIATED INTERNAL ALTERATIONS INCLUDING CHANGE OF FLOORING AND CONVERSION OF OFFICE SPACE INTO RECEPTION AREA.

FORMER SALVATION ARMY HALL, ALBERT STREET, TRING, HP23 6AU.

APPLICANT: Miss Gibbons.

[Case Officer - Martin Stickley]

Summary

The application is recommended for approval.

The change of use from D1 to D2 considered acceptable in the site's location within a residential area. The main concern about this application is the potential traffic intensification and lack of parking within the residential area. Due to the limited size of the plot and the existing layout, the proposal offers no off-street parking. However, considering the uses already permitted under D1, it is not felt that the application would warrant a refusal on these grounds.

The proposal would not have any adverse impact on the appearance of the building and would not seriously detract from the streetscene. The development would not have a detrimental impact on the amenity of neighbouring properties. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Policies CS4, CS11 and CS12 of the Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan..

Site and Surroundings

The former Salvation Army Hall is on the south side of Albert Street, near the junction with Akeman Street and to the south of Tring town centre. It is a circa 1930's single storey hall with a red brick gabled façade and projecting gabled porch. The building features details such as flat tile arches over windows and door and tiled kneelers to the eaves. The hall to the rear is of a plainer design, pebble dashed, with a gabled slate roof. Windows and doors are modern uPVC replacements. The property is considered to make a positive contribution to the Tring Conservation Area.

Proposal

The proposed development seeks to change the use of a former public hall (previously used by the Salvation Army) to a leisure use without external alteration to the existing building. The proposed frequency within which the facility would be used is initially 14 classes per week with a view to increasing this to 20 classes per week. These classes would be operated between Mondays to Thursdays with two early morning classes and a maximum of two classes each evening. The proposed use is

considered to be a small-scale in terms of its operation and would not result in any alterations to the existing building.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Tring Town Council.

Relevant Planning History

4/01930/14/LD USE AS AN EDUCATION AND TRAINING CENTRE FALLING
P WITHIN THE EXISTING USE CLASS D1
Granted
14/10/2014

Relevant Policy

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Borough Core Strategy 2006-2031

NP1 - Supporting Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS27 - Quality of the Historic Environment

Dacorum Borough Local Plan 1999-2011

Saved Policy 57 - Provision and Management of Parking

Saved Policy 58 - Private Parking Provision

Saved Policy 120 - Development in Conservation Areas

Saved Appendix 5 - Parking Provision

Saved Appendix 7 - Small-Scale House Extensions

Summary of Representations

Consultation Responses

Tring Town Council

Object.

- Changes proposed would permit classes of shorter duration thereby increasing traffic movements in a residential area where already is problem with lack of parking.
- Existing circumstance already causes blocked driveways.
- 4/01930/14/LDP was for D1 use is this a change to D2 although not specified.
- Suitability of access down narrow alley to create new entrance was questioned when there is an existing entrance.

Comments on additional information

Tring Town Council strongly object and are extremely concerned about this dramatic and inappropriate change of use. Legitimate uses within D2 make the traffic survey irrelevant. While Councillors agree that the Hall needs to be used for something, this application is inappropriate particularly as there are alternative and more suitable locations within the town. Existing concerns explained in previous comments are not reduced by the subsequent plan. This area is already subject to intense traffic congestion.

Strategic Planning

The application site is located off Albert Street to the south of Tring town centre. The site is situated within a designated Residential Area within a Town and within the Tring Conservation Area.

Principle:

Strategic Planning have had a number of early informal discussions over the halls potential reuse. The loss of the previous community use has been an issue (Core Strategy Policy CS23). However, the community use has been lost for a few years now and ownership has changed hands. On this basis, we do not consider this is something worth pursuing and we note the use of the hall as a yoga studio has a community aspect to it.

The principle of the proposed development needs to be considered against Core Strategy Policy CS4, which states that, in residential areas, appropriate residential development is encouraged; however, non-residential development for small-scale social, community, leisure and business purposes is also encouraged provided it is compatible with its surroundings. The proposed development seeks to change the use of a former public hall (previously used by the Salvation Army) to a leisure use without external alteration to the existing building. The proposed frequency within

which the facility would be used is initially 14 classes per week with a view to increasing this to 20 classes per week. These classes would be operated between Mondays to Thursdays with two early morning classes and a maximum of two classes each evening. The proposed use is considered to be a small-scale in terms of its operation and would not result in any alterations to the existing building. Therefore, it is considered that the proposed development complies with the spirit of Core Strategy Policy CS4.

Highways:

Consideration should also be given to the highway and traffic implications of the proposed development, particularly in respect of the number of anticipated visitors to the proposed yoga studios and the provision of sufficient car parking at the site. Saved Local Plan Policies 57 and 58, as well as the standards contained within Appendix 5 of the Local Plan, should be taken into account. For fitness centres, there is an expectation that 1 space is provided for every 15m² of gross floor area as a maximum-based standard. Also, the application site is located in Tring's Accessibility Zone 4, as such 75–100% of this maximum standard should be provided. The proposal seeks to change the use of the entire building which measures 93m². Based on the foregoing, the proposal should therefore seek to provide 5-7 car parking spaces.

No car parking is proposed on site as part of this planning application. Bearing in mind this is a residential street which already experiences on-street parking (on both sides of the carriageway); there is a concern that the proposed development would exacerbate this issue during the applicants proposed schedule of classes. We note the information provided by the applicant in this regard which states that up to 25 people would attend any one class and that those who attend will be encouraged to use non-car modes of transport (four cycle spaces are proposed). The applicant also suggests the use of local businesses car parking facilities out of normal hours of working. However, we note that no evidence has been provided within the application as to what car parking provisions have been secured, if any, and whether these will be available for use by the applicants clients.

We would accept that the previous use would not have provided any parking with it (and obviously any other future uses) and the site is located relatively close to the town centre and associated parking there. Nevertheless, there is a concern that the proposal, if it is used to its maximum, could lead to additional on-street parking and cause obstructions on the public highway. In this respect, the Local Highway Authority should be consulted and their comments taken into account when determining this planning application.

Historic Environment:

Albeit located within Tring Conservation Area, the proposed development is not likely to have an impact on this designated heritage asset, particularly as only internal alterations are proposed. Therefore, the proposal is in compliance with saved Local Plan Policy 120, which states that alterations to existing buildings (in Conservation Areas) will be permitted provided they are carried out in a manner which preserves or enhances the establish character or appearance of the area.

Conclusion:

Subject to you being satisfied that the proposed development would not have an adverse impact on the local highway network, particularly through the exacerbation of on-street parking and obstructions within the public highway, the principle of the proposed development is considered to be acceptable.

Conservation and Design

The former Salvation Army Hall is on the south side of Albert Street, near the junction with Akeman Street and within the Tring Conservation Area. It is a circa 1930's single storey hall with a red brick gabled façade and projecting gabled porch. The building features details such as flat tile arches over windows and door and tiled kneelers to the eaves. The hall to the rear is of a plainer design, pebbledashed, with a gabled slate roof. Windows and doors are modern uPVC replacements. The property is considered to make a positive contribution to the Tring Conservation Area.

The application is for the change of use of the building to create a yoga studio. Some minor internal changes are proposed but these are not significant. No external alterations are proposed so the character, fabric and appearance of the building will remain unaltered. The proposal is considered to preserve the character / appearance of the Tring Conservation Area and accords with Local Plan policy 120, Policy CS27 and the NPPF. Recommend approval. If any external alterations / advertisements are required as part of any consent they should respect the existing fabric and appearance of the property.

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: The above application is for a change of use of the vacant Salvation Hall. There will be no planned changes to both pedestrian and vehicular access that will affect the highway and just as importantly there will be no off street parking spaces available, as is the case at present. The applicant has not stated that this will change within the application details, so the highway authority assumes that this will lead to further on street parking in and around the site when operational again. There may have been a lull in on street parking during the period when the building has been left vacant.

However, off street parking is now a function of the local authority to manage. The highway authority has not been made aware of any specific RTC's that are attributed to parking demand. It follows that the local authority will have to determine this application with no off street parking provision in accordance with their local parking policy. The change of use from D1 to D2 and the proposed class sizes along with the hours of operation are all important details that will need careful consideration when determining this particular application.

In the past, when helping to determine what the uptake in off street parking is a beat survey can be useful in helping to determine what the base level is. This will not only clearly determine the level of off street parking demand at set hours/days of the week, it will also help determine if there is spare on street parking capacity.

Comments on additional information

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Amended details:

The highway authority has been sent a copy of a Transport Assessment as additional details.

The TA has been compiled as supporting information to the above planning application.

In short the TA suggests that there overall there would be no material traffic impact associated with these proposals.

The TA discusses whether the proposed change of use will lead to a significant increase in traffic to and from the site (and hence increases in parking demand is well) over the existing legal use.

This is the main comment running through the TA. Whilst the hall has not been in use, demand for on street parking has been affected. The site has an existing permitted use which would generate a similar level of two way trips to that of this proposal. On street parking is not for the sole exclusive right of any one single person but if allowed, it is there for everyone to enjoy.

What is rather disappointing is to find that within this amended application details there is not a parking survey. The previous response by the highway authority had suggested that a parking survey should be conducted but instead the applicant has turned towards the use of a TA to help support their application.

It may have been helpful in this particular instance if this exercise had been carried out as well as providing the TA and it certainly would have helped the LPA with their decision making in regards to the allocation off street parking.

As is the case, the level of off street parking any site that is subject to a planning application should provide in the borough of Dacorum is a matter for the local

authority to decide on as per their parking policy. This includes the use of any mitigating factors that may reduce the level of off street parking, ie town centre location which would again accord with their SPG.

Local Residents

The list below represents the neighbouring properties who raised an objection to the application. All of the objectors are concerned about the issue of parking and the potential intensification on the surrounding road networks. Although a couple of the objectors would like to see the retention of the community use on the site, they feel that the parking issues would be amplified by the change of use. The intensification of vehicular usage of the narrow surrounding roads is of key distress to many of the residents. A few of the residents also commented on the potential noise nuisance from the proposed yoga studio.

*2A Albert Street, Tring, HP23 6AU
7 Albert Street, Tring, HP23 6AU
42 Albert Street, Tring, HP23 6AU
43 Albert Street, Tring, HP23 6AU
45 Albert Street, Tring, HP23 6AU
46 Albert Street, Tring, HP23 6AU
47 Albert Street, Tring, HP23 6AU
50 Albert Street, Tring, HP23 6AU
29 Akeman Street, Tring, HP23 6AN
61 Akeman Street, Tring, HP23 6AN*

Considerations

The principle of the proposed development needs to be considered against Core Strategy Policy CS4, which states that, in residential areas, appropriate residential development is encouraged; however, non-residential development for small-scale social, community, leisure and business purposes is also encouraged provided it is compatible with its surroundings.

The main issues of relevance to the consideration of this application relate to the impact of the works upon the character and appearance of the dwelling, streetscene and conservation area in accordance with Policies CS4, CS11, CS12 and CS27 of Dacorum's Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan (DBLP). Other key issues of importance relate to the impact on parking and the impact on surrounding road network in accordance with saved Appendix 5 and saved Policy 58 of the DBLP. The impact with regards to the amenity of the surrounding properties must also be assessed under Policy CS12.

Impact on Appearance of Building, Streetscene and Conservation Area

The proposed use is considered to be a small-scale in terms of its operation. Therefore, it is considered that the proposed development complies with the spirit of Core Strategy Policy CS4. Some minor internal changes are proposed but these are not significant. No external alterations are proposed so the character, fabric and

appearance of the building will remain unaltered. The proposal is considered to preserve the character/appearance of the Tring Conservation Area. Furthermore, the proposal would not damage the appearance of the building or streetscene. Therefore, the proposal accords with Local Plan saved Policy 120 and saved Appendix 7, Core Strategy Policies CS11, CS12 and CS27 and the NPPF (Paragraphs 129, 131, 132, 133, 137, 138, 140).

Impact on Amenity of Neighbours

Consideration has been given to the impact that the proposed extension would have on the adjoining neighbours. Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. The application has received a number of objections. The main issues of concern are listed and addressed below.

- Lack of parking; intensification of road network/congestion.

Issues regarding parking and the impact on the surrounding road network are addressed in the section below (Impact on Parking and Surrounding Road Network).

- Noise nuisance.

One of the neighbours raised concerns regarding the potential noise nuisance created by music in the yoga studio. Due to the limited opening hours (7:30am - 9:30pm, Monday to Fridays, 9am - 4pm on Saturdays, and 10am until 4pm on Sundays), there would be no late night noise. The classes would be intermittent. The supporting statement states *"although my opening times look long the hall won't be in constant use. I envisage early morning classes taking place only twice a week and a maximum of two classes each evening (Monday-Thursday)." Any music relating to the yoga activities would be kept inside the premises. It is the owner's duty to ensure that the noise level is reasonable and action under the Environmental Protection Act 1990 could be enforced if a statutory nuisance is proven to exist.*

With regards to the impact on the amenity of neighbours, the proposal is deemed acceptable in accordance with Policy CS12 of the Dacorum Borough Core Strategy.

Impact on Parking and Surrounding Road Network

Consideration should be given to the highway and traffic implications of the proposed development, particularly in respect of the number of anticipated visitors to the proposed yoga studios and the provision of sufficient car parking at the site. Saved Local Plan Policies 57 and 58, as well as the standards contained within Appendix 5 of the Local Plan, should be taken into account. For fitness centres, there is an expectation that one space is provided for every 15sqm of gross floor area as a maximum-based standard. Also, the application site is located in Tring's Accessibility Zone 4, as such 75-100% of this maximum standard should be provided. The proposal seeks to change the use of the entire building which measures 93sqm. Based on the foregoing, the proposal should therefore seek to provide 5-7 car

parking spaces.

No car parking is proposed on site as part of this planning application. Bearing in mind this is a residential street which already experiences on-street parking (on both sides of the carriageway); there is a concern that the proposed development would exacerbate this issue during the applicants proposed schedule of classes. It is noted that the information provided by the applicant in this regard which states that up to 25 people would attend any one class and that those who attend will be encouraged to use non-car modes of transport (four cycle spaces are proposed). The applicant also suggests the use of local businesses car parking facilities out of normal hours of working. However, there is no concrete evidence provided within the application as to what car parking provisions have been secured and whether these will be available for use by the applicant's clients.

The current hall already has a 'D1 - Non-Residential Institutions' use, which permits the hall to be potentially used as a clinic, health centre, crèche, day nursery, day centre, school, art gallery, museum, library, hall, place of worship, church hall, law court, non-residential education/training centre. So theoretically, the hall has the ability to attract a large number of visitors, which there would be no control over. However, the hall has been left vacant after a presumed steady drop of in numbers over the years and the local residents have become accustomed to the low level of traffic attracted from the hall. This may be the reason for the high number of objections relating to highways-related issues.

It is accepted that the previous use would not have provided any parking with it (and any other future uses). The site is located relatively close to the town centre and there are a number of car parks and transport links (bus stops, etc.). Policy CS8 has strong focus on sustainable transport methods and aims to promote other road and passenger transport over private cars in the following order: pedestrians, cyclists, passenger transport (buses, trains and taxis), powered two wheeled vehicles, other motor vehicles. It is considered that given the sites location, alternate (more sustainable) methods of transport would be available. Nevertheless, there is a concern that the proposal, if it is used to its maximum, could lead to additional on-street parking and cause obstructions on the public highway. Policy CS8 also states that new development should *"provide sufficient, safe and convenient parking based on car parking standards."* Hertfordshire Highways were consulted for further advice. They responded with the following.

"The Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. There will be no planned changes to both pedestrian and vehicular access that will affect the highway and just as importantly there will be no off street parking spaces available, so the highway authority assumes that this will lead to further on street parking in and around the site when operational again. There may have been a lull in on street parking during the period when the building has been left vacant. However, off street parking is now a function of the local authority to manage. The highway authority has not been made aware of any specific road traffic collisions that are attributed to parking demand. It follows that the local authority will have to determine this application with no off street parking provision in accordance with their local parking policy."

In the past, when helping to determine what the uptake in off street parking is a beat survey can be useful in helping to determine what the base level is. This will not only clearly determine the level of off street parking demand at set hours/days of the week, it will also help determine if there is spare on street parking capacity.

Further information was requested from the applicant and a transport statement was submitted. Hertfordshire Highways responded to this with the following.

"In short the transport statement suggests that there overall there would be no material traffic impact associated with these proposals. The transport statement discusses whether the proposed change of use will lead to a significant increase in traffic to and from the site (and hence increases in parking demand as well) over the existing legal use. This is the main comment running through the transport statement. Whilst the hall has not been in use, demand for on street parking has been affected. The site has an existing permitted use which would generate a similar level of two way trips to that of this proposal. On street parking is not for the sole exclusive right of any one single person but if allowed, it is there for everyone to enjoy.

The previous response by the highway authority had suggested that a parking survey should be conducted but instead the applicant has turned towards the use of a transport statement to help support their application. It may have been helpful in this particular instance if this exercise had been carried out as well as providing the transport statement and it certainly would have helped the LPA with their decision making in regards to the allocation off street parking."

The D1 use class is wide ranging and is reflected in the historic, actual and potential uses. The transport statement highlights that the previous tenants (Salvation Army) listed a children's nursery as one of their desired uses (see 4/01930/14/LDP). The statement goes on to say that nurseries can be a significant generator of traffic, although the number of cars parked for significant periods of time tend to be low, the number of drop-offs/pick-ups would be significant. Other desired uses included 'Mums and Tots' groups, which would attract vehicles for longer periods. The applicant lives locally and the transport statement highlights that the yoga use is more likely to attract a local catchment who are less likely to drive to the site. The statement also suggests that the alternate existing uses are "quite specialist" and "would attract people from a wider catchment, who would be more likely to drive to the site."

The transport statement also includes a travel plan, which states that the applicant would discourage her clients to drive to the site. The travel plan also mentions the area allocated for bicycle storage and includes a map showing that all of Tring would be within the cycle catchment area for the site (5km). Furthermore, the travel plan discusses the nearby car parks - "These car parks have a significant number of spaces (79 in Frogmore Street east and 17 in Frogmore Street west) and by observation there is plenty of spare capacity in these car parks during the day. In addition parking is free for the first hour and charges after that are modest." "Occupants of the business park immediately to the north of the site, accessed off Akeman Street but with a pedestrian link through to Albert Street, have confirmed

that users of the Hall may use their private parking in the evening when the business unit is closed. There will therefore be no need for any on-street parking in the evening." Although the travel plan highlights the above and that the applicant would inform her clients about the parking arrangements and encourage them to use them, along with other methods of transport, there is no way to ensure this. Furthermore, this could not be secured by planning conditions.

Overall, it is quite clear that the existing lawful use of the site has the potential to generate a significant level of demand which would impact on the surrounding area. In some cases, the number of visitors for these alternate uses could exceed the number of people attending a yoga session. In some cases, it would not. As mentioned earlier, there has been a lull in on-street parking over the past few years and residents have become accustomed to the improved parking situation. There are existing issues with parking on the narrow street due to the increase in vehicle size over the years and the increasing number of residents. However, the existing lawful use has the ability to produce a greater parking demand than the proposed use. The site is considered a sustainable location and the highways authority have raised no objections. Therefore, it is not felt that the application could be refused on highway safety or parking grounds.

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 premises shall only be open to customers between 7.30am-9.30pm on Mondays to Fridays, 9am-4pm on Saturdays, and 10am-4pm on Sundays.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings and to accord with Policy CS12 of the Core Strategy.

- 3 No development shall take place until full details of the proposed bicycle storage shall have been submitted to and approved in writing by the local planning authority. The approved bicycle storage facilities shall be provided prior to commencement of the use hereby approved.**

Reason: To provide a safe and secure means of storage for bicycle users and to enable sustainable transport to the site in accordance with Policy CS8 of the Dacorum Borough Core Strategy.

- 4 The development hereby permitted shall be carried out in accordance with the approved travel plan.**

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

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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.

Item 5.03

4/02495/15/FHA - DEMOLITION OF EXISTING DETACHED SINGLE STOREY GARAGE, TWO STOREY SIDE EXTENSION, AND SINGLE STOREY REAR EXTENSION

42 Highbarns, Hemel Hempstead, HP3 8AF



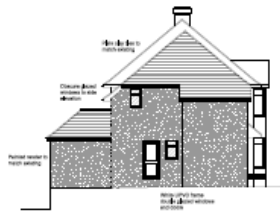
Site Location Plan
Scale 1:1250



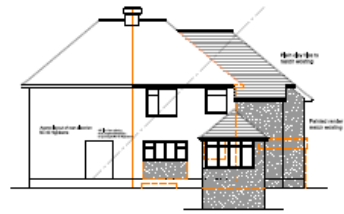
Site Block Plan
Scale 1:500



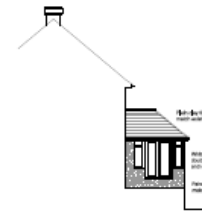
Front Elevation
Scale 1:100



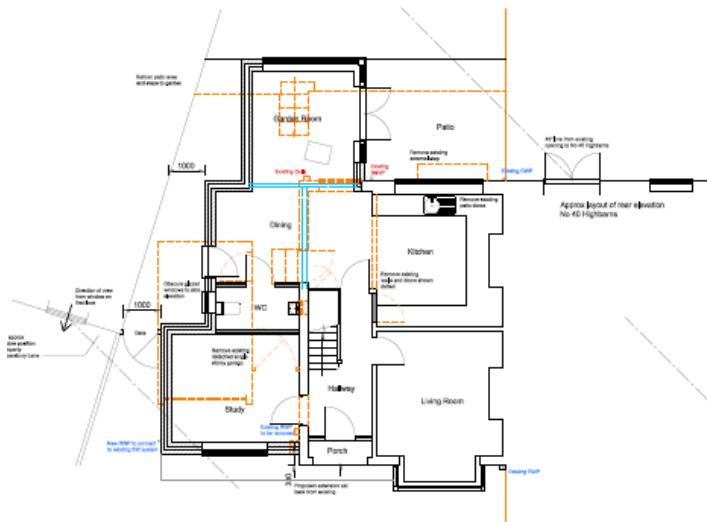
Side Elevation
Scale 1:100



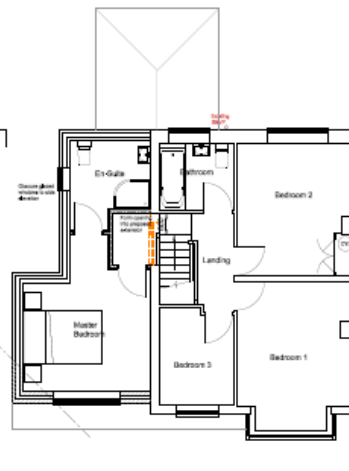
Rear Elevation
Scale 1:100



Side Elevation
Scale 1:100



Ground Floor Plan
Scale 1:100



First Floor Plan
Scale 1:100

**4/02495/15/FHA - DEMOLITION OF EXISTING DETACHED SINGLE STOREY GARAGE,
TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION.
42 Highbarns, Hemel Hempstead, HP3 8AF.
APPLICANT: Mrs Hurst.**

[Case Officer - Nigel Gibbs]

Summary

This application is recommended for refusal. The site is located within the residential area of Hemel Hempstead wherein extensions to dwellings are acceptable in accordance with Policy CS4 of the Dacorum Core Strategy.

No 42 occupies a prominent position within this part of Highbarns. The proposed two storey side extension would be visually incompatible with the dwelling house and the local street scene and for this reason is recommended for refusal. It is contrary to Policies CS10 and CS12 of Dacorum Core Strategy and the design expectations of saved Dacorum Borough Local Plan Residential Character HCA 19 (Nash Mills) and saved Appendix 7.

There would no overriding harmful impact upon the residential amenity of nos 40 and 44. There are no other layout/ parking objections. The development can be carried out with no inbuilt outstanding geological/ land stability or ecological issues. Drainage and water supply can be addressed at the construction stage in the knowledge of the lack of any identified geological issues.

Site Description

Nos. 42 and 40 are a pair of hipped roof semi- detached dwelling houses located on the western side of Highbarns.

No. 42 is directly opposite the Highbarns - Chambersbury Lane junction. The dwelling occupies a prominent position in relation to the lower part of Highbarns to the immediate south. This is due to the combined effect of its angled south eastern flank wall and its raised/elevated profile. No. 42 is set back from the public footpath featuring a front garden, detached garage and associated driveway. There is a detached shed to the rear of the garage. The garage and shed adjoins the common boundary with no.42.

Nos. 44 and 46 form the adjoining pair of semi-detached dwellings in a different alignment to No. 44 and at a lower level . No. 44 features a two storey side extension and single storey gable roof rear extension which adjoin the common boundary with no.44.

At the rear of no. 42 a patio adjoins the dwelling house's back elevation which is higher than the main rear garden. The rear of nos. 42 and 40 are separated by boundary fencing .The rear elevations of nos. 42 and 40 are in the same plane. Neither dwelling has been subject to rear extensions.

Proposal

Background

The Initial Scheme involved a larger two storey side extension and a single storey rear extension adjoining the common boundary with no. 40. This would have been recommended for refusal and has been superseded by a Revised Scheme which is described below.

Revised Scheme

The Revised Scheme is for rendered hipped roof two storey side and single storey rear extensions adjoining the rear common boundary with no. 44 Highbarns. The garage and shed will be demolished to accommodate the proposed extensions.

Two Storey Side Extension. The 'reverse L shaped' two storey side extension will be attached to no. 42's south eastern flank wall , being recessed 0.3m behind the house's front southern corner. The extension will be inset from the angled common boundary with no. 44 by between 2m at the front and 1m behind this, reflecting the extension's shape/ footprint. The wider front part will measure about 3.8m wide and 3.4m deep .The stepped narrow rear part will measure about 3.9m in depth and 2.6m in width. The extension's ridge level will be about 0.4m below the existing. A study and dining room will be provided at ground floor with a first floor master bedroom and associated en-suite.

Single Storey Rear Extension. This will measure about 3.2m in depth and width, inset 2m and 1.6m from the common boundary with no. 44. Its floor level will be the same as the existing dwelling house raised above the existing patio which will be linked by steps. The side double patio door will be about 3.9m from the fenced common rear boundary with no.40 which separates the respective patios.

Referral to Committee

The application is referred to the Development Control Committee as requested by Jan Madden, the Ward Borough Councillor.

Constraints

Within the Residential Area of Hemel Hempstead: HCA 19 Nash Mills

High Barns Former Chalk Mines: Identified to be within the Inner Area. However, in the carrying out the necessary remediation of the land stability of the chalk mines no. 42 was excluded from the identified/ necessary remediation works, being outside the area of the associated Derelict Land Clearance Grant.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Policy Guidance Notes

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS29 –Sustainable Design and Construction

Also : Hemel Hempstead Place Strategy

Dacorum Borough Local Plan (saved policies)

Policies 13, 51, 54, 58, 63 and 113, 119 and 120

Appendices 3, 5 and 8

Supplementary Planning Guidance/ Documents

Environmental Guidelines,

Area Based Policies (May 2004) HCA 19 : Nash Mills

Summary of Representations

Nash Mill Parish Council

Initial Scheme

- First Response

The Parish Council are currently seeking legal advice from the Assistant Director (Legal Services) concerning this application.

There is slight confusion as to whether this house is in the 'Inner Zone'. As NMPC was led to believe that only properties in the 'Outer Zone' at this point can submit planning applications.

- Formal Response

No objections subject to neighbours objections.

NMPC have subsequently received a telephone call from a local resident in Highbarns who had complained that the proposed works were out of character with the surrounding properties. NMPC request this comment is logged.

Revised Scheme

Responses from four of the five Parish Councillors who form the Planning Committee. The fifth Councillor Lisa Bayley had to declare an interest as she lives next door to the applicant.

Chair of Planning, Councillor Peter Lardi has no objections.

Councillor Helen Gough objected as she feels that the amended scheme would have a potentially adverse effect on the light and privacy of the neighbours.

Councillor Terence Collins has no objections.

Councillor Louise Gross objects she feels that the scheme is too big, has a bulky extension and would be over bearing to neighbours and look out of place in the street.

Ward Borough Councillor Jan Maddern

Initial Scheme

Having studied the plans for the above planning application and visited the area, I feel that this application would benefit from being considered by the Development Control Committee.

I am very concerned about this application for four reasons:

1. This is a substantial extension to the property which is adjacent to the area of land within the land dereliction order, and within the original inner study area. I have serious concerns about land stability in this area.
2. The conservatory that is proposed would overwhelm the property adjoining, number 40 Highbarns, due to the way the land falls away steeply to the rear of no 40. Their patio area is some considerable amount lower than the rear of the property and as no. 42 is south of number 40 it would in my opinion seriously block sunlight from the garden of no.40.
3. The side extension will stand forward of the property to the other side of Chambersbury Lane and I believe would also overwhelm this property.
4. The size and appearance of the side extension would change the fascia of the property to the extent that it will have a negative impact on the street scene.

Please can you call this application in so the DCC can properly consider the impact that it would have on the local area.

Revised Scheme

Any comments will reported at the DCC meeting.

Hertfordshire County Council: Highways

Recommendation

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition:

All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway. (Reason: In the interest of highway safety and free and safe flow of traffic).

Highway Comment

Although the Highway Authority in principle has no objection to the proposed extension the loss of the garage space may be concerned to the LPA as this may lead to a shortfall in off street parking as a result. It is clear that whilst the existing access does not need to be modified the applicant may wish to consider creating further off street parking to the front garden area. On balance, this proposal is unlikely to have a significant impact on the safety and operation of the adjacent highway, consequently the Highway Authority does not consider it could substantiate a highway objection to this proposal. The Highway Authority has no objection subject to the above conditions to the grant of permission.

Hertfordshire Ecology

There are no ecological records relating to this property or its immediate environs. However there are a few old records of bats in this area of Hemel Hempstead although these do not relate to roosts. The location is reasonably close to the edge of Hemel adjacent and close to the grounds of Abbots Hill School and Long Deans nature reserve, which will have bats. Consequently it is quite possible that bats will use the adjacent urban areas at least occasionally.

The location of the site is characterised by roads, housing and small- moderate gardens, with scattered trees and shrubs locally and adjacent to the house. These provide habitats for bats although the area does not appear especially rich in typical bat habitat.

The house roof appears in good condition with no obvious gaps or missing tiles; certainly of an age perhaps more favoured by bats, there also appears to be a modern soffit in good condition (from Google streetview), leaving little or no likely access gaps.

The garage has very limited potential for bats being of a design and condition which is unlikely to offer significant opportunities - the unusual gable design is unlikely to have an enclosed roof area which may be otherwise open to normal garage use.

Whilst the garage's demolition and roof works will or are highly likely to have an impact on bats if present, based on the above considerations Hertfordshire Ecology does not consider there is a sufficiently high likelihood of bats being present to justify the LPA requiring a bat assessment of the buildings on this occasion.

6. However, bats and their roosts remain protected and could still be unexpectedly discovered during the course of any works. Consequently Hertfordshire Ecology advise that an informative is placed on any approval to the effect that:

- *If bats or any evidence of them is discovered during the course of any works, works should stop immediately and advice sought as to how to proceed. This may be obtained from: A suitably qualified ecological consultant; Natural England: 0845 6014523; The UK Bat Helpline: 0845 1300228 or Herts & Middlesex Bat Group: www.hmbg.org.uk ;*

Thames Water

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. It is requested that a drainage strategy (plan) is provided for surface water which contains the point of connection to the public sewerage system.

Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:

- 1 store rainwater for later use,
- 2 use infiltration techniques, such as porous surfaces in non-clay areas,
- 3 attenuate rainwater in ponds or open water features for gradual release,
- 4 attenuate rainwater by storing in tanks or sealed water features for gradual release,

5 discharge rainwater direct to a watercourse, and

6 discharge rainwater to a surface water sewer/drain

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site.

Affinity Water

Affinity Water have no responsibility for sewers or drains. It is recommended that Thames Water is consulted.

Comments received from local residents

Initial Scheme: 40 Highbarns

1. Procedural Issues

One of the writers is the Vice Chairman on Nash Mills Parish Council. However this writer revoked her right to attend its planning meeting on Monday 13 July 2015 due to the conflict of interest.

There are a number of strong objections as an immediate neighbour, attached to 42 Highbarns. The proposal will have a serious impact on no.40's property and the standard of living.

The writers invite for a representative of the Planning Department to meet with at no. 40 to enable the writers to illustrate the objections.

The writer would also like to exercise the right to attend the planning meeting should the application be considered by the DCC to the writer's case.

A range of photographs have been received from no. 40.

2. Rear Conservatory Objection

The plans online do not show all measurements or the scale of the drop from no.42 's patio to ground level as explained below. There is also no context or heights on the plans.

- 2.1 Overshadowing/loss of light

The land that nos. 40 & 42 stands on slopes away from the highway and house therefore the close proximity combined with the height would mean that it would substantially overshadow the dining room, patio and garden dining area:

1. No.40 's patio doors are very close (approx. 1m) to the party wall where the solid brick wall of the conservatory is planned and this is the only source of light in our dining room.
2. The proposed conservatory is being built on a patio that is significantly higher than no.40's by 0.85 metres. Therefore if this added to the height of the planned conservatory brick wall it will cause overshadowing on no.40's top patio walk way and lower patio/dining area. The patio has been in place for 15 years.

It is understood that the LPA take into consideration the loss of an acquired right to light (right to light is generally 'acquired' when light has been enjoyed through a defined aperture of a building for an uninterrupted period of 20 years). One of the occupiers has been in the property for 24 years so will be seeking advice on this from a dedicated Right to Light surveyor.

- 2.2 Ground stability and drainage

The proposed works could have an impact on the stability of no. 40 due to it being on a party wall and the land concerned is sloping away from the house. Any excavation work could have a serious adverse impact.

Another consideration and concern due to the land sloping away from the house is drainage. It is assumed that the water authority has inspected the full plans for potential issues.

There is a joint downpipe between the conservatory wall and the fence line; Due to the gap being insufficient as shown on the plans this will not be able to be maintained unless there is access to no. 40's garden and the fence is taken away.

Regarding any works going ahead, it is understood that nos. 40 & 42 are not included in the area covered by the Derelict Land Clearance Order and will therefore not be included in the technical report by Hyder's Report. This makes both properties more vulnerable to concerns regarding land stability.

- 2.3 Detrimental Physical Impact

The conservatory would have an overwhelming impact due to its size, siting and brick wall. It represents an un-neighbourly form of development and will have an overbearing effect.

- 2.4 Party Wall Etc, Act 1996

There has been an approach by several Party Wall Surveyors advising us that no. 40 is entitled to specialist surveys under the Party Wall Etc, Act 1996. No. 40 would be exercising this right should planning be approved.

- 2.5 Other. Again due to the insufficient gap between the conservatory wall and fence, there are concerns about how the wall be maintained and how the roof of the conservatory will be cleaned as both will be a prominent part of the outlook from the upstairs back room window and garden.

3. Side Extension Objection

- 3.1 Detrimental impact

By reason of its size and siting represents an un-neighbourly form of development that would have an adverse impact on the scale and character of no. 40 and neighbouring properties by reason of an overbearing effect. It would be out of keeping with the design and character of a semi-detached property in Highbarns. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings, therefore it would be entirely out of the character of the area.

As the external dimensions are not shown it is very difficult to see from the plans submitted the total height & width of the proposed side extension. There is a request for the external dimensions.

The side extension does not step back from the main property and appears to sit flush with the front of the house and therefore massively imbalances the semi-detached property on one side. There will be a complete loss of the house's style house in comparison with the same semi-detached 1930's dwelling house's .

Due to the road layout, nos. 40 & 42 Highbarns are protruding in relation to neighbours properties; Therefore this would exaggerate the side extension's prominence.

- 3.2 Ground stability and drainage

As above.

4. Requests

If the planning is approved it is requested that the following are addressed:

1. Controlled hours of operation. This is also with regard to privacy.

2. Consideration will also need to be given about how and where construction vehicles and staff would gain access to the property for unloading and parking without causing a highway hazard or inconveniencing neighbours.
3. Bearing in mind the size of the proposed gap between the fence and conservatory wall, the materials used would need to be fascia bricks and not rendered due to there being no access to maintain it unless no. 42 Highbarns have access to no.40 and remove the fence.
4. The cleaning of the conservatory roof as this will be our outlook from the upstairs back room window.
5. Compensation for any cleaning required to any part of no.40 due to us having to endure dust and dirt from the proposed work. No. 40 was painted in February of this year and would very likely need to be painted again.
6. Consideration for mature trees planted in the rear garden, so they are not damaged in any way.

Revised Scheme

No. 42 would like to have discussed the plans further hence the request for an extension of time. It has been a little difficult over the Christmas period with 4 days of the 14 being ruled out due to public holidays and then so many people being away.

No. 42 is glad to see that the revised scheme addresses many of no.42's concerns from the original plans.

There is however one last issue of concern regarding loss of privacy. It is very unclear from the plans what the height of the patio and rear extension will be. Due to the two lines drawn on the rear elevation (on the plans) it appears that these show that the patio height will be increased to the height of their internal floor (this is different from the existing patio height). The line is shown to extend along our property inferring that our patio is at that increased height also which it is not.

If the plans are correctly interpreted this increase in height will result in a loss of privacy and overlooking from the rear garden room particularly from the patio doors and the patio. The orientation of the rear doors would change and directly face our property unlike at present.

If the upper line on the plans does not indicate the height of the patio no. 42 is still concerned that there would be a loss of privacy from the step out of the garden room which directly faces no. 40 above.

As the plans are so ambiguous no. 42 has requested clarification prior to a decision being made.

Considerations

Principle

Within the built up area of Hemel Hempstead extensions are acceptable. There are a range of relevant policies material to the proposal. These are Dacorum Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design), Saved DBLP Appendix 7 and the Character Area Appraisal for Nash Mills HCA19.

- *Core Strategy Policy CS11 (Quality of Neighbourhood Design)*

This specifies that within settlements and neighbourhoods, development should:

- a) respect the typical density intended in an area and enhance spaces between buildings and general character;
- b) preserve attractive streetscapes and enhance any positive linkages between character areas;
- c) co-ordinate streetscape design between character areas;
- d) protect or enhance any positive linkages between character areas;
- e) incorporate natural surveillance to deter crime and the fear of crime; and
- f) avoid large areas dominated by car parking.

- *Core Strategy Policy CS12 (Quality of Site Design)*

This specifies that on each site development should:

- a) provide a safe and satisfactory means of access for all users;
- b) provide sufficient parking and sufficient space for servicing;
- c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties;
- d) retain important trees or replace them with suitable species if their loss is justified;
- e) plant trees and shrubs to help assimilate development and softly screen settlement edges;
- f) integrate with the streetscene character;

g) respect adjoining neighbours in terms of layout, security, site coverage, scale, height, bulk, materials and

viii) landscaping and amenity space.

- *Saved DBLP Appendix 7 (Small Scale Extensions)*

This specifies that amongst a range of issues that:

Extensions should harmonise with the existing house and the surrounding area in the following respects:

(i) Existing House. The extension should harmonise with the original design and character of the house in terms of scale (it should not dominate the existing house or project above the roof line), roof form (it should match the existing house in terms of design angle of pitch and materials), window design (it should match the existing windows in terms of size, proportions, divisions and materials) and external finishes (it should match as closely as possible in terms of type, colour and texture).

A reasonable private garden/amenity space should remain following the construction of the extension, and it should not bring the house unduly close to a wall of an adjoining dwelling.

(ii) Surrounding Area

Any extension should maintain the common design characteristics of the row or street within which a house is located, with particular regard to:

(a) roof line - no extension should disrupt a clear consistent roof line and form;

(b) building pattern - if a row of houses of uniform design and building line forms an attractive group in the street scene, then extensions should not detract from this group effect; and

(c) design details - where features such as windows, doors, roof and wall materials, bays, porches, etc are of a consistent design, it is important for any extension or alteration to reflect the original character of a house; this should not alter the character of an area by reducing the space around and between dwellings which would give a cramped appearance.

iv).Side Extensions

Strict requirements will apply to prominent side extensions, but mainly to those parts that are clearly visible from the street. If the extension is on or near a flank it should not extend for an excessive distance beyond the rear wall of the adjoining house.

Side extensions can often upset the balance of the front elevation of the house and therefore may need to be set back from the front wall.

A side extension should not block access to the rear of a property. A gap should be left between buildings and/or side boundaries (as per Appendix 3,Layout and Design of Residential Areas, (iii) Spacing of Dwellings). In cases where an existing single storey side extension goes to the boundary, it will not normally be acceptable to build over its full area.

Some extension at first floor level may be feasible. This should be designed to avoid the creation of a terraced or semi-detached character and to respect the above space standards.

(v) Rear Extensions

Normally rear extensions are hidden from public view; the greatest visual impact is on the immediate neighbours. High design standards should still be applied but the Council's prime concern is with the safeguarding of the effect of an extension on neighbouring properties should be considered at the outset. The projection of rear extensions from the parent building should not excessively enclose or seriously affect the daylighting to an adjoining owner's habitable rooms (kitchen, lounge/dining room, bedroom). Such extensions should be avoided on a boundary wherever possible and should be of limited length.

The permissible outward projection of rear extensions will be assessed with regard to individual site factors such as orientation and levels, the visual effect of the extension on the original building and the retention of space around it. Single storey extensions, up to 3 m on the party wall boundary between semi-detached or terraced housing are normally acceptable.;

- *The Character Area Appraisal for Nash Mills 7: Development within the Plot*

This expects:

Extensions: Should normally be subordinate in terms of scale and height to the parent building.

Detail: No special requirements.

Means of enclosure: Enclosure of front garden areas by planting is encouraged.

Private landscaping: Further planting encouraged throughout.

The area analysis confirms that with regard to '*Views and Vistas*' there are ' good serial views along most roads'.

Visual Implications/ Design/ Effect upon the Street Scene

As confirmed the dwellinghouse occupies a very prominent position within the local street scene. Therefore with due regard to the expectations of Policies CS10, CS12 and DBLP Appendix 7 and HCA19 any extension at the front or side requires very careful consideration.

There is no doubt that the construction of a hipped roof two storey side extension at no.42 is acceptable in principle. Whilst the Revised Scheme does dilute the impact of the Initial Scheme, it will wholly fail to complement/ harmonise with the appearance of the dwellinghouse when viewed from opposite at the Highbarns - Chambersbury Lane junction. When viewed and approached from the lower part of Highbarns the extension will totally dominate the appearance of this part of the street scene, representing an unduly assertive and strident focal point creating a very intrusive impact. This is because of the combined effect of its height, bulk and its very elevated position, given the major effect of angle of its the flank wall in relation to Highbarns. This is despite the 'softening effects' of the hipped roof. The extension will also appear cramped in relation to no. 44.

It is acknowledged that a range of extensions have been granted planning permission in the local area. This includes the two storey side extension at no. 44 which abuts the common boundary with no 42. However, the proposal will have a materially fundamentally different impact with a resultant seriously harmful effect upon the original cohesive design of this part of Highbarns wherein the changing levels have added significant visual quality to the local street scene. Importantly this includes no. 42's existing 'return flank wall'.

In recommending refusal for very robust 'street scene' design reasons it has been taken into account that:

- Under 'permitted development' the existing hipped roof could be modified to a gable and a single storey side extension added without needing planning permission with a significant resultant very harmful impact. However, this fallback position is still materially different from the harmful impact of the two storey proposal.
- A further recessed two storey hipped roof side extension could be constructed without the identified harm due to the diluted effect of the resulting flank wall and a lower profile hipped roof. It is understood from discussions with the Agent that the Applicant is unable to agree to this. This takes into account the loss of a side pedestrian access to the dwellinghouse and a smaller master bedroom.

Impact upon Residential Amenity

This is in terms of the above mentioned policy expectations regarding the physical impact (i.e whether overbearing/ oppressive/ visually intrusive), privacy, receipt of day and sunlight and noise/ disturbance.

No. 40. The Initial Scheme would have been detrimental to the residential amenity of this dwellinghouse due to the effect of the single storey extension. The Revised Scheme's alternative single storey side extension will have no harmful effect in terms of physical impact and the receipt of light. The Revised Scheme's submitted drawings have been supplemented by a drawing showing the single storey extension's detailed relationship with no. 40. There will be some overlooking towards no. 40 from the side patio side window, however this would not be so significant to justify a refusal.

No. 44. Both the Initial and Revised Scheme's two storey side extensions do have some impact upon the front bedroom window of the extension at no. 44. However, the harm could not be so significant to justify a refusal. The Revised Scheme's single storey rear extension will have no adverse impact.

Others. There will be no harm.

Retained Garden

The dwelling will be served by a substantial garden.

Parking/ Highway Safety /Access Implications

Hertfordshire Highways raise no highway safety/ access/ parking objections.

The existing garage is not of modern design with limited usefulness. Whilst there would be the displacement of the garage there is still the opportunity for parking at the front of the dwellinghouse. It would be most unusual based upon current practice to refuse an application for a domestic extension based upon the loss of a parking facility, especially in a location where there is curtilage parking available , notwithstanding a heavy reliance upon on street parking in the locality. Hertfordshire Highways

Fire access is feasible.

Access for persons with disabilities. The ground and first floor could be adapted to facilitate access to the first floor.

Crime Prevention / Security

There are no objections. The provision of the side gate can be lockable and there is natural surveillance from the front of the extended dwellinghouse.

Geological Implications: Land Stability

Context

Paragraph 109 of the National Planning Policy Framework confirms that the planning system should contribute to and enhance the natural and local environment by:

- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 120 advises that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

NPPF paragraph 121 advises that, amongst a range of matters planning policies and decisions should also ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.

Land Stability at no.42: General

There has been a major vacuum in the available expert technical knowledge regarding current land stability until the end of last year. As Members are aware the reports upon the Chalk Mines Stabilisation Programme have only very recently been published and therefore before then Council's position was one of a very precautionary approach in considering any applications within the Highbarns Inner and Outer Highbarns Areas. In advance of these reports the Council would have been unable to support an application at the site due to the 'geological uncertainty'.

In this context the Council decided that due to no. 42's location in relation to the defined Inner and Outer High Barns former Chalkmine Areas a separate geological/geotechnical assessment was necessary. This was to consider whether the geological conditions are safe to construct extensions at the site.

The Report for no. 42 : Chalk Mine and Visual Inspection Report by Arcadis

1. Exterior.

(a).The dwelling's exterior is rendered and painted and while in a generally reasonable state of repair there was evidence of cracking and deterioration of the render particularly on the front façade to the left of the front door. The cracks are sub-horizontal above the doorway level and follow the line of the underlying bricks. Coincidentally, there is a downpipe collecting run-off from the roof also at this location and there has been a collapse of a soakaway in a similar position at the adjacent no. 40 Highbarns.

(b).It is possible that the aforementioned cracking may be due to poor construction and the use of soakaways close to the property rather than any underlying subsidence from mine workings.

2. Conclusion.

(a).Based upon the pre-treatment investigations, grouting and post treatment validation works progressively towards No. 34 Highbarns, there is no evidence to suggest the Highbarns mine complex extends under No. 42. Based on the evidence and information available No. 42 was properly assessed as not to be within the Derelict Land Clearance Order boundary.

(b). Moreover, there is no clear visual evidence from the property inspection of mine relating subsidence although the property does show signs of minor movement specifically to the façade on the left hand side of the front door. The cracking identified is of unknown origin but should be considered when determining the form of foundations for any future development.

(c).Based on all of the information and evidence examined by Arcadis, the risk of an untreated mine existing at No. 42 is no higher than elsewhere in Hemel Hempstead and so for planning purposes, the site should be assessed on the presumption that there is no mine present.

(c).Notwithstanding this, the chalk bedrock is subject to solution features and any development should give appropriate regard to the possibility of weak ground arising from natural features affecting the overlying superficial deposits and site

investigations should be adequate to define this possibility.

Overview

Significantly Arcadis confirm that the risk of an untreated mine existing at No. 42 is no higher than elsewhere in Hemel Hempstead and so for planning purposes, the site should be assessed on the presumption that there is no mine present.

Therefore in the knowledge of this expert advice there are no identified land stability reasons resulting from mine working to withhold the grant of planning permission.

Drainage

It is not usual for the LPA to consult either Thames Water or Affinity Water upon a domestic extension. The reason in this case was due to the site's location within the High Barns Area. With the subsequent receipt of a positive geotechnical report foul/ surface water drainage and water supply can be addressed through Building Regulations at the construction stage. The issue of the effects of additional soakways will need to be considered given the Arcadis Report's reference to the effect of existing soakaways.

Bats/ Ecological Implications

The demolition of the garage and modification of the roof have been considered by Hertfordshire Ecology which raises no objections.

Policy CS29: Sustainable Construction

A sustainability statement (Policy CS29 Checklist) has not been submitted .If permission is granted this can be subject to a recommended condition.

Exterior Lighting

There will be no external lighting.

Environmental Impact Assessment

This is not necessary.

Article 35

There has been an appropriate level of dialogue in seeking a positive design solution. Despite this the Revised Scheme cannot be supported due to the aforementioned design reasons.

In seeking a positive design solution there has been the parallel and unique difficulty of considering the geological implications. The application was submitted in advance

of the publication of the reports upon the effectiveness of the land stabilisation/ remediation programme at High Barns former Chalkmines.

After the expert legal advice from Council's Assistant Director (Legal) the LPA decided to request the carrying out of an independent geological survey for the site due to the extenuating circumstances of the site's very sensitive location within the High Barns Former Chalkmines Area. This has been entirely funded by the LPA which has been in the wider public interest, with no available 'in house' specialist technical input available.' This report has been in the context of the main reports regarding the remediation works.

As a consequence there have been delays in reporting the application to the DCC. Without this geotechnical input the LPA did not know whether inbuilt geological land stability problems remain. The report's findings are very reassuring with no identified outstanding issues.

Due to the timings of receiving the geotechnical report in mid December 2015 and preparing the planning report for the DCC – and with reference to the revised scheme- there has been no feasible alternative but to present the application to this meeting rather than 17 December 2015.

Conclusion

The proposed two storey side extension would fail to complement/ harmonise with the appearance of the dwellinghouse and have a detrimental impact upon the established street scene. For this reason it is recommended for refusal.

RECOMMENDATION - That planning permission be **REFUSED** for the following reasons:

- 1 **No. 42 occupies a very prominent elevated position within the local residential street scene in relation to both the lower part of Highbarns to the south and the Highbarns/Chambersbury Lane junction opposite, representing a focal point. No. 42 features a spacious relationship with no. 40 Highbarns when viewed from the junction.**

Due to its massing and its forward projecting, elevated and angled position, the proposed two storey side extension would introduce a very assertive and dominant feature within the Highbarns locality failing to complement/harmonise with and would not appear subordinate to the existing building, appearing cramped in relation to no. 44 Highbarns. As a consequence the two storey side extension would seriously detract from the appearance of the established local street scene/ streetscape character. The proposal is therefore contrary to Policies CS11 (a), (b) and (d) and CS12 (f) of the Dacorum Borough Core Strategy and the saved Dacorum Borough Local Plan 1991-2011 Supplementary Planning Guidance HCA19 and Appendix 7.

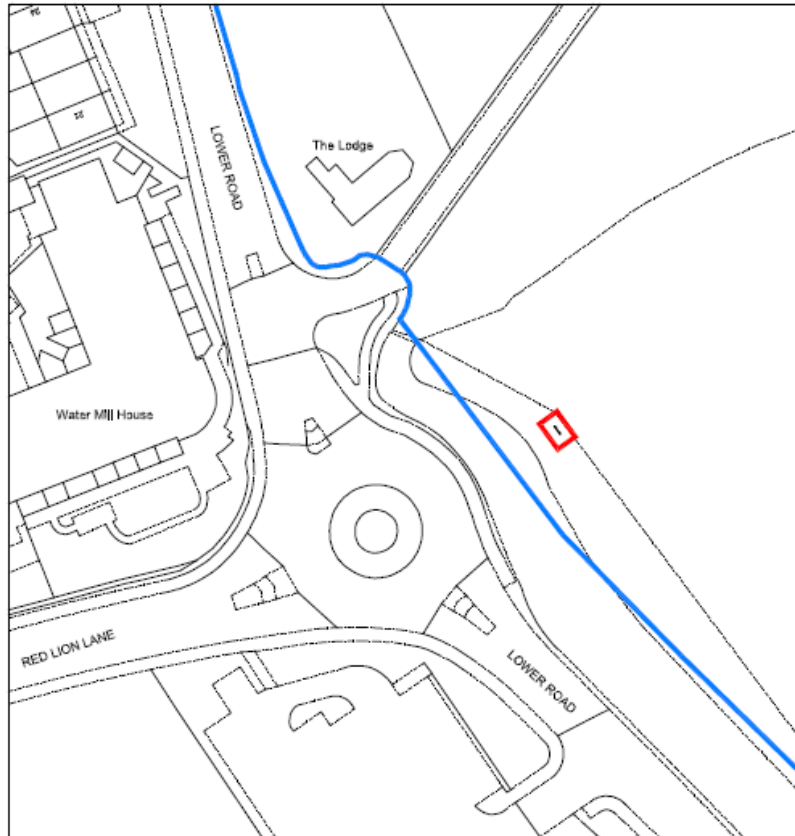
Article 35 Statement:

Planning permission has been refused for this proposal for the clear reason set out in this decision notice. There were detailed discussions to consider the significant implications of a side extension at the dwellinghouse. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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.

Item 5.04

4/03795/15/ADV - NON-ILLUMINATED ADVERTISING SIGN.

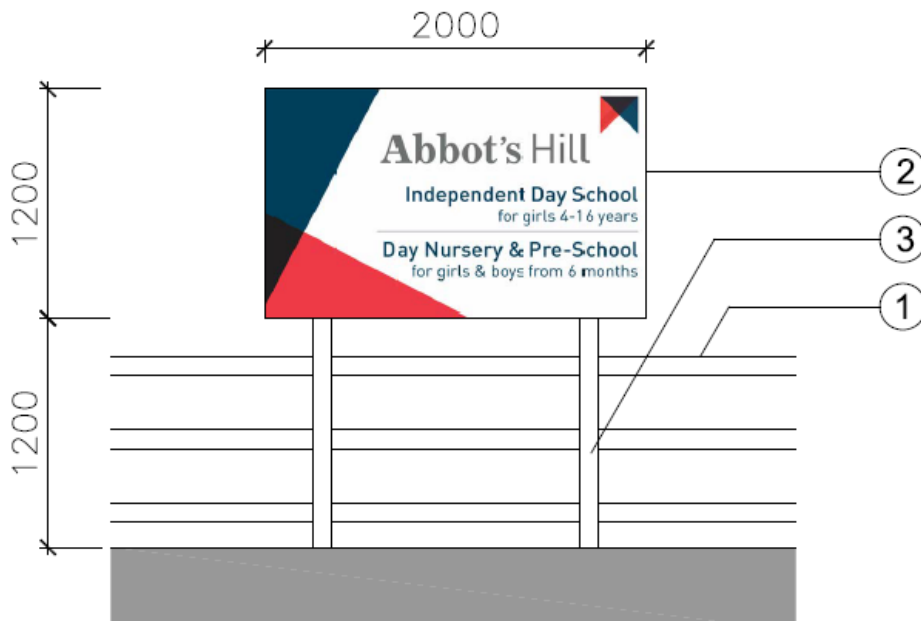
ABBOTS HILL SCHOOL, BUNKERS LANE, HEMEL HEMPSTEAD, HP3 8RP



Item 5.04

4/03795/15/ADV - NON-ILLUMINATED ADVERTISING SIGN.

ABBOTS HILL SCHOOL, BUNKERS LANE, HEMEL HEMPSTEAD, HP3 8RP



KEY:

1. EXISTING TIMBER FENCE
2. STEEL PLATE ON A STEEL FRAME PAINTED
3. SQUARE SECTION STEEL POSTS PAINTED

**4/03795/15/ADV - NON-ILLUMINATED ADVERTISING SIGN..
ABBOTS HILL SCHOOL, BUNKERS LANE, HEMEL HEMPSTEAD, HP3 8RP.
APPLICANT: Abbot's Hill School.**

[Case Officer - Jason Seed]

Summary

The application seeks advertising consent for a single advertisement to be located close to Abbots Hill School, Hemel Hempstead. The application is considered acceptable in terms of amenity and highway safety and therefore complies with Policy CS12 of the Core strategy and Saved Policy 112 of the DBLP.

Site Description

The application site is located to the east of Lower Road, Hemel Hempstead. The site is subject to the following planning designations: Area of Special Control for Adverts, Site of Special Scientific Interest, Oil Pipe Buffer, Green Belt, Other Wildlife Ecology Area, Tree Preservation Order.

Proposal

The application proposes a single sign to be mounted adjacent to an existing timber fence.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Nash Mills Parish Council who have objected to the application.

Relevant Planning History

None

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development

CS5 - The Green Belt

CS12 - Quality of Site Design

Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policy 99 - Preservation of Trees, Hedgerows and Woodlands

Policy 102 - Site of Importance to Nature Conservation

Policy 112 - Advertisements

Summary of Representations

Nash Mills Parish Council - Considers that there is already considerable signage sited at Abbots Hill School. They feel that this may set a precedent for other businesses, schools within the area.

Trees and Woodlands - No comments received

Highway Authority - No objection (subject to conditions)

Considerations

Policy and Principle

Saved Policy 112 of the DBLP states that express consent to display an advertisement other than within a conservation area will be given provided the advertisement:

- (a) is sympathetic in size, appearance, design and position to the building or site on which it is displayed;
- (b) is not unduly prominent;
- (c) does not detract from the amenity and character of the surrounding area; and
- (d) does not adversely affect highway and public safety.

The policy further states that the cumulative effect of advertisements on their surroundings will also be taken into account.

It is considered that the proposed advertisement is of modest dimensions and is comparable to others that are positioned within the local area, including the access to the school on Lower Road and as such, it is not considered that that the proposed sign is unsympathetic to the surrounding area. Whilst the sign is positioned to be noticed, it is not considered unduly prominent and does not detract from the amenity or character of the area.

The Highways Authority have been consulted on the application and do not object to the proposal, subject to a condition requiring the sign to be finished in non-reflective material to avoid undue distraction to motorists.

Finally, it was noted during the Officer's site visit that a number of other advertisements are evident within the local area although many of these are temporary and it is anticipated that they will not be permanent fixtures. As such, it is considered that the proposed sign will not contribute towards an unacceptable cumulative effect.

It is therefore considered that the proposal complies with Policy 112 and the principle of the proposal is acceptable.

Impact on Trees and Landscaping

Whilst the site is covered by a Tree Preservation Order, the erection of the proposed signage will not result in the loss or harm of any trees or landscaping.

Impact on Neighbours

The sign is located as such that the closest residential uses are the new residential development which is positioned on the corner of Red Lion Road and Lower Road. It is considered that the application site is situated a sufficient distance away to ensure that the proposed sign will have no adverse on the amenity of the occupiers of this development. It is considered that there are no other sensitive uses within the vicinity of the proposal site.

Conclusions

It is considered that the proposed advertisement will not result in an adverse impact on the local area in terms of visual impact, highway safety or residential amenity. As such, the application is considered to comply with Policy CS12 of the Core strategy and Policy 112 of the DBLP and on this basis, is recommended for approval.

RECOMMENDATION - That Advertisement consent be **GRANTED** for the reasons referred to above and subject to the following conditions:

1. This consent is granted for a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. No advertisement shall be sited or displayed so as to: -

- (a) **endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
- (b) **obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**
- (c) **hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

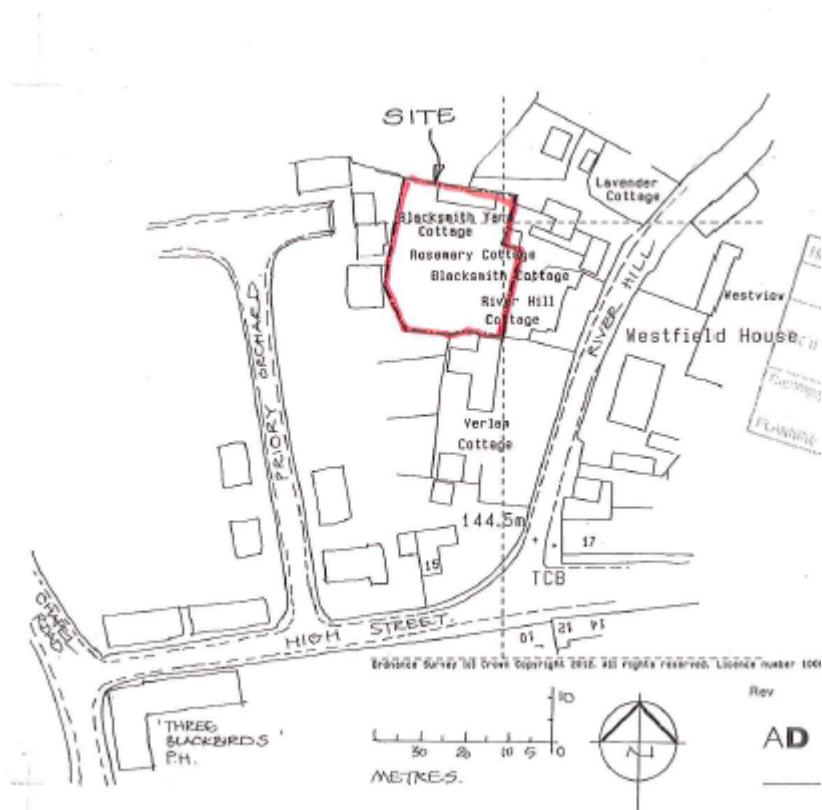
7 The proposed sign shall be finished and thereafter retained in non-reflective materials.

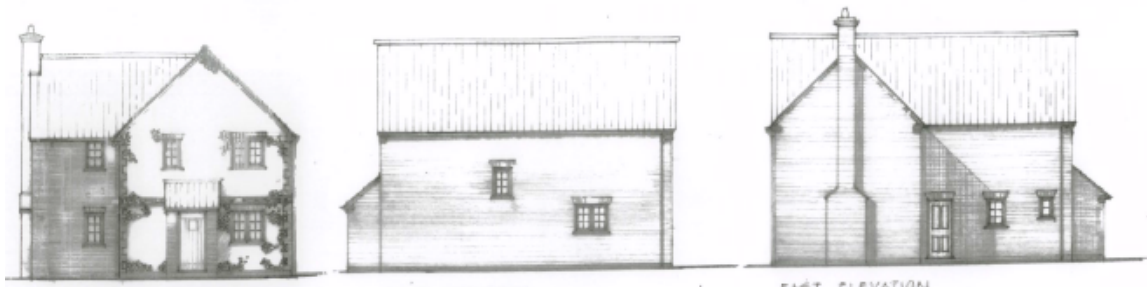
Reason: To avoid undue distraction to motorists and to avoid possible resemblance to and confusion with bona-fide road signs.

Item 5.05

4/02055/15/FUL - DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES

BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST. ALBANS, AL3 8BY

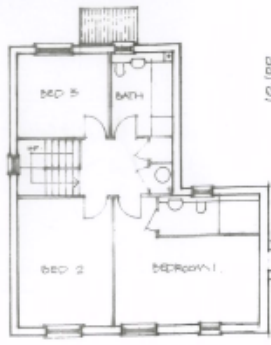




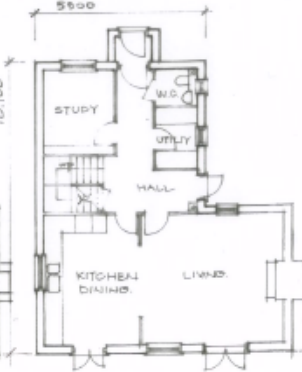
FRONT (NORTH) ELEVATION

WEST ELEVATION

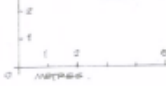
EAST ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



REAR (SOUTH) ELEVATION.

MATERIALS
 Walls: Multi red facing brick. Finish to ground floor level.
 Roof: Plain slate.
 Windows: White painted wood.
 Repairs: Black painted metal.
 C: Floor elevation extended by 800mm. OK 12.15
 D: Brick pit back removed. OK 11.15
 A: Windows extended. Floor added. OK 10.15
 Rev: 0

AD
 Alan Duncan Architect
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 Proposed Demolition of Existing House and
 Erection of Two New Houses at
BLACKSMITH YARD COTTAGE
RIVER HILL, FLAMSTEAD
HERTS AL3 8BY
 For Mr. P. Spedding
HOUSE B - PLANS + ELEVATIONS
 Scale 1:100 at A3 Date Feb 14
 Drawing No: **BY: 12** Rev: 0



FRONT (NORTH) ELEVATION



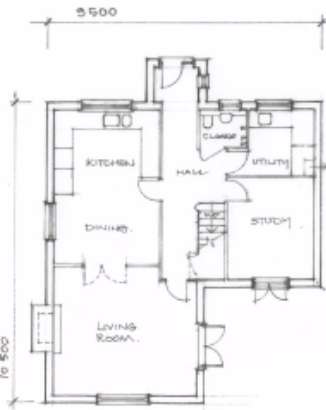
WEST ELEVATION



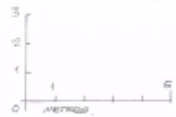
REAR (SOUTH) ELEVATION



FIRST FLOOR PLAN.



GROUND FLOOR PLAN.



MATERIALS
 Walls: Multi red facing brick.
 Roof: Plain slate.
 Windows: White painted wood.
 Repairs: Black painted metal.

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HOUSE A - PLANS + ELEVATIONS
 Scale 1:100 at A3 Date Feb 14
 Drawing No: **BY: 11** Rev: 0

**4/02055/15/FUL - DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES.
BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST. ALBANS, AL3 8BY.
APPLICANT: MR P SPEDDING.**

[Case Officer - Elspeth Palmer]

Summary

The application is recommended for approval. The principle of development is considered acceptable in accordance with Policies CS6, CS17 and CS27 of the adopted Core Strategy. The principle of the replacement of existing buildings and limited infilling within the selected small villages in the Green Belt is acceptable and supported.

Site Description

The site is located on the edge of the village of Flamstead but on the western side of River Hill. The site is accessed via a narrow lane off River Hill on the northern side of Blacksmith Cottage. The site currently comprises a single two storey dwelling which was originally constructed in approx. 1860. It was originally a two storey one bedroom cottage constructed with a solid brick walling with a slate roof and timber window and door frames. There have been a number of extensions to the property since it was built.

The site is located to the rear of Lavender Cottage, Rosemary Cottage, Blacksmith Cottage, River Hill Cottage and Verlam Cottage, all Grade II Listed Buildings. On the western side is a modern residential development namely Priors Orchard. On the northern side is a public footpath and fields which are covered by Green Belt. The site is also within the Flamstead Conservation Area.

Proposal

The proposal is to demolish the existing dwelling and construct two new houses. The house nearest to the modern residential estate will more match the character of these dwellings and the dwelling nearest the listed buildings will more match the character of these houses.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Flamstead Parish Council.

Planning History

4/00081/15/FUL DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES (AMENDED SCHEME)

Withdrawn

06/03/2015

4/00436/14/FUL DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES

Withdrawn

02/05/2014

4/01223/12/CAC DEMOLITION OF EXISTING DWELLING

Withdrawn

10/09/2012

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance

Adopted Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS5 - The Green Belt

CS6 - Selected Small Villages in the Green Belt

CS8 - Sustainable Transport

CS9 - Management of Roads

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS17 - New Housing

CS19 - Affordable Housing

CS25 - Landscape Character

CS26 - Green Infrastructure

CS27 - Quality of the Historic Environment

CS29 - Sustainable Design and Construction

CS31 - Water Management

CS32 - Air, Water and Soil Quality

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 18, 21, 120.

Appendices 1, 2, 3, 4, 5.

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

Water Conservation & Sustainable Drainage (June 2005)

Energy Efficiency & Conservation (June 2006)

Accessibility Zones for the Application of car Parking Standards (July 2002)

Landscape Character Assessment (May 2004)

Planning Obligations (April 2011)

Affordable Housing (Jan 2013)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Comments on Original Plans

Flamstead Parish Council

The Parish Council strongly objects to the application for the following reasons:

The style of the new houses do not preserve or enhance the established appearance of the area. In fact they seem to resemble mini "executive houses" with little character. The Council would expect any new build to blend in with other properties and be sympathetic to the conservation area. These are not.

The access to the property is a narrow winding public footpath/driveway which passes directly in front of the entrance door to Lavender Cottage. Increased use of this vehicular access would be a serious health and safety hazard for the occupants of this cottage.

The drawings show car parking space for 2 cars but it is not clear how these vehicles will be able to turn around and exit the property. In rural areas car ownership levels are high so presuming 2 cars per property is a very conservative estimate. Where would visitors park? A 4 bedroomed house could generate up to 4 cars so there is insufficient allowance for that.

Increased levels of traffic in the narrow lane will cause increased noise to the adjoining properties with the potential of increased damage to the road surface, garden fencing and kerbs surrounding the neighbouring properties. Parking in River Hill is limited at present so any increase in car ownership would need to be addressed.

In the unlikely event of the Development Control Committee being minded to grant permission, the PC requires conditions to be imposed that will forbid access to the site for HGVs, major construction equipment and major building components via the existing track. Alternative access arrangements from the North of the site must be provided, to prevent damage to existing structures that have little or no foundations.

There is clearly loss of sunlight to Lavender Cottage, Rosemary Cottage, Blacksmith Cottage and 8 Priory Orchard.

There is clearly loss of privacy to 8 Priory Orchard in particular.

Increasing the density of living accommodation in this small area would affect the privacy of the surrounding houses with the resultant increase in noise/traffic pollution.

The garden of the proposed property is a bit of a wildlife haven especially for bats which will need to be protected, so a full bat survey is mandatory.

The minor adjustments which have been made by the applicant since last submitted do not address the key issues of inappropriate development in the conservation area, unsympathetic design, car ownership and access issues.

In short the Council vehemently opposes this application and would expect the above comments and those of the neighbours to be fully considered by the planning officer.

Rosemary Cottage, River Hill - objects

I support the objection letter sent by neighbours of mine at River Hill Cottage

There are, in particular, a number of points that as the owner and resident of, I believe, the nearest building to the planned works I would like to make.

1. The neighbouring properties, with the exception of those on Priory Orchard (a more modern development), are of a variety of (old) ages and a variety of styles. It is therefore difficult to argue a specific "vernacular" that Blacksmiths Yard Cottage is, or is not, sympathetic to.

2. There would be a very definite reduction in outlook and loss of sunlight and daylight in my garden at Rosemary Cottage which lies immediately to the East of the planned construction. The new buildings would sit immediately West of my garden and I would therefore experience a major loss of light in the afternoon and evenings when the garden would be most used.

3. Access, parking and damage to laneway and adjoining properties would be an issue both during and after construction.

River Hill Cottage – objects

- Existing house is a simple rural village house not untypical of others in the area;
- No structural survey produced;
- New houses won't preserve or enhance the conservation area;
- No proof that houses will meet a local need;
- Not in character with surrounding houses;
- Will result in a loss of amenity for neighbours eg. Loss of light, outlook
- Detrimental affect on natural environment;
- Difficult access for large vehicles;
- Inadequate parking and narrow access and blind bend near the entrance;
- Vehicles will cause damage to public footpath.

8 Priory Orchard – objects

- The plot is not accurately shown on the plans;
- Loss of sunlight and daylight for neighbours;
- Loss of privacy for neighbours;
- Inadequate parking on site;
- Highway safety and road access;
- Increase in traffic along the lane;
- Increase in noise disturbance;
- Proposed layout and design too dense;
- Visual intrusion for neighbours; and
- Impact on bats and the natural environment.

Blacksmith Cottage - objects

- Loss of outlook for neighbours;

- Proposed development not in character with the surrounding area;
- Potential damage to the nearby listed buildings; and
- Increased noise levels both during and after construction.

DBC Trees and Woodlands

There are no significant trees or landscape features within the site.

However, there is a mature ash tree adjacent to the access road and directly opposite Lavender cottage. There is also a group of ash and Norway maples close to the boundary between the application site and the adjacent field.

These trees are likely to be damaged by heavy construction machinery because parts of their Root Protection Area (RPA) is within the access road. While the area is a Conservation Area, none of the trees merit TPO although they are worthy of retention.

If this application is approved, I recommend that the applicant submits a tree survey and an arboricultural method statement detailing methods of tree protection. To protect these trees against damage caused by wheeled or tracked construction traffic exceeding 2 tonnes gross weight, ground protection boards or reinforced concrete slabs should be laid to protect the RPA in accordance with the recommendations of British Standard 5837:2012.

Strategic Planning

This proposal does comprise infill development as it forms part of a gap within a group of buildings (as set out in the background para. 8.34 to Policy CS6). Therefore, the additional dwelling would be acceptable in principle and there would not be the need to justify it against VSC. In addition, as stated previously, the second dwelling would not now be subject to fulfilling a local need requirement either.

Given these points, the appropriateness of the proposal would therefore have to be tested against its impact on Policy CS6 (i) and (ii) and the local heritage assets.

DBC Countryside Access, Landscape and Recreation

The proposed site is accessed via Flamstead public footpath 19. This means all traffic will have to travel 30m over the footpath / drive in order to access the site. This will obviously result in, particularly during any construction phase, increased traffic over the public right of way. Also vehicles are likely to be parked on the public footpath/drive potentially obstructing public access and causing a potential hazard. Increased parking on River Hill may also cause similar problems.

DBC Contaminated Land

The site is located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site. I recommend that the standard contamination condition be applied to this

development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Conservation and Design

The site is at a sensitive location within, and on the boundary of the Conservation Area. The proposed buildings sit closely to the listed buildings and historic complex consisting of Blacksmith Cottage, Lavender Cottage and Rosemary Cottage to the east and Verlam Cottage set back from the site to the south. A public footpath runs directly across the front of the site, and the views northwards over the open fields are spectacular. To the west, the estate development presses up against the boundary of the site.

The design principles should respect the smaller scale, more varied cluster of historic buildings to the east, and make a more gentle transition to the estate style development to the west.

In this respect, the two proposed buildings should be reversed so that the double-fronted building (A) sits next to the estate buildings, and the gable ended house (B) complements the gables that characterise Rosemary and Lavender Cottage and Verulam Cottage to the rear. This smaller building B could be set back slightly further in the plot, and the parking handed to the other, west side, increasing the separation between the two houses and possibly allowing for a less 'tunnel-like' building as House B (although views through to Verlam Cottage and the church spire should be preserved.) The front curtilages need to be revised to present less hard-standing to the front of the houses.

The design of both buildings then needs addressing, as the buildings as they stand do not help to enhance the character of the Conservation Area. These do not need to be 'matching' buildings – indeed, the bulk and scale of House A suggests a different approach could be adopted to distinguish it from the more cottage-like appearance and scale of house B. All elevations lack vibrancy and detailing - the principal front elevations of both House A and House B are particularly 'mean' and mechanical in their execution. Whilst appreciating that the design should be kept relatively simple and restrained, I would suggest that both houses could benefit from more articulation, perhaps introducing for example plinths and plat-bands – the latter particularly to House A. There is no visible chimney to House A from the front and this could be added to the gable associated with the study. The porches also have a very 'flat' appearance. Some possible detailing is shown in the Chilterns AONB Design Guide and Technical Notes on Brick and Roofing. The fenestration to the buildings are uniformly characterless, based on 2-paned casements – the fenestration to the adjacent buildings is much more eclectic and House B in particular needs more articulation with a larger window at least to the ground floor. Some use of flint could also be considered, particularly to the front boundary wall.

Comments on Amended Plans

Flamstead Parish Council

The development is against the spirit of the Green Belt, the new property on the far right will be too close to no 8 Priory Orchard restricting light and openness; the access is inadequate; access during any potential construction would require a full and proper health and safety report; FPC would like to view the Highways report on the access situation. The drawings are considered to give the wrong impression of size and location of the property in relation to the neighbours' properties. The Council will continue to object to the application until the neighbours are satisfied that their concerns have been addressed

Archaeology Unit

Please note that the following advice is based on the policies contained in the National Planning Policy Framework (NPPF).

The site lies within Area of Archaeological Significance No. 18, as described in the Local Plan. This notes that Flamstead is a medieval settlement.

A pre-validation archaeological evaluation of the site has identified a linear feature containing pottery dating to the medieval period within the development footprint, and the site therefore has the potential to contain further remains of medieval date.

I believe that the position and details of the proposed development are such, that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

1. the archaeological monitoring of groundworks carried out further to the demolition of the existing building on the site, including the removal of existing floors and foundations
2. the archaeological monitoring of all ground reduction for the proposed new building footprints by means of strip, map and sample methodology
3. the archaeological monitoring of other groundworks associated with the development, e.g. foundations, service runs, landscaping, access etc.
4. the archaeological investigation of any remains encountered during this process, and a contingency for the preservation of any remains *in situ*, if warranted.
5. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and if appropriate, a publication of these results. the analysis of the results of the archaeological work and the production of a report and archive
6. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I

further believe that these recommendations closely follow the policies included within National Planning Policy Statement (policies: 135, 141 etc.), and relevant guidance contained in the National Planning Practice Guidance, and Historic England Good Practice Advice.

In this case two appropriately worded conditions on any planning consent relating to these matters would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording (based on model condition 55 DoE circ. 11/95):

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, then this office can provide information on archaeological contractors who may be able to carry out the work.

Conservation and Design

The Conservation Officer is now satisfied with the designs of the two new dwellings.

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission.

Although the highway authority in principle has no objection to this latest proposal, consideration should be given to the public rights of way and a construction management plan should be submitted.

The RoW officer will make his/her comments on this proposal but the applicant should also submit a construction management plan stating how the existing dwelling will be demolished and demonstrating how all deliveries to the site, trades personal can be accommodated on site with causing unnecessary delays or obstruction of the adjacent highway.

Trees and Woodlands

Blacksmith Yard Cottage – no problems with the application from a tree perspective.

One smaller sized tree would be affected by proposals, but has minimal amenity due to being positioned away from the public highway. None of the site vegetation is important within the immediate vicinity.

Removal and replacement by more appropriately sized plants would be possible.

Hertfordshire Biological Records Centre

I have seen the Bat Survey report – Preliminary Roost Assessment (PRA) - submitted with this application.

An inspection survey for bats was carried out on 16 February 2015 by Arbtech and no bats or signs of bats were found. The building was considered to have negligible potential to support roosting bats and no further surveys were thought necessary.

As there was no evidence of bats or any other protected species at the site, the third test of the *Conservation of Habitats and Species Regulations 2010* do not need to be considered; and a European Protected Species Licence will not be required for this project.

Thames Water

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

8 Priory Orchard - objects

- a significant loss of natural light to rear garden, rear facing rooms and the east facing utility room;
- reduce light to kitchen and dining room;
- visual intrusion;
- loss of privacy to garden, kitchen, utility, dining room and sun room/conservatory from windows in side elevation;
- inadequate parking and turning provided for both houses;
- noise from parking/turning of vehicles near my house;
- highway safety and road access - vehicles will be forced to reverse out along the shared drive and public footpath;
- increased traffic along the lane during construction;
- the development is too dense and will over shadow my property;
- there is alot of Bat activity over our garden and it seems the Bats come from the outbuildings attached to Blacksmiths Yard Cottage.

Blacksmith Cottage - objects

- not convinced that Blacksmith Yard Cottage is beyond repair and needs to be demolished - not seen structural survey;
- visual intrusion for all the surrounding properties as the proposed 3 bed-roomed property would span the entire width of the rear garden of Blacksmith Cottage;
- seriously reduce the afternoon/evening sunlight of Blacksmith cottage, Lavender cottage, and Rosemary cottage;
- proposal not in character with the Grade II listed properties in the Conservation Area of River Hill which overlook the site;
- damage to adjacent listed buildings by construction vehicles; and
- increase in noise levels due to close proximity of the two new dwellings and the increase in car traffic using the lane which passes within a few feet of the siting rooms of both Lavender and Blacksmith Cottages.

River Hill Cottage, River Hill - objects

- the scheme will neither preserve or enhance the established character or appearance of the area. Of the five listed properties on River Hill which overlook the site, four have external walls which are white or cream, one has a part slate-

tiled roof and they all have a whole variety of different window designs and materials.;

- The proposed new houses will not have the same or similar appearance; they will resemble standard modern estate houses, even with the token cosmetic inclusion of flint in the lower part of the north elevation of House “B”;
- nothing in the application which provides the proof that the building is incapable of satisfactory repair;
- a planting along the boundary of sufficient density to provide privacy for the occupiers of Verlam Cottage will block all daylight in that property’s kitchen. It will also make it almost impossible for proper cleaning and/or repair and maintenance to be carried out to that elevation of Verlam Cottage;
- noise levels will rise as a result of cars parking on the other side of our rear boundaries, greater numbers of occupants on the site and an increase in the number of vehicles using the site;
- loss of late afternoon and evening sun;
- loss of privacy for Verlam Cottage from the southern elevation of the proposed new dwelling;
- the plot is currently uncultivated and comprises a large open grass area surrounded by trees and bushes. It is a haven for wildlife, much of which visits neighbouring properties. We regularly see in our garden many species of birds as well as squirrels, voles, fieldmice, frogs, toads, hedgehogs, butterflies, and invertebrates. Bats are also seen flying over the site. Many of them will suffer from the proposed development;
- access for large lorries via the narrow lane and onto River Hill will be very difficult;
- excessive noise, dust and possible exposure to dangerous substances if the intension is to grind the spoil from the site rather than remove it;
- damage to main sewer during site clearance and construction; and
- proposed vehicle access and parking are inadequate and narrow.

Comments on most recent plans

Please note:

The only changes from the last set of plans are:

- Property boundary between the site and 8 Priory Orchard has been corrected;
- No. 6 Priory Orchard has been clearly marked on the site plan;
- House A had been set back to be in alignment with No. 8 Priory Orchard; and
- The L shape part of house B has been lengthened by 500 mm.”

These comments will be placed in the Addendum or reported to the meeting.

Considerations

Policy and Principle

The site lies within the Selected Small Villages in the Green Belt where the replacement of existing buildings and limited infilling is permitted.

The site also lies with the Flamstead Conservation Area where all development will favour the conservation of heritage assets. Development will positively conserve and enhance the appearance and character of the conservation area.

Policy 120 Development in Conservation Areas states that there is a presumption against the demolition of any building that contributes to the character of the conservation area. Consent to demolish will not be granted unless it can be proved that the building or structure is incapable of satisfactory repair to ensure a continued and viable use and that replacement which satisfactorily contributes to the character of the conservation area is secured.

Impact on Small Village in Green Belt

Policy CS6 states that development must:

- be sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and
- retain and protect features essential to the character and appearance of the village.

The site is an unusual one in that it has open green belt to the north, a modern residential estate on the western side and listed buildings to the south and east. The scheme has attempted to address this variety of character by making house A more in character with the houses to the west and house B more in character with the older houses to the east.

Many discussions were held between the applicant's Architect and the Conservation and Design officer before the final plans were agreed. The Conservation and Design officer's comments on the original plans were addressed and the current plans are the outcome of these discussions.

The new dwellings are set back from the public footpath and green belt to avoid any visual intrusion into the openness of the Green Belt. They still retain a good distance of approx. 20 m and 14 metres between the rear elevation and the neighbours to the rear to ensure there is no loss of privacy and a realistic area of amenity space for the new dwellings. There are currently no standards for back to side distances but 11.5 metres is the minimum depth for amenity land to serve a dwelling.

Impact on Street Scene and Conservation Area

The proposal will not be visible from River Hill as the access to the site is via a narrow lane and the houses will be set back from the lane.

The new dwellings will be in character with the Conservation Area as their designs have now addressed all of the Conservation Officer's concerns with regard to design principles. House B now respects the smaller scale, more varied cluster of historic buildings to the east and House A makes a more gentle transition to the estate style development to the west.

The elevations now have more vibrancy and detailing and the porches have lost their flatness. The fenestration is now more articulated and some use of flint on house B has been added.

The design has maintained the view through to Verlam Cottage and the church spire.

Impact on Trees and Landscaping

There are no significant trees on the site however there are a number of trees which may be damaged during access of construction vehicles. Measures will need to be taken to protect the trees from vehicular traffic entering and exiting the site.

Impact on Highway Safety

Various highway issues have been raised due to the narrow lane access and the public right of way.

Prior to commencement a construction management plan stating how the existing dwelling will be demolished and demonstrating how all deliveries to the site, trades personal can be accommodated on site with causing unnecessary delays or obstruction of the adjacent highway will be submitted to the Council.

The maximum parking standard for a 3 and 4 bedroom dwelling is 2.25 and 3 spaces respectively. House A is 4 beds and has provision for 3 vehicles and House B is 3 beds and has provision for 2 vehicles.

Impact on Neighbours

There will be no significant loss of sunlight and daylight for neighbours as a result of the proposal.

No.6 Priory Orchard is over 19 metres from the nearest proposed dwelling (House A).

No. 8 Priory Orchard (the nearest neighbour) will have a small reduction in sunlight reaching their back garden. In terms of sunlight reaching the windows in their rear elevation it is not measurable by using the 45 degree test and difficult to prove that the loss would be significant. Now the houses are in alignment the overall loss will not be significant.

In order to retain the existing amount of sunlight to No. 8's garden both houses would have to be set back at least 5 metres which would reduce the rear garden size and result in a loss of privacy for the windows to the side of Verlam Cottage.

The other dwellings, Lavender Cottage(11 metres away), Rosemary Cottage (8 metres away), Blacksmith Cottage (18 metres to rear elevation), River Hill Cottage (15.2 metres to rear elevation), and Verlam Cottage (14 metres to side elevation) are all too far away from the new dwellings to suffer a significant loss of sunlight and daylight.

All new windows at first floor level will be permanently fitted and obscure glazed so there will be no loss of privacy for any of the neighbours.

There will be an increase in noise levels as a result of the two new dwellings but it will be no more than would be expected in a residential area.

Noise and pollution during construction are not material planning considerations.

Sustainability

The scheme will be built to modern building regulation standards thereby improving the overall sustainability of the home. The proposals therefore accord with CS29.

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 No development shall take place until details/samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and comply with Core Strategy Policies 11 and 12.

Reason: In the interests of the visual amenities of the Conservation Area and to comply with Core Strategy Policy 27.

- 3 No development shall take place until the applicant, or their agents or successors in title, has/have secured the implementation of a**

programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. This investigation shall include further study of Blacksmith Yard Cottage, a demolition method statement for the building, and further archaeological investigation prior to full excavation of all land within the site.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to comply with Core Strategy Policy 27.

- 4 **Prior to commencement of development a tree survey and an arboricultural method statement detailing methods of tree protection must be submitted to the Council. To protect these trees against damage caused by wheeled or tracked construction traffic exceeding 2 tonnes gross weight, ground protection boards or reinforced concrete slabs should be laid to protect the RPA in accordance with the recommendations of British Standard 5837:2012. Once this statement is agreed then the applicant must follow the statement during demolition and construction of the development.**

Reason: To comply with Policy 25 of the Core Strategy and to maintain the landscape character of the area.

- 5 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition:**

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and

timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 6 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

- 7 **No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**
1. **The programme and methodology of site investigation and recording**
 2. **The programme for post investigation assessment**
 3. **Provision to be made for analysis of the site investigation and recording**
 4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**

5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To comply with Core Strategy Policy 27.

- 8 **i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).**
ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To comply with Core Strategy Policy 27.

- 9 **The applicant should submit a construction management plan stating how the existing dwelling will be demolished and demonstrating how all deliveries to the site, trades personal can be accommodated on site with causing unnecessary delays or obstruction of the adjacent highway and public right of way.**

Reason: In the interests of Highway safety.

- 10 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1 Classes [A, B, C, D, E, F, G and H]
Part 2 Classes [A, B and C].**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality. The two dwellings are on relatively small sites in the village of Flamstead within the green belt and conservation area.

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

BY01 Location Plan
BY:10 Rev D Site Plan
BY: 11 House A - Plans and Elevations
BY: 12 Rev C House B - Plans and Elevations
BY:13 Rev B Street Elevation from field showing houses in context
CIL Form
Design and Access Statement
Bat Report
Archaeological Report

Reason: For the avoidance of doubt and in the interests of proper planning and to comply with Core Strategy Policies 6,11,12 and 27.

Article 35 Statement:

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) Order 2015.

Informatives:

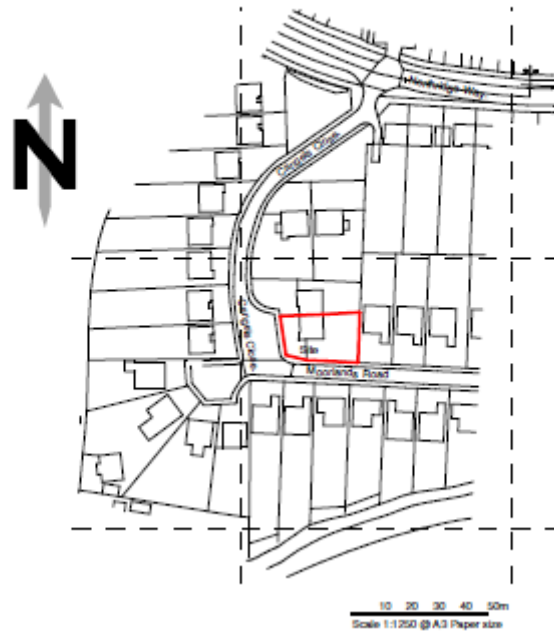
Due to the narrow access to the site and the adjacent Grade II Listed Buildings special care must be taken when construction vehicles enter and leave the site. Any damage to these buildings will need to be repaired and civil action may be taken.

If planning consent is granted, then this office can provide information on archaeological contractors who may be able to carry out the work.

Item 5.06

4/03728/15/FHA - TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION. NEW GARAGE, PORCH, RAISED PATIO AND ENLARGED DRIVE-WAY

4 CANGELS CLOSE, HEMEL HEMPSTEAD, HP1 1NJ



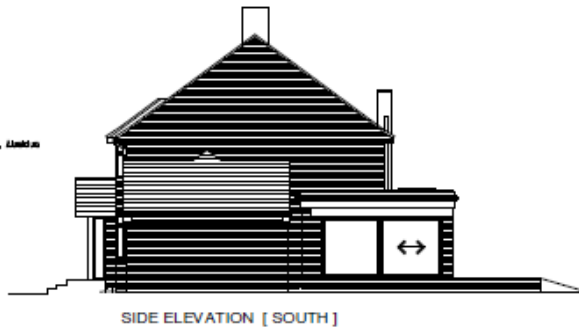
Item 5.06

4/03728/15/FHA - TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION. NEW GARAGE, PORCH, RAISED PATIO AND ENLARGED DRIVE-WAY

4 CANGELS CLOSE, HEMEL HEMPSTEAD, HP1 1NJ



- Roofs - Pitch 12/12
- Roofs - Pitch 12/12
- Roofs - Pitch 12/12
- Roofs - Pitch 12/12



**4/03728/15/FHA - TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION. NEW GARAGE, PORCH, RAISED PATIO AND ENLARGED DRIVE-WAY..
4 CANGELS CLOSE, HEMEL HEMPSTEAD, HP1 1NJ.
APPLICANT: N Bateman & M Brookes.**

[Case Officer - Elspeth Palmer]

Summary

The application is recommended for approval.

The proposal will be in character with the existing dwelling and the street scene along Cangels Close and will not have a detrimental impact on highway safety. The proposal will be in compliance with Core Strategy Policy 11 and 12 and Appendices 5 and 7.

Site Description

The site is located on the eastern side of Cangels Close at the intersection with Moorlands Road. The site is located within a residential area of Hemel Hempstead and comprises a two storey semi-detached dwelling with attached garage.

Proposal

The proposal is for a two storey side and single storey rear extension, new garage, porch, raised patio and enlarged drive-way.

Referral to Committee

The application is referred to the Development Control Committee due to the applicants both being DBC officers.

Planning History

None.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS25 - Landscape Character

CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan

Appendix 5,7

Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area [HCA 7 Boxmoor]

Accessibility Zones for the Application of Car Parking Standards (July 2002)

Summary of Representations

Any comments received from neighbours will be reported at the meeting.

Hertfordshire Highways

Hertfordshire County Council (HCC) as a Highway Authority does not object to the proposed development. The proposals would not have a material impact on the highway network. However, the following informatives should be included within the decision notice should the Local Planning authority wish to grant planning permission.

The highway authority recommends inclusion of particular Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980. These have been added to the conditions.

Description of the Proposal

The above application is for a two storey side and single storey rear extensions, new garage, Porch, patio and enlarged driveway. Access to the site will remain off Cangels Close via the simple existing vehicle crossover which appears to be unmodified. Please note that the maximum width that the highway authority would allow would be a double width vehicle crossover. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Cangels Close is an unclassified local access road, L2, 2U534/10. It is 134m long from its junction with Northridge Way to Moorlands. The average width is 5m but at the site which used to be a turning head feature it is over 13.5m wide. The road is lit and has a 30mph speed limit. Road safety Looking at the five year rolling RTC data there are no recorded injury incidents in the road near to the site. However, there have been some slight injury incidents in Fishery Road near the junction with Horsecroft Road. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

Analysis A Transport Statement or Assessment is not required for this application due to the small size of the proposed development. This is in line with Roads in Hertfordshire: Highway Design Guide requirements.

Highway Impact

Trip Generation The trip generation profile is not required as the development proposed for this proposal as it is unlikely to impact on the overall function of the local highway network.

Travel Plans The applicant has not submitted a travel plan as part of this application. The scale of the development falls below the threshold that requires either a Travel Plan or a Statement

Planning Obligations/ Community Infrastructure Levy (CIL)

It is not considered that any planning obligations are considered applicable to the proposed development.

Conclusion

The assessment does not indicate any significant issues with the proposal with increased off street parking. The highway authority would not wish to restrict the grant of planning permission subject to the above informatives.

Considerations

Policy and Principle

The principle of an extension at this location is acceptable and should be considered against the Core Strategy policies CS 11, CS12 and saved DBLP Appendices 5 Parking Provision and 7 - Small Scale House Extensions.

Effects on appearance of building

The proposed extensions are in character with the existing building in terms of roof design, scale and materials.

Impact on Street Scene

The majority of dwellings along Cangel Close are large two storey detached dwellings with similar design to the subject site. The predominant character along Moorlands Road is that of Bungalows.

The proposal will be in character with the surrounding properties and will not project forward of the dwelling in a way that dominates the streetscene.

Impact on Trees and Landscaping

There are no significant trees in proximity to the proposal.

Impact on Highway Safety

Highways are satisfied that there will be no detrimental impact on highway safety as a result of the proposal.

The house currently has 3 bedrooms with two off street parking spaces. The proposal will allow for 4 bedrooms with three off street parking spaces.

The maximum parking standards outlined in Appendix 5 of the DBLP are a 3 bedroom dwelling requires 2.25 spaces and for a 4 bedroom dwelling 3 spaces are required.

The proposal satisfies the maximum parking standards.

Impact on Neighbours

The two storey side extension is well removed from any of the neighbours as it is adjacent to Moorlands Road.

The single storey rear extension will project outwards by two metres with no north facing windows so will not cause a loss of light, privacy or visual intrusion for the attached neighbour.

The new windows in the rear elevation will look onto the side elevation of the neighbour to the rear which has a window in the roof slope facing the subject site. There will be one additional window at first floor and windows at ground floor. The additional window at first floor will be for a bathroom so any potential loss of privacy will be reduced by conditioning that the window be permanently fitted with obscure glass and top hung.

The windows at ground floor could be part of a small extension allowable under permitted development rights.

Sustainability

The proposal would be built to modern building regulation standards thereby improving the overall sustainability of the home. The proposal therefore accords with CS29.

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development and to

comply with Core Strategy Policy CS 11 and 12.

- 3 **Notwithstanding the details shown on the approved plans the new window at first floor level in the rear elevation of the extension hereby permitted shall be top hung and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents and to Comply with Core Strategy Policies 11 and 12.

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

CIL

Drawing No. 01 Rev A

Drawing No. 02 Rev A

Drawing No. 03 Rev A

Drawing No. 04 Rev A

Drawing No. 05

Drawing No. 10 Rev F

Drawing No. 13 Rev E

Drawing No. 14

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

Article 35 Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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) Order 2015.

Highway Informatives:

Storage of materials AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Obstruction of the highway AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

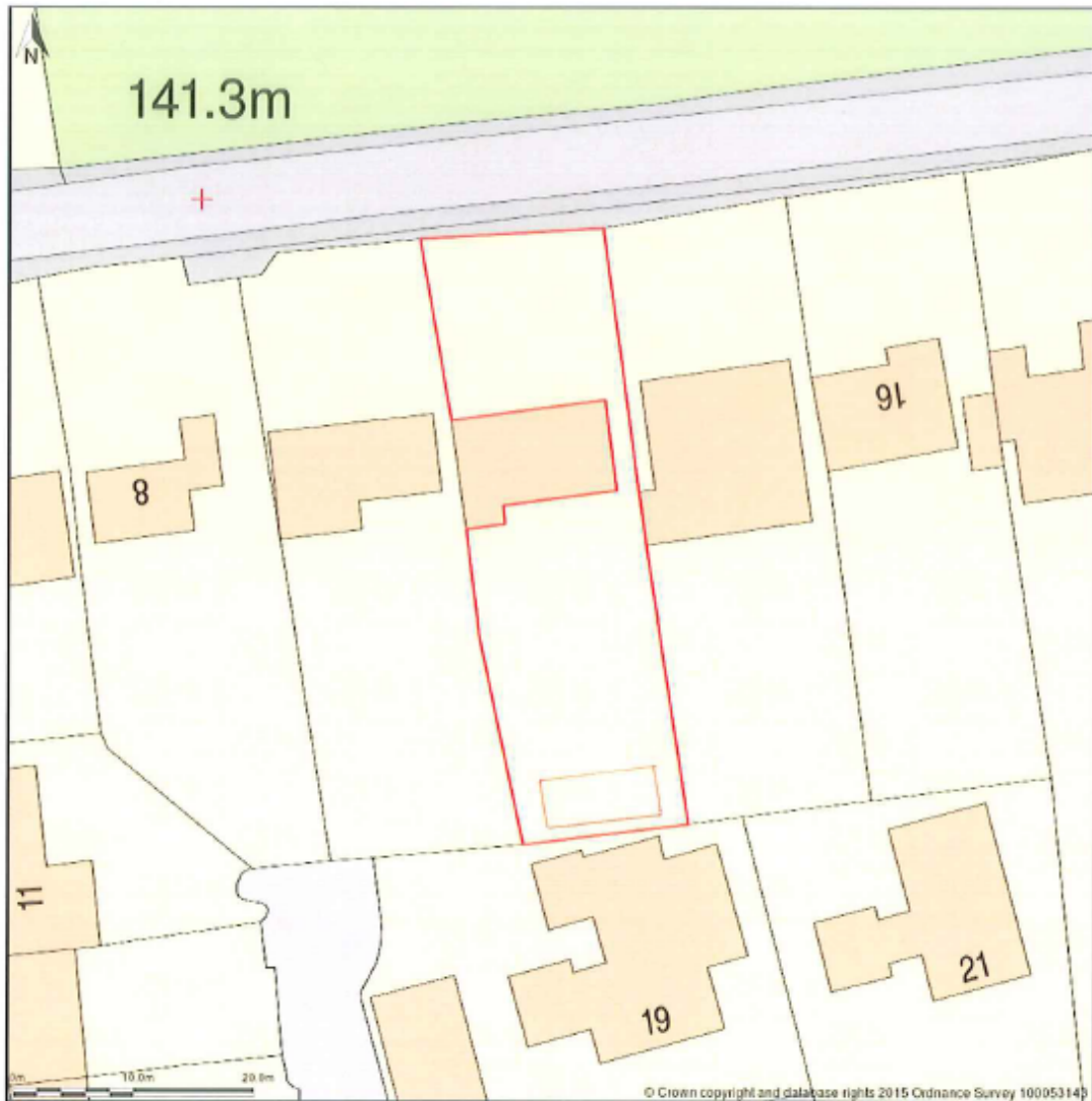
Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Mud on highway AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Item 5.07

4/03474/15/FUL - CONSTRUCTION OF BUILDING TO PROVIDE SHORT-TERM BOARDING ACCOMMODATION FOR CATS

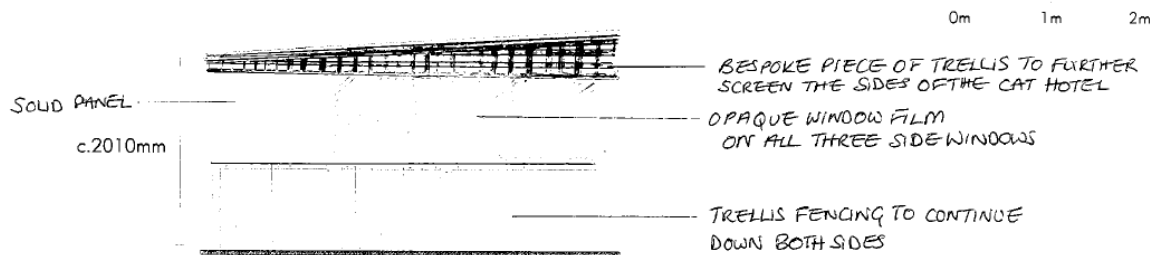
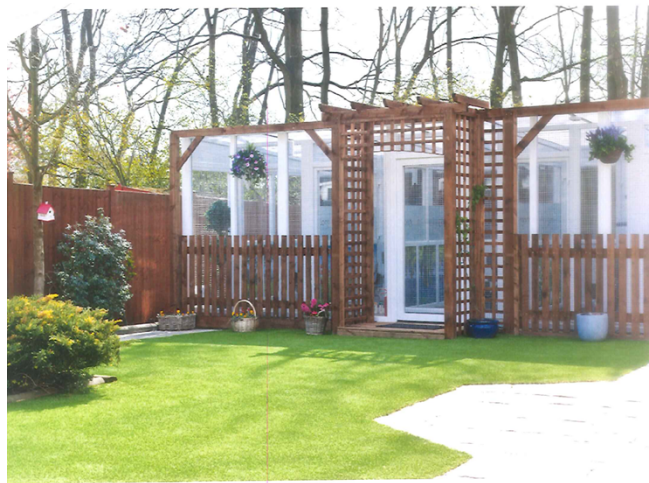
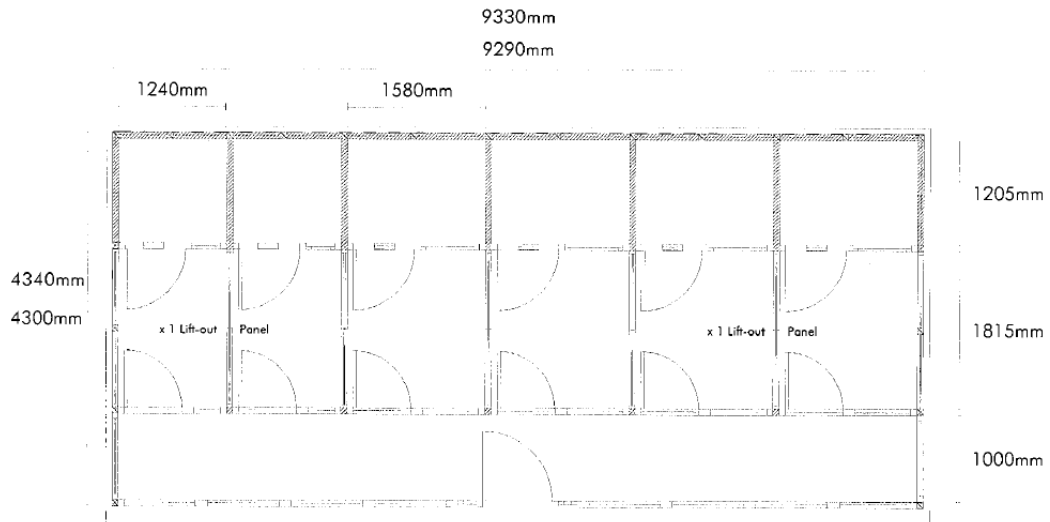
12 SINGLET'S LANE, FLAMSTEAD, ST ALBANS, AL3 8EP



Item 5.07

4/03474/15/FUL - CONSTRUCTION OF BUILDING TO PROVIDE SHORT-TERM BOARDING ACCOMMODATION FOR CATS

12 SINGLET'S LANE, FLAMSTEAD, ST ALBANS, AL3 8EP



**4/03474/15/FUL - CONSTRUCTION OF BUILDING TO PROVIDE SHORT-TERM BOARDING ACCOMMODATION FOR CATS.
12 SINGLETS LANE, FLAMSTEAD, ST ALBANS, AL3 8EP.
APPLICANT: Mrs S Martin.**

[Case Officer - Rachel Marber]

Summary

The proposed outbuilding for operation as a cat hotel business would be an appropriate use within the designated small village in the Green Belt due to providing a local facility which would meet the needs of the village. In addition, the outbuilding would be domestic in scale and design and as a result would not impact upon the visual amenity of the existing dwelling house, adjacent Conservation Area and would assimilate into surrounding residential village. The proposal is therefore in accordance with saved appendixes 3 and 7 of the Dacorum Local Plan (1991), policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2012).

Site Description

The application site is located on the south side of Singlets Lane, Flamstead, St Albans. The site comprises of a two storey detached dwelling house which falls within a designated small village in the Green Belt. The dwelling house is externally finished in white render with a brown concrete tiled pitched roof. To the front of the property there is a driveway formed of hardstanding, adjacent to the dwelling house there is an attached single garage; parking provision would be sufficient to accommodate three domestic cars.

Singlets Lane is characterised by detached dwelling houses which are relatively regimented in regards to separation gap, height and build line. All properties however, vary in regards to architectural detailing and size. Nonetheless, the surrounding area has a distinctive verdant aspect, emphasised by the generous front gardens of the properties to the south, and the open fields to the north.

Proposal

The application seeks permission for the construction of an outbuilding, to be located in the rear garden of the dwelling house. The outbuilding would be utilised as a cattery for business purposes.

The cat hotel would be able to accommodate up to 16 cats within the six room facility.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Flamstead Parish Council.

Relevant History

4/03509/15/FHA SINGLE STOREY FRONT EXTENSION - NEW PORCH

Granted

18/12/2015

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

CS1 – Distribution of Development

CS5 - Green Belt

CS6 - Selected Small Villages in the Green Belt

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS27 - Quality of the Historic Environment

Saved Policies of the Dacorum Borough Local Plan

Policy 13 – Planning Conditions and Planning Obligations

Appendix 3- Gardens and Amenity Space

Appendix 7 - Small-scale House Extensions

Summary of Representations

DBC Licensing

Comment

“In addition to planning permission, the proposed business will require licensing under the Animal Boarding Establishments Act 1963. A licence must be obtained prior to the commencement of trade, but should not be viewed as a pre-requisite to the grant of planning consent. Full details of this licence can be found on the

Council's website, at <http://www.dacorum.gov.uk/home/environment-street-care/licensing/animal-welfare-licences/animal-boarding-establishments>

When considering a licence application for a business of this type, the licensing authority will have regard to the CIEH's model conditions and guidance for cat boarding, available at <http://www.cieh.org/policy/model-licence-conditions-and-guidance-for-cat-boarding-establishments.html>

Flamstead Parish Council

Objection

"The Parish Council strongly objects to the application for boarding accommodation for cats:

Concern that the location of the "hotel" is closer to no 19 Church Rd than the property at 12 Singlets Lane.

Concern over noise - increased number of people in the garden, cleaning out the cubicles, cats who may howl.

Concern over the estimated amount of waste and its odour especially as waste is taken away fortnightly by DBC and there is no other disposal mechanism in place; concern over number of extra cars parked on Singlets Lane as most people will be unlikely to pull in off the road due to uncertainty about sufficient space to turn round. Singlets Lane is a busy road with regular buses, agricultural vehicles, shop delivery lorries etc so parked cars along Singlets Lane always create a hazard.

Concern that it is not mixed use, but change of use.

Cat boarding facilities already exist in Markyate and Redbourn.

Concern that a residential street with a close network of gardens is not the place for such a business.

The Council has been advised of a number of objections from neighbours and the Council would support these views."

Environmental Health

Comment

"The Council has standards for the size and construction of Catteries which are obtainable from the licensing department. All Units must comply with this standard and be licensed by the Council."

DBC Strategic Planning

"The application site is located in the village of Flamstead and within the curtilage of the existing residential property (within the rear garden). As well as being within the

Green Belt, the application site also falls within the area designated as a 'Small Village within the Green Belt'. The site is also located near to the Flamstead Conservation Area which centres on St Leonards Church of England church in the middle of the village.

Principle:

The proposed development should be considered against Core Strategy Policy CS1 which advocates a settlement hierarchy within the Borough. The village of Flamstead is identified as an area of development constraint where the rural character of the borough will be conserved. Core Strategy Policy CS1 also states that development that supports vitality and viability of the local community, causes no damage to the existing character of the village and/or surrounding area and is compatible with policies protecting (inter alia) the Green Belt will be supported.

The proposed development involves the construction of an outbuilding in the rear garden of an existing residential plot. This existing dwelling sits within a row of single or two-storey properties alongside the southern side of Singlets Lane where the rear garden is enclosed by the backs of properties off Church Road and boundary treatments between adjoining garden areas. In terms of the character of the village and surrounding area, it is considered that the proposed development would not cause detrimental harm to the character of this location, particular as the boarding accommodation would be constructed to a size which is commensurate with the size, height and scale of outbuildings (i.e. sheds and summerhouses) typically found within the curtilage of residential properties.

Green Belt:

Paragraph 89 of the NPPF regards the construction of new buildings as inappropriate development within the Green Belt. Whilst there are exceptions to this, the proposed development does not fall within the definition of any of these listed exceptions and is therefore inappropriate development in national planning policy terms. Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Core Strategy Policy CS5 seeks to apply national policies in respect of the Green Belt to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. It continues to state that small-scale development will be permitted and lists a number of examples. The proposed development does not fall within any of these additional local exceptions.

Core Strategy Policy CS6 states that within (inter alia) Flamstead (a Selected Small Village in the Green Belt) a number of other developments will be permitted including (f) local facilities to meet the needs of the village. Such developments must be (i) sympathetic to its surroundings and (ii) retain and protect features essential to the character and appearance of the village. The applicant states that there are no

existing cattery boarding facilities available within Flamstead and the nearest facilities also provide boarding accommodation for dogs – whilst not entirely clear, it is assumed that the applicant is inferring that a mixed boarding facility could be construed as less desirable. However, they have provided a small number of letters in support of this facility which do demonstrate interest and demand for their services.

As referred above, it is considered that the proposed development would be situated within an existing built-up part of the village, would not be incongruous with similar domestic outbuildings typically found within the curtilage of residential properties. Additionally, the height of the proposed building would not be intrusive or impinge upon the openness of the Green Belt at this location given that the garden area is enclosed by neighbouring development and boundary treatments. As such, subject to you being satisfied that the proposal meets a local need, it is considered that the proposed development satisfies the requirements of Core Strategy Policy CS6.

Design and Setting of the Conservation Area:

The application site lies in close proximity to the designated Conservation Area. Consideration should be given to Core Strategy Policy CS27 which states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and, if appropriate, enhanced. The proposed development is not likely to detrimentally impact upon the setting of the Conservation Area by virtue of its proposed siting within an established residential area and the proposed scale, height, bulk and massing of the cattery accommodation. However, the views of the Design and Conservation Team should nevertheless be sought and taken into account.

Highways:

The applicant states that the driveway to the front of the residential property accommodates three vehicle parking spaces and customers of the proposed cattery would visit by appointment only to pick up or drop off their pets. Saved Local Plan Policy 51 states that the acceptability of all development proposals will be assessed in highway and traffic terms and should have no significant impact upon (inter alia) (a) the nature, capacity and use of the highway network; (d) the design and capacity of parking areas and the implications for on-street parking; and (e) the environmental and safety implications of the traffic generated by the development. However, given the scale of the proposed business and regularity of customers visiting the facility, the proposal is not likely to create a significant amount of vehicle movements to detrimentally impact upon the capacity of the local highway network. Nevertheless, the Local Highway Authority's views should be sought and taken into account,

Amenity:

The proposed development would involve the keeping of up to 16 cats within 6 kennels located within the curtilage of a residential property which is bordered immediately on both sides and to its rear by further residential properties. The introduction of this use could give rise to amenity issues, such as noise and odour, which need to be taken into account. Consideration should therefore be given to Core Strategy Policy CS12 which states that development should (b) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. We note that the applicant argues that this would not be an issue given the quality of service to be offered, the nature of the building and materials used, and the associated hygiene regime. It may be prudent to seek the views of the Environmental Health team.

Conclusion:

Subject to you being satisfied that the proposed development does not give rise to significantly adverse amenity or highway impacts and that there is a sufficient local need for this facility, the proposal is considered to be acceptable in principle on the basis that it falls within one of the exceptions for small-scale development identified in Core Strategy Policy CS6."

Hertfordshire Highways

No Objection

"With regards to the additional information contained within Michael Fearn's email of 3rd of December 2015, I can confirm that the highway authority is now content with this proposal (ref 4/03474/15/FUL) to establish a cat hotel at 12 Singlets Lane, Flamstead.

As there will be no works to the highway, no transportation issues with capacity or safety on the highway network nor parking concerns with on street parking outside, the highway authority would not wish to object to this this planning proposal."

DBC Conservation

No Objection

"12 Singlets Lane is located in the village of Flamstead, to the east of the village centre and just outside the Flamstead Conservation Area Boundary.

The application proposes the construction of an outbuilding in the garden to be used as boarding accommodation for cats. The outbuilding is single storey, of timber construction and seems of an acceptable scale and form in relation to the surrounding residential development. As such the proposal is not considered to harm the setting of the nearby Flamstead Conservation Area, no objection."

Comments received from local residents:

10 Singlets Lane

Objection

"We at number 10 Singlets Lane, strongly object to the planning application.

Our objections are:

Change of use. Running a commercial business from back garden is not in keeping with a residential rural village. When purchasing our property all searches returned the statement that Singlets Lane is a residential lane in a rural village.

The application makes references to the NPPF, and refers to economic development in main town centres, which Flamstead is not.

Policies

The site is within the Green Belt where restrictive planning policies apply and new buildings are generally considered inappropriate development. Paragraph 89 of the NPPF lists buildings or uses which are not considered inappropriate in the Green Belt, buildings for a cattery are not listed in this paragraph and would therefore be considered inappropriate development in the Green Belt.

The application suggests that as the building would not be visible it would not have any harm on the openness of the Green Belt. Openness is the absence of development and therefore any new building would have some harm on the openness of the Green Belt.

The application sets out that Core Strategy policies CS5 and CS6 support the proposal. Policy CS5 states that "within the Green Belt, small-scale development will be permitted . . . (a) building for the uses defined as appropriate in national policy." As set out above the building is not for a use in accordance with national policy and therefore policy CS5 does not support the proposal.

Policy CS6 states:

"Within Chipperfield, Flamstead, Potten End and Wigginton the following will be permitted:

- (a) the replacement of existing buildings;
- (b) limited infilling with affordable housing for local people;
- (c) conversion of houses into flats;
- (d) house extensions;

(e) development for uses closely related to agriculture, forestry and open air recreation, which cannot reasonably be accommodated elsewhere; and

(f) local facilities to meet the needs of the village.”

This policy does not support the proposal for the cattery as it does not fall into any of the listed categories above. The application suggests that the proposal represents an enterprise which would help to meet local needs, this is not what the policy requires. The policy specifically sets out that to be permitted it would need to be a local facility to meet the needs of the village- it is doubtful that a cattery would meet the needs of the village and in reality would serve a much wider area, and therefore does not need to be sited in this location.

In fact we would go so far as to say that local opinion is such that this is not needed within the village- There are already 3 catteries within 1 mile radius which adequately serve the needs of the village:-

Orchard Farm Cattery, AL3 7PR

Little Revel End Kennels & Cattery, Little Revel End, Redbourn, Herts, AL3 7AJ

Country Cat Hotel, Markyate, Herts. AL3 8LR

The supporting letters provided in the application are all from Harpenden, and therefore do not constitute as village support.

Parking

There is no detail on the plans regarding the existing parking provision or parking for customers; in fact the application form states that there would be no additional parking provided and customers could over flow onto the road which could lead to on-street parking causing a highway safety issue.

Singlets Lane is as its name suggests a single track lane, and a main bus route. Any overflowing parking onto the road will have the potential to cause traffic problems. As the lane is narrow, customers may decide to park up on the pavement which would obstruct the pedestrians on the way to the Village School or other village amenities.

Waste

The application states that only 1 additional bag of rubbish will be generated by up to 16 cats- how can 16 cats only generate 1 bag of waste? Where will all the cat litter, food packaging etc. be going? We are also concerned about additional rubbish bringing foxes closer into the residential area, especially when many of us neighbours have children. Foxes are present in the fields opposite, and if people incorrectly store rubbish it does attract them.

Noise and Smell

We are concerned over the noise increase- the cats will be out of their familiar environment, and are largely nocturnal creatures, who will cry overnight. Unlike purpose built catteries which are usually on farms with lots of land, the proposed cattery will be extremely close to our house; and we are worried- especially having young children- that their sleep will be disturbed by the noises.

The same applies to smell from cat urine and faeces.

Building Size and components, and concerns over light pollution

Due to the size and scale of the building, we will be able to clearly see this from the rear of our house and garden.

We chose to live in a residential village with minimal light pollution and as such would not welcome the addition of an increase in light pollution. Although the application does state that the lights will be switched off late at night, realistically and particularly at this time of year, lights will need to be on for much of the time. Heaters will need to be running through the night will give off a glow all throughout the night.

The photographs submitted with the application show trellising in front of a building that is similar to that which is being proposed; however the detailed plans of the proposed development do not include any details of trellising, therefore it must be assumed that facing us will be a wall of windows letting out light."

(19/11/15)

14 Singlets Lane

Objection (as summarised)

- Parking on Singlets Lane will detrimentally affect use of the road, due to narrow passage.
- Not a suitable use within a residential area.

(23/11/15)

Key Considerations:

Principle of Development

The application site is located with the small village of Flamstead, which Core Strategy Policy CS1 identifies as an area of development constraint where the rural character of the borough should be conserved. Core Strategy Policy CS1 expands this further stating, that development which supports the vitality and viability of the

local community, causes no damage to the existing character of the village and is compatible with policies protecting (inter alia) the Green Belt will be supported.

The application Site is located within a selected small village in the Green Belt, wherein accordance to Core Strategy Policy CS6 the following uses are acceptable:

- (a) the replacement of existing buildings;
- (b) limited infilling with affordable housing for local people;
- (c) conversion of houses into flats;
- (d) house extensions;
- (e) development for uses closely related to agriculture, forestry and open air recreation, which cannot reasonably be accommodated elsewhere; and
- (f) local facilities to meet the needs of the village.

The applicant states that there are no existing cattery boarding facilities available within Flamstead and the nearest facilities also provide boarding accommodation for dogs (which is presumed less desirable). In addition, a small number of letters have been provided alongside the application in support of this facility which sufficiently demonstrates an interest and demand for the service.

Such a stance has been reinforced by the Strategic Planning Policy Officer consulted on the proposed; the follow comments were provided:

“The proposal is considered to be acceptable in principle on the basis that it falls within one of the exceptions for small-scale development identified in Core Strategy Policy CS6”

Thus, it is considered that the use of the outbuilding for business use as a cat hotel would fall within the acceptable criteria F, and would constitute an appropriate use and development within this Green Belt village.

Effect on Appearance of Building and Street Scene

Saved appendix 7 of the Dacorum Local Plan (1991), policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

Paragraph 64 of the NPPF states that permission should be refused for developments of poor design which fail to improve the character and quality of an area. Policies CS27 of the Core Strategy (2013) states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and, if appropriate, enhanced reinforce.

In accordance with the submitted application the proposed cat hotel would be constructed of UPVC walls, a polycarbonate roof and glazed/UPVC windows and doors. These materials are considered acceptable for this type of addition and in-keeping with the existing dwelling house, complying with policy CS12 of the Core Strategy (2013).

The proposed outbuilding would measure 2.3 metres in height, 9.1 metres in width and 4.1 metres in depth. This would result in a total proposed additional floor space of 37.21m². Subsequently the proposed is considered of modest size and would not result in a bulky visual intrusion.

It is important to note that such dimensions would adhere to the criteria of Class E, Part 1 of the General Permitted Development Order. This Class permits, amongst other things, any building or enclosure required for a purpose incidental to the enjoyment of a dwellinghouse; such examples include the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse. In this instance the cattery would accommodate up to 16 cats for business purposes and therefore such a use would not be deemed incidental. Nonetheless, the permitted development class forms a strong fall-back position which aids the justification of granting planning permission.

No aspect of the proposed outbuilding would be visible from the street scene. As a result there would be no adverse impact on the street scape, preserving both the character and appearance of the existing dwelling house and wider street scene.

Furthermore, the proposed outbuilding has been amended to incorporate a 0.2 metres lower ridge height and additional screening. This additional screening includes trellis surrounding the entire structure in order to assimilate the proposed into the residential surroundings and to further shield the structure from neighbouring residents.

The application site lies in close proximity to the designated Flamstead Conservation Area. The proposed development would not detrimentally impact upon the setting of the Conservation Area by virtue of its proposed siting within an established residential area and the proposed scale, height, bulk and massing of the cattery accommodation. However, the views of the Design and Conservation Team were sought and the following representation was provided:

"12 Singlets Lane is located in the village of Flamstead, to the east of the village centre and just outside the Flamstead Conservation Area Boundary.

The application proposes the construction of an outbuilding in the garden to be used as boarding accommodation for cats. The outbuilding is single storey, of timber construction and seems of an acceptable scale and form in relation to the surrounding residential development. As such the proposal is not considered to harm the setting of the nearby Flamstead Conservation Area, no objection."

Therefore, it is considered that the proposed cattery would assimilate into the residential surroundings and be of domestic outbuilding size; thus the proposed would not appear overtly visible to neighbouring residents and maintain the characteristics of the residential dwelling house and surrounding area. The proposal is therefore in accordance with saved appendixes 3 and 7 of the Dacorum Local Plan (1991), policies CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2012).

Effect on Amenity of Neighbours

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Appendix 3 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy.

The proposed cattery would be single storey in residue and located 20 metres (approximately) away from the rear windows of the neighbouring properties. Furthermore, the proposed outbuilding would be located behind the existing 2.1 metre high brick wall boundary treatment which would shield the proposed from the ground floor windows of number 19 Church Road; the properties to the rear (number 19 and 21 Church Road) are bungalows, therefore no windows reside at first floor level. As a result it is not considered that the proposed would appear as a severe visual intrusion to neighbouring residents, or result in a significant loss of daylight to neighbouring doors/windows.

Overall, the proposed cattery would not detrimentally impact the residential amenity of neighbouring properties and complies with the NPPF (2012), appendix 3 and 7 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013).

Other Matters

Environmental Health were consulted on the proposal in regards to noise and odour concerns. The following representation was received:

"The Council has standards for the size and construction of Catteries which are obtainable from the licensing department. All Units must comply with this standard and be licensed by the Council."

In turn the Licensing department outlined the following:

"In addition to planning permission, the proposed business will require licensing under the Animal Boarding Establishments Act 1963. A licence must be obtained prior to the commencement of trade, but should not be viewed as a pre-requisite to

the grant of planning consent. Full details of these licence can be found on the Council's website, at <http://www.dacorum.gov.uk/home/environment-street-care/licensing/animal-welfare-licences/animal-boarding-establishments>

When considering a licence application for a business of this type, the licensing authority will have regard to the CIEH's model conditions and guidance for cat boarding, available at <http://www.cieh.org/policy/model-licence-conditions-and-guidance-for-cat-boarding-establishments.html>"

In this regard, large amounts of noise, odour and hygiene potentially generated would be mitigated by the proposed adhering to Licensing and Environmental Health standards.

Furthermore, due to the small-scale nature of the cattery (maximum of 16 cats) it is not considered that there would be a considerable amount of noise or odour generated. In addition, preventative measures, such as noise reduction materials to be used in construction, and a meticulous cleaning schedule would help to prevent any such externalities from arising.

Impact on Car Parking Provision and Operation of Adjacent Highway

Saved Local Plan Policy 51 states that the acceptability of all development proposals will be assessed in highway and traffic terms and should have no significant impact upon (inter alia) the nature, capacity and use of the highway network; the design and capacity of parking areas and the implications for on-street parking; and the environmental and safety implications of the traffic generated by the development.

Hertfordshire Highways were consulted on the proposal and responded:

"As there will be no works to the highway, no transportation issues with capacity or safety on the highway network nor parking concerns with on street parking outside, the highway authority would not wish to object to this this planning proposal."

Moreover, the additional traffic expected to be generated from the proposed would only be an average of one car per day. In addition, (as stated within the application's supporting information) each visit would last an average of about 10 minutes for drop-off/pick-up and would only take place during the hours of 0900 - 17.00 (i.e. outside peak travel times) between Monday to Saturday. The minimum stay would only be for 3 days and therefore there would be no repeat movements. It is also considered that the three available off street parking spaces would be sufficient in order accommodate the additional visitor capacity generated.

As a result, it is not considered that the proposal would impact on the safety and operation of the adjacent highway. The proposal meets the requirements of policy CS12 of the Core Strategy (2013) and saved policy 51 of the Local Plan (1991).

Consultation Response:

Several concerns were received as a result of the application. The main concerns are addressed below:

Business Use in Rural Residential Village- The principle of a cat hotel within the designed residential village has been addressed within the Principle of Development section above. The cat hotel would be of domestic outbuilding size and has been amended to include heavy landscaping. This would ensure that's the proposed is domestic in scale and appearance, assimilating into the residential surroundings.

Parking and Highway Concerns- Please see The Impact on Car Parking Provision and Operation of Adjacent Highway section above.

No Local Need for Cattery- The onus of proof is on the applicant to submit sufficient evidence to demonstrate sufficient need for the cat hotel; the Local Authority is satisfied with the evidence provided indicating such need.

Noise and Smell generated by cattery- This is addressed within the Other Matters section above.

Light pollution generated from Cattery- Such concerns were put to the applicant who responded: *"Only small diffuser lights are used and these are sited so as to be inward facing. Neither is there any light overspill via the roof, as this is insulated with opaque panels. Lights are switched on separately when needed, so if only two cats are in residence two lights will be on at inspection times only. At all other times the lights will be switched off to save energy."*

Visual obtrusion of outbuilding- This has been addressed within the Effect on Amenity of Neighbours and Effect on Appearance of Building and Street Scene sections above.

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 cattery hereby approved shall be used to accommodate a maximum of 16 cats at any one time.**

Reason: In order to enable the council to monitor any intensification of use and in the interests of the residential amenities of the occupants of the

adjacent dwellings and for highway safety; in compliance with Saved policy 51 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013).

- 3 **The deliveries and collection of cats to and from the premises shall only take place between the hours of 9am to 5pm Monday to Saturday, nor at any time on Sundays, Bank or Public Holidays.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings in accordance with policy CS12 of the Core Strategy (2013)>

- 4 **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 in accordance with policy CS12 of the Core Strategy (2013).

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

BLOCK PLAN
PROP PLAN REV A
FRONT ELEVATION REV A
REAR ELEVATION REV A
LEFT SIDE ELEVATION REV A
RIGHT SIDE ELEVATION REV A

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

Article 35 Statement

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 2015.

Item 5.08

4/02278/15/FHA - BOUNDARY FENCING AND ASSOCIATED LANDSCAPING

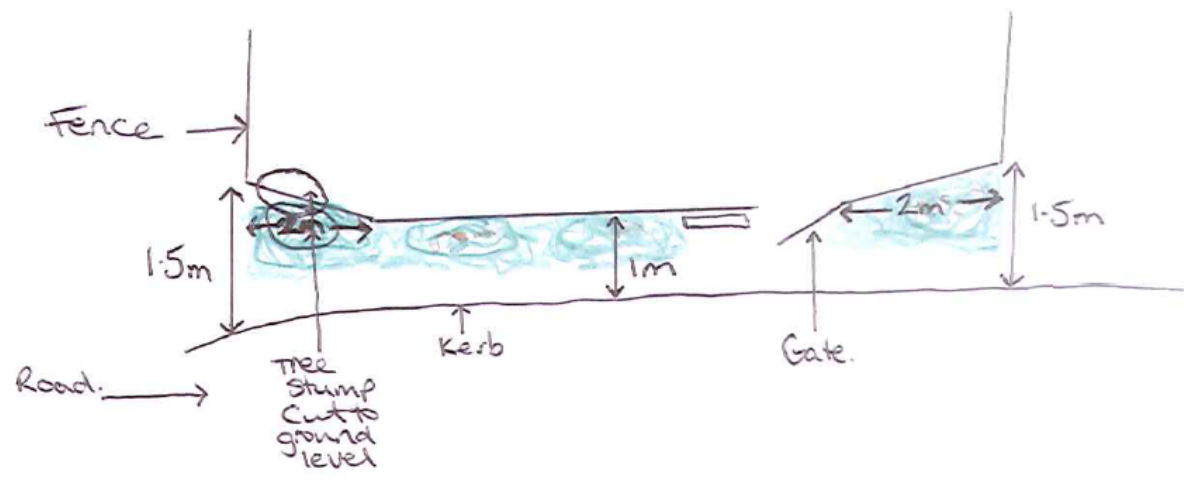
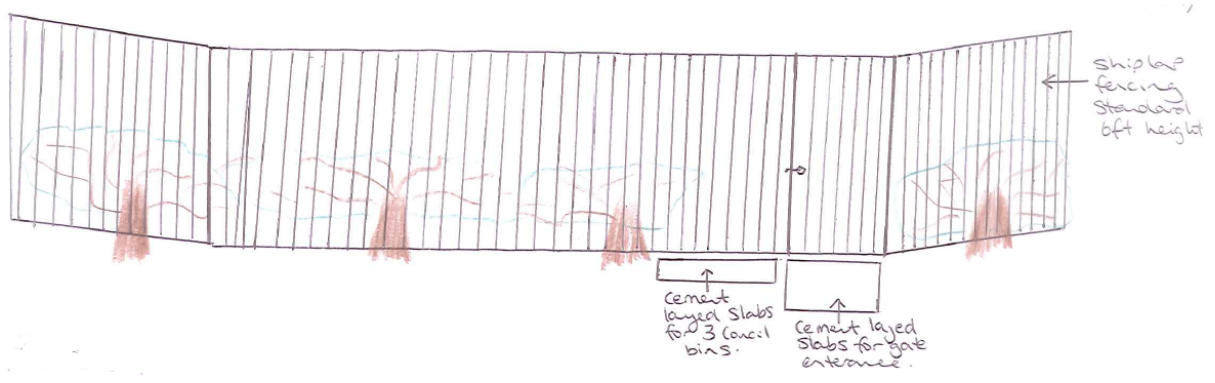
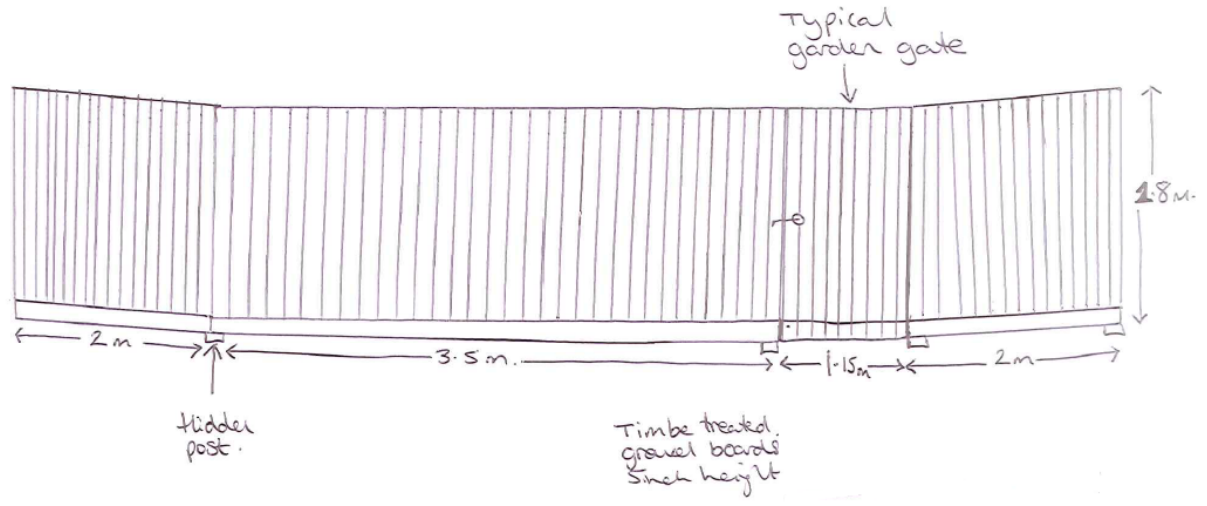
6 KILN CLOSE, POTTEN END, BERKHAMSTED, HP4 2PX



Item 5.08

4/02278/15/FHA - BOUNDARY FENCING AND ASSOCIATED LANDSCAPING

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**4/02278/15/FHA - BOUNDARY FENCING AND ASSOCIATED LANDSCAPING.
6 KILN CLOSE, POTTEN END, BERKHAMSTED, HP4 2PX.
APPLICANT: Mrs Williams.**

[Case Officer - Martin Stickley]

Summary

The application is recommended for approval.

The principle of residential development is considered acceptable in the site's location within a residential area. The original scheme had a detrimental impact on the character and appearance of the streetscene, conflicting with Policies CS11 and CS12 of the Dacorum Borough Core Strategy. However, after several amendments, the scheme is now considered acceptable.

The proposed works would not have any adverse impact on the appearance of the dwelling and would not seriously detract from the streetscene. The development would not have a detrimental impact on the amenity of neighbouring properties. The proposal would not have a detrimental impact on road safety. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Manual for Streets; Policies CS4, CS11 and CS12 of the Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan.

Site and Surroundings

The application property comprises the ground floor flat of a modest two-storey red brick property located within the Kiln Close development, Potten End. The dwelling has a hipped roof with slate tiles and a first floor bay window on the eastern flank elevation. There is a detached double garage on the left hand side with a pitched roof. Number 6 owns the garage unit on the right hand side, whilst No. 7 (first-floor flat) owns the garage on the left hand side.

It should be noted that certain permitted development rights were removed in the original planning application for Kiln Close (4/02166/00/FUL), including the erection of fences, gates and walls. The exact wording is listed below.

"Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification) no development falling within the following Classes of the Order shall be carried out without the prior written approval of the local planning authority:

*Schedule 2 Part 1 Classes A, B, C, D and E;
Part 2 Classes A and B.*

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality."

Proposal

The proposal relates to the retention and slight relocation of boundary fencing. The proposed strip of fencing forms a U-shape and is 1.8m in height. The central part of the fencing will be set back from the highway by one metre. The left-most and right-most panels will be angled so that they reach a depth of 1.5m from the highway. Planting is offered to soften the image of the fencing on the streetscene.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Nettleden with Potten End Parish Council.

Planning History

4/00137/06/FHA SINGLE STOREY SIDE EXTENSION AND GARAGE CONVERSION
Granted
05/04/2006

Relevant Policy

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Borough Core Strategy 2006-2031

NP1 - Supporting Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

Dacorum Borough Local Plan 1999-2011

Saved Appendix 7 - Small-Scale House Extensions

Supplementary Guidance

Manual for Streets (MfS)
Dropped Kerb Guidance Note

Summary of Representations

Local Residents

2 Kiln Close, Potten End, Berkhamsted, HP4 2PX

As resident at no 2 Kiln Close, I'm sending you this mail in objection to the above reference for the retrospective planning application for the replacement 6ft fence around the boundaries to properties no 6 & 7. The new brown fence erected is in direct view of my property. Hitherto the frontage of all properties in the Close have had a natural open landscaped appearance which greatly contributes to the beauty of this residential area. The new re-positioned fence is not in keeping with the rest of Kiln Close properties.

3 Kiln Close, Potten End, Berkhamsted, HP4 2PX

As a resident of Kiln close, I do most strongly object to this fence and its location, it contravenes the original close development planning application, of an open frontage for all premises, the danger to traffic and much more importantly pedestrians and children, due to vehicles moving off the drives of number 5, 6, and 7, that are and will be completely unsighted. I would therefore ask the Planning department to reject this revised proposal, as this latest revised proposal of moving the fence back 1-0 metre comes nowhere close to addressing the problems outlined, particularly safety, which should be top priority in the councils consideration.

7 Kiln Close, Potten End, Berkhamsted, HP4 2PX

This new fence is along the whole length and right on the edge of my drive. My view of the road as I reverse is now blocked. Also turning out is difficult as the fence has been moved over and covers a strip of ground which before gave me room to swing out to the road. This situation is causing my great distress as I am now worried about an accident. The fence is very much out of place in this development and against restrictions placed to guard against such an erection. Other residents of Kiln Close feel strongly that this fence is not suitable in our green, open development.

8 Kiln Close, Potten End, Berkhamsted, HP4 2PX

My main issue is the safety concerns for both pedestrians and drivers but in addition the fence and removal of the tree have impacted the aesthetics of Kiln Close. You used to drive round to see a beautiful tree and now are met with a half painted fence and serious safety concerns. There is another part in the close that keeps to the open green natural aspect of the close that was put in place by the original developer and it's a shame that this compromises this ambience.

9 Kiln Close, Potten End, Berkhamsted, HP4 2PX

As residents of Kiln Close since it was built we do everything we can as a neighbourhood to keep the Close as it was intended to look, sadly the unsightly fence and removal of a very big lovely tree has had a significant effect upon entering

our Close. The fence we feel should be back in line with no.5 so at least no.7 could get in and out of her drive safely.

10 Kiln Close, Potten End, Berkhamsted, HP4 2PX

The fence now drastically damages the look and feel of Kiln Close and has increased the risk of accidents to other vehicles, pedestrians, children and animals. The look of the road and safety of the road is what is treasured by all of its residents and I strongly urge you to reject the permission.

12 Kiln Close, Potten End, Berkhamsted, HP4 2PX

I strongly object to this application on the following grounds: Health and Safety; Visual Appearance, Suitability and Impact on Visual Amenity

7 Chestnut Close, Potten End, Berkhamsted, HP4 2QL

I am a next door neighbour of Mrs Williams and I strongly support the Application. I have to say that I am very surprised that an application is necessary for this replacement.

Consultees

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Highway Comment

HCC road hierarchy states that Kiln Close does not form part of the adopted public highway. As Kiln Close is a private road, Hertfordshire County Council as highway authority has no jurisdiction over this section of road and considers that the proposal will not have an unreasonable impact on the safety and operation of the adjoining highways at the junction of Water End Lane.

Comments on amended scheme

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

The above amended plan shows the close boarded fence now set back from the kerb face by 1m. This would help with inter-visibility to all that use this private road. However, HCC road hierarchy states that Kiln Close does not form part of the adopted public highway. As Kiln Close is a private road, Hertfordshire County Council as highway authority has no jurisdiction over this section of road and considers that the improved proposal will not have an unreasonable impact on the

safety and operation of the adjoining highways at the junction of Water End Lane.

Final comments

The latest amended plans submitted on behalf of the above application to enclose the front garden area, now show the corner arrangements with the fence set back 1.5m which is assumed will further aid inter-visibility when leaving the parking spaces. The plans are not too clear but the highway authority believes that the rest of the close boarded fence will still be set back from the kerb face by 1m. This again would help with inter-visibility to all that use this private road. However, HCC road hierarchy states that Kiln Close does not form part of the adopted public highway. As Kiln Close is a private road, Hertfordshire County Council as highway authority has no jurisdiction over this section of road and considers that the improved proposal will not have an unreasonable impact on the safety and operation of the adjoining highways at the junction of Water End Lane.

Nettleden/Potten End Parish Council

Strongly object (visibility is greatly impaired for No. 7).

Comments on amended scheme

The Parish Council continues to support the residents in this matter and strongly objects to this planning application.

Considerations

The main issues of relevance to the consideration of this application relate to the impact of the works upon the character and appearance of the dwelling and the streetscene in accordance with Policies CS4, CS11 and CS12 of Dacorum's Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan (DBLP). Other issues of relevance relate to the impact on road safety and the impact on neighbouring properties.

Impact on Appearance of Building and Streetscene

Saved Appendix 7 of the Local Plan, Policies CS11 and CS12 of the Core Strategy, and the NPPF all seek to ensure that new development/alterations respect or improve the character of the surrounding area and adjacent properties in terms of scale, materials, layout, bulk and height. The Kiln Close development appears to have been designed with a number of small areas of green/open land fronting the highway to soften the image of the dwellings within the close. In my view, these green, open areas are important to defining the relationship between the built form of the houses and the surrounding area. The provision of subdividing elements undermines these aims and objectives. Although there are numerous green areas around the site, a large proportion have installed means of enclosure (be it small fences, hedgerows or other mature vegetation), many of which are set back from the road by approximately 1-2 metres. This should be taken into account.

The original scheme proposed to retain a 1.8m fence directly next to the highway. It was felt that sectioning off the area of green open land would have had a negative impact on the streetscene. The road has a feeling of openness and it would be detrimental to the appearance of the streetscene if this was lost. Furthermore, the retention of the existing fencing would have disrupted the open space verges located along Kiln Close to some degree. Policy CS11 states that "*development should preserve attractive streetscapes and enhance spaces between buildings and general character.*" It is viewed that the original scheme would not have enhanced the area but caused some disruption to the pattern and appearance of the streetscene and surrounding area.

The original scheme sought planning permission for the retention of a 1.8m fence right next to the highway. The applicant was approached early in the determination period and it was suggested that an amended scheme was submitted to move the fencing away from the highway by 1-2m and include some planting to soften the proposal on the streetscene, as seen directly opposite the site. The amended scheme has moved the 1.8m fence by one metre (1.5m at the corners) and introduced some planting, which, if approved, would be secured by condition. It should be noted that the applicant is well within her rights to plant fast-growing hedges or other vegetation directly next to the highway to enclose her land. The fence would effectively be doing the same thing, however, due to its amended position and the installation of low-lying vegetation, the proposal would retain the open feeling of the street more-so than large hedgerows right next to the road. Furthermore, the set-back position of the fence would improve visibility for pedestrians and road users. Considering this and considering the other types of enclosure around Kiln Close, it is felt that the proposal is a reasonable compromise and would integrate satisfactorily within the streetscape character in accordance with Policies CS4, CS11 and CS12 of the Dacorum Borough Core Strategy and saved Appendix 7 of the DBLP.

Impact on Amenity of Neighbours

Consideration has been given to the impact that the proposal would have on the adjoining neighbours. Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. The application has received a number of objections (see above). The main issues of concern are listed and addressed below.

- Negative impact on visual amenity/appearance of the street.

Issues regarding the visual impact on the streetscene have been discussed in the section above (Impact on Appearance of Building and Streetscene). It is felt that the proposal would integrate satisfactorily within the streetscene.

- Impact on road safety; risk of accidents.

The fencing is quite high but brought back from the road. A number of neighbours have commented negatively on the application with regards to highway and pedestrian safety. This will be discussed in the next section (Impact on Road Safety).

With regards to the impact on the amenity of neighbours, the proposal is deemed acceptable in accordance with Policy CS12 of the Dacorum Borough Core Strategy.

Impact on Road Safety

Kiln Close is a private road and Hertfordshire Highways do not have any jurisdiction over it. Therefore, the Highways Department would not provide full guidance on the proposal. However, they did state that *"proposal will not have an unreasonable impact on the safety and operation of the adjoining highways at the junction of Water End Lane."* It was felt that due to the number of objections regarding road safety, further guidance should be sought.

The following extract has been copied from the Department for Transport's 'Manual for Streets (MfS)' (pages 95-96).

"The provision of frontage vehicle access onto a street should be considered from the viewpoint of the people passing along the street, as well as those requiring access. Factors to consider include:

- *the speed and volume of traffic on the street;*
- *the possibility of the vehicles turning around within the property – where this is possible, then vehicles can exit travelling forward;*
- *the presence of gathered accesses – a single access point can serve a number of properties or a communal parking area, for example. This may be acceptable where a series of individual accesses would not be;*
- *and the distance between the property boundary and the carriageway – to provide adequate visibility for the emerging driver.*

The relationship between traffic flow and road safety for streets with direct frontage access was researched for MfS. Data on recorded accidents and traffic flow for a total of 20 sites were obtained. All of the sites were similar in terms of land use (continuous houses with driveways), speed limit (30 mph) and geometry (single-carriageway roads with limited side road junctions). Traffic flows at the sites varied from some 600 vehicles per day to some 23,000 vehicles per day, with an average traffic flow of some 4,000 vehicles per day. It was found that very few accidents occurred involving vehicles turning into and out of driveways, even on heavily-trafficked roads."

The MfS advises that there would be an extremely low risk for accidents in a road like Kiln Close. The Hertfordshire Highways 'Dropped Kerb Guidance' was also

examined with regards to visibility splays. It mentions that *"if you have a footway outside your property, must also have clear visibility of on-coming pedestrians."* The site does not front a footway. However, vehicle visibility should still be considered, as well as the potential for pedestrian use of the road. Following the Hertfordshire Highways guidance note, the proposal would maintain a reasonable visibility splay for the neighbouring driveways. Any slight obstruction caused by the fence may even lead to neighbouring properties leaving their driveways in a more cautious manner. Considering this and considering the guidance in MfS stating that there would be a minimal risk of accident, a refusal on highway safety terms could not be sustained.

The Hertfordshire Highways 'Dropped Kerb Guidance' also mentions that *"low level planting is OK, but nothing that grows above 0.6m high, so that you are able to see a small child."* If approved, an advisory note would be attached to the decision notice to inform the applicant about this safety requirement.

RECOMMENDATION - That planning permission be **GRANTED** 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.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Borough Core Strategy.

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

6KC-01(A)

6KC-02(A)

6KC-03(A)

6KC-04(A)

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

- 4 If within a period of five years from the date of this permission any planting approved in accordance with condition 3 is removed, uprooted, destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), a replacement of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority**

gives its written consent to any variation.

Reason: To ensure a satisfactory appearance to the development and to safeguard the residential amenity of surrounding properties in accordance with Policy CS12 of the Dacorum Borough Core Strategy.

Article 35 Statement

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.

Advisory Note

Landscaping

The proposed planting should not grow above 0.6m high to ensure that visibility is not compromised for neighbouring residents.

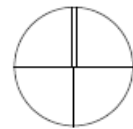
Item 5.09

4/03560/15/FHA - REMOVAL OF EXISTING CONSERVATORY, CONSTRUCTION OF SINGLE STOREY REAR EXTENSION AND REAR DORMER, INSERTION OF NEW ROOFLIGHTS AND WINDOWS AND RELOCATION OF FRONT DOOR

1 DOCTORS COMMONS ROAD, BERKHAMSTED, HP4 3DW



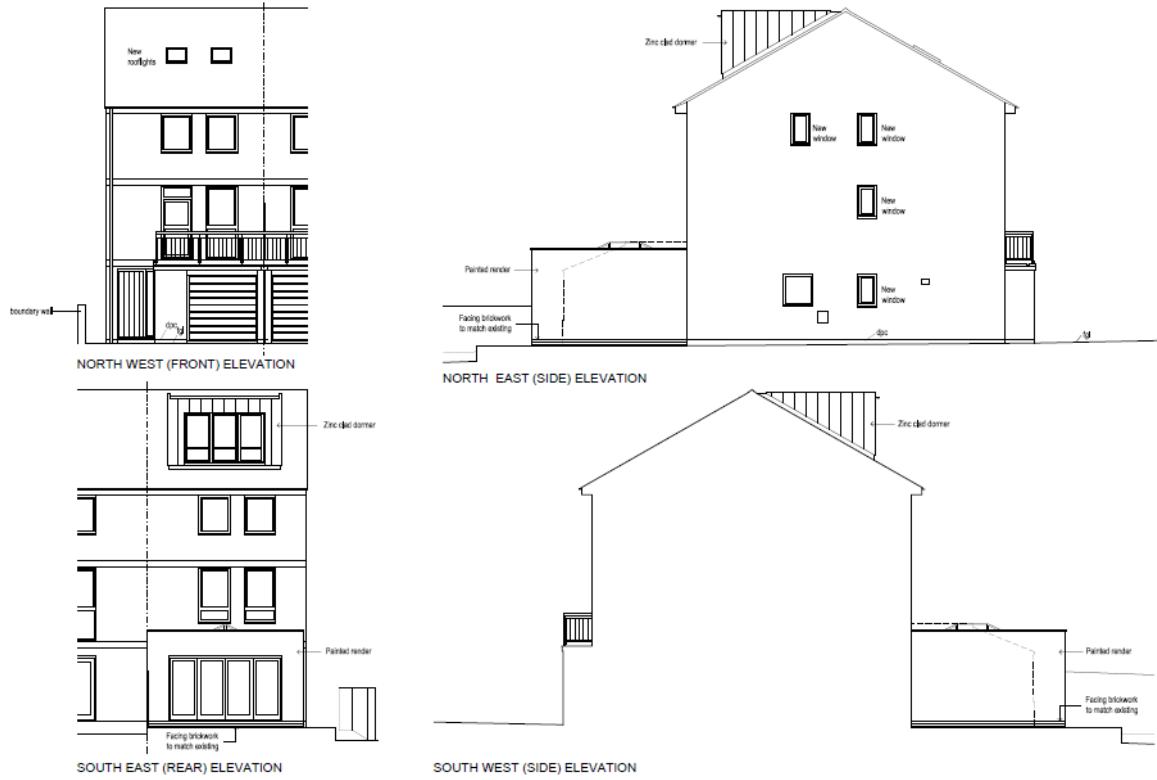
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Item 5.09

4/03560/15/FHA - REMOVAL OF EXISTING CONSERVATORY, CONSTRUCTION OF SINGLE STOREY REAR EXTENSION AND REAR DORMER, INSERTION OF NEW ROOFLIGHTS AND WINDOWS AND RELOCATION OF FRONT DOOR

1 DOCTORS COMMONS ROAD, BERKHAMSTED, HP4 3DW



**4/03560/15/FHA - REMOVAL OF EXISTING CONSERVATORY, CONSTRUCTION OF SINGLE STOREY REAR EXTENSION AND REAR DORMER, INSERTION OF NEW ROOFLIGHTS AND WINDOWS AND RELOCATION OF FRONT DOOR.
1 DOCTORS COMMONS ROAD, BERKHAMSTED, HP4 3DW.**

APPLICANT: Mr & Mrs Ross.

[Case Officer - Rachel Marber]

Summary

The proposed single storey rear extension and loft conversion with an associated rear dormer through size, position and design would be a subservient, congruous to the appearance of the group of town houses, parent dwelling house and Berkhamsted Conservation Area. Furthermore, the proposed would not adversely impact upon the residential amenity of neighbouring residents. The proposal therefore coheres with the NPPF (2012), appendixes 3 and 7 policy 120 of the Dacorum Local Plan (1991) and policies CS4, CS11, CS12 and CS27 of the Core Strategy (2013) and Queens Road SPG Area Character Appraisal (2004).

Site Description

The application site is located to the north of Doctors Commons Road, Berkhamsted. The site comprises of a three storey terraced dwelling house which falls within the Berkhamsted Conservation Area and Queens Road Area Character Appraisal (BCA5). The dwelling house is externally finished in red brickwork grey tiled pitched roof. To the front of the property there is a driveway formed of hardstanding which leads to a single garage; parking provision would be sufficient to accommodate two domestic cars.

The property was built as part of 10 identically designed town houses. Each town house is regimented in regards to architectural detailing, height, size and build line.

Proposal

The application seeks permission for the demolition of the existing conservatory, and construction of a single storey rear extension and loft conversion with an associated rear dormer. In addition, the proposal would also incorporate the landscaping of the rear garden, with paving. The proposed alterations would accommodate additional living space at ground floor and increase the dwelling house size from a three bed into a four bed property.

Subject to Conservation design concerns amended plans have been received, removing the originally proposed first floor and second floor Juliet balconies.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Berkhamsted Town Council.

Relevant History

No Relevant History

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

CS4 - The Towns and Large Villages

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS27 - Quality of the Historic Environment

CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan

Policy 13 - Planning Conditions and Planning Obligations

Policies 120 - Development in Conservation Areas

Appendix 3 - Gardens and Amenity Space

Appendix 7 - Small-scale House Extensions

Advice Notes and Appraisals

Area Based Policies- Development Residential Areas Berkhamsted

Conservation Area Character Appraisal for Berkhamsted

Sustainable Development Advice Note (March 2011)

Summary of Representations

DBC Conservation

"Nos. 1 - 19 Doctors Commons Road is a terrace of circa 1960s townhouses that step up Doctors Commons Road in pairs. They are of brick construction, 3 storeys with integral garages at ground floor level.

The application proposes the removal of the existing conservatory and construction of new single storey rear extension. The proposed design will suit these modern properties.

A rear dormer is proposed, there are no other rear dormers within this terrace so the proposed flat roofed dormer will be a noticeable addition at roof level and disrupt the current roofscape. However, it is at the rear and whilst visible from the rear (Lincoln Court) and, at a distance, from Charles Street it will not be readily visible within the street scene. The proposed Juliet balcony and doors at roof level increases the visual prominence of the dormer, omitting the doors / balcony and replacing with windows would be preferable.

Similarly the loss of the first floor windows and replacement with doors, side lights and Juliet balcony will change the pleasing regularity of the fenestration that this rear elevation currently retains however as this is to the rear the alteration is not considered to harm the character of the conservation area.

The front door is currently recessed with a small lobby area externally. The application proposes bringing the front door forward so it is flush with the front elevation – whilst this may disrupt the rhythm of the front elevation it is a fairly insignificant alteration.

As referred to above, the proposed alterations are generally acceptable however an amendment to the dormer is suggested."

Berkhamsted Town Council

Objection

"Both roof lights to the front elevation and the dormer to the rear would be precedents for the terrace and thus materially affect the roof scope. The Juliet balcony at first floor is superfluous. The street scape is affected. The property is in the Conservation Area. Accommodation provision in the roof space would amount to over-development. Contrary to CS11 and CS12."

Key Considerations:

Principle of Development

The application site is located within a residential area, wherein accordance to policy CS4 of the Core Strategy (2013) the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed extension upon the character and appearance of the Berkhamsted Conservation Area and the residential amenity of neighbouring properties.

Effect on Appearance of the Conservation Area and Existing Building

Saved appendix 7 of the Dacorum Local Plan (1991), policies CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area

and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

Paragraph 64 of the NPPF states that permission should be refused for developments of poor design which fail to improve the character and quality of an area. Policies CS27 of the Core Strategy (2013) and saved policy 120 of the Dacorum Local Plan (1991) reinforce this, in addition to stating that great weight should be given to the conservation of designated heritage assets in considering the impact of proposed developments within a Conservation Area.

Furthermore, the Area Character Appraisal for BCA5 Queens Road highlights that extensions should be subordinate in terms of scale and height to the parent building.

The proposed rear extension would have an approximate depth of 5 metre, width of 4.9 metres and height of 3 metres. This would result in a total proposed additional floor space (factoring in the previously existing conservatory) of 8.4 m². The proposed rear dormer would measure 3.7 metres in width, 4 metres in depth and 2.2 metres in height; 14.8m² of floorspace. Subsequently the proposed elements are considered of modest size and would not result in a disproportionate addition over and above the size of the original building.

In accordance with the submitted application the proposed rear extension would be of simple traditional design, comprising painted render walls and a flat roof. The proposed rear dormer would be prepatinated zinc cladded with a flat roof. These materials are considered acceptable for this type of alteration; complying with policies CS12 of the Core Strategy (2013) and 120 of the Local Plan (1991).

The proposed alterations would be relatively visible from the flats on Charles Street, and properties on Kings Road. Nonetheless, the rear extension would not appear incongruous in relation to the group of dwellings due to other single storey rear extensions, existing and proposed, on properties 15 and 3 Doctors Common.

Due to the sensitive location of the dwelling house, the DBC Conservation Officer was consulted on the proposal. The following representation was provided:

"Nos. 1 - 19 Doctors Commons Road is a terrace of circa 1960s townhouses that step up Doctors Commons Road in pairs. They are of brick construction, 3 storeys with integral garages at ground floor level.

The application proposes the removal of the existing conservatory and construction of new single storey rear extension. The proposed design will suit these modern properties.

A rear dormer is proposed, there are no other rear dormers within this terrace so the proposed flat roofed dormer will be a noticeable addition at roof level and disrupt the current roofscape. However, it is at the rear and whilst visible from the rear (Lincoln Court) and, at a distance, from Charles Street it will not be readily visible within the

street scene. The proposed Juliette balcony and doors at roof level increases the visual prominence of the dormer, omitting the doors / balcony and replacing with windows would be preferable.

Similarly the loss of the first floor windows and replacement with doors, side lights and Juliet balcony will change the pleasing regularity of the fenestration that this rear elevation currently retains however as this is to the rear the alteration is not considered to harm the character of the conservation area.

The front door is currently recessed with a small lobby area externally. The application proposes bringing the front door forward so it is flush with the front elevation – whilst this may disrupt the rhythm of the front elevation it is a fairly insignificant alteration.

As referred to above, the proposed alterations are generally acceptable however an amendment to the dormer is suggested."

Subject to the Conservation Officer's comments, the rear dormer was simplified by removing the originally proposed Juliet Balcony. In addition, the first floor Juliet Balcony was also removed due to privacy concerns; the amendments are considered to be an improvement from the original scheme and acceptable.

Overall, it is considered that the rear extension and loft conversion would be subservient, congruous additions to the appearance of the group of town houses, parent dwelling house and Berkhamsted Conservation Area; accordingly the proposed coheres with the NPPF (2012), appendixes 3 and 7 policy 120 of the Dacorum Local Plan (1991) and policies CS4, CS11, CS12 and CS27 of the Core Strategy (2013) and Queens Road SPG Area Character Appraisal (2004).

Effect on Amenity of Neighbours

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Appendix 3 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy. Moreover, appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The proposed rear extension would breach the 45 degree line as drawn from the rear habitable windows of neighbouring property 3 Doctors Common. Nonetheless, number 3 currently has a planning application pending consideration for a single storey rear extension (4/03700/15/FHA) identical to the proposed. As a result it is not considered that there would be a significant loss of daylight to neighbouring ground floor doors/windows as a result of the proposed.

No invasion of privacy would occur as a result of the rear extension due to no windows proposed on the side elevations of the extension. Furthermore, the proposed roof lights and French doors are appropriate in size, position and height; in-keeping with the existing fenestrations of the dwelling house. In addition, the proposed rear dormer would not result in a loss of privacy due to a 57 metre (approximately) separation distance from the properties opposite (16 – 19 Lincoln Court).

Appendix 3 of the Local Plan states that rear extensions should not result in a momentous loss of rear garden space; a 9.7 metre (approximately) deep garden would be preserved as a result of the proposed. This would fall marginal short of the 11.5 metres recommended, however, this shortfall is not considered reason enough to refuse the application.

Thus, the proposal would not further impact upon the residential amenity and privacy of neighbouring residents. As a result the rear extension and loft conversion in regards to residential amenity is acceptable in terms of the NPPF (2012), appendixes 3 and 7 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013).

Impact on Car Parking Provision

The Council's Parking Standards within appendix 5 of the Local Plan (1991) requires two off street parking spaces for four bed dwellings within Residential Zones 1 and 2. The application seeks to increase the number of bedrooms from three to four, which would not require an increase in parking provision. In addition on-site parking provision would be sufficient to accommodate two domestic cars. As a result, it is not considered that the proposal would impact on the safety and operation of the adjacent highway. The proposal meets the requirements of policy CS12 of the Core Strategy (2013) and appendix 5 of the Local Plan (1991).

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: In the interests of the visual amenities of the Berkhamsted Conservation Area; in accordance with policy CS12 and CS27 of the Core Strategy (2013) and saved policy 120 of the Local Plan (1991).

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

100 A

101 A

200 C

201 A

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

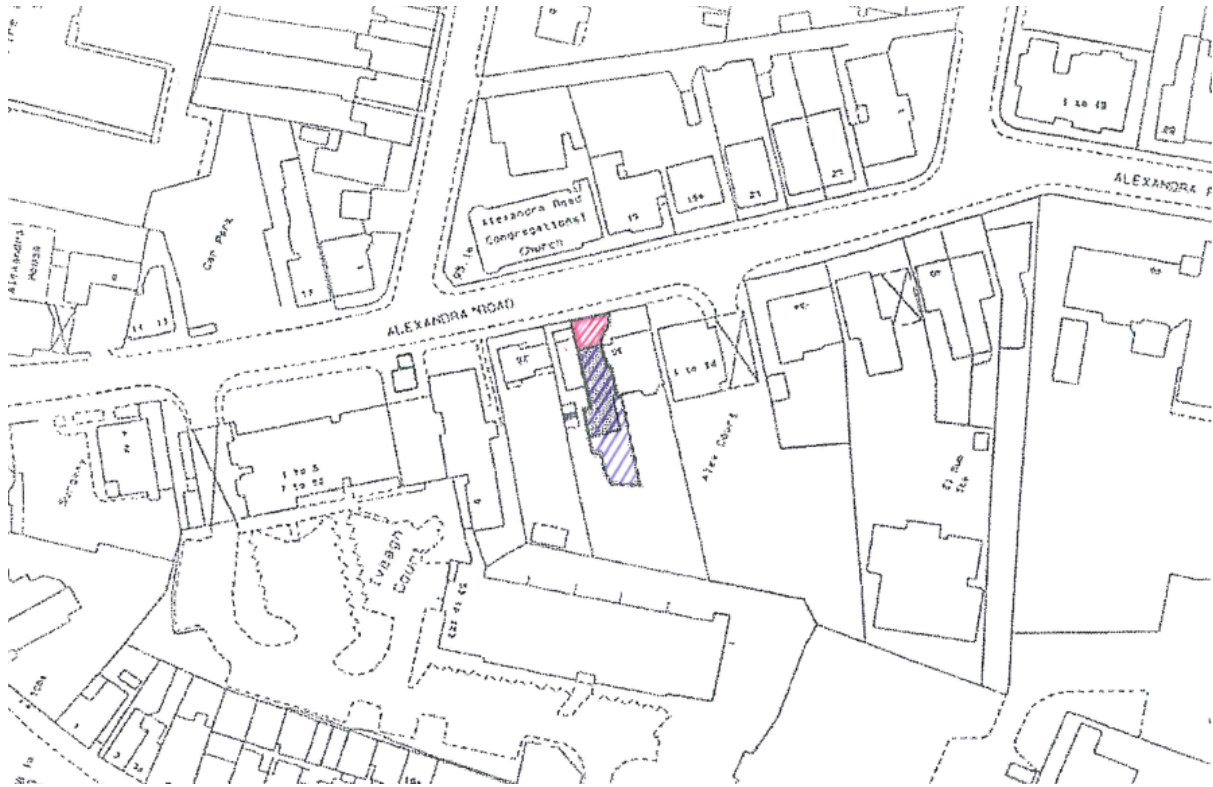
Article 35 Statement




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 2015.

Item 5.10

4/03662/15/FHA - CONVERSION OF GARDEN TO HARDSTANDING FOR PARKING PURPOSES

30B ALEXANDRA ROAD, HEMEL HEMPSTEAD, HP2 5BS

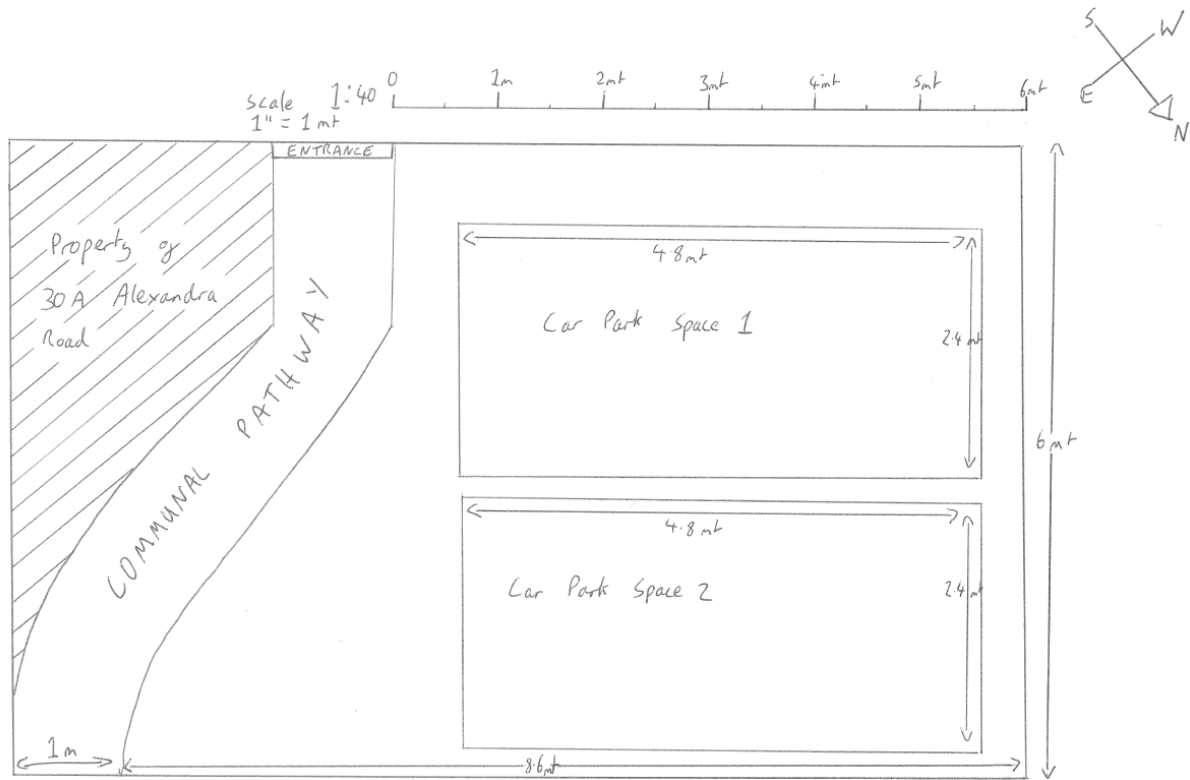


-  Area/Building/Land belonging to 30B Alexandra Road.
-  Area proposed for Driveway Application. Land belonging to 30B Alexandra Road.
-  Area of Shared/Communal Land.

Item 5.10

4/03662/15/FHA - CONVERSION OF GARDEN TO HARDSTANDING FOR PARKING PURPOSES

30B ALEXANDRA ROAD, HEMEL HEMPSTEAD, HP2 5BS



**4/03662/15/FHA - CONVERSION OF GARDEN TO HARDSTANDING FOR PARKING PURPOSES.
30B ALEXANDRA ROAD, HEMEL HEMPSTEAD, HP2 5BS.
APPLICANT: MR HALE.**

[Case Officer - Martin Stickley]

Summary

The application is recommended for approval.

The principle of residential development is considered acceptable in the site's location within a residential area. The proposed works would not have any adverse impact on the appearance of the dwelling and would not cause serious harm to the streetscene. The development would not have a detrimental impact on the amenity of neighbouring properties. The scheme would increase the amount of off-street parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Policies CS4, CS11 and CS12 of the Core Strategy and saved Policies 58, and saved Appendices 5 and 7 of the DBLP.

Site and Surroundings

The application relates to a piece of land fronting Alexandra Mansions, a council owned mansion block of four flats. This piece of land is part of the leasehold of 30B Alexandra Road. The Victorian building fronts Alexandra Road, Hemel Hempstead, near to the town centre.

Proposal

The application seeks to convert a small area fronting Alexandra Mansions into a driveway for the use of the tenants at 30B Alexandra Road. The land in question is enclosed by a small (0.5m) wooden fence and gate. The grass area would be covered with hard standing and the kerb would be dropped, removing one on-street parking space but replacing it with two off-street spaces.

Referral to Committee

The application is referred to the Development Control Committee due to the fact that the land is owned by DBC.

Planning History

None relevant.

Relevant Policy

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Borough Core Strategy 2006-2031

NP1 - Supporting Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS29 - Sustainable Design and Construction

CS31 - Water Management

CS32 - Air, Water and Soil Quality

Dacorum Borough Local Plan 1999-2011

Saved Policy 58 - Private Parking Provision

Saved Appendix 5 - Parking Provision

Saved Appendix 7 - Small-Scale House Extensions

Summary of Representations

Local Residents

28 Alexandra Road, Hemel Hempstead, HP2 5BS

In principle I have no objection to this however I do have concerns about some of the details of current plans.

1. Parking

At busy times, there is limited residential parking and it is not clear whether the access (dropped kerb) for the hard standing will take one or two of the current parking spaces. If it is just one space next to the current access for number 30a (as identified in option 1) then it is not a concern.

2. Extent of hard standing

The current plans show a boundary with number 28 but don't show the building which forms about 2m of the 6m boundary. If the hard standing comes right up to the boundary this will mean that cars could be parked alongside the living room window and immediately under the bedroom of number 28. An appropriate gap or continuation of the proposed hedge along this boundary would address this concern.

3. Relocation of bins

At the moment the bins for 30b, c, and d are kept alongside the fence boundary with number 28. There is no mention of a place for all these bins on these plans. There has been a suggestion that these bins be placed next to the sheds behind number 28. However this is not a communal area; residents of number 30 only have access to the sheds and gardens along the path beside number 28.

30D Alexandra Road, Hemel Hempstead, HP2 5BS

As leaseholders of the above property we wish to state our objections.

Alexandra Mansions is an established and attractive Victorian building, much of which would be lost if vehicles were parked to the front.

The bedroom windows of our property would be directly above the proposed parking area. The bedroom would suffer from noise and unhealthy emissions. Lights from vehicles driving on and off would cause disturbance to sleep and relaxation.

Consultees

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

The proposals are not considered to result in any adverse impact on the public highway and are considered acceptable to the Highway Authority as properties either side have off street parking.

Highway Informative:

The Highway Authority require the construction of or alterations to the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to the Mid West Hertfordshire Highways Area Office (Telephone 01727 816000) to arrange this.

Storage of materials AN*) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Obstruction of the highway AN*) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to willfully obstruct the free passage along a highway or public

right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

General works within the highway (simple) - construction standards AN*)
Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire – Highway Design Guide (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Rights of Way AN*) The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges. If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Considerations

The main issue of relevance to the consideration of this application relates to the impact of the works on the on the character and appearance of the dwellinghouse and streetscene in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan (DBLP). Other issues of relevance relate to the impact of the proposal on the amenities of the neighbouring properties (Policy CS12 and saved Appendix 7) and the impact on car parking/highway safety (saved Policy 58 and saved Appendix 5 of the DBLP).

Impact on Appearance of Building and Street Scene

An assessment of the impact of the proposed works has considered the impact on the appearance of the building and street scene. The proposal would not have an adverse impact on the visual amenity of the property or the wider street scene. The works would be situated to the front of the property and would result in the loss of a small patch of grass. However, this grassed area is enclosed by fencing and is viewed as a minor attribute to the general aesthetics of the streetscene. The flower bed directly next to Alexandra Mansions would be retained. It should be noted that a number of other properties along the street have converted their front gardens into parking areas, including the neighbours at No. 26 and 30A. Overall, it is not considered that the proposed works would significantly detract from the character of the streetscene or the appearance of the dwelling in accordance with Policies CS11 and CS12 of the Core Strategy.

Impact on Amenity of Neighbours

Consideration has been given to the impact that the proposal would have on the adjoining neighbours. Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. The application has received two objections (see above). The main issues of concern are listed and addressed below.

- Negative impact on visual amenity/appearance of the building and streetscene.

Issues regarding the visual impact on the streetscene have been discussed in the section above (Impact on Appearance of Building and Streetscene). It is felt that the proposal would integrate satisfactorily within the streetscene.

- Increased noise/emissions.

The proposal would install two parking spaces fronting Alexandra Mansions. Due to the limited size of the proposed hardstanding (serving just two cars), it is considered that the vehicular usage of the driveway would be fairly minor. The driveway is therefore unlikely cause any serious harm with regards to increased noise and emissions. It should be noted that the existing parking bays on the road are only 7-8 metres away (approx.).

- Relocation of bins.

Both of the objectors have commented on the relocation of their bins. Presently, the bins for 30B, 30C and 30D Alexandra Road are kept alongside the fence boundary with No. 28. The bins are currently stored on land owned by No. 30B with the consent of the applicant. However, he is well within his rights to remove the bins if he chooses. Leasehold Services informally responded to the bin situation by stating: *"Currently the bins for 30B, 30C and 30D are standing in Mr Hale's private garden*

(which he is tolerating for the meanwhile). This is not a shared area. The only shared area is the front path, or the path at the rear, where the sheds are located." This is not a matter for consideration as part of this application.

There would be no significant harm to the residential amenities of the neighbouring properties as a result of this proposal. The proposed hardstanding would not impact the neighbouring properties in terms of visual intrusion, loss of light and loss of privacy in accordance with Policy CS12 of the Core Strategy and saved Appendix 7 of the DBLP.

Access, Car Parking and Highway Safety

With regards to access and car parking, the proposal is deemed as acceptable in accordance with Policy CS12 of the Core Strategy and saved Policy 58 of the Local Plan. Hertfordshire Highways did not object to the application and stated "*the proposals are not considered to result in any adverse impact on the public highway and are considered acceptable to the Highway Authority as properties either side have off street parking.*" They provided a number of informative's and advisory notes to ensure the works would not impact the surrounding highway or cause any safety issues. If the application is approved, this information would be added to the decision notice as an informative.

Drainage

Sufficient methods should be taken to ensure that any issues to do with surface water run-off are mitigated. Either the hard standing should be made of porous materials, or provision should be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage. The applicant has stated that he would be using the appropriate ACO Drainage System in the application form. If approved, further details on this would be requested by condition.

RECOMMENDATION - That planning permission be **GRANTED** 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 No development shall take place until full details of the on-site surface water drainage mechanisms have been submitted to and approved in writing by the Local Planning Authority. Drainage shall be carried out in accordance with the approved details prior to use.**

Reason: To ensure the satisfactory disposal of surface water in accordance with Policy CS31 of the Dacorum Borough Core Strategy.

- 3 **The car parking spaces shall have minimum dimensions of 2.4m by 4.8m. Such spaces shall be maintained as a permanent ancillary to the development and shall be used for no other purpose.**

Reason: To ensure the adequate provision of off-street parking in order to minimise the impact on the safe and efficient operation of the adjacent highway in accordance with Policy CS8 (h) and CS12 (b) of the Dacorum Borough Core Strategy.

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

AH01

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

Article 35 Statement

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.

Highways Informatives:

The Highway Authority require the construction of or alterations to the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to the Mid West Hertfordshire Highways Area Office (Telephone 01727 816000) to arrange this.

Advisory Note 1:

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

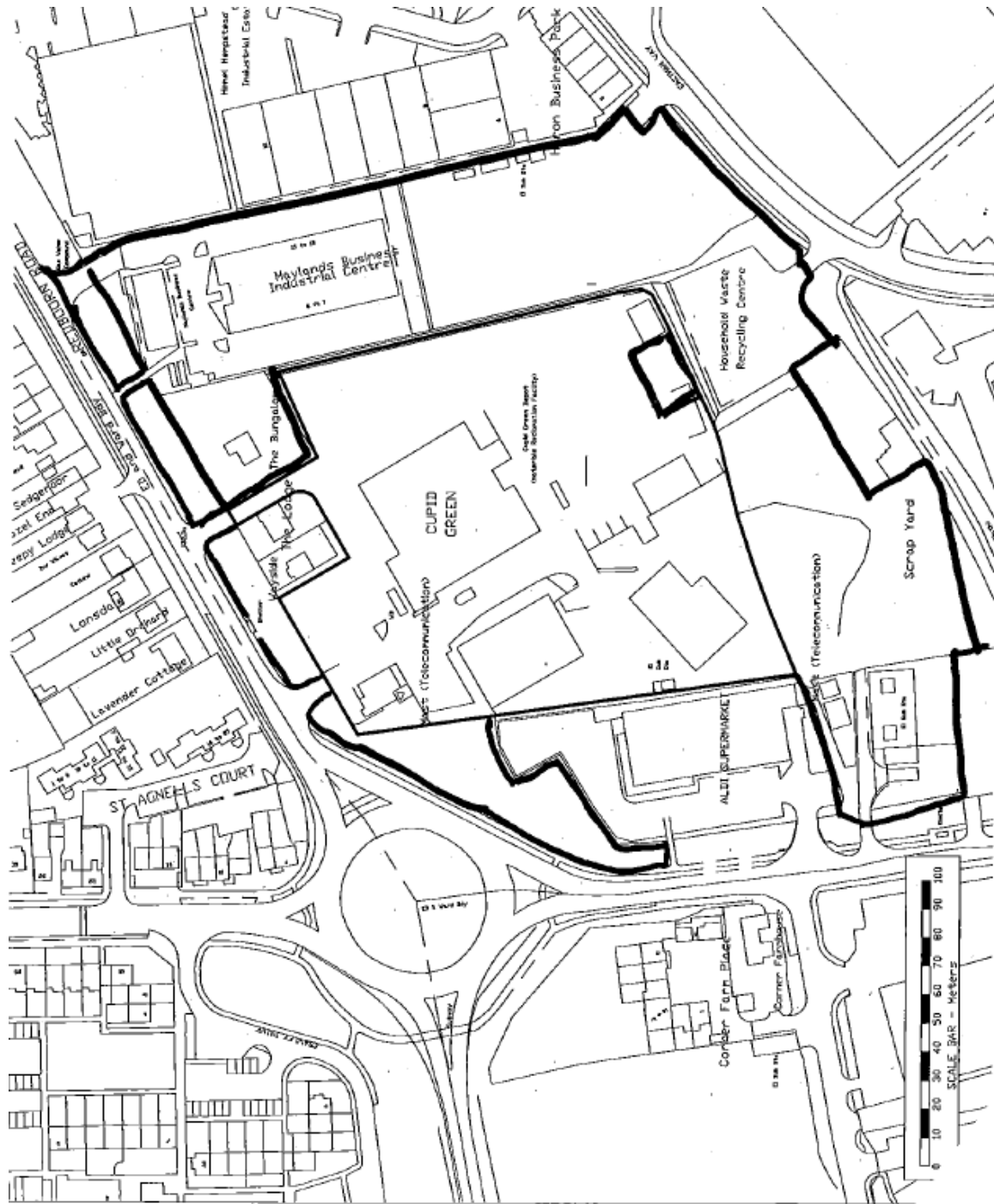
Advisory Note 2:

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Item 5.11

4/02493/15/RET - RETENTION OF TEMPORARY WASTE STORAGE STRUCTURES.

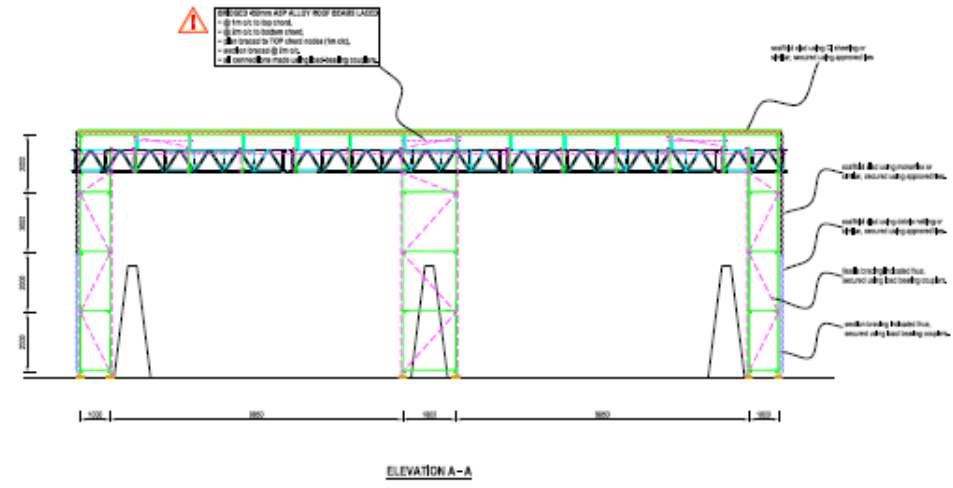
CUPID GREEN DEPOT, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7AZ



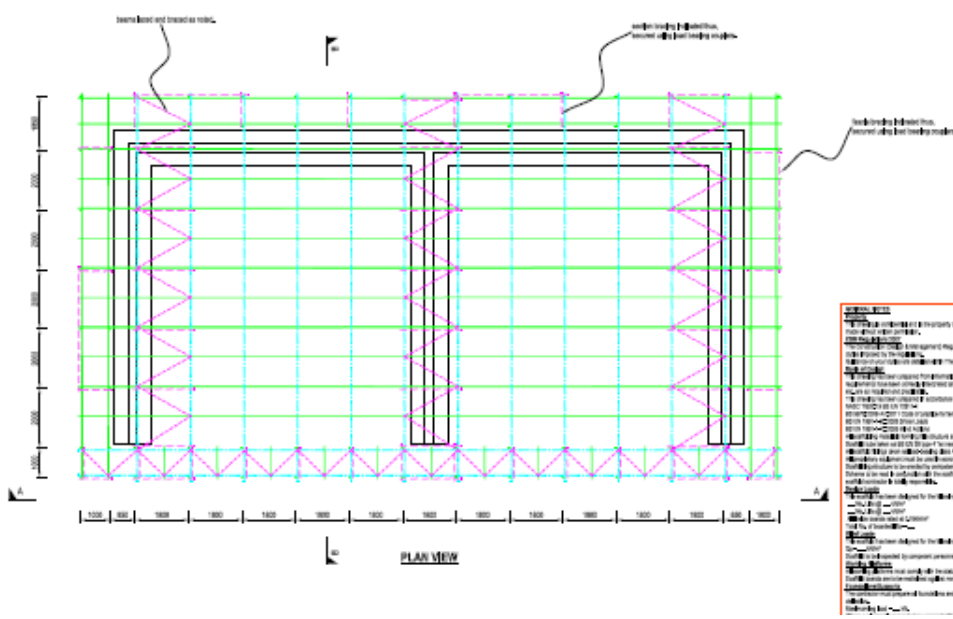
Item 5.11

4/02493/15/RET - RETENTION OF TEMPORARY WASTE STORAGE STRUCTURES.

CUPID GREEN DEPOT, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7AZ



ELEVATION A-A



PLAN VIEW

4/02493/15/RET - RETENTION OF TEMPORARY WASTE STORAGE STRUCTURES..
 CUPID GREEN DEPOT, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7AZ.
 APPLICANT: DACORUM BOROUGH COUNCIL - Mr G Patterson.

[Case Officer - Ross Herbert]

Summary

The application is recommended for approval. The retention of the temporary storage roof structures would result in no adverse visual impacts. The proposals comply with national and local policies and are considered to be acceptable.

Site Description

The site comprises of Dacorum Borough Council's waste and recycling depot at Cupid Green, on the southern side of Redbourn Road in Hemel Hempstead. The application relates to the retention of temporary waste storage structures located in the south-eastern corner of the depot.

Proposal

It is proposed to retain the temporary storage structures which have been erected in the south-eastern corner of the depot, which comprise of temporary roof structures for the existing waste storage areas.

Some background context to the proposal has been provided by Craig Thorpe (Group Manager, Environmental Services) at Cupid Green, which summarises the need for the temporary storage structures:

'Prior to November 2014 the Councils garden waste was collected on a fortnightly basis with cardboard and food waste included in the mix. The material was bulked to Envar, in St Ives where it was treated with a process called In-Vessel Composting before being spread to land as fertiliser. The contract with Envar was set up and managed by Herts County Council as the Authority responsible for waste disposal and is due to expire in 2018. The contract carries a Gross Minimum Tonnage (GMT) of 15000 tonnes per year. A change in quality standard called Pas 100 meant that green waste with cardboard included was no longer fit to spread to land and therefore Local Collection Authorities were tasked with removing the cardboard from the mix by January 2015.

Following many months of discussion Dacorum decided to remove the cardboard from the mix and collect it in with the dry recyclables and at the same time implement a separate food waste collection leaving just the garden waste in the bin. The processing of garden waste only is cheaper as it does not need to be heat treated and therefore it no longer made financial sense to continue to send it to Envar and therefore Dacorum's green waste was diverted to a alternative reprocessors where the waste was simply treated through a process called "wind row". In simple terms this meant that the green waste is kept in rows and turned on a frequent basis.

Although this process saved processing costs County Council were still tied in to the GMT at Envar and therefore they had to look at ways of diverting green waste tonnage from elsewhere or pay for fresh air. It was agreed that St Albans garden waste would be diverted to Envar to make up the shortfall in tonnage however this would need to be tipped firstly at Cupid Green before being bulked up top St Ives for the remainder of the contract term. Consequently the Waste Site at Cupid Green Depot would need reconfiguring and an additional covered bay would need to be positioned to store Dacorum's dry recycling waste.

This has resulted in the requirement of a temporary licence.'

Referral to Committee

The application is referred to the Development Control Committee due to the site being within DBC's ownership (Cupid Green Depot).

Planning History

4/02118/12/FU COMMUNICATIONS TOWER FOR CCTV SYSTEM.

L

Granted
27/12/2012

4/02272/08/FU INSTALLATION OF 6KW WIND TURBINE

L

Granted
19/01/2009

4/01946/08/FU RENEW CLADDING TO STORAGE BUILDING AND USE AS
STORE/OFFICE AND PROVISION OF ADDITIONAL PARKING

L

Granted
28/11/2008

4/01491/08/DR DETAILS OF EXTERNAL MATERIALS AS REQUIRED BY
CONDITION 2 OF PLANNING PERMISSION 4/03130/07
(INSTALLATION OF NEW VEHICLE WASH, SOLAR HEATING
SYSTEM AND GENERAL REFURBISHMENT WORKS
INCLUDING NEW ROOF AND REPLACEMENT WINDOWS AND
DOORS)

C

Granted
23/07/2008

4/00558/08/DR DETAILS OF VEHICLE WASH FACILITY AS REQUIRED BY
CONDITION 3 OF PLANNING PERMISSION 4/03130/07
(INSTALLATION OF NEW VEHICLE WASH, SOLAR HEATING
SYSTEM AND GENERAL REFURBISHMENT WORKS

C

INCLUDING NEW ROOF AND REPLACEMENT WINDOWS AND
DOORS)
Granted
08/05/2008

4/03130/07/MF INSTALLATION OF NEW VEHICLE WASH, SOLAR HEATING
A SYSTEM AND GENERAL REFURBISHMENT WORKS
INCLUDING NEW ROOF AND REPLACEMENT WINDOWS AND
DOORS
Granted
19/02/2008

4/01382/07/FU WASTE HANDLING AREA REVISED BAY LAYOUT WITH NEW
L COVERED AREA FOR MEAT & ORGANIC WASTE.
Granted
01/10/2007

4/01339/05/BP REFURBISHMENT OF MAIN BUILDING. NEW CAR PARK AND
A CONSTRUCTION OF NEW STORES BUILDING AND WASTE
HOLDING BAYS
Withdrawn
22/09/2005

4/01186/02/FU INSTALLATION OF PORTACABIN FOR WASTE TRANSFER
L STATION
Granted
29/07/2002

4/01226/00/ NEW WASTE HANDLING BAYS, 200mm THICK REINFORCED
CONCRETE PAVING AND ASSOCIATED DRAINAGE AT
EXISTING WASTE TRANSFER FACILITY
Granted
07/09/2000

4/01102/00/BP LIGHTING SCHEME
A
Granted
10/08/2000

4/00705/00/ ADDITIONAL CAR PARKING, RETAINING WALL AND
PROVISION OF WASTE STORAGE BAYS
Withdrawn
20/05/2000

- 4/00417/99/4 REVISION OF EXISTING PARKING PROPOSAL AND PROVISION OF ADDITIONAL PARKING
Granted
27/05/1999
- 4/02128/98/4 REROOFING OF HANGAR BUILDING, EXTERNAL REPAIRS TO HANGAR BUILDING, FORMATION OF CAR PARK AND CONVERSION OF PART OF HANGAR TO VEHICLE REPAIR SHOP (REVISED APPLICATION)
Granted
11/02/1999
- 4/01053/98/4 CREATION OF BAYS FOR THE STORAGE AND PROCESSING OF WASTE MATERIALS
Granted
24/07/1998
- 4/00931/98/4 RE-ROOFING, EXTERNAL REPAIRS TO AND CONVERSION OF PART OF HANGAR INTO VEHICLE REPAIR SHOP. CONSTRUCTION OF CAR PARK
Granted
23/07/1998
- 4/01109/96/C TWO STOREY SIDE EXTENSION TO MATERIALS RECYCLING FACILITY
MA
Granted
14/11/1996
- 4/01626/95/4 STORAGE OF MATERIALS & PROCESSING OF WASTE MATERIALS
Granted
08/04/1996
- 4/01256/95/4 WASTE PAPER STORAGE COMPOUND
Granted
13/05/1996
- 4/01189/95/4 NEW ROOF AND VIEWING GALLERY TO MRF BUILDING
Granted
27/10/1995

- 4/00036/95/4 USE OF LAND FOR LOCAL AUTHORITY WORKS DEPOT
Granted
10/03/1995
- 4/01596/94/4 NEW TOILET BUILDING
Granted
16/02/1995
- 4/01244/94/4 PROVISION OF CANTEEN/OFFICE WITHIN EXISTING BUILDING
AND CHANGES TO ELEVATION
Granted
20/10/1994
- 4/01763/89/4 CONTINUED USE OF TEMPORARY OFFICE

22/12/1989

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS14 - Economic Development

CS28 - Renewable Energy

CS29 - Sustainable Design and Construction

CS30 - Sustainability Offset Fund

CS31 - Water Management

CS32 - Air, Water and Soil Quality

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 51, 127, 129

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Contaminated Land Officer

The site has a potentially contaminative use, it is also located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site. However, due to the nature of the application, I have no comments to make in respect of contamination.

Response to Neighbour Notification

None.

Considerations

Policy and Principle

The application site is located within the built up area of Hemel Hempstead, within the Swallowdale General Employment Area. Saved Policy 127 of the Local Plan states that land on which waste disposal has taken place will be permitted to be used in accordance with the development strategy.

The principle of erecting temporary roof structures to provide cover for existing waste disposal structures at the Cupid Green Depot is considered to be acceptable, subject to there being no adverse visual impact and no impact on the amenity of neighbouring properties. The proposals would be in compliance with Core Strategy Policy CS12.

Impact on Street Scene

The temporary structures are not visible from any public views and so there would be no impact on the street scene. The proposals would be in compliance with Core Strategy Policy CS12.

Impact on Neighbours

The temporary structures are located within the Cupid Green Depot and there are no residential or commercial neighbours which could be affected by the proposals. The proposals would be in compliance with Core Strategy Policy CS12.

Other Material Planning Considerations

Impact on Highway Safety

The proposed development will result in no adverse impact on highway safety, as it simply relates to temporary roof covering structures for existing waste storage areas.

Conclusions

The retention of the temporary storage roof structures would result in no adverse visual impacts. The proposals comply with the relevant national and local policies and are considered to be acceptable.

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

1. **This permission is for a limited period of two years, expiring on the 14/01/18, by which time the temporary waste storage structures hereby permitted shall have been removed.**

Reason: To safeguard and maintain the strategic policies of the local planning authority as expressed in the Dacorum Borough Core Strategy and saved policies of the Dacorum Borough Local Plan and for the avoidance of doubt.

Article 35 Statement

Planning permission/advertisement consent/listed building consent has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

6. APPEALS

A. LODGED

None

B. WITHDRAWN

4/03471/15/ENA MR J CRITCHER
APPEAL AGAINST ENFORCEMENT NOTICE
BRAMBLES, DARRS LANE, NORTHCHURCH,
BERKHAMSTED, HP4 3TT
[View online application](#)

C. FORTHCOMING INQUIRIES

14/15 February 2015

4/02263/15/ENA HAMBERLINS FARM - MR G EAMES
APPEAL AGAINST ENFORCEMENT NOTICE
LAND AT HAMBERLINS FARM, HAMBERLINS LANE,
NORTHCHURCH, BERKHAMSTED, HP4 3TD

D. FORTHCOMING HEARINGS

4/00424/15/MOA Ediston Properties Ltd on behalf of Tesco Pensions Trustees Ltd
CONSTRUCTION OF CLASS A1 RETAIL DEVELOPMENT (TO
INCLUDE CONVENIENCE AND COMPARISON RETAIL
FLOORPLACE AND ANCILLARY CAFE) AND CLASS A3 DRIVE-
THRU CAFE/RESTAURANT UNIT (WITH ANCILLARY
TAKEAWAY) TOGETHER WITH ACCESS, CAR PARKING,
SERVICE YARD AND ASSOCIATED WORKS
JARMAN PARK, JARMAN WAY, HEMEL HEMPSTEAD
[View online application](#)

E. DISMISSED

4/01052/14/FUL MR D DOWIE
DEMOLITION OF EXISTING GARAGE AND
CONSTRUCTION OF TWO FOUR-BEDROOM DWELLINGS,
TRIPLE GARAGE AND ASSOCIATED LANDSCAPING
10 COPPER BEECH CLOSE, HEMEL HEMPSTEAD, HP3
0DG

[View online application](#)

The Inspector considered that the main issues were:

The effect on the character and appearance of the area;

The effect on the living conditions of the neighbouring occupants with particular regard to outlook and privacy.

The Inspector concluded that the proposal would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policy CS12 of the Dacorum Core Strategy 2013 and the guidance in the SPG. Policy CS12, among other things, seeks to ensure that all development respects adjoining properties in terms of layout; site coverage; scale; height and landscaping and amenity space.

The previous appeal scheme dwelling would have been visually contained within the backdrop of No. 10. However, the proposed dwelling extends forward towards the boundary with No. 4. The outlook from New Pastures would be severely curtailed by the introduction of an approximately 3.5 m high timber clad wall above the existing higher boundary fence line. This wall would be approximately 15m long and would be virtually unbroken except for two small high level bathroom windows at first floor level.

Dwelling 1 would extend past the existing rear elevation of No. 10 and even though it would be further away from New Pastures it would be taller than dwelling 2 and would further exacerbate the overbearing effect of the proposals on the outlook for the occupiers of New Pastures. For these reasons, I consider that the proposal would dominate the outlook for the occupiers of New Pasture's from their rear windows and garden area.

The front elevation of dwelling 1 would be approximately 27m to 29m from the rear elevation of 4 Aspens Place but it would be at a higher level. The Inspector concurred with the Inspector on the previous appeal that this compares favourably with the minimum distance of 23m now contained in Appendix 3 of the saved Policies of the Dacorum Borough Local Plan. The Inspector was satisfied that the proposal would not result in a harmful loss of privacy for the occupants of 4 Aspens Place.

The Inspector concluded that the proposal would be harmful to the living conditions of the occupiers of New Pastures with regard to outlook. This is contrary to Policy CS12 of the Core Strategy which among other things, seeks to ensure that all development avoids visual intrusion to the surrounding properties.

F. ALLOWED

None.

7. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms: That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the items in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during these items there would be disclosure to them of exempt information relating to: