



DEVELOPMENT CONTROL COMMITTEE AGENDA

THURSDAY 28 NOVEMBER 2013 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.

Mrs G Chapman
Clark
Conway
Guest
R Hollinghurst
Killen
Macdonald

McKay
Rance
Reay (Vice-Chairman)
G Sutton (Chairman)
Whitman
C Wyatt-Lowe

Substitute Members

Councillors Adshead, Mrs Bassadone, Collins, Harris, Peter and R Sutton.

For further information please contact: Pauline Bowles, Members Support Officer on Tel: 01442 228221, E-mail Pauline.bowles@dacorum.gov.uk or visit our web-site www.dacorum.gov.uk

PART I

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1. MINUTES

The minutes of the meeting held on 7 November 2013 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 Pauline Bowles Members Support Officer Tel: 01442 228221 or by email: Pauline.bowles@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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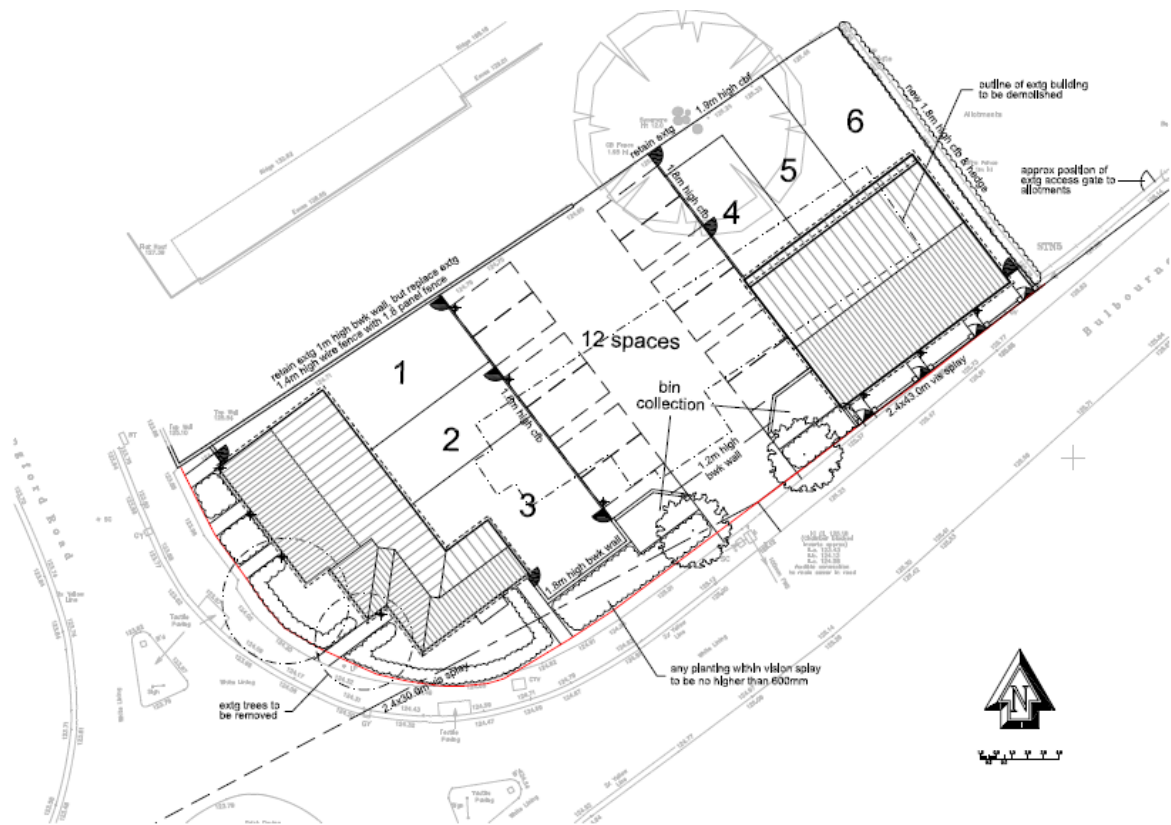
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Item 5.1

4/01785/12/FUL - DEMOLITION OF EXISTING FUNCTION HALL, AND REDEVELOPMENT WITH SIX HOUSES (FOUR X 3-BED AND TWO X 2-BED) WITH ASSOCIATED PARKING AND AMENITY SPACE, NEW MILL SOCIAL CENTRE, GAMNEL, TRING, HP23 4JL



PLOTS 3 SIDE

PLOTS 4-6 FRONT



PLOTS 1-5 FRONT

**5.1 4/01785/12/FUL - DEMOLITION OF EXISTING FUNCTION HALL, AND REDEVELOPMENT WITH SIX HOUSES (FOUR X 3-BED AND TWO X 2-BED) WITH ASSOCIATED PARKING AND AMENITY SPACE.
NEW MILL SOCIAL CENTRE, GAMNEL, TRING, HP23 4JL.
APPLICANT: TAYLOR FRENCH DEVELOPMENTS/TPPC.**

[Case Officer - Nigel Gibbs]

[Grid Ref - SP 92611 12961]

Summary

The application is recommended for approval.

The quality of the proposed new residential scheme and the need for new housing, as set out in Policy CS17 of the Core Strategy and the justification and reasons for the loss of the function hall, are considered to outweigh the policy objections contained within the NPPF, Policy CS23 of the Core Strategy and Policy 68 of the Dacorum Borough Local Plan. The proposed development is considered to form a good quality residential scheme which would not result in significant harm to the residential amenities of neighbouring properties in accordance with Policies CS12 and CS13 of Dacorum's Core Strategy and Appendix 3 of the Dacorum Borough Local Plan. The proposals would not be detrimental to highways safety in accordance with Policies CS8 and CS12 of Dacorum's Core Strategy and saved policies 51, 54 and 58 and Appendix 5 of the Dacorum Borough Local Plan.

Background

The Committee (DCC) previously considered the application on 18 August 2013. The Report is at Annex B. The Addendum Report is at Annex C.

Within the Addendum Report it is stated that the owner claims to have entered to legally binding option to sell the property which would nullify the need to go through the usual moratorium process in respect of the Listing of the Community Asset which was appealed and rejected and the Listing has therefore been upheld by the Council.

The DCC previously deferred the application to allow for further clarification 'of matters in relation to the tests set by Policy 68 of the Dacorum Local Plan and Policy CS23 of the emerging Core Strategy'. In particular this required :

1. Further investigation into the viability of the building and its future maintenance and repair, and
2. The suitability of alternative provisions which reference to their distance from this site and their ease of accessibility. If necessary, the applicant should also consider the provision of monies via s106 agreement to support the provision of alternatives within the settlement of New Mill.

Proposal

The applicants have provided a further document in response to the deferment. This is at Annex A and has been circulated to the DCC Members. There has also been consultation with Tring Town Council and local residents.

Representations

Tring Town Council

Object. The Council recommended refusal of this application on the same grounds as previously i.e. inappropriate development, dangerous access due to its proximity to a busy

roundabout and loss of a community asset (policy 68). The Council is disappointed that there is an unwillingness to make a binding commitment to a contribution to mitigate the loss of the community asset.

Councillor Georgina Haynes

Cllr Nick Hollinghurst has mentioned to me that the LPA would like some clarification concerning the way the survey concerning the use of the New Mill Hall was carried out and how the responses were obtained.

I trust the information below will be helpful.

- Purpose

The survey was carried out to assess

- (a) the strength of local feeling about the loss of the facility
- (b) the extent of the actual historical use of the hall, and by whom

- Methodology

The survey forms were designed by Miss Pat Hewitson, Mrs Hilary Hemming and Mrs Carol Woodstock.

Most of the survey responses were obtained by face-to-face interviews on the doorstep, mainly by Mrs Woodstock but a very small number of responses were obtained by Mr Kieron Wybrow from Wingrave Road. The following streets were surveyed with responses from residents who were at home at the time. If there was no-one at home no form was left and no return call was made.

Residents were at home in about a 40% of the households. Fewer than 5 refusals occurred

- Area

| | |
|------------------|--|
| Longbridge Close | 50 houses in total |
| Bushells Wharf | 23 |
| Gammel etc | 38 |
| Chapel Meadow | 39 |
| Icknield Green | 35 |
| New Road | 33 |
| Bulbourne Road | 19 |
| Wingrave Road | 10? (only a very small number surveyed in this road) |
| Total | 247 |

In addition survey forms were available from

| | |
|-----------------------|-----|
| Marmalade Cat Nursery | 40 |
| Whist Club | 40 |
| Graces Hardware Shop | 20 |
| Total | 100 |

just under 50 forms were returned to these locations

- Timing

The survey took place during September 2013

The original forms are all available for inspection. If they are required then arrangements can be made to take them to the Civic Centre.

Response to Neighbour Notification/The New Mill Social Centre Committee Questionnaire
Survey : 127 Responses

Q.1 Have you used the hall in the past?

| | |
|-----------|-----|
| Yes | 117 |
| No | 9 |
| No Answer | 1 |

Q.2 If so what for?

| | |
|-----------|----|
| Parties | 85 |
| Weddings | 18 |
| Clubs | 51 |
| Classes | 24 |
| Elections | 32 |
| Others | 21 |

Q.3 Approximately how often did you access the hall ?(tick one answer)

| | |
|-----------|----|
| Weekly | 47 |
| Monthly | 10 |
| Other | 55 |
| No Answer | 7 |

Q.4 If you previously attended a regular club or class are you still attending / meeting now?

| | |
|-----------|----|
| Yes | 34 |
| No | 71 |
| No Answer | 22 |

Q.5 If so, how far are you now travelling? (approximate mileage)

| <i>Miles</i> | <i>No. of Responses</i> |
|----------------|-------------------------|
| Less than 1 | 2 |
| 1 | 1 |
| 2 | 4 |
| 2.5 | 1 |
| 3.5 | 1 |
| 3 | 4 |
| 4 | 1 |
| 5 | 2 |
| 6 | 1 |
| 8 | 3 |
| 8-10 | 1 |
| 10 | 2 |
| 10 (return) | 1 |
| 14 | 1 |
| 15 | 2 |
| 10-15 | 2 |
| 18 | 1 |
| 25 | 1 |
| 40 | 1 |
| No information | 6 |

Q.6 If it is re-opened , how likely is that you use the Hall in the future?

| | |
|---------------|----|
| Very Likely | 89 |
| Fairly likely | 27 |
| Neither | 7 |
| Unlikely | 3 |
| Very unlikely | 1 |
| No Answer | 1 |

Q.7 If so what for?

| | |
|--------------|----|
| Parties | 84 |
| Weddings | 16 |
| Clubs | 53 |
| Classes | 35 |
| Elections | 30 |
| Others | 8 |
| No Responses | 5 |

Q. 8 Age range

| | |
|-------|----|
| 18-30 | 16 |
| 31-45 | 2 |
| 46-55 | 35 |
| 56-74 | 32 |

Q.9 Do you live in 'New Mill'?

| | |
|-----|----|
| Yes | 59 |
| No | 68 |
| 75 | 18 |

Q.10 If no, which part of Tring do you live ?

More than One

| | |
|--------------|---|
| Western Road | 3 |
| Gwynne Close | 2 |
| Ludgate | 2 |

One Response

High Street/ Western Road, High Street , Beaconsfield Road , St Peters Hill , Bulbourne Road, East Tring , Charles Street, Fantail Lane, Longfield Road, Tring West, Shugars Green, Eight Acres, Miswell Lane , Goldfield Road, Dundale Road , Cow Lane and Frogmore Street

Q.10 If not in Tring, where do you live ?

More Than One Response

| | |
|--------------|---|
| Aylesbury | 8 |
| Luton | 3 |
| Aston C | 2 |
| Long Marston | 2 |
| Berkhamsted | 2 |
| Ivinghoe | 2 |
| Wigginton | 2 |
| Wilstone | 2 |

One Response

Northchurch, Milton Keynes, Ivinghoe, Buckland Common, Watford, St Albans, Slip End, Kimble, Cheddington, Ashridge, 'Near the Town', Pitstone, Chesham, Ashridge, Hastoe and Aldbury

Agent's Response to the Questionnaire/ Survey: 6 November 2013

The questionnaire asks 'have you used the hall in the past?' This question doesn't specify when. Some respondents have ticked 'yes', but this doesn't specify at what point in the past they used the hall. It could be the case that some respondents did use the hall at some point in the past, but didn't use it immediately prior to the hall closing. This question doesn't distinguish between those people who were using the hall at the point it closed and those who have used the hall at some point in the past but were not using it at the point it closed. For example, one respondent ticked 'yes' and specified that it was used by the youth club. It is the Applicants understanding that the youth club hasn't existed for a number of years.

Many of the respondents have said that they have used the hall in the past for weddings and parties. These are not regular users of the hall but rather occur on a more infrequent basis.

The questionnaire doesn't ask how often people would use the hall if it re-opened. Some respondents have ticked 'yes' that they would use the hall if it re-opened. But this doesn't establish how often the hall would be used, as clearly the hall would not be viable if it wasn't used on a regular basis.

Many of the survey respondents are from outside of New Mill. This suggests that even when the hall was open it was not well used by people local to the area. It is noted that the questionnaire was carried out by the New Mill Social Committee (NMSC). It is an important consideration that the hall closed in July 2012 and since that time the NMSC has not organised a single social event at the other halls available in New Mill. Indeed, prior to the hall closing there were very few organised events, clubs or groups. The hall had an income of approximately £8,000 p.a. If we assume £10 per hour, that is an average of 16 hours use per week. In other words, the hall was used for 15% of the time. Importantly, all of the regular users have been re-housed.

In any event, the surveyors report makes it clear that the building is in a poor state of repair and requires substantial and expensive maintenance and repair work. The Council's Lead Building Control Officer visited the site on the 17th October 2013 to revisit the items noted in the structural survey carried out by the applicant's appointed FRICS Surveyor. Building Control confirmed the observations of Stephen Parris and that the building has deteriorated further since the initial survey was carried out. Therefore, in light of the current structural condition of the building, it could not be re-opened in its current state and would need to be rebuilt. Therefore, the question as to whether people would use the hall if it was re-opened is considered to be irrelevant.

Furthermore, under its current ownership, the main use of this building and site must conform to the charitable objectives of the PCC, namely for:

Regular public worship open to all;

- The provision of sacred space for personal prayer and contemplation;
- Pastoral work including visiting the sick and bereaved;
- Teaching of Christianity through sermons courses and small group;
- Taking of religious assemblies in schools; supporting other charities in the UK and overseas.

Therefore, the hall would not reopen and return to its former use.

It is noted that the Council (the Strategic Planning Team) has no objections to the loss of New

Mill Social Centre and are happy that the requirements of Policies 68 and CS23 have been complied with.

Strategic Planning

- Initial Advice - (Pre Dating the receipt of The New Mill Social Centre Committee Questionnaire Survey)

Annex A effectively brings together a range of information that has been provided by the applicant since the submission of the application in a succinct form. This is welcomed in terms of focusing the arguments/evidence in support of the loss of the community hall. SP does not intend to assess all the individual points made as SP has already commented on them previously.

It is regrettable to see the loss of a long-established community facility. However, SP would continue to stress it believes the applicant, based on the information submitted and on balance, has made a good case in support of the loss in terms of Policies 68 and CS23.

SP consider that the information points to:

- an uncertain future for the hall (subject to comments from Building Control survey on the condition of the hall);
- limited incomes and increasing running costs;
- constraints over its community re-use;
- most of the previous users have found alternative venues;
- capacity existing within other facilities within the town (and it would appear some of the facilities have actually benefited from the relocation of users).

A contribution towards the Baptist Church is also welcomed

- Advice upon a Planning Obligation directly relating to / compensating for/following the loss of a community facility under Policy CS23 in the Core Strategy(Pre Dating the receipt of The New Mill Social Centre Committee Questionnaire Survey)

Policy CS23 is important now that the CS has been formally adopted.

The policy should be applied in two stages. The first stage relates to the loss of the facility and the “tests” regarding either the availability of alternative provision or viability. All the policy strictly asks for is that any development satisfies one of the tests. It is concluded that the applicant has made a good case on both factors (subject to the outcome of the additional building survey). Once a proposal has met one of these requirement it basically satisfies that part of the policy other than encouraging its re-use for an alternative community use (which it is understood is constrained by the property’s charitable status). It does not require any more actions regarding the loss of the facility. Therefore, there is no requirement under the policy to directly fund alternative provision under a s106 agreement.

The second stage relates to the new development that will replace the lost facility. The policy expects that (in this case) the new housing will contribute towards a range of community infrastructure. SP would be looking to secure contributions through normal channels via the Planning Obligations SPD (and the CIL in the future)/ HCC and subject to the standard tests for a s106 Agreement. The Planning Obligations SPD establishes the type and scale of contributions.

While there is no direct requirement to fund alternative provision once the policy is satisfied regarding the actual loss of the facility, if the applicant is happy to contribute on a voluntary basis then this should be welcomed.

- Response to Questionnaires submitted by The New Mill Social Centre Committee
Questionnaire Survey

SP note the comments made by the agent's letter dated 6 November 2013 in response to the Questionnaire. SP agree with his critique of the survey and I would want to limit repetition of the arguments he has already made.

SP accept that the survey demonstrates that residents were using the hall prior to its closure and are supportive of its re-opening. However, SP is concerned over the survey's quality and robustness and how reliant the LPA can be on the results provided to inform decisions on the application. SP explains its concerns below.

While there is strong support for the use and retention of the facilities (Q.6), it is not clear how representative the survey really is. It is not apparent what proportion of residents have responded out of the population in the New Mill area (SP note also that the survey included responses from those living away from New Mill (Q.9)). It is likely that this is quite small given there were only a total of 127 (sic) respondents i.e. how would this translate into actual usage of the hall? Would it result in a greater use of the facilities (over previous relatively low levels of use) to ensure its future viability? These are the people who are most likely to use any facility and if this is small, then it does not imply that they will be sufficient to make its reuse viable and sustainable long term.

It would have been helpful if the form had asked how recently residents used the hall (Q.1). It is quite possible that the results reflect historical usage of the hall rather than more recent use. Gauging the latter would have been more enlightening. Most of the usage appeared to be from ad hoc events rather than regular activities (Q.2) that are key to ensuring a regular funding stream for the hall. Of those who used to use the hall, almost half of respondents would have used it less than once a month (Q.3).

The vast majority are not attending a club or class (Q.4). (There is also quite a broad range of distances that respondents were willing to travel to access the activity (Q.5)). An additional question would have helped to explain why the respondents were no longer attending a regular club or class. There may be a variety of reasons for this e.g. because of age limits to an activity, lost interest in the class/club, cost, timing, the activity ceased, availability of child care or transport, etc?

116 respondents said they were very or fairly likely to use the hall in the future (Q.6). Even if the hall re-opened, the survey does not make it clear how regularly they would attend (Q.6 and 7). Again, there would still remain a strong reliance on ad hoc social events (100) compared to clubs and classes (88).

In terms of geographical spread, it appears that more than half of those responding actually live outside the New Mill area (68 out of 127 respondents) (Q.9). This may distort/skew the figures as to how well the facilities were used locally. However, SP would add that community facilities like this are likely to attract from a wider catchment area, and the results may not be that unusual in the circumstances.

SP would have liked to see a greater balance of questions. It is important that the LPA gauges the wider views of residents regarding the actual loss of the NMSC and its impact. What were the reasons for residents not using the hall regularly? What are the views of residents regarding the quality and suitability of alternative venues? Could they be satisfactorily meeting the community and recreational needs of locals? Indeed, could they actually improve on the offer of NMSC?

It would have also been interesting to see a question addressing the issue of improving the viability of the NMSC given this was a key issue in its closure. For example, would those

wishing to reuse the hall be willing to be involved in increasing its revenue through some form of paid membership, fund raising or contributions? Would residents be actively willing to financially support the hall to ensure the long-term future of the building?

SP is concerned that the survey did not reflect the wider realities of ownership which would have prevented its re-opening i.e. it gives a false impression to the respondent of the NMSC's availability. The agent's letter dated 6 November 2013 addresses this.

Overall, SP accept that the results point to general support for the reuse of the NMSC and that residents would be keen to regularly make use of the hall. However, given the above points, SP does consider that the conclusions drawn changes SP's prior views about the arguments in favour of its closure under Policy CS23.

Building Control

Note: This is in response to the Applicant's building survey.

Further to the BC Unit's site visit on 17 October 2013 BC confirm the following noted in the survey carried out by the applicant's appointed FRICS Surveyor.

BC confirm the Surveyor's observations regarding the roof, gutter and downpipes. There appears to be a leak in the central part of the roof which may still be active. The timber cladding on the rear elevation appears to be sound and to postdate the cladding on the remainder of the building. The cladding on the remaining three elevations is only reasonably sound, with some areas warped, split and falling off. In a couple of locations on the front elevation, where the cladding had fallen away, it was possible to inspect the structural frame behind. In both cases where the frame could be seen, there was evidence of considerable wood rot in the vertical members. In addition to this; it was possible to see on the front elevation, an area where the frame was not providing adequate support to a roof truss immediately above and the roof was sagging. It would appear that the vertical member below this truss has failed, probably also due to wood rot.

The tarmac area to the front of the building falls toward the front elevation, with rainfall running towards and being soaked up by the cladding and straight into the structural frame. As a result of these observations, it would not be unreasonable to assume that the frame, on the front elevation at least, has been significantly affected by wood rot. As noted in the survey, the floor is of suspended timber construction. On inspection, it was noted that there was only one air brick, situated in the rear elevation, to ventilate the sub floor void. Given the water ingress and wet rot observed on the front elevation and the lack of sub floor ventilation, BC would have concerns about the condition of the floor structure and the possibility of further wet rot.

The external building elements are currently without any form of thermal insulation. The interior of the main part of the building is generally of timber cladding, both to the roof/ceiling and the walls. There are a number of external doors and the distances of escape from within the building to external air are generally short, however, it should be noted that, if there were to be a fire situation, the predominance of exposed timber within the building would cause a fire to develop and flash through the building within a very short period.

G Goodman Building & Decorating, Miswell Lane, Tring

As a member of the New Mill Village Committee and a local builder for 35 years there has been a request to produce a report on the Hall's condition.

Roof - The main roof is still in good condition. The smaller section contains asbestos sheets. This is also in good condition and watertight. The roof timbers are visible from the inside and look to be in good condition.

Main Structure - In general good condition. This is apart from a few featheredge boards which have become loose and need refixing.

Floor - There has been an inspection under the main floor which is structurally sound very dry with no signs of damp or rot.

Decorating - In good condition.

Plumbing and Heating - A new boiler was fixed last year. The plumbing is in good working order.

General - For a building of 'some 100 years' it is in very good condition, and is not as suggested in disrepair. With a little 'TLC' the hall would be standing and in use for many years.

Marmalade Cat Day Nursery

(Note: Submitted with the Questionnaire Survey)

Express dissatisfaction at the New Mill Community Hall closure. The main areas of concern are:

Parking - There is now nowhere to park safely. This is especially when ensuring that small children get in and out of cars near a busy road.

Fire Safety - There is no safe area to evacuate to in the event of fire – previously the Hall car park was used.

Loss of Amenities - There is no suitable community hall for such events as parties, performances and parent evenings where it is safe to walk with small children. The nursery building is too small and congested for such purposes.

Danebury, Station Road, Tring

- Criticism of the apparently high handed way that the Church has conducted 'the sorry affair'.

- At the time when the Christian religion in England is struggling to maintain its status in society, it would seem counterproductive to alienate any part of the community by ignoring its voice of protest in such an insensitive manner.

- There are so many other less disruptive options available to the Church.

- The whole situation has become so contentious it should be brought to the attention of the highest arbitration department of the Church to establish whether or not it is being dealt with in a manner fitting and appropriate for a Christian organisation and to call for a thorough investigation into all other means to find a satisfactory outcome.

- It is the Church's duty to assist in every possible way with the wellbeing of any community – in this case providing accommodation for local activities in a building on land owned by the Church. It is not its duty to confiscate such an amenity for its own convenience and benefit its finances. If the building had never been used and was falling into disrepair such action would be arguable. However the Centre is at the very heart of village use with weekly/ daily use.

Bishop for the Diocese of St Albans

This is a visionary and community centred project whose purpose is to serve the people of New Mill, but also through the School chaplaincy, the children and families of Tring.

As confirmed by the local Reverend the aims of the project are:

- Providing a chaplain who will care for the students and staff and wider community associated with Tring School which has 1,500 students.
- Giving greater support to New Mill Baptist Church to enable it to become the heart of the community.
- Providing small housing in Tring.
- Providing aesthetically pleasing development at a gateway to Tring rather than the current unused building.

As one of the bishops of the Dioceses (which acts as custodian trustee) the PCC has acted in the best interest of the community and in the fulfilment of its legal responsibilities. This project will improve the quality of the life of the whole community and will fulfil the desire of the

churches to be there for all and not simply their own congregations.

Policies

National Policy Guidance

National Planning Policy Framework

Dacorum Core Strategy

Policies NP1, CS, CS2, CS4, CS8, CS10, CS12, CS13, CS17, CS18, CS19, CS23, CS26, CS28, CS29, CS31, CS32 and CS35

Dacorum Borough Local Plan (saved policies)

Policies 10, 13, 15, 18, 51, 54, 58, 61, 63, 68 and 113
Appendices 1, 3 and 5

Supplementary Planning Guidance and Documents

Accessibility Zones for the Application of Parking Standards
Area Based Policies for Residential Character Area – TCA 13: New Mill
Energy Efficiency & Conservation
Environmental Guidelines
Water Conservation

Considerations

During the period since the application's deferral the Core Strategy has been adopted and some policies of the Dacorum Borough Local Plan have been superseded. DBLP Policy 68 has been saved with CSPR Policy 23 reinforcing its predecessor's fundamental objectives.

As confirmed the DCC's requested additional clarification regarding:

- Further investigation into the viability of the building and its future maintenance and repair , and
- The suitability of alternative provisions which reference to their distance from this site and their ease of accessibility. If necessary, the applicant should also consider the provision of monies via s106 agreement to support the provision of alternatives within the settlement of New Mill.

In considering the proposal from the pre application stage/outset LPA's Strategic Planning (SP) Team's expert advice has been fundamental to this process given DBLP Policy 68's pivotal role. Therefore SP's input has been ongoing in response to the DCC's deferral in August.

The timeframe has enabled the applicant to further respond to the DCC's reasons for deferral through Annex A.

Prior to the more recent receipt of the NMSC Questionnaire Survey, SP advised that there is a case to support the redevelopment with the resultant loss of the community hall. It has recently reinforced its view with due regard to the results of the NMSC Questionnaire.

In summary SP has confirmed:

- *Annex A effectively brings together a range of information that has been provided by the applicant since the submission of the application in a succinct form. This is welcomed in terms of focusing the arguments/evidence in support of the loss of the community hall. SP does not intend to assess all the individual points made as SP has already commented on them*

previously.

- *It is regrettable to see the loss of a long-established community facility. However, SP would continue to stress it believes the applicant, based on the information submitted and on balance, has made a good case in support of the loss in terms of Policies 68 and CS23.*

SP maintains its advice having now fully considered the results of the NMSC Questionnaire concluding that:

'Overall, SP accept that the results point to general support for the reuse of the NMSC and that residents would be keen to regularly make use of the hall. However, given the above points, SP does consider that the conclusions drawn changes SP's prior views about the arguments in favour of its closure under Policy CS23'.

The fundamental material consideration is whether the LPA should support the loss of this very long established community facility. This is with due regard to the expectations of CSPolicy 23 and DBLP Policy 68.

Given upon the number of individual letters of objection and the responses to the Questionnaire / Survey there is a significant level of understandable objection to the permanent loss of this New Mill based facility. The QS demonstrates how before its closure the hall performed a very beneficial function for a wide range of purposes and that this would continue if the hall is to be re-opened. This is notwithstanding that previous hall based activities have relocated since the hall's closure.

This is indicative of the hall's very close historical association with New Mill village- the hall is perceived / recognised as the settlement's historic community focus, established next to the original school and allotments. These facilities combine to provide New Mill with its own community identity. This is the context for considering the loss of the hall and why it is so understandable why the local residents so wish the hall to continue.

This is forcibly reinforced by the Council's decision to list the building as an Asset of Community Value through New Mill Social Centre Committee.

However despite this the following factors need to be taken into account:

- If refused the applicant has clarified that for its own procedural reasons (regardless of cost - see below) the main use of the building and site must conform to the PCC's charitable objectives and in this context the hall is likely to remain empty and would not return to its former uses. The PCC objectives are very different to those listed in the QS of how the local community would wish to use the hall if it was re-opened.
- The building requires substantial physical upgrading and therefore financial investment. The agent also confirms that the hall will become more expensive to operate and that the cost will soon exceed revenue. Also the agent confirms that the hall does not receive any other funding streams that could fund the works required.

With regard to the expectations of Policies CS23 and DBLP 68 and for the above reasons/ evidence there are significant questions whether there is reasonable prospect that, regardless of the outcome of this application, the hall will ever become available for the previous community uses. With severe doubts over viability, that previous uses have relocated and the opportunity to upgrade New Mill Baptist Church there is, on balance, a case to recommend permission.

With regard to this upgrade of New Mill Baptist Church the applicant wishes this to be carried out voluntarily rather than inclusion within the proposed planning obligation. This approach is supported by the Strategic Planning Team which has provided detailed advice upon the loss

of the facility set against the respective above mentioned policies.

That the application be DELEGATED to the Group Manager - Development Management & Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 subject to:

1. The following Heads of Terms:

- A contribution of £11,948 towards Primary Education
- A contribution of £1,086 towards Libraries
- A contribution of £8,832.00 towards Child Play Space
- A contribution of £110.00 towards Cycling Networks
- A contribution of £138.00 towards Natural Green Space
- A contribution of £4,830.00 towards Playing Pitches
- A contribution of £150.00 towards Travel Smart
- A contribution of £1625.70 towards the monitoring of the S.106 agreement.

2. The following conditions and Informatives:

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 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 in accordance with Policies CS10, CS11 and CS12 of Dacorum Core Strategy.

3 **No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **bin storage facilities**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS10, CS11 and CS12 of Dacorum Core Strategy.

4 **Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason or is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity as specified in the approved landscaping plan.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS10, CS11 and CS12 of Dacorum Core Strategy.

5 **Notwithstanding any details submitted as part of the planning application, prior to the commencement of the development hereby permitted, a Sustainable Design and Construction Statement shall be submitted showing how the development will accord with the principles of Sustainable Construction & Design specified by Policy CS29 of the Dacorum Core Strategy.**

Reason: To accord with the expectations of Core Strategy Policy CS 29 (Sustainable Construction and Design).

6 **The development shall be carried out fully in accordance with the approved Sustainable Design and Construction Statement and before the first occupation / use of the development hereby permitted a report shall be submitted to the local planning authority confirming how each of the specified sustainable construction principles have been incorporated within the development.**

Reason: To accord with the expectations of Core Strategy Policy CS 29 (Sustainable Construction and Design).

7 **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 Class A and E

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 in accordance with Policies CS10, CS11 and CS12 of Dacorum Core Strategy.

8 **The development shall not be occupied until the access and car parking area has been constructed, surfaced and permanently marked out. The car parking areas so provided shall be thereafter retained by the properties hereby approved.**

Reason: To ensure that adequate parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents and businesses in accordance with Policies CS8 and CS9 of Dacorum Core Strategy and Saved Policies 51, 54 and 58 of Dacorum Borough Local Plan.

Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with To ensure a satisfactory appearance to the development in accordance with Policy CS32 of Dacorum Core Strategy.

10

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

PL-03.1 Revision E
PL-03.5 Revision E
PL-03.6 Revision D
PL-03.7 Revision E
PL-03.8 Revision
SC-03.2 Revision E
SC-03.3 Revision C
SC-03.4 Revision C

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

NOTE 1: ARTICLE 31 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.

ANNEX A: APPLICANT'S RESPONSE TO CLARIFICATION ON THE VIABILITY OF THE EXISTING BUILDING AND THE AVAILABILITY OF ALTERNATIVE SOCIAL HALLS.

INTRODUCTION

On Thursday 8th August 2013 the Development Control Committee deferred making a decision on the development at the above site, pending further clarification on the viability of the existing building and the availability of alternative social halls.

The purpose of this statement is to provide members with additional information to demonstrate that the tests set out in Local Plan Policy 68 and Policy CS23 of the emerging Core Strategy have been met. In particular, this statement addresses the following issues:

- (iii) The viability of the existing social centre;
 - The provision of suitable alternative premises;
 - The provision of a S.106 Agreement to support the provision of alternative premises.

THE VIABILITY OF THE EXISTING SOCIAL CENTRE

Repair and Maintenance

The New Mill Social Hall is nearing the end of its life and requires a lot of building work to bring it up to modern standards. An independent survey has been commissioned by the Applicant and this recognises that the hall is going to become progressively more expensive to run and maintain. The findings are summarised in the table below.

| Table 2.1.1: Works required to the building and associated costs | Cost of Works |
|---|----------------------|
| Works Required to the Building | |
| The main roof of profile sheeting is de-laminating | £2,000 |
| Asbestos roof needs to be replaced | £8,000 |
| Repairs to guttering | £100 |
| The external cladding is in need of extensive repair | £25,000 |
| Replacing timber boarding to the floor | £100 |
| Repairs to the brick extension | £2,000 |
| Repair/replace timber roof truss | £5,000 |

In addition to the above, the following work would also be required to bring the building up to modern standards:

- Works required to comply with the Disability Act such as providing separate toilets.
- Suitable fire access.

The maintenance and upgrade works are extremely expensive and will not necessarily increase the rental income value. The total cost of the works is estimated at £42,200.

Cllr. Hollinghurst has previously noted that 'the windows and boiler have been replaced recently. This is correct. This was essential work that was carried out to prevent the hall having to close earlier and provide existing users with more time to use the hall. However, the boiler has recently been stolen from the site.

Hall Income / Expenditure

As shown by the accounts attached as Appendix 2 for the period October 2009 to September 2010, the hall income is roughly equal to the hall expenditure. The income for this period was £7,844 and the expenses were £7,189. These are the most recent figures available before the hall closed. Historically the income has always been roughly equal to the expenditure. Given the findings of the surveyor's report above, the cost of running the hall is going to get more expensive, such that cost will soon exceed revenue. It should be noted that the hall does not receive any other funding streams that could be used to fund the works required.

The Implications of the Outcome of this Application

If the application is refused

Refusing the application would have the following implications.

1. The Right to Buy There seems to be a misconception that the local community has a right to buy the social club. For the avoidance of doubt, if planning permission is refused then the local community do not have a right to buy the building. They have a right to bid for it but the owner is not at liberty to sell to the local community.

2. No Immediate or Long Term Future There seems to be a misconception that if this application is refused then the hall will reopen. This is not the case. The hall is likely to sit empty and would not return to its former use. Under its current ownership, the main use of this building and site must conform to the charitable objectives of the PCC, namely for:

- Regular public worship open to all;
- The provision of sacred space for personal prayer and contemplation;
- Pastoral work including visiting the sick and bereaved;
- Teaching of Christianity through sermons courses and small group;
- Taking of religious assemblies in schools; supporting other charities in the UK and overseas."

Also, the services have been disconnected and the costs to have these reconnected would be £3,700, plus the cost of a new boiler, which was recently stolen from the site, of £2,000. This would make the reuse of the hall for any purpose by the Diocese unviable.

The On-going Cost of Securing the site The security fencing is costing the Applicant £50 per month and to date has cost £750. The site is prone to crime theft and vandalism and indeed the boiler has recently been stolen. The on-going delays in the planning process are adding to the problems of securing the site.

If the application is approved

Approving the application would have the following benefits.

The provision of school Chaplain for Tring School This application would provide a Chaplain for the school, which is fully supported by the Headteacher. A letter from the

Headteacher and Assistant Headteacher supporting the application and the provision of a Chaplain is attached as Appendix 6. In summary, a school Chaplain supports the community of the school and the wider community of Tring and brings many advantages to the school.

The provision of local housing This application would provide much needed local housing in Tring.

The S.106 Contributions that the Applicant has agreed to Pay The Applicant has agreed to pay the following financial contributions:

- £11,948 towards Primary Education;
- £1,086 towards Libraries;
- £8,832 towards Child Play Space;
- £110.00 towards Cycling Networks;
- £138 towards Natural Green Space;
- £4,830 towards Playing Pitches;
- £150 towards Travel Smart;
- £1,625.70 towards the monitoring of the S.106.

It is clear from the above that the hall is no longer financially viable, such that this element of the test set out in Policy 68 and CS23 is satisfied. Furthermore, refusing this application would not mean that the hall would reopen for use by community and social groups as it did previously.

THE PROVISION OF SUITABLE ALTERNATIVE PREMISES

The previous users of the hall are listed below. Private hire groups outside of these main users were limited as shown by the redacted Appendix 2.

- Pilates
- Brownies
- Fitness
- Line dancing
- War Games Group
- Slimming World
- Fitness
- Thursday Art Group
- Whist
- Dancing
- Bingo
- Guitar Club

These groups are by no means local and there is adequate provision at other halls for all these groups. Attached at Appendix 3 is a map showing the other halls that are available and all of which have capacity to accept new groups. The Applicant wrote to all users offering to help them find a new location, although not all the groups took up that offer. The previous users have all found new premises. The Applicant only has the relocation details for some of the groups and these are detailed below.

- Brownies New Mill Baptists
- Line Dancing Tring Parish Hall
- Art Group Berkhamstead
- Slimming World New Mill Scout Hut
- Whist Wilstone Village Hall

- War Games Tring

Those groups that are listed above as having moved out of Tring have done so by choice for their own convenience as they were not from Tring.

There is a misconception that some users have had to move as far as Puttenham, Little Gaddesden, Long Marston and Potten End. The Applicant confirms that there have been no groups that have moved to Puttenham or Long Marston. There was a temporary move by the War Games group to Little Gaddesden but they are now located in Tring. Indeed, the War Games group have benefited from moving to their new premises as purpose built storage cupboards have been provided for them. If some groups have moved to Potten End then this is likely to be through choice.

Some of the other halls in the area listed at Appendix 3 are currently under-used and would be happy to accommodate new groups. Attached as Appendix 4 is a letter from Ridgeway Scout Group confirming that they would welcome additional groups using their hall to help with the running costs. Appendix 5 is a letter from Tring Parish 6

Hall Committee confirming that the closure of New Mill Social Centre has resulted in extra income from new groups, such as the Line Dancing Group, which is vital to keeping the hall going. This demonstrates that other social centres have benefited from extra income as a result of the closure of New Mill Social Centre.

THE PROVISION OF A S.106 AGREEMENT TO SUPPORT THE PROVISION OF ALTERNATIVE PREMISES

The Applicant is not willing to provide financial contributions towards supporting the continued provision of alternative premises. Policy CS23 does not ask for contributions towards the improvement of other facilities. Therefore, it is considered that financial contributions are not required in this case. The Applicant is committed to providing renovations to the Baptist Church as a gesture of goodwill. These include:

- Resurfacing/Upgrading the car parking;
- Providing disabled access.

CONCLUSIONS

In conclusion, I have demonstrated above that the New Mill Social Centre is no longer financially viable and that there is a more than adequate provision of alternative premises available for the previous users to relocate too. Indeed, help was provided to assist users in finding suitable new premises. Furthermore, it is considered that the advantages of this proposal outweigh the loss of the hall, and refusing this application does not mean that the hall would return to its former use.

In this circumstance, it is considered that the tests in Local Plan Policy 68 and Policy CS23 of the Emerging Core Strategy have been satisfied.

ANNEX B : REPORT TO THE DEVELOPMENT CONTROL COMMITTEE : JULY 2013 (EXCLUDING CONDITIONS)

Summary

The Application is recommended for approval.

The quality of the proposed new residential scheme and the need for new housing, as set out in Policies 14 and 16 of the Dacorum Borough Local Plan, Policy CS17 of the Council's emerging Core Strategy and the justification and reasons for the loss of the function hall, is considered to outweigh the policy objections contained within the NPPF and policy Policy 68 of the Dacorum Borough Local Plan and CS23 of the Council's Core Strategy. The proposed development is considered to form a good quality residential scheme which would not result in significant harm to the residential amenities of neighbouring properties in accordance with Policy 11 and Appendix 3 of the Dacorum Borough Local Plan and Policies CS12 and CS13 of Dacorum's Core Strategy. The proposals would not be detrimental to matters of highways safety in accordance with Policies 11, 51, 54 and 58 and Appendix 5 of the Dacorum Borough Local Plan and Policies CS8 and CS12 of Dacorum's Core Strategy.

Site Description

The application relates to the New Mills Social Centre which is located within Character Area TCA 13 (New Mills) and is currently used as a Social and Community Facility (D1). The property is a single storey building mainly of timber construction with a brick extension. The site sits on the corner of Tringford Road and Bulbourne Road and occupies a prominent location within the street scene. The New Mill area of Tring is characterised by various ages and designs of residential dwellings.

Proposal

The application seeks planning permission for the demolition of the existing building and for the construction of four x three bedroom dwellings and two x two bedroom dwellings. Each dwelling will have a private rear garden and two parking spaces. Parking for the properties will be accessed off Bulbourne Road.

Referral to Committee

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

Planning History

No relevant planning history.

Policies

National Policy Guidance

National Planning Policy Framework

Dacorum Borough Local Plan 1991-2011

Policies 1, 2, 9, 10, 11, 13, 14, 16, 18, 21, 51, 54, 58, 61, 63, 68, 99, 111, 122, 123 and 124.
Appendices 1, 3 and 5

Dacorum's Pre-Submission Core Strategy (incorporating the Main and Minor Modifications: January 2013)

Policies NP1, CS1, CS2, CS4, CS8, CS10, CS12, CS13, CS17, CS18, CS19, CS23, CS26, CS28, CS29, CS31, CS32 and CS35

Supplementary Planning Guidance and Documents

Accessibility Zones for the Application of Parking Standards
Area Based Policies for Residential Character Area – TCA 13: New Mills
Energy Efficiency & Conservation
Environmental Guidelines
Water Conservation

Representations

Tring Town Council

Object on the following grounds:

- The development is contrary to Policy 68 of the Dacorum Local Plan.
- The access proposed to the development is hazardous.

Conservation and Design

Principle acceptable but buildings look like 'anywhere' 1980's suburbia – really do need to look at surrounding historic buildings.

Amended Plans

I think the scheme is improved by the changes made, happy to support this revised scheme.

Hertfordshire Highways

No objection subject to appropriate planning conditions and financial contributions.

The applicant has conducted a speed and volume survey. Concerns have been expressed to the highway authority regarding the position of the proposed access in relationship to the roundabout with Tringford Road. Traffic approaching the site along the near side kerb line, is likely to have slowed down to negotiate the roundabout before driving past. This is confirmed by the speed survey when analysing the 'away from the roundabout' data and from observations whilst watching approaching vehicles during a site survey. The highway authority has also checked the rolling five-year injury accident statistics. It shows no recorded injury accidents outside the site. However, there have been three slight accidents on the roundabout itself, to the southern side, on the arms to/from Wingrave Road and Icknield Way respectively. These injury accidents would appear to have no bearing with either the current sites use or the proposed redevelopment.

Hertfordshire Property Services

The following financial contributions are required:

Secondary Education £11,848

Youth £232

Libraries £1,086

Trees and Woodlands

No objection subject to a landscaping condition.

Thames Water

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

Hertfordshire Biological Records Centre

I can confirm that my advice would be to undertake a supervised demolition of the roof in order to ascertain whether or not bats have been present and a roost is affected. This can only be undertaken in the presence of a suitably qualified ecological consultant, and must be a Condition of Approval. If bats or any evidence of the is discovered during any such works, works should cease immediately and advice taken from Natural England or the consultant as to how to proceed.

Spatial Planning

As the site falls within the Residential Area (Policies 9 and CS4) the principle of residential is acceptable. The proposal will result in the loss of an existing and long established function hall so its loss needs to be carefully assessed.

One of the main issues affecting the scheme is whether the proposed loss runs contrary to policy in terms of the need to safeguard social and community facilities under Policies 68 and CS23. In considering the potential loss of the facility both policies refer to the need to assess the viability of the facility and that appropriate alternative provision is made available. We need to be satisfied that the applicant have provided sufficient evidence in both cases for us to come to an informed decision.

While it is regrettable to lose a valuable community facility, it is important to look at each case on its merits. Notwithstanding the hall has closed, the applicant has highlighted concerns over the long term viability of the hall and has pointed to the availability of alternatives, as well as providing some assistance in the relocation process.

Local responses to the application have pointed to resultant problems regarding the case made by the applicant i.e. displacement of users. Therefore, it would be appropriate for them to address the questions raised by the local community and including concerns raised above, particularly in relation to the use of the facilities, and the long term condition and on-going running costs of the hall.

Contaminated Land Officer

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 a contamination condition be applied to this development should permission be granted

Environment Agency

No objection. This site is in Flood Zone 1 and is under a hectare and therefore cell F5 of the consultation matrix applies.

Crime Prevention Officer

No objection but would advise that the development should feature Secured by Design security aspects, however regardless of this I would recommend that any locking system to comply with TS007 3*. I would also recommend that any gates be fitted with Sold Secure Silver Standard hasps and padlocks at the top and bottom of the gates.

Hertfordshire Fire & Rescue Service

No objection but the development should comply with legislation in relation to access for fire fighting vehicles, water supplies and hydrant provision.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

Letters of objection have been received from 5 Abstacle Hill, 5 Adams Way, 12, 9, 2 Bulbourne Road, Bushells Wharf, 33 Chapel Meadow, 12 Fields End, 32, 30, 27, Gammel, 13 Gammel Terrace, 10 Harcourt Road, 16, 2 Icknield Green, 49, 40, 28, 1 Longbridge Close, 5 Marston Court, 14, 12 Meadowbrook, Mill House, 6a Miswell Lane, 19 Mowbray Drive, Monkey Puzzle, 21 Nathaniel Walk, New Mill, Social Centre Committee, 10, 14 New Mill Terrace, 17, New Road, 3 Pheasant Close 25, 24, 21, Singing Winds, 16 Sutton Close, 40, Tresco Road, Willowbrook, 1, 43 Wingrave Road. They raised the following summarised concerns:

IMPACT ON THE CHARACTER OF THE AREA

- The proposed housing scheme is completely unsuitable for the size and position of the site
- There is no other site along the entire road where residential buildings are positioned directly opposite houses on the other side of the road
- The proposed housing development is too dense.
- Design of the houses is poor

IMPACT ON HIGHWAY SAFETY

- Plot 3 is located directly on the corner of Tringford Road and Bulbourne Road. We are concerned that this plot will block sight of the roundabout when cars are attempting to turn towards Tring.
- The access is dangerous as cars speed around the roundabout, therefore the turning out of the access road will be very dangerous.
- Unsatisfactory access onto a busy road in close proximity to a roundabout
- Loss of practical access to the adjacent allotment gardens
- Building houses on both sides of the road I believe will increase the potential for road traffic accidents

LOSS OF COMMUNITY FACILITY

- Failure to make satisfactory alternative provision to replace a long-standing community and social facility contrary to Policy 68 of the Dacorum Local Development Framework and without any proposals of mitigation
- Until the church prevented the local community from using the hall, it was regularly and well used by the local community for all sorts of event.
- Evidence submitted by the Church is disingenuous
- The Church is unable to demonstrate the relocation of more than 20% of the groups
- To suggest that usage had fallen off is incorrect the Church blighted the facility
- Monkey Puzzle urgently need the hall and its grounds as a safe evacuation site from the danger of fire
- There is no plan to provide an alternative social meeting place for New Mill residents

CAR PARKING

- Insufficient on site car parking
- Allotment users will lose their car parking and will park on the main road.
- It was common practice for parents of the Monkey Puzzle Day Nursery and local residents to park in the car park of the social centre. Since the facility closed there has been noticeably more parking on this busy street.

Letters of support have been received from 72 Beaconsfield Rd, Bishop Wood School, 18 Clarkes Spring, 33 Hunters Close, Ladyman Barn, 19 Lower Icknield Way, 1 Manor Road, 28 Morefields, 31 Nathaniel Walk, The Revd Didier Jaquet, The Vicarage, Station Road, 1 Wenwell Close, 40 Stocks Road. They raised the following summarised comments:

IMPACT ON STREET SCENE

- Redevelopment of the building will improve the area as the existing building has been getting into a state of further disrepair.
- If the building remains it will only deteriorate further as time goes by.
- The proposed houses appear to be in keeping with the housing in the local area
- The layout of the houses also appears to give a good degree of space, in keeping with modern standards.

COMMUNITY USE

- The community use has not been lost (merely relocated to better premises) and the alternative facilities where they have been relocated to will have a better chance of continuing, due to the additional revenue they will now be receiving.
- Tring School will benefit from a full time Chaplain.
- A Chaplain will be available to people in the local community
- The existing allotments will be kept

Considerations

Policy and Principle

In accordance with Policy 11 of the DBLP and Policies CS11 and CS12 all development must be of a high quality that respects the original property, respects the character of the area and does not harm the residential amenities of neighbours. Sufficient parking must also be provided for all proposals.

The site is located within the residential Character Area TCA 13 (New Mills). This area is described as 'mainly comprises small developments of terraced houses developed in the 1960s, 1970s, 1980s and 1990s'. There are no special requirements with respect of the design or type of new housing, but it should pay respect to the type, style, size and mass of nearby and adjoining development which consist of mainly moderate to small size properties. Furthermore new development should respect the characteristics of the area. Finally housing should normally be provided in the medium density range (25 to 35 dwellings/ha).

Central government advice in the NPPF gives advice on the retention of community facilities which include local shops, places of worship, sports venues, meeting places and public houses. In Para 70 it states that Councils should guard against the unnecessary loss of these valued facilities and services, particularly where this would reduce the communities ability to meet its day-to-day needs. Policy 68 of the Dacorum Borough Local Plan (DBLP) deals with the retention of community uses which includes facilities such as this. It states that planning

permission will not be granted for development which would result in the loss of viable social and community facilities, unless satisfactory alternative provision is made.

This is re-iterated in the Emerging Core Strategy Policy CS23 which states that “Existing social infrastructure will be protected unless appropriate alternative provision is made, or satisfactory evidence is provided to prove the facility is no longer viable. The re-use of a building for an alternative social or community service or facility is preferred.”

Effects on appearance of building

It is considered that the design of the new houses is appropriate. The proposed dwellings are of simple proportions with a rectangular form and a traditional roof form. However, it also has sufficient detailing to add interest to the design. In particular the chimneys, porches and the staggered roof form of the properties fronting Tringford Road create an attractive front elevation that relate well with the street scene. As such the proposed design is considered to meet the requirements of Policy 11 of the DBLP and Core Strategy Policy CS12.

Impact on Street Scene

The immediate area consists a mix of units from various periods. The predominant housing type appears to be two-storey terraced and semi detached housing. All units directly front the road with or without off-street parking provision. The NPPF indicates that good design is fundamental to using land efficiently. It notes that Councils should facilitate good design by identifying the distinctive features that define the character of a particular area and careful attention to design is particularly important where a site is being intensified.

The proposal has adopted a two storey design with some units utilising the roof space and a terraced form that is not out of keeping with the area. The utilisation of the roof space rather than the construction of an additional storey has been adopted so that when viewed from street level the building would appear to be a similar height to the properties within the immediate street. It is also important to note that extensive alterations have been made to the proposed development to overcome previous concerns raised by the case officer, Conservation Officer and local residents, The units would positively front onto the adjoining roads maintaining the formal building line.

Overall, the proposal is considered to complement the existing 'traditional' character of the area. It should be noted that the structure being replaced is of a poor architectural design. Therefore, the proposed units are of an acceptable design to the surrounding context and it would be difficult to justify and substantiate a refusal on architectural grounds

However, the proposal contains limited information relating to the proposed hard and soft landscaping scheme and the materials to be used in the development including bricks and tiles. It is therefore necessary to require these details by way of condition. Ensuring that proper plants are selected and planted in their optimal growing location, outdoor living spaces are functional and aesthetically pleasing, and appropriate materials are used for buildings, driveways etc is essential to any high quality development. It is therefore deemed reasonable and necessary to condition these details to be submitted and prior to the commencement of development.

Garden Size

Although the potential garden areas are smaller than the standards set out in appendix 3 of the Dacorum Borough Local Plan, it indicates that a range of garden sizes should be provided to cater for different needs and interests. Bearing in mind the size of the dwelling it is considered that the outdoor space provided satisfies the guidance for outdoor space, which would allow for some out door amenity space, sitting out, bin storage and the hanging out of washing.

However, to ensure that adequate amenity space is retained it is deemed necessary to remove permitted development rights for rear extensions and outbuildings to the proposed properties. This will allow the Council to control any future extensions and ensure that adequate amenity space is retained.

Density of development

The property is located within the residential Character Area TCA 13 (New Mills) where guidance recommends that new housing should normally be provided in the medium density range (25 to 35 dwellings/ha). The density of the proposed development is approximately 52 dwellings/ha. Taken in isolation it would appear that the proposed would conflict with this guidance. However, the development must be considered in the context of the area. For example, the density of number 22 and 23 Tringford Road is 117 dwellings/ha and 1 & 2 Bulbourne Road have a density of 43 dwellings/ha.

Taking into consideration the varying densities within the street scene it is considered that the proposed density is acceptable and not detrimental to the character of the area.

Impact on Neighbours

It is not considered that the proposed development would cause harm to the residential amenities of surrounding properties. The development will not result in any significant loss of sunlight, daylight or privacy for adjoining properties.

Social and Community Facility

One of the main issues affecting the scheme is whether the proposed loss runs contrary to policy in terms of the need to safeguard social and community facilities under Policy 68 of the DBLP and CS23 of the Core Strategy . In considering the potential loss of the facility both policies refer to the need to assess the viability of the facility and that appropriate alternative provision is made available.

Pre application discussions took place and in the Council's response we considered that on balance and solely based on the information provided by the applicant regarding the loss of the function hall, that a case could be made to support this. The current information with the application repeats and updates this. However, a number of local residents have challenged its robustness in respect of the:

- current under-use of the facility;
- suitability and availability of alternative venues;
- future suitability of the function hall; and
- potential quality and cost of upgrading the existing building.

Furthermore, Officers did point out that it would have been useful in support of their case for the applicant to provide an income/cost analysis to back up their assertions over viability. This has still not been provided in any level of detail.

The assessment has been complicated by the recent closure of the hall. However, it is important to concentrate on the most recent use and condition of the building and the implications this would have had for its future. The policy should not be used to keep open facilities that are genuinely unviable to the owners & operators. Through the redevelopment the applicant is seeking to secure a home for a school chaplain in order for the Diocese to continue to provide for pastoral care to Tring School. This has some local community support. However, while a worthy cause by itself this is not seen as compensating for the loss of the function hall and this does not form part of the proposed legal agreement.

The applicant has stated that the hall was provided free of charge to the social committee running the facilities and that the hall income broadly equalled expenditure. They argue that it has effectively come to the end of its life and there are no funds available to meet these on-going costs (e.g. £30,000 estimate for the roof alone).

We would accept that a replacement building would be costly and prohibitive to the Diocese. Furthermore, while the building would have been still useable in the near term it is clear from the evidence that the hall would have an uncertain future without continued major investment in the fabric of the building. However, it would have been of more assistance if additional evidence could be provided for the cost of such works relative to potential income (of all forms) to back up the assertions over the viability of the hall building.

The applicant has stated that the facility was being poorly used. Their evidence would point to a small number of regular users and limited activity outside of this. They refer to other alternative halls being available locally (of which a long list has been provided) with many of them having capacity to accommodate the former existing users. The Diocese has provided assistance with finding alternatives, some of which have been successfully relocated. The evidence appears reasonable on face value in terms of alternatives and the help provided by the Diocese, although it would be unfair to expect all alternative facilities to be exactly equivalent (e.g. in terms of cost, location, availability).

However, local residents have stated that the hall was being well used and no account was taken of ad hoc bookings for a variety of social functions. Local residents also believe that some 20% of regular users of the hall have not found appropriate alternative accommodation.

While it is regrettable to lose a community facility, it is important to look at each case on its merits. Notwithstanding the hall has closed, the applicant has highlighted concerns over the long term viability of the hall and has pointed to the availability of alternatives, as well as providing some assistance in the relocation process, though this is disputed by local residents.

Asset of Community Value

Under the Localism Act provisions Councils are required to maintain a list of public and private assets of Community Value and to consider whether any asset should be added to the list upon receiving a nomination of an asset.

Schedule 3 of the 2012 Regulations sets out the relevant disposals to which s 95(1) of the Localism Act 2011 does not apply and at paragraph 4 (b) the exclusions include a disposal made in pursuance of a legally enforceable agreement. It is understood that the Council considered the nomination and concluded that the property could be included on the register of Assets of Community Value.

However, the Owner exchanged contracts and granted a legal agreement to a Developer in respect the Hall site in July 2012 before the Assets of Community Value (England) Regulations 2012 came into force. Therefore, even if it is correct that the property should have been included in the list of Assets, it is not possible to comply since the intention to dispose of the property took place in July 2012. It is considered that the requirements of the act are not applicable in this case.

Highway Safety and Parking

The applicant is proposing to construct a new centralised access to serve the sites off street parking requirements. This new access will lead to a parking court as shown on the submitted plan. There is sufficient space within the court for all cars to enter and leave in a forward gear. As Bulbourne Road is a classified road the applicant's agent conducted a speed and volume survey. The survey, which was carried out from Thursday the 12th July 2012 to Wednesday

the 18th July 2012, shows that the road is well used, with a midweek daily volume peaking in excess of 4500 vehicles. The speeds of passing vehicles is consistent with the speed limit for this road with the 85%-tile being close to 30 mph limit.

Concerns have been expressed to the highway authority regarding the position of the proposed access in relationship to the roundabout with Strangford Road. Traffic approaching the site along the nearside kerb line are likely to have slowed down to negotiate the roundabout before driving past. This is confirmed by the speed survey. Furthermore, the proposed access forms one centralised point for vehicular connectivity with this road. Having one point of access onto Bulbourne Road where vehicles enter the site and leave in a forwards gear is considered to be acceptable.

The highway authority has also checked the rolling five-year injury accident statistics. It shows no recorded injury accidents outside the site. However, there have been three slight accidents on the roundabout itself, to the southern side, on the arms to/from Wingrave Road and Icknield Way respectively. These injury accidents would appear to have no bearing with either the current sites use or the proposed redevelopment.

Parking

The applicant proposes to have 12 car parking spaces (none are indicated as being for disabled use). The applicant has not stated whether there will be cycle spaces but has shown provision for refuse collection at the front of the parking area. This will mean the refuse vehicle stopping briefly, whilst the bins are collected.

The allocation of 12 spaces for 4 x 3 bedroom and 2 x 2 bedroom dwellings equates to 2 spaces per unit but no additional parking for visitors is shown on the submitted plan. Having taken into consideration the parking standards contained within the Local Plan it is considered that the proposed on-site parking provision is acceptable.

Sustainability

The applicants have submitted a C-Plan Statement in accordance with Policies 1, 122, 123 and 124 and Appendix 1 of the DBLP and seeking to address Policies CS28, CS29 and CS31 of the Core Strategy. The details within the statement are vague and need to be expanded upon. The statement indicates that it may use certain materials or features. It is therefore suggested that further information is sought via an appropriately worded planning condition.

RECOMMENDATIONS

1. That the application be DELEGATED to the Group Manager - Development Management & Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

2. That the following Heads of Terms for the planning obligation be agreed:

- A contribution of £11,948 towards Primary Education
- A contribution of £1,086 towards Libraries
- A contribution of £8,832.00 towards Child Play Space
- A contribution of £110.00 towards Cycling Networks
- A contribution of £138.00 towards Natural Green Space
- A contribution of £4,830.00 towards Playing Pitches
- A contribution of £150.00 towards Travel Smart
- A contribution of £1625.70 towards the monitoring of the S.106 agreement.

ANNEX C : ADDENDUM TO THE ANNEX B REPORT

Update to Report

Under Assets of Community Value, the paragraph is an incorrect interpretation of the legislation. The following should be substituted:

“Further to an application made by the New Mill Social Centre Committee under the Localism Act 2011 to list the property on the Council’s List of Assets of Community Value, a decision was made by the Council to list the asset as it was deemed to be of Community Value due to its use in the recent past for community uses.

The listing of the property as an asset of community value is capable of being a material planning consideration and the loss of the community facility has been considered in the preceding section of this report. Having balanced all the planning considerations, the conclusion reached is that the loss of the community facility should not prevent a recommendation to approve this application.

The owner claims to have entered into a legally binding option to sell the property prior to the date of the listing. This means that the owner will not be required to go through the usual moratorium process which would give the local community the right to bid for the property prior to its formal sale” .

Additional Representations

Letters of objection have been received from New Mill Social Hall Committee, 12 Fields End, 21 and 24 Sutton Close, 19 and 26 Gamnel, 65 Longfield, 62 Mortimer Hill, 2, 4 and 16 Bulbourne Road, 49 Longbridge Close raising the following concerns (in summary):

Car parking and impact on highway safety

- The community facility provided valuable off-road parking when not in use which will and has been lost, increasing traffic congestion
- One of the conditions of the permission for the nursery was that parents and staff could park in the grounds of the hall which can no longer happen
- Parents and staff now park on the verge
- Insufficient parking/living/access for 6 homes
- Additional on-street parking
- Unsafe access for residential development on corner of a busy roundabout
- Plot 3 will block sight lines of cars coming round the roundabout resulting in a dangerous access
- Allotment users will lose their car parking and end up parking on the road
- Loss of community facility
- New Mill Hall has been at the heart of New Mill for as long as can remember
- Hall is listed as a Community Asset
- The Hall was well used until the Tring Parish gave notice to everyone to leave as developers were to purchase the site
- Earlier this year there were enough people and more to form a committee
- Closure of community centre divisive in moral and parking terms
- Loss of important community facility
- New Mill Baptist has restrictions on religious grounds (gambling, alcohol) and there is no guarantee that this facility would be available in future when the current pastor moves on
- Don’t need a substitute, we need the original hall
- Know of lots of people that would be willing to start new clubs and hold parties

- The social centre has been managed entirely by New Mill Residents Committees and the church has shown no interest in this whatsoever in the past
- No permission should be granted unless the developer is bound by a s106 agreement to ensure appropriate replacement facilities within the village of New Mill

Other

- Overdevelopment
- Housing development of this form completely out of character compared to the existing community hall
- Noisy site for housing
- Unsafe for children
- If allowed, could propagate the closure of the allotments and adjacent nursery school
- Loss of fire assembly point for the nursery
- Am on the Hall Committee and would confirm that it has money to restore the hall
- The church has sought to “pick off” individual hall users on a divide and rule basis in the interests of maximising its return
- Claims that the hall is beyond economic repair are greatly exaggerated
- The church have two vicarages in the centre of Tring which are currently for sale
- The number of properties should be reduced, traffic calming introduced along Bulbourne Road, additional parking for community use provided and a cycle/footpath funded along Bulbourne Road from the allotments to Bulbourne village.

Letters received from Cllr Nick Hollinghurst to Members of the Committee (in summary) Concern is expressed that Policy 68, which protects community facilities, is not being given enough weight. Officers have not adequately tested the applicant’s statements in which they seek to claim reasonable efforts have been made to provide alternatives. Nor have objectors’ letters been taken seriously.

Much has been made of the lack of the lack of cash funds by the applicant.

However, photographs illustrate the installation of a new roof, with materials and labour provided free. In addition, windows and a boiler have been replaced recently. It is therefore unconvincing for the applicant to claim that future maintenance costs compel the hall’s demolition.

More community halls will be at risk if Policy 68 is not enforced effectively.

Giving existing users a list of other halls in the neighbourhood was hardly “providing an adequate alternative”. Existing regular users have had to move as far as Puttenham, Little Gaddesden, Long Marston and Potten End.

No concrete proposals for use of the New Mill Baptist (sic) Church have resulted.

No proposals such as a s106 payment to mitigate the failure to comply with Policy 68 have been offered.

Disregard of Policy 68 is justified by the applicant as follows:

- a) Expense of maintaining hall exceeds revenue – However, all costs are borne out of the community. Though no net revenue accrues, neither does it incur any expense.
- b) Facility poorly used – analysis of hiring shows extensive use. The downward trend since 2011 is due to the owner discouraging use.
- c) Alternatives have catered for the demand – However, users have had to go far afield and the Tring Community Centre has experienced a 10% increase in bookings and is having to consider expansion plans. No meaningful assistance by the applicant has taken place.

Whilst the successful registration as a Community Asset may not in itself be a reason for refusal, nevertheless it unequivocally establishes the site as “Social and Community Facilities” and requires Policy 68 to be taken seriously. Statements seeking to evade the application of Policy 68 by the applicant should be challenged and tested.

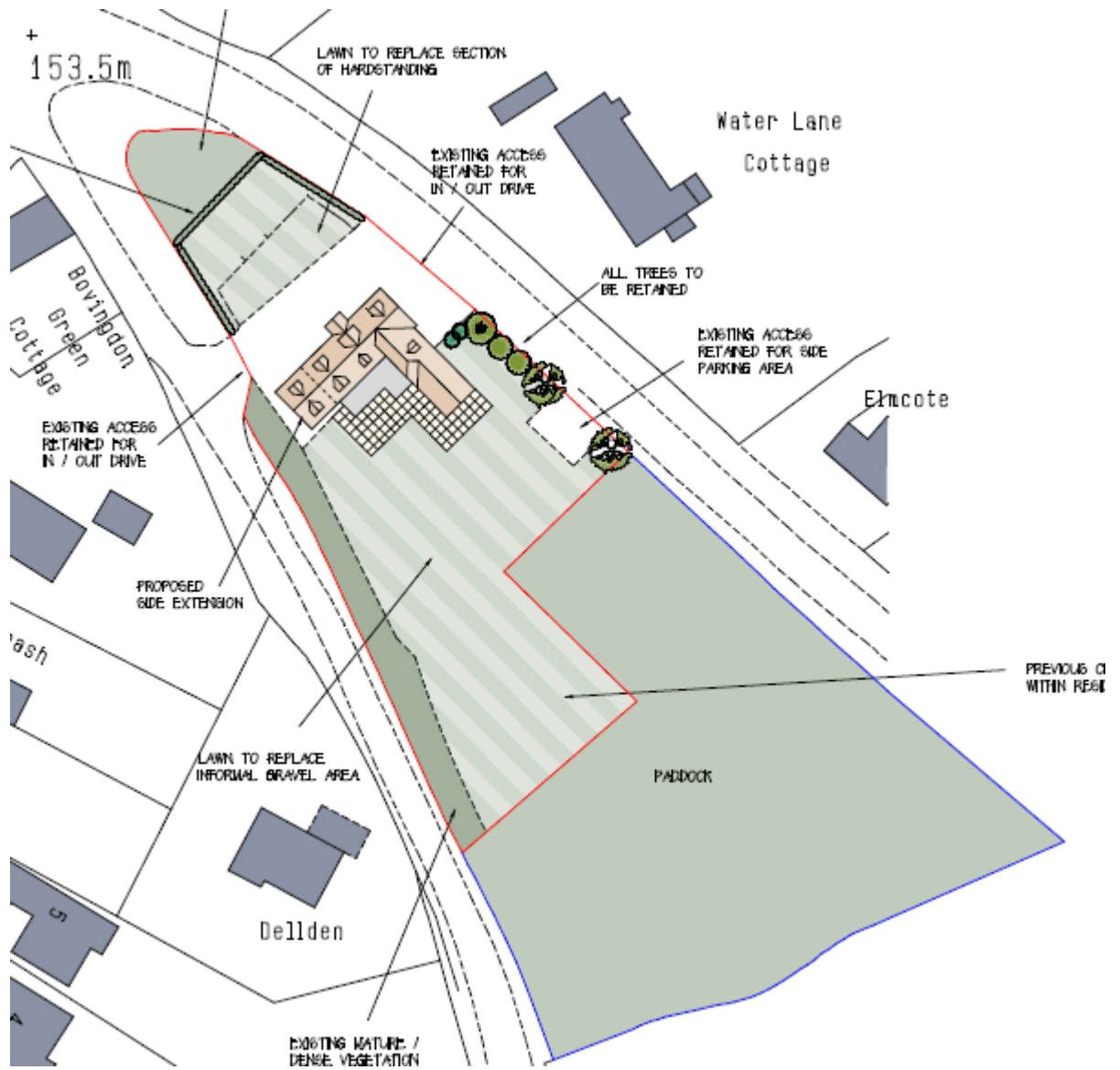
Unless there is adequate mitigation through s106 for the loss to the community, urges a vote against the granting of permission.

If minded to grant, asks that this be on condition of either:

- construction of a new hall on part of site or on a site in the vicinity, or
- provision for redevelopment of the Tring Community Centre, or
- extension and improvement of the existing facilities at New Mill Baptist Church.

RECOMMENDATION – Grant subject a planning obligation and conditions.

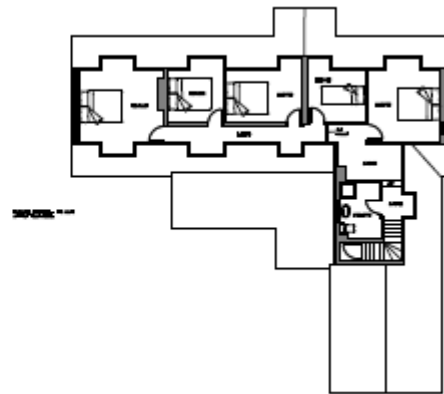
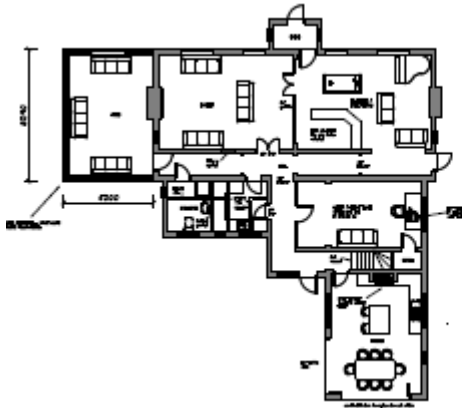
Item 5.2
4/01398/13/FHA - TWO STOREY SIDE EXTENSION
ROYAL OAK, BOVINGDON GREEN, BOVINGDON, HEMEL HEMPSTEAD, HP3 0LZ



Item 5.2

4/01398/13/FHA - TWO STOREY SIDE EXTENSION

ROYAL OAK, BOVINGDON GREEN, BOVINGDON, HEMEL HEMPSTEAD, HP3 0LZ



**5.2 4/01398/13/FHA - TWO STOREY SIDE EXTENSION
ROYAL OAK, BOVINGDON GREEN, BOVINGDON, HEMEL HEMPSTEAD, HP3 0LZ
APPLICANT: MR & MRS POWER**

[Case Officer - Jackie Ambrose]

[Grid Ref - TL 01363 02627]

Summary

It is recommended that planning permission be granted.

This application relates to a former public house that gained planning consent for conversion to a private dwelling through appeal. The proposed two storey side extension is in a form and design to match the existing building and does not result in a disproportionate addition to the existing building and thus accords with the NPPF and Dacorum Policies CS5 and CS12. Concerns are raised by the Parish Council and local residents in terms of the weight given to PD rights granted for a set of rear extensions but not implemented, creating a significant cumulative increase to this building and thus causing a significant harmful effect on the openness of the Green Belt, cannot lawfully be taken into account here.

Site Description

This application relates to the former Royal Oak public house situated in a prominent position at the meeting point of two roads facing onto Bovingdon Green. The detached building sits centrally on its flat plot within an essentially open site surrounded by hard surfacing (as part of the former pub car park) and edged in grass to its foremost point. It backs onto the former pub garden, surrounded by post and rail fencing, which in turn adjoins a paddock area which lies outside the application site as denoted by a red outline.

Proposal

This application assumes that the change of use from a public house to a private dwelling house (as won on appeal) has already taken place. This point will be discussed below.

It is for a two storey side extension. It has a width of 4.5m and a depth of 6.59m which is commensurate with the width of the existing two storey element of this building. It follows through the pitched roof and ridge height of the existing building, leaving the chimney stack intact. It is designed to emulate the existing building by virtue of a gabled dormer window to the front and to the rear with ground floor windows to front and rear also to match the existing layout. The ground floor extension would be laid out as an additional lounge while at first floor level it would become an additional, fifth bedroom.

Referral to Committee

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

Planning History

This building was built in the late 1950's as a replacement building for the original public house which had operated on this site since the mid 1800's.

On the 1st October 2012 a planning application was submitted for the change of use of this public house to a private dwelling. Consent was refused by the Development Control Committee on 20 December 2012. It was then won on appeal on 16 May 2013.

This current application was submitted in September 2013, alongside two other applications: a Prior Approval Notification for a set of three single storey rear extensions (under

4/01401/13/HPA) and an application for a Certificate of Lawfulness (LDP) for a large outbuilding comprising a swimming pool and gym, on the former pub garden (under 4/01397/13/LDP).

However all three applications were delayed in being dealt with as their legitimacy hinged on whether the change of use to a private dwelling had lawfully taken place. Discussions between the agents and the planning office ensued on this point and hence these applications were delayed until the agents provided some proof that the whole building had been used as a private dwelling. Subsequent photos and a confirmatory email from the agent were submitted as proof and the case officer allowed the progression of these three applications in the good faith that the change of use of the whole building to private residential use had taken place.

The HPA Prior Notification was for a set of three single storey rear extensions all at 8m in length. This Local Planning Authority was required to assess this development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. As a result of no objections being received from adjacent owners after the statutory three week consultation period expired, and judged against the amended GPDO, this application was formally determined on 17 October 2013, that the prior submission of details was not required, and this proposal could therefore be carried out as permitted development.

As an aside it should be noted that this LDP application has yet to be determined, and although the Parish Council and local residents have objected to this LDP, its determination rests solely on whether it legally accords with the Permitted Development Regulations under the GPDO. This is also despite the fact that local residents have raised the issue over the legal ownership of the piece of land. This former pub garden has always been included within the red outline and at the planning appeal the Planning Inspector concluded that this piece of land should be part of the domestic curtilage. The fact that local residents have provided evidence that this piece of land is not included in the Land Registry documents pertaining to the former pub, nevertheless, determination of this application cannot be legally withheld. (Section 191 and 192 of the Town and Country Planning Act 1990, provide for anyone (not just a person with legal interest in the land) to apply to the local planning authority, for a lawful development certificate.)

Policies

National Policy Guidance

NPPF
Circular 11/95

Dacorum Core Strategy (September 2013)

NP1, CS5, CS11, CS12

Saved Policies of the Dacorum Borough Local Plan

Policies 22 and 58
Appendix 3

Representations

Bovingdon Parish Council

Letter of objection submitted by Planning Consultants on behalf of Bovingdon Parish Council:

- The Parish Council are not persuaded that there has been a lawful implementation of this permission. Consequently, Permitted Development (PD) Rights fall to be considered against the earlier, lawful public house use, and does not allow the rear extensions under 4/01401/13/HPA to be implemented.

- The design and Access Statement submitted with the original application to convert the pub stated that there was no need for extensions to be made to the public house to accommodate the proposed residential use – thus making misleading and inaccurate.
- Reference is made to para 79 of the NPPF highlighting the importance of maintaining the Green Belt
- Para 89 NPPF only allows house extensions provided that it does not result in disproportionate additions to the original building.
- Para 87 NPPF inappropriate development should only be permitted in proven very special circumstances.
- Consider that this current application for a two storey side extension and the extensions granted under PD both individually and cumulatively comprise disproportionate additions and are thus harmful to the Green Belt.
- Para 80 NPPF is also cited outlining the 5 purposes of the Green Belt.
- Extension should be judged against all the above criteria.
- The approved rear extensions under PD evidence that substantial additions are proposed even before this current application is considered.
- The council must therefore have regard to the applicant's intention to utilise this PD and extend the building – and these would be cumulatively disproportionate.
- Should also take into account of proposed outbuilding for ancillary purpose and the submitted Lawful Development Certificate (4/01397/13/LDP).
- This LDP application represents an extension to the residential curtilage which is harmful to the Green Belt
- The extent of the footprint (under this LDP) is disproportionate.
- The two storey side extension has a floor area of almost 50sqm and thus further exacerbates its disproportionate size.
- Applicants have not submitted any very special circumstances and the parish council are unable to identify any themselves.
- Hence, contrary to Green Belt policy and inappropriate development and no very special circumstances to demonstrate otherwise.

Response to Neighbour Notification and Site Notice

8 letters received from local residents objecting on the following grounds:

- The proposed extension is disproportionate to the size of the existing building and as such is harmful to the Green Belt and is in contravention to the National Framework for the Green Belt.
- The proposed extension (excluding the outbuilding LDP application) is more than twice the size of the existing building.
- The proposed extension (including the outbuilding LDP application), is approximately three times the size of the existing building.
- A 200% increase is most certainly disproportionate and materially larger than the building it replaces.
- A previous application granted on appeal stated that there was no need for extensions to be made to the public house to accommodate the proposed residential use. This was clearly a misleading statement in the light of this application.
- Any development of this scale on the edge of the village and intruding into Green Belt is inappropriate given the work done by the local council in association with the community to determine where development in Bovingdon should take place.

Considerations

Policy and Principle

The National Planning Policy Framework (NPPF) deals with the Green Belt wherein Para 79 states that the Government attaches great importance to the Green Belts where the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and where the essential characteristics of Green Belts are their openness and their permanence.

The NPPF then states in Para 87 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 89 then sets out the exceptions to development being inappropriate in the Green Belt which include an extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building.

At the local planning level, the recently approved (25 September 2013) Dacorum Core Strategy Policy CS5 deals with the Green Belt, confirming that the Green Belt will be protected from inappropriate development in accordance with national policy and remains essentially open in character. It states that in the Green Belt, small-scale development will be permitted, which includes (c) limited extensions to existing buildings, provided that:

- It has no significant impact on the character and appearance of the countryside: and
- It supports the rural economy and maintenance of the wider countryside

The saved local plan Policy 22 of the DBLP allows extensions to dwellings where the following criteria are satisfied:

- (a) the extension is compact and well-related to the existing building in terms of design, bulk, scale and materials used;
- (b) the extension is well-designed having regard to the size and shape of the site and retains sufficient space around the building to protect its setting and the character of the countryside;
- (c) the extension is not visually intrusive on the skyline or in the open character of the surrounding countryside;
- (d) the extension does not prejudice the retention of any significant trees and hedgerows; and
- (e) the extension is limited in size.

The criteria (a) to (d) are dealt with below in the section on appearance and impact

Criterion (e) is judged through taking into account the size of the original dwelling, where the resulting building (including any earlier extensions and alterations or replacement) should be less than 130% of the floor area of the original dwelling. There is tighter control over size at more isolated locations in the countryside and at the edges of existing settlements.

As this saved Policy 22 precedes the NPPF it therefore has to take into account the wording of para 89, where it would not result in disproportionate additions over and above the size of the original building.

Furthermore, this policy also needs to be considered in the context of the recent changes made by central government on extended Permitted Development (PD) rights, which allow for significant extensions to properties including those in Green Belt locations.

Indeed, as stated above, these new PD rights have occurred with this site through the recent granting of the set of single storey rear extensions under Prior Notification.

The original building has a floor area of 268sqm

The proposed two storey side extension has a floor area of 50sqm

Thus the increase through the two storey side extension would amount to 19%

The single storey rear extensions that can lawfully be built have a floor area of 102.48sqm
Thus making the cumulative increase with the two storey extension to be 57%

These figures demonstrate that the proposed two storey side extension on its own would be 19% and comfortably below the 30% allowance but if taken with the granted rear extensions would cumulatively amount to 57% which is well above the tolerance level and would thus fail to comply with saved Policy 22 as well as the NPPF.

This has to raise the issue of what weight can be given to the rear extensions that have been recently granted under PD rights, in assessing this current application. This issue raised by the Parish Council and local residents, although their calculations are more generalised and expressed as doubling the size of the original building.

It could be argued that through the applicant having received formal confirmation that they can now be lawfully built, this demonstrates a clear intent on his behalf to carry out these single storey rear extensions to the building. As this local planning authority has no power to prevent these extensions being built, then it could be considered reasonable to consider the proposed two storey side extension cumulatively with the floor space created by these rear extensions.

This point was put to the agent acting on behalf of the applicant, who responded in two separate emails as follows:

“the proposed extension is not contrary to the relevant Green Belt Policy. Although ultimately the Applicants may not even construct the rear extension, they will not agree to not build the extension. You cannot refuse the application because they may also construct future extensions.This type of argument can be put forward for so many different types of planning objections (i.e. you can't do that in case you then do this etc). The permitted development opportunities should not form a material consideration for this application. The application should simply be assessed against the relevant planning policies.

Regardless of whether a prior approval is in place or not the extension has not been constructed. Moreover, under permitted development the owners can carry out more extensions, even though they do not have lawful development certificates for such works. Other permitted development extensions do not need any involvement from the LPA. We are not suggesting that the rear extension is speculative – what we are asserting is that the planning application should only be assessing the proposed extension against relevant planning policy. Every house in the Green Belt has permitted development rights. If we hadn't already obtained the prior approval, you would grant permission for this extension and then we would have obtained the prior approval. We strongly dispute that the hypothetical extensions can be included in floor space totals – as the extension does not exist.”

This exchange of emails with the agent did indicate that the applicant may not necessarily build these extensions, however this local planning authority has been given no insight either by the agent or applicant as to what he may want to build on this site in the future.

However, there is sufficient evidence through planning case law to conclude that an application for an extension cannot reasonably take into account what could be built under PD, whether there is formal consent for such works or whether it is just speculative.

Effects on appearance of building and its impact on the street scene

The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF places great importance not only on aesthetic considerations, but also high quality and

inclusive design for all development.

Core Strategy Policy CS11 seeks to protect the public realm and particularly the quality of development within a character area and requires that development should protect or enhance significant views within any character area.

This building, as a former pub and now a private dwelling, occupies a very dominant position in the countryside, and also has open views from all sides: front, rear and sides. Thus these extensions will be very visible within the countryside and public domain.

Criteria (a) to (d) within saved Policy 22 deal with design and impact and in this respect it is acknowledged that the overall form, its design and detailing entirely match that of the existing building, simply by following through its eaves and ridge height and copying the windows and dormers. Thus in terms of design it is well-related to the existing building, although due to its overall height it would have some visual impact on the skyline.

The other point to note is that the front elevation of the existing building displays perfect symmetry. This extension would off-balance the frontage, losing its symmetry and noticeably elongating the building. This is of some concern due to this building's very prominent position and open aspect within the surrounding roads and countryside.

Hence, the cumulative visual impact of these extensions will have a significant impact on the character and appearance of the countryside. This is contrary to the Core Strategy Policy CS5.

However, all the factors, including design, form, height and appearance have to be weighed up in considering the acceptability of this scheme against policy criteria and the NPPF. On balance it is considered that this extension would not have a sufficiently harmful impact on the character and appearance of the countryside to sustain a reason for refusal.

Comments on reasons for objection put forward by Bovington Parish Council and local residents

These objections logically follow through the statements of the NPPF on protecting the Green Belt against inappropriate development and conclude that this is indeed inappropriate development. However, this is based on the premise that the private dwelling use has not been established and thus the site still does not benefit from either PD rights or the ability to extend under the saved local plan Policy 22. No mention is made of Policy 22 in their comments or assessment of this application. However, as stated above, it has been accepted that a change of use has occurred and that Policy 22 is therefore the correct policy to use here.

They have stated that the two storey side extension is 50sqm which the case officer concurs with. Therefore, as the total floor area of the dwelling as existing is 268sqm then the extension would represent a 19% increase which is well below the 30% guideline. As discussed above this extension cannot take into account what has not been built under PD.

The site on which the LDP application is proposed is on the domestic curtilage as determined by the Planning Inspector at the Planning Appeal.

Impact on Neighbours

Due to the distances between the site and the neighbouring properties this extension would have no harmful impact on their amenities in terms of visual intrusion, loss of privacy or daylight.

Other Material Planning Considerations

No trees or hedgerows would be removed as a result of this extension and there would be sufficient parking provided within the site.

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 in compliance with Dacorum Core Strategy CS12.

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

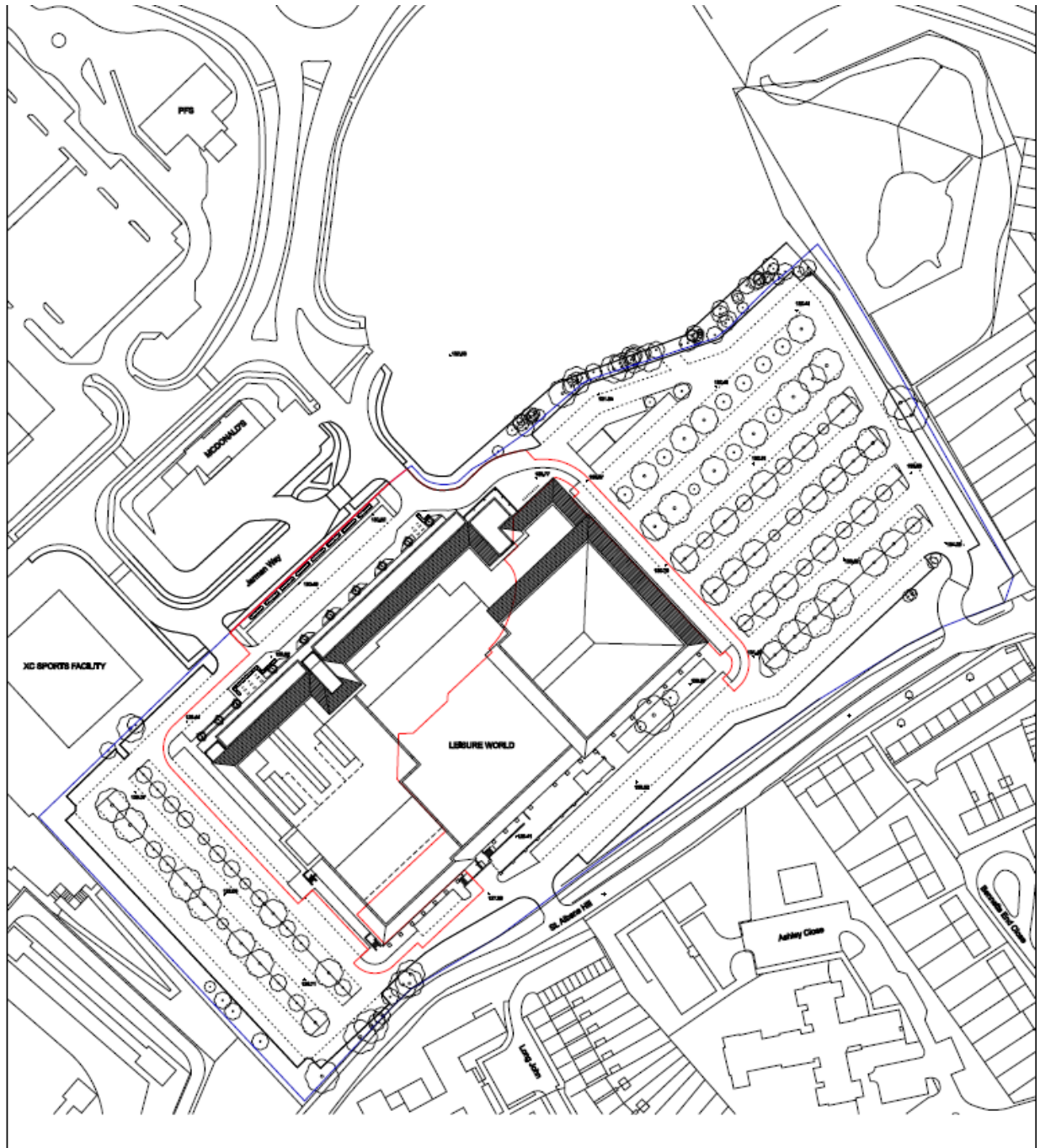
RO BG E 01 (A)
RO BG E 02 (A)
RO LDC 03 (A)

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

Statement 31:

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the agent, regarding the approved PD rear extensions, during the determination process which led to a better understanding behind these extensions. 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 5.3
4/02125/13/DRA - SUBMISSION OF DETAILS REQUIRED BY LEGAL AGREEMENT
(SECTION 16.2) TO VARY USES SET OUT IN CONDITION 13.2 OF PLANNING
PERMISSION 4/00625/89/OUT
LAND AT LEISURE WORLD, JARMAN WAY, HEMEL HEMPSTEAD, HP2 4JW



5.3 4/02125/13/DRA - SUBMISSION OF DETAILS REQUIRED BY LEGAL AGREEMENT (SECTION 16.2) TO VARY USES SET OUT IN CONDITION 13.2 OF PLANNING PERMISSION 4/00625/89/OUT LAND AT LEISURE WORLD, JARMAN WAY, HEMEL HEMPSTEAD, HP2 4JW APPLICANT: CAPITAL & REGIONAL HEMEL HEMPSTEAD (JERSEY) LTD

[Case Officer - Richard Butler]

[Grid Ref - TL 06732 06555]

Summary

The application provides information relating to parking and highway access for the Leisure World complex at Jarmans Park, Hemel Hempstead; this information is required due to the wording of the legal agreement associated with the original planning permission, and provides clarification that a change of use away from the Ice Rink facility to another leisure use would not result in the requirements for additional parking spaces on site, or result in the detriment to the free flow of traffic surrounding the site.

Site Description

The application site is the Leisure World building and associated land situated within the Jarman Fields development to the south of the A414 St Albans Road.

Leisure World comprises a building of c.15,313 sqm gross internal floor space including an Empire Cinema, pizza hut restaurant, aqua splash leisure pool, planet ice skating rink, two nightclubs, two bars, a 10 pin bowling facility, and a bowls facility at first floor.

A number of the uses within the building have been closed for some time; these include the nightclubs, bars and the bowls facility. A programme of refurbishments and investment is proposed for the site to bring active uses back into the building and also works to improve the external appearance of the building.

Recent applications have gained planning permission for alternative uses across the Leisure World complex and these are detailed below. In these previous applications the Ice Rink was shown as retained throughout.

The owners of the building are in the process of securing occupiers for the final refurbished building.

Proposal

The application relates to the area of the building dedicated to the ice rink facility. The operators of the building are in discussion with the ice rink facility to continue the ice rink use following the refurbishment. However, the operators of the building are seeking to establish a position where should the ice rink operator cease trading, the flexibility to lease the area to an alternative D2 (Leisure) use operator shall be possible.

At present, as all previous applications have not considered alternative uses for the Ice Rink area, stipulations of the original conditions and legal agreement attached to the planning permission for the Leisure World building apply.

The application provides details of parking and highways implications of removing the ice rink facility from the Leisure World complex. The submission of this information is required due to the wording of the original Legal Agreement and Planning Conditions attached to the planning permission in 1989, wherein changes to the makeup of uses must be notified to the Planning Authority so the impacts on Parking and Highway matters can be considered.

This process has no other material aspects to consider and is only required due to the clause

to consider highway impacts. The removal of the Ice Rink does not require planning permission.

The wording of the letter accompanying the submission describes the situation as follows:

"Capital and Regional (C&R) are in discussions with Planet Ice to remain operating the Ice Rink at Leisure World, and that C&R are hopeful that such a position will be agreed. It is very much in our clients interests that Leisure World as a whole becomes fully let when the refurbishment works are undertaken. They see a positive and mutually beneficial relationship between the new restaurants approved for the front of the scheme and the D2 Leisure users to the rear. Accordingly, retaining Planet Ice will help attract the public to Leisure World scheme as a whole.

However, for the same reason that Capital & Regional wishes to keep Planet Ice in the scheme, in the event that Planet Ice were to close, my clients and the funders of the development require flexibility to re-let the Ice Rink space to either other D2 Leisure uses, whether to an alternative ice rink operator or not. The existing Section 106 provision, if retained, could require them to seek an alteration to the S106 after committing to the refurbishment of Leisure World with no guarantee of the outcome. Therefore, my clients are unwilling to commit to substantial investment required to implement the permissions for the refurbishment of Leisure World without first securing the flexibility to be able to re-let the ice rink area to any D2 use, if Planet Ice were to leave the scheme."

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council owns the site, although the operational use of the site complex is on a long lease.

For clarification, the Leisure World building, and indeed all other uses are not operated by Dacorum Borough Council.

Planning History

Planning application 4/0625/89 was submitted by Ladbroke Group Properties for the comprehensive development of the north eastern portion for the site known as Jarman Fields for the following development:

Retail Superstore
Petrol Filling Station
Hotel
Restaurant
Clubhouse
Leisure / Recreation Centre (outline)
Formation of Athletics Area
Construction of car parks, roads and access.

The decision was made following a public enquiry held on 12 February 1991 as the application was 'called-in' by and determined by the Secretary of State for the Environment. Following original completion of construction the Leisure World facility has remained largely unchanged in planning terms with the exception of advertisement consents for items to the front elevation and small scale additions to provide smoking enclosures to the nightclub uses.

Recent Planning Applications

4/02252/11/MFA REFURBISHMENT AND CHANGE OF USE OF PART OF LEISURE WORLD BUILDING TO REPLACE THE SUI GENERIS (NIGHTCLUB)

AND PART OF THE CLASS D2 (LEISURE AND ASSEMBLY USE) WITH A3 (RESTAURANT INCLUDING MEZZANINES), ALTERATIONS TO NEW D2 (LEISURE AND ASSEMBLY USES) ALTERATIONS TO FRONT OF BUILDING AND CAR PARKING PROVISION
Granted
13/03/2012

4/01453/12/NMA REFURBISHMENT AND CHANGE OF USE OF PART OF LEISURE WORLD BUILDING TO REPLACE THE SUI GENERIS (NIGHTCLUB) AND PART OF THE CLASS D2 (LEISURE AND ASSEMBLY USE) WITH A3 (RESTAURANT INCLUDING MEZZANINES), ALTERATIONS TO NEW D2 (LEISURE AND ASSEMBLY USES) ALTERATIONS TO FRONT OF BUILDING AND CAR PARKING PROVISION - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION
4/02252/11/MFA
Granted
28/08/2012

4/01110/13/FUL ALTERATIONS TO THE EXTERNAL APPEARANCE OF THE BUILDING WITH THE INSERTION OF NEW WINDOWS IN AN EXISTING WALL
Granted
25/07/2013

4/01111/13/FUL CHANGE OF USE OF PART OF LEISURE WORLD FROM ASSEMBLY AND LEISURE (D2) TO DRINKING ESTABLISHMENT (A4).
Granted
25/07/2013

4/01108/13/ROC VARIATION OF CONDITION 9 (APPROVED PLANS) OF PLANNING PERMISSION 4/02252/11/MFA (REFURBISHMENT AND CHANGE OF USE OF PART OF LEISURE WORLD BUILDING TO REPLACE THE SUI GENERIS (NIGHTCLUB) AND PART OF THE CLASS D2 (LEISURE AND ASSEMBLY USE) WITH A3 (RESTAURANT INCLUDING MEZZANINES), ALTERATIONS TO NEW D2 (LEISURE AND ASSEMBLY USES) ALTERATIONS TO FRONT OF BUILDING AND CAR PARKING PROVISION)
Granted
24/07/2013

Policies

National Policy Guidance

NPPF

Dacorum Adopted Core Strategy

CS8

Saved Policies of the Dacorum Local Plan

Policy 58
Appendix 5

Representations

Hertfordshire Highways

Comments not received at time of publishing report.

Considerations

The application is submitted due to the wording of the legal agreement and conditions attached to the original permission for the development of the Leisure World complex. This wording is as follows:

Legal Agreement attached to Planning Permission 4/0625/89/OUT

16. Development Activities

Dacorum and the Developer for themselves and their respective successors in title hereby covenant with the Council as follows:

16. (1) Subject to sub-clause (2) and sub –clause (4) of this clause the Leisure Centre forming part of the development shall comprise a building of not more than 18,892 square metres gross external floor area containing all of the following:

- (a) bowling green of not more than 7 rinks*
- (b) leisure pool of not more than 2,800 square metres including associated plant*
- (c) ice facility of not more than 2,500 square metres including associated plant*

But nothing in this agreement shall prevent the inclusion of other leisure/recreation facilities such as ten pin bowling alley discotheque seven screen cinema snooker hall amusement centre and rides together with ancillary thereto

- (i) bars restaurants cafes and other facilities for sales of food and drink for consumption on the premises and*
- (ii) plant storage administration toilets and changing rooms*

16.(2) With the prior approval in writing of the Council the Leisure Centre forming part of the Development may be used for leisure and recreation uses which are alternative to or are additional to or a modification of the uses described in condition 13.3 of the Draft Conditions (other than the athletic facilities) (or as varied and implemented pursuant to this sub-clause_ subject to the Council being satisfied in respect of each alternative or additional or modified use either

- (a) that the alternative or additional or modified use as the case may be will not*
 - (i) attract volumes of traffic or traffic movements which will adversely affect highway safety or the free flow of traffic and*
 - (ii) will not create a significant demand for additional car parking spaces;*

Or

- (b) that*
 - (i) the effects of any additional volumes of traffic and/or traffic movements which may be attracted can be satisfactorily mitigated or*
 - (ii) sufficient car parking spaces can be to meet the significant demand for additional car parking spaces which may be created by such alternative or additional or modified uses;*

And

- (c) that appropriate arrangements have been made to implement such mitigation measures or provide such additional car parking spaces as may be required under sub-clause (b) above*

But otherwise the consent of the Council to any such alternative or additional use shall not be unreasonably withheld or delayed.

With reference to clause 16.2 of the legal agreement as detailed above, the LPA must consider the alternative uses proposed for the ice rink area with consideration to the potential for additional volumes of traffic and whether there shall be additional sufficient car parking spaces required by such alternative or additional or modified uses.

The information submitted details proposed alternative uses of the ice rink area as Swimming/fitness, ten pin bowling or sports leisure. These alternative uses shall be considered in turn.

Conditions attached to application 4/0625/89/OUT

Condition 13.2

The leisure/recreation centre shall first comprise a building containing all of:

- (a) Bowling Green;*
- (b) Leisure Pool; and*
- (c) Ice Facility,*

But nothing in this condition shall prevent the inclusion of other leisure/recreation facilities such as ten pin bowling alley, discotheque, seven screen cinema, snooker hall, amusement arcade and rides together with and ancillary thereto:

- (i) bars, restaurants, cafes and other sales of food and drink for consumption on the premises and*
- (ii) plant, storage, administration, toilets and changing rooms*

The application for approval of reserved matters shall include details of all proposed facilities and uses of the said building.

Reason: To ensure the provision of essential recreational facilities to replace the loss of the open space.

13.3 Car Parking Provision of not less than 1000 spaces will be provided together with the facilities for loading and unloading of vehicles, and for parking of taxis, buses/coaches, motorcycles and cycles and those spaces and facilities shall not be used for any purpose other than the parking and loading and unloading of vehicles. This requirement has been calculated on the basis of the following proposed illustrative uses:

- (i) Waterworld (2800 sqm)*
- (ii) Leisure Ice (2500 sqm)*
- (iii) Indoor Bowls (Seven rinks)*
- (iv) Ten Pin Bowls (twenty eight rinks)*
- (v) Multi screen Cinema (seventeen hundred seats)*
- (vi) Sports and Games Bar (770sqm)*
- (vii) Nightclub/ discotheque (1145 sqm)*
- (viii) Pub (229 sqm)*
- (ix) Amusement Centre / Fun rides (195 sqm)*
- (x) Athletics facility*

Note: The total car parking figure and the figure for each of the uses stated in (i) to (x) above are derived from a report prepared by Dennis and Wilson Partners dated 21/02/1991 and this can be used as a basis for the calculation of any changes arising under Condition 13.3A.

Reason: To ensure adequate and satisfactory provision of off-street parking and loading /unloading facilities.

Parking

Saved policy 58 of the Local Plan requires development to provide sufficient on-site parking to meet the needs of the development. The level of parking provision to be provided in new development will be assessed using the demand based parking guidelines and approach to parking set out in Appendix 5 of the Plan. a

There are currently 970 parking spaces provided within the Leisure World complex, shared across all users of the site.

To consider the impact of removing the ice rink, and provision with alternative uses, the parking requirement for the ice rink shall be compared to the proposed alternative uses and their parking requirements.

The site is located within accessibility zone 3, wherein commercial uses are expected to provide parking provision at a rate of 50% to 75% of the maximum based standard provided within appendix 5 of the Local Plan.

The car parking standard for an ice rink is 1 space per 12sqm of ice rink. The ice rink is noted as having an area of 1,247 sqm (based on the assumption of occupying three quarters of the total area of the building associated with the ice rink facility). Therefore 104 spaces would represent 100% of the maximum provision for the ice rink.

The proposed alternatives uses shall now be compared to this benchmark figure of 104 spaces for the ice rink.

An alternative use of area for a swimming/fitness facility would require a parking provision based on 1 space per 15sqm of the gross floor area. Using the gross area of 1662.5sqm, a parking provision of 110 parking spaces would be required.

The parking requirement for a ten pin bowling facility is based on four spaces per lane. With consideration of the area in question a reasonable assumption of 20 bowling lanes could be provided. This would equate to a need for 80 spaces.

For a sports leisure use there are a number of potential uses which have a different parking requirement under the policy. For example squash courts require 3 spaces per court; 4 spaces per tennis or badminton court or indoor bowls rink. With regards to the area of land available, this would have the potential to provide the following:

- 13 squash courts – requiring a maximum of 45 parking spaces
- 1 tennis court – requiring a maximum of 4 parking spaces
- 8 badminton courts - requiring a maximum of 36 parking spaces
- 8 indoor bowls rinks - requiring a maximum of 32 parking spaces

The policy also provides a general space provision of 1 space per 15sqm of Gross Floor area when in the case of a D2 (Assembly and Leisure) use, the final use is not known. Using this figure, the requirement would be for 110 parking spaces.

In all of these cases, the reduction of the maximum parking space requirement to be within the range of 50% to 75% of the maximum would be required due to the site being located within accessibility zone 3.

The Ice Rink facility requires a parking provision within the range of 52 to 78 spaces. The alternative uses proposed have either a comparable or lower requirement for parking; as such there is not considered to be a material increase in the level of parking required on site. The difference of 104 spaces (ice rink) to 110 spaces, especially when consideration is given to the

reduction required within accessibility zone 3, the parking requirement is not considered to be materially different.

The provision of these alternative uses is also not considered to create any significant change to peak use times or patterns of use.

With regards to the consideration given above there is not considered to be a significant impact on the requirement of parking through the removal of the ice rink facility and the use of the area as an alternative use. Any change outside of a D2 use would require planning permission and further consideration would be given at that time.

Impact on Highway

The comments of the Highways Authority are still awaited; however it is worthwhile noting that there is no proposed change to the access arrangements to the building or surrounding area.

The considerations above have concluded that the requirements for parking shall not change, and the alternative uses would be suitably served by existing parking provision on site.

It is reasonable to deduce from this situation that as there is to be no significant increase for demand in parking, and no material change in peak use of the site, there is to be very limited impact on the wider highway network.

Conclusions

The information submitted provides a number of scenarios for alternative D2 uses and confirms that should the ice rink facility cease operating from the building and an alternative leisure use is provided in its place there is not likely to be any detriment to highway safety and sufficient parking on site shall be available to support these alternative changes.

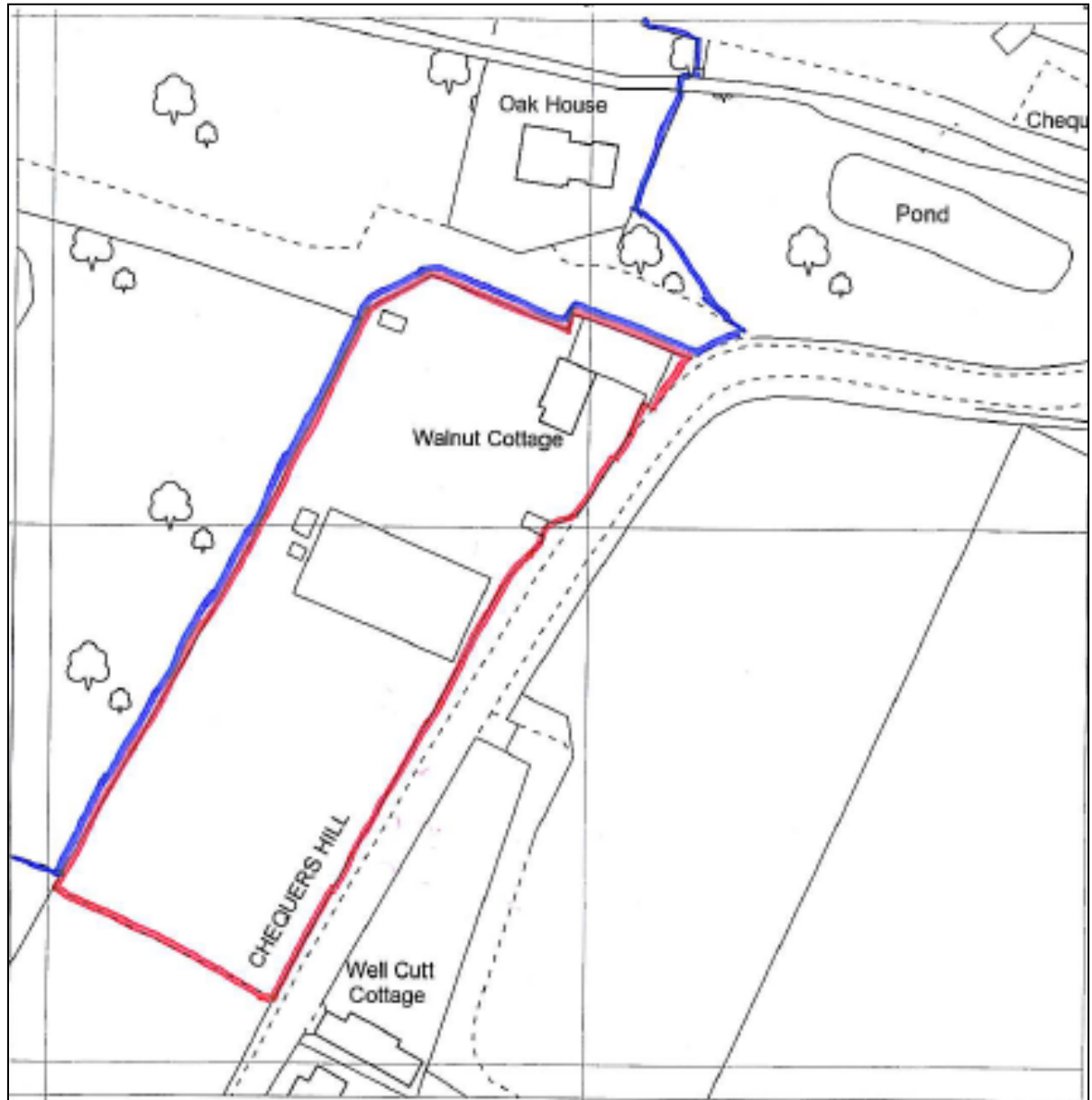
The recommendation is therefore to delegate the to the Group Manager (in consultation with the Chairman and Vice Chairman of the Development Control Committee) with a view to accept the proposed changes, subject to further details being received which clarify the final alternative use is commensurate with the information considered in this report. Should the final alternative uses be contrary to the information provided above the application shall be returned to Development Control Committee for further consideration.

RECOMMENDATION - That determination of the application be **DELEGATED** to the Senior Manager, Development Management , following the expiry of the consultation period and no additional material considerations being raised, with a view to grant for the following reasons.

No conditions.

Item 5.4

**4/01869/13/FUL - DEMOLITION OF EXISTING DWELLING, POOL HOUSE, TENNIS PAVILION AND SHED AND CONSTRUCTION OF A REPLACEMENT DWELLING WITH ASSOCIATED ACCESS, LANDSCAPING AND PARKING. CHANGE OF USE OF THE CURRENT RESIDENTIAL GARDEN TO HORTICULTURAL USE AS PART OF THE MAJESTIC TREES SITE (AMENDED SCHEME)
WALNUT COTTAGE, CHEQUERS HILL, FLAMSTEAD, ST. ALBANS, AL3 8ET**





**5.4 4/01869/13/FUL - DEMOLITION OF EXISTING DWELLING, POOL HOUSE, TENNIS PAVILION AND SHED AND CONSTRUCTION OF A REPLACEMENT DWELLING WITH ASSOCIATED ACCESS, LANDSCAPING AND PARKING. CHANGE OF USE OF THE CURRENT RESIDENTIAL GARDEN TO HORTICULTURAL USE AS PART OF THE MAJESTIC TREES SITE (AMENDED SCHEME)
WALNUT COTTAGE, CHEQUERS HILL, FLAMSTEAD, ST. ALBANS, AL3 8ET
APPLICANT: MR & MRS MCCURDY**

[Case Officer - Intan Keen]

[Grid Ref - TL 08456 14883]

Summary

The application is recommended for refusal.

In principle, the replacement of dwellings and buildings in the Green Belt, and the use of part of the site for horticulture purposes would be acceptable. The proposal including the replacement dwelling and the proposed garage and annexe outbuilding would fail to respect the rural and open character and appearance of the Green Belt and the street scene, and would not be reflective of existing development to adjacent properties. The proposal is therefore contrary to the aims of the NPPF, Policy CS5 and CS12 of the Dacorum Core Strategy (September 2013), and saved Policy 23 of the Dacorum Borough Local Plan 1991-2011.

The proposal would not have an adverse impact on the amenity of neighbouring properties. The access and car parking arrangements are sufficient.

Site Description

The application site is currently occupied by a two storey detached dwelling located on the north-western side of Chequers Hill, proximate to the bend in the road before its junction with the A5 (London Road). The application site has a wide frontage to Chequers Hill, and the southern portion of the plot is undeveloped. The dwelling at Walnut Cottage is sited at the north-eastern corner of the site, adjacent to the existing access to Majestic Trees, the site immediately west (specifically a plantation associated with this horticulture use) and in the same ownership. The application site contains an off-centre sited tennis court and a series of single storey outbuildings proximate to the site's boundaries. The site's front and southern side boundaries contain tall and dense vegetation. The land falls in a northerly direction.

Other dwellings exist in the immediate vicinity, including Oak House immediately north proximate to the existing dwelling. Dwellings at Well Cutt Cottage and Benet Cottage are located opposite the development area in the southernmost portion of the application site.

Proposal

Planning permission is sought for a replacement two storey dwelling incorporating a half-width rear projection. The replacement dwelling would have maximum dimensions of 11m in width and 18m in depth. It would feature a gable roof with side projecting gable elements, reaching a maximum height of 7.6m.

The replacement dwelling would contain a sitting room, library, kitchen, family room, utility room and shower at ground floor level. The first floor would comprise three bedrooms, one with an ensuite and dressing room, as well as a separate bathroom and open gallery.

A detached single storey outbuilding is proposed, containing a double garage and annexe, sited beside the dwelling. This outbuilding would have an L-shaped footprint, with maximum dimensions of 9.4m in width and 8.75m in depth. It would also feature a gable roof, to 5.2m in height. No access (internal or external) is proposed to the roof space above.

A vehicle crossover is proposed to Chequers Hill in front of the proposed outbuilding and within the southern portion of the wider site. It would have a width of 4.5m. The existing access to Walnut Cottage would be removed.

Hardstanding is proposed including a driveway, turning and parking area between the proposed access, the replacement dwelling and outbuilding. The remainder of the site beyond the rear of the new buildings and to the south-west of the replacement dwelling would contain soft landscaping with trees and hedges indicated to the property boundaries.

The demolition of the existing dwelling is proposed. It is also proposed to demolish the attached pool house, shed and tennis pavilion, all three of which are located within the rear portion of the site.

It is also proposed to change the use of the northern portion of the site from residential to horticulture, from the south-western edge of the tennis court to the site's northern boundary. It would allow the expansion of the Majestic Trees business operating from the adjacent site immediately west. The remainder of the site would remain in residential use.

Additionally, the applicant has put forward 'very special circumstances' which are as follows:

1. The expansion of an existing local rural business.
2. It is financially unviable to restore Walnut Cottage to its former 'listable' status.
3. The improved openness of the Green Belt.

Referral to Committee

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

Planning History

Application 4/00952/13/FUL is the most recently determined proposal for this site, and the current application is an amended scheme to this application. The current application differs from the previous scheme as the garage footprint has been altered from a linear to an L-shape, and proposed outbuildings included in the landscaping plan have been removed. Additional information has been provided including a site section showing the siting of the replacement dwelling against the fall of the land, and a survey of external materials in the local area with references particularly taken from Flamstead village.

Application 4/00952/13/FUL was for demolition of existing dwelling, pool house, tennis pavilion and shed and construction of a replacement dwelling with associated access, landscaping and parking. Change of use of the current residential garden to horticultural use as part of the Majestic Trees site was refused on 31 July 2013 for the following reason:

The application site is located in the Green Belt wherein there is a presumption against development. The proposed replacement dwelling, by reason of its bulk, height and siting in an elevated portion of the site would be materially larger than the dwelling it would replace and therefore would have an adverse impact on the character and openness of the Green Belt in comparison to the dwelling it would replace.

The proposed outbuilding comprising the garage and annexe, by reason of its floor area, design, orientation, siting, height and bulk would be a disproportionate addition above the size of the replacement dwelling and materially larger than the pool house building it would replace. It would result in a tall and wide structure and would have a harmful impact on the openness of the Green Belt.

Additionally other proposed outbuildings including the greenhouse, outbuilding for chickens, shed and gazebo, together with other structures in the rear garden including the fruit cage, raised beds and swimming pool, as well as the hardstanding and decking proposed particularly at the rear of the site would result in the sprawling of buildings and structures across the site, whilst urbanising the appearance of the site, and consequently dramatically altering the rural and landscape character of the site and surrounding area.

The proposed replacement dwelling and the garage and annexe outbuilding, by reason of their proximity to the highway frontage, together with their scale, bulk, site coverage, design and height would fail to respect development on nearby adjacent properties and would have an adverse visual impact on the rural character and appearance of the street scene, and would be unacceptable in the site's historic location.

The proposal would therefore be inappropriate development in the Green Belt, and would be detrimental to the rural and open character and the visual amenity of the Green Belt and the street scene, contrary to the aims of the National Planning Policy Framework, Policies 4 (Green Belt), 11 (Quality of Development) and 23 (Replacement Dwellings in the Green Belt and the Rural Area) of the Dacorum Borough Local Plan 1991-2011, and Policies CS5 (The Green Belt) and Policy CS12 (Quality of Site Design) of Dacorum's Pre-submission Core Strategy with Modifications January 2013.

Application 4/00132/13/FUL for demolition of existing property, pool house, tennis pavilion and shed and construction of a new dwelling was refused on 25 March 2013.

Application 4/00084/89 for retention of single storey rear extension was granted on 7 March 1989. This extension has been constructed and forms part of the existing dwelling on the site.

The footprint of the dwelling as shown on historical maps (dated 1962-1979) appears similar to the footprint of the existing dwelling shown on plans submitted under the current application, minus the single storey rear extension approved in 1989 (details above). The same historical map also identifies the existing annexe, the northernmost part of the detached garage at the existing vehicle entrance to the application site, and the tennis pavilion.

Aerial photographs from 1970 confirm the footprint of the dwelling as it appears on the historical maps described above.

There is no available planning history for the pool room and studio, the extension to the garage, and the shed near the rear boundary of the site. Based on the above information these buildings and additions appear to have been constructed after 1970.

An aerial photograph and historical map for the application site exist pre-1940 showing a building on the application site with a reduced footprint. As the building dates to the 19th century it would appear that a two storey side projection (currently comprising the drawing room and bedroom above) forms an addition to the dwelling. However, the date of this extension cannot be determined and whether it existed before 1948, which is considered to be 'original' for the purposes of applying Green Belt policy. It is therefore considered to form part of the original dwelling.

Policies

National Policy Guidance

National Planning Policy Framework

Core Strategy

Policies NP1, CS5, CS12, CS29 and CS31

Dacorum Borough Local Plan (saved policies)

Policies 23 and 58
Appendices 1, 3 and 5

Representations

Neighbours

Benet Cottage, Wayside Cottage, Well Cutt Cottage, Hill Cottage, and Majestic Trees on Chequers Hill, Chequers on London Road were notified on 10 October 2013.

One item of correspondence was received on 28 October 2013. This highlights concerns regarding the Council's approach to the adjacent property, Oak House. Originally the property that is now Oak House was to be constructed as an agricultural workers dwelling and the Council considered the application on this basis. However, due to an error in the planning approval granted in 2001 () no restrictive condition imposing an agricultural tie was included on the decision notice. This matter is being dealt with separately through the Council's complaints process.

The complainant however also alleges that the Council is seeking to cover the tracks of our earlier error by refusing applications at

Flamstead Parish Council

The PC supports this application and views it as an enhancement to the entrance of the village and an improvement on current property.

Strategic Planning and Regeneration

A response was received stating that the key policy issues are likely to be unchanged. The relevant extract of Strategic Planning and Regeneration comments received in relation to the previous application (reference 4/00952/13/FUL) are as follows:

We note that the pre-application scheme (4/01881/12/PRE) for a substantially larger dwelling than the existing Walnut Cottage was regarded as unacceptable. The Council's advice on this proposal dated 27 November 2012 stated that the replacement dwelling should be no larger than the existing in terms of floorspace (i.e. 217 sq. metres) and volume. This reflected the fact that Walnut Cottage has already been extended by more than the 30% permissible under Local Plan Policy 22 (extensions to dwellings in the Green Belt and the rural area). Furthermore, the pre-application advice indicated that the floor area of the outbuildings proposed for removal was largely irrelevant, as these were small, largely glazed, single storey buildings with a minimal impact on the openness of the area.

Despite this advice, application 4/001332/13/FUL proposed a replacement dwelling that was considerably larger than the existing cottage. In refusing the application, the Council considered that the proposed dwelling would have a far greater impact on the character and openness of the Green Belt than the existing dwelling and that the proposal was contrary to Local Plan Policy 23. Furthermore, whilst the 'very special circumstances' submitted by the applicant were felt to offer some limited justification for the relocation of the dwelling further up the hill, they did not justify its increased size, volume nor offset the significant visual harm caused when compared to the existing dwelling lower on the site.

We welcome the fact that the size of the proposed replacement dwelling has been reduced to 217 sq. metres in the current application. However, the application also proposes an annexe and garage building with a floorspace of 66 sq. metres. This building would include residential accommodation for the applicant's elderly mother. Section 7.1 in the Design and Access Statement argues that outbuildings can be taken into account when assessing the impact of replacement dwellings. ... It appears that the proposed new dwelling, annexe and garage building and outbuildings would have a greater overall impact on the openness of the Green Belt than the existing cottage and the outbuildings proposed for demolition.

We do not wish to raise any objections regarding the proposed conversion of the existing residential garden to horticultural use, as this constitutes appropriate development in the Green Belt.

Conclusion: Whilst this application is an improvement on 4/00132/13/FUL, we still have concerns about the proposal in terms of Green Belt policy and Local Plan Policy 23.

Conservation and Design

Walnut Cottage is an early 19th cottage which sits in a corner of a very generous plot. However, due to nearby 20th century development has had its earlier setting compromised. It is located within Green Belt.

The scheme is to demolish the existing cottage pool house, tennis pavilion and shed and construct a three bedroom house with a fourth single bedroom accommodation including kitchen/sitting with shower & W.C. annexe above the garage wing.

The land rises from the location of Walnut Cottages quite considerably to the proposed site of the new structures.

My comments regarding the proposed scheme have not changed since the pre-application in 2012, inasmuch as I still have serious concerns regarding the mass and scale of the principle house and the detached 'garage' which I consider has more in common with a small dwelling house than garage in scale and form.. The proposed 'garage' would be sited to the side of the property and would be visible from the near-by roads. The porches, projecting gable and detail and volume of openings all combine to give it the appearance of a small dwelling, despite the timber clad finish and garaging to the roadside.

The proposed dwellinghouse would be materially larger (immense is the phrase that comes to mind), than the dwelling it would replace; the overall floor area and volume of the replacement would be considerably greater with disproportionate additions such as the 'garage', over and above the size of the original building. My concern is that this would constitute inappropriate development in the Green Belt.

The NPPF states that inappropriate development in the Green Belt should not be approved except in very special circumstances. Paragraph 79 of the NPPF states that one of the essential characteristics of the Green Belt is its openness. When compared to the current form of the property, by reason of its height, massing and scale, the proposed building and garage would have an adverse effect on the openness of the Green Belt. The proposal would be materially larger than the dwelling it would replace and therefore would constitute inappropriate development in the Green Belt.

Regarding design the mock-Tudor detailing would be more comfortable in a suburban or semi-suburban location alongside other buildings of a similar scale, but located in Green Belt it appears totally out of context and visually intrusive. .

The general character of the area in which this building would be located consists of noticeably

smaller scale developments. I suggested that the applicant refers to the Chiltern AONB publications so that a development is worked forward that is more in keeping with local historic structures and also materials to reflect this but this has been totally ignored.. The proposed dwelling if implemented would result in a disproportionate increase over and above the size of the original dwelling and would not be sympathetic in terms of scale and massing and design detailing.

The effect of the development on the openness of the Green Belt, the impact of the development upon the character and appearance of the Green Belt and that of the locality is in my opinion is negative.

Again I consider that an elevational drawing should be provided illustrating an outline of the existing dwelling (Walnut Cottage) superimposed onto the proposed building as I am very sure this would clearly illustrate the mass and scale of the building and therefore my concerns.

This is an open rural area which has experienced some recent unfortunate development in the form of a similar structure near the entrance to the commercial tree concern (Majestic Trees), which provides in my opinion an accurate understanding of the negative effects of inappropriate design, scale and bulk of the proposal. This scheme occupies a far more visible location in open Green Belt land than either Walnut Cottage or this previous scheme, facing onto an busy access road leading to an important historic village (Flamstead) which is contained within a designated Conservation Area.

Paragraph 89 of the NPPF identifies various forms of development which may not be inappropriate in the Green Belt. It includes the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building. Similarly it allows for the replacement of a building provided that it is for the same use and is not materially larger.

As the NPPF points out, inappropriate development is, by definition, harmful to the Green Belt. Further harm results from the scale and mass of the proposed building which would materially add to the intensity of development on the site. Due to its height and mass it would form a prominent feature within Chequers Hill and would be seen as encroaching into the open gap between the existing dwelling and the open land beyond. As a consequence it would detract from the openness of this part of the Green Belt. The scheme would therefore cause harm due to its inappropriateness and its impact on the openness of the Green Belt. It would also directly conflict with one of the purposes of the Green Belt, to assist in safeguarding the countryside from encroachment, as well as the overall aim of Green Belt policy, and I consider that weight needs to be given to this harm.

Again I recommend this application for refusal, due to its inappropriate in terms of on design scale bulk, layout; site coverage, height; and materials. In context of longer views it fails to respect the locality, density (the site in my opinion this constitutes overdevelopment), and general character of the area in which would be located. It would noticeably fail to avoid harm to the surrounding neighbourhood and adjacent and nearby properties due to visual intrusion; and would adversely affect and fail to enhance the natural and historical landscape of the location.

I also consider that the change of use of the garden to horticultural use should be resisted again due to the impact on Green Belt.

Hertfordshire Highways

Hertfordshire Highways does not wish to restrict the grant of permission subject to conditions relating to Visibility splays, measures to prevent mud on the roadway and provision of onsite areas for parking and storage and delivery of materials associated with the construction

Section 106 requested to secure

- A Section 278 Agreement (Highways Act 1980) for the construction of the required off site highway works:
- The construction of the new vehicular access and section of adjoining footway
- Planning permission shall be granted subject to the completion of a Section 38 Agreement between the Developer and Hertfordshire County Council, so that Hertfordshire County Council shall adopt the dedicated new footway.

The application is to demolish the existing detached dwelling, out buildings including a swimming pool and to replace it with another detached dwelling with associated access and parking. As part of this scheme, the applicant is proposing to extend the existing footway that terminates by the main access to Majestic Trees and proceed up Chequers Hill to a point where the new vehicular access will be. It follows that the existing access, no longer part of this development will be permanently closed off as part of the off-site works.

As the applicant is proposing to dedicate part of his land for adoption (new section of footway), he will need to enter into a Legal Section 38 Agreement. He will also need to enter into a Legal Section 278 Agreement to allow him to carry out the entire off site works including the construction of the new footway. Although the highway authority in principle has no objection to the extension of the footway, it shall only be extended to the local highway authority's standards and agreement.

The highway authority does not consider the replacement home will result in a material change in vehicular movements from or to this site. This development is therefore unlikely to result in 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 therefore has no objection, subject to the inclusions of the above conditions to the grant of permission.

Trees and Woodlands

No formal response received at the time of writing this report.

Refuse

No formal response received at the time of writing this report.

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.

Thames Water

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

Affinity Water

No objection to the proposal; however their comments relating to the reduction of groundwater pollution risk would be included as an informative if planning permission is granted.

Considerations

The main issues of relevance to the consideration of this application relate to the policy and principle justification for the proposed replacement dwelling and outbuilding, and the change of use of part of the site from residential to horticultural to form part of the adjacent Majestic Trees site; the impact of the change of use and proposed development on the site layout and the character and appearance of the street scene and Green Belt; the impact on neighbouring properties; and the impact on car parking.

Policy and Principle

New buildings in the Green Belt are regarded as inappropriate development, however one of the exceptions to this is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Saved Policy 23 of the Local Plan supports this approach noting that replacement dwellings are acceptable in principle.

With respect to the change of use of the north-eastern portion of the application site from residential to horticultural, this would be supported under Policy CS5 of the Core Strategy which includes agriculture as an acceptable use within the Green Belt.

It is not considered that the replacement dwelling should have an agricultural tie on the basis that the application site and the adjoining Chequers Meadow site (currently occupied by Majestic Trees) are in the same ownership. Whilst the intended occupants of the proposed dwelling may run the adjoining business at Majestic Trees, it would not be necessary to impose a condition linking the proposed dwelling with the adjoining site, if planning permission is granted.

The principle of a detached annexe (outbuilding with garage) as an ancillary to the main dwelling would be acceptable, provided that it remains within the residential use and control of the owners of the application site. As such, if planning permission is granted it can be conditioned to ensure that the use of the outbuilding remains ancillary to the main use being a single residential dwelling.

Impact on site layout, appearance of street scene and Green Belt

The application site currently contains a single dwelling located in the north-eastern portion of the site surrounded by a series of generously spaced outbuildings. The proposal involves the demolition of the existing dwelling and three outbuildings, and the relocation of the residential curtilage and associated building (including the replacement dwelling and outbuilding comprising garage and annexe) to the south-western portion of the site.

Saved Policy 23 of the Local Plan sets out that rebuilding a dwelling in a different position on the site may be possible provided its impact on the openness and character of the Green Belt is no worse than the dwelling it replaces, and if possible much less. Any new dwelling should not be larger than the dwelling which it replaces, or the original dwelling on the site plus an allowance for any extension that would have been permitted under saved Policy 22 of the Local Plan. In the Green Belt the resultant building should be less than 130% of the floor area of the original dwelling. As mentioned above, the original dwelling is defined as either the dwelling that existed on the site on 1 July 1948, or the first dwelling built after that date, as it existed when first built. The original building for the purposes of Green Belt policy has been previously outlined.

The table below sets out the floor area calculations of the original dwelling, the allowable increase in floor area compared with the current proposal:

| Building | Floor area |
|--|----------------------|
| Existing dwelling | 244.96m ² |
| Single storey rear extension (not original) | 27.95m ² |
| Original dwelling (excluding single storey rear extension) | 217m ² |
| With allowable 30% increase | 282.11m ² |
| Proposed replacement dwelling | 243.11m ² |

Therefore, the replacement dwelling as proposed would technically comply with the floor space standards of saved Policy 23 of the Local Plan.

However, it is important to note that not only would the proposed dwelling be sited on higher ground in comparison to the siting of the existing dwelling, it would also be a taller structure at 7.6m in height. The existing dwelling stands at a height of approximately 6.8m. Both dwellings are partially recessed into the slope on their south-western sides. The replacement dwelling would have a greater depth (7m difference), and in width terms would be 1m less than the existing. Based on the above factors, the proposed dwelling overall would result in a materially larger form than the dwelling it would replace. Although the floor area of the proposed dwelling would comply with the saved Policy 23 standard, insufficient justification has been provided for the increase in height and its bulk as a result. This would be exacerbated by the schedule of external materials which provides a contrast that would be alien to immediately surrounding development, specifically the nearest properties at Benet Cottage, Well Cutt Cottage and Wayside Cottage. The submitted information including a survey of buildings within and around Flamstead village are not considered to be sufficient justification for a departure from the design of immediately surrounding development. Strong objections to the proposal have been received from Conservation and Design regarding the proposed dwelling.

The design and external materials of the development mimic those of the approved Oak House under application 4/00207/01/FUL. It is considered that the locational characteristics of the currently proposed dwelling are not similar to that of Oak House, particularly with its siting on higher ground, its proximity to the highway frontage and other neighbouring properties.

With respect to the proposed outbuilding, it is considered reasonable for the detached garage and annexe to have a floor area not greater than the existing pool room to be demolished. This would be the case noting the existing pool house measures 72.75m² in area and the proposed outbuilding is 72.9m² in area; the difference is negligible. As set out in the NPPF replacement buildings are acceptable in principle provided the new building is in the same use and not materially larger than the one it replaces. (It has been established that the proposed outbuilding would also be an ancillary use to the main dwelling on the site.)

The existing pool house is located in the rear (northern) portion of the site and behind the main dwelling. Views of the existing pool house are obscured by the existing building, other surrounding buildings and intervening boundary vegetation. Alike the main dwelling, the pool house is located in the lowest part of the site. In terms of its appearance, the pool house has a shallow hipped roof and as a result has a low profile roof form.

In comparison, the proposed garage and annexe outbuilding would be prominently sited on higher ground, directly opposite the proposed vehicle crossover, and much closer to the road frontage. The proposed outbuilding would represent a wider structure when viewed from the street, and with a much taller, larger and steeper (gable) roof form compared with the existing. Although the proposed outbuilding footprint would be almost identical to its existing counterpart, its impact would be far greater than that of the pool house due to its siting, additional height and volume, to the detriment of the open character of the Green Belt.

The removal of the shed and tennis pavilion of limited dimensions which are low level and unassuming structures in the landscape would be given little weight to justify the increase in bulk and height of the proposed garage and annexe outbuilding.

For reasons mentioned above the proposed outbuilding would have an adverse impact on the street scene, noting its overall appearance, bulk and design incorporating two canopies, together with its floor area would give it an appearance tantamount to a small cottage.

The creation of the proposed vehicle crossover would be acceptable noting it would be of similar dimensions to the existing and the existing crossover would be removed as confirmed in the Design and Access Statement. It is not considered that the relocation of the crossover in isolation would adversely affect the visual or landscape character of the site and street scene.

Whilst the site is located outside of the Chilterns Area of Outstanding Natural Beauty and the provisions of saved Policy 97 of the Local Plan therefore would not apply, as previously outlined the proposal would be harmful to the character and appearance of the Green Belt, the street scene and surrounding area.

In summary, the proposal would result in two buildings of greater height and bulk than those they would be replacing, and sited in an elevated and prominent position. As a result of the above combined factors, both the replacement dwelling and outbuilding for garage and annexe would be materially larger than their existing counterparts and would therefore represent inappropriate development in the Green Belt. The proposal would fail to respect the design and materials of nearby adjacent properties and would have an adverse visual impact on the rural character and appearance of the street scene and surrounding area. As such, the proposal is contrary to the aims of the NPPF, Policies CS5 and CS12 of the Core Strategy and saved Policy 23 of the Local Plan.

Impact on neighbouring properties

The redefined residential curtilage on the application site would have a shared boundary with one residential property, being the dwelling at Wayside. Whilst the proposed dwelling would be sited a minimum of 3.5m from the shared side boundary, the dwelling at Wayside is located over 30m beyond.

The closest dwellings in terms of distance would be the two dwellings opposite at Well Cutt Cottage directly opposite and Benet Cottage opposite the application site in a southerly direction. The replacement dwelling would be set back over 4m from the street, with the road reserve approximately 6m in width separating the application site from these two properties. At this distance, it is not considered that the two storey form of the replacement dwelling and at 7.6m in height would have an adverse impact on these two dwellings with respect to visual intrusion or loss of light.

The front (eastern) elevation of the replacement dwelling would have one first floor front-facing window towards Well Cutt Cottage, specifically it would be a narrow, secondary window to a bedroom. Whilst the replacement dwelling and Well Cutt Cottage would have a distance of approximately 14m between their front walls, this window would be recessed over 8m behind the front wall resulting in a 22m distance between first floor windows of Well Cutt Cottage and the replacement dwelling. Given the size of this window and that the main outlook of this bedroom would be in a northerly direction, it is not considered that there would be significant levels of overlooking to warrant refusal on these grounds.

As such, the proposal complies with Policy CS12 (c) of the Core Strategy.

Impact on access and car parking

The creation of the proposed access would be acceptable in terms of highway safety, as outlined above.

Similarly, the creation of the footpath would not raise a highway concern.

The replacement dwelling would accommodate for at least three on site car parking spaces to dimensions required by Appendix 5 of the Local Plan and therefore would meet the maximum car parking standard.

If planning permission is granted, it would be considered necessary to attach the suggested condition above relating to the maintenance of visibility splays from the proposed vehicle access. Conditions relating to the construction requested above should be included as an informative if planning permission is granted.

Other matters

With respect to matters raised in correspondence from a member of the public, reference was made to application 4/00207/01/FUL where planning permission was granted for an agricultural workers dwelling at Oak House. (For the benefit of the committee it is noted that the established Oak House does not form part of the application site)

The planning permission for 4/00207/01/FUL did not include a condition restricting the use of the building for an agricultural worker's dwelling. The report associated with this application includes the intention to include a condition to this effect, particularly it states *'This application to vary the design of the permitted dwelling. The agricultural occupancy condition is to be retained and the proposed dwelling is to be occupied in conjunction with a proposed horticultural business on the adjacent agricultural land'*. The condition was omitted in error, and previous advice from the Council's Legal department during the enforcement investigations is that the residential use of the property (Class C3) exists and the alleged breach would be unenforceable without the occupancy condition.

The reasons for refusal of the previous application for Walnut Cottage (reference 4/00952/13/FUL), and the reasons for the recommended decision on the current application have been set out in this report. Additionally, the reason for refusal for the earlier application (reference 4/00132/13/FUL) has been set out in the corresponding report.

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

- 1 The application site is located in the Green Belt wherein there is a presumption against development. The proposed replacement dwelling, by reason of its bulk, height and siting in an elevated part of the site would be materially larger than the dwelling it would replace. The replacement dwelling, by reason of its design and external materials would fail to respect development on nearby adjacent properties to the detriment of the visual amenity of the Green Belt and the rural character and appearance of the street scene.

The proposed outbuilding comprising the garage and annexe, by reason of its height, bulk, and its siting in an elevated position together with its proximity to the highway frontage would be materially larger and more prominent than the building it would replace and therefore would have a harmful impact on the openness of the Green Belt and the street scene.

The proposal would therefore be inappropriate development in the Green Belt, and would be detrimental to the rural and open character and the visual amenity of the

Green Belt and the street scene, contrary to the aims of the National Planning Policy Framework, Policies CS5 (Green Belt) and CS12 (Quality of Site Design) of the Dacorum Core Strategy (September 2013) and saved Policy 23 (Replacement Dwellings in the Green Belt and the Rural Area) of the Dacorum Borough Local Plan 1991-2011.

Article 31 Statement

Planning permission has been refused for the clear reasons set out in this decision notice. The Council acted proactively through engagement with the applicant at pre-application stage, during the previous applications and the current application. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council has expressed their concerns to the applicant since pre-application stage, the requirements of the Framework (paragraphs 186 and 187) have been met in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

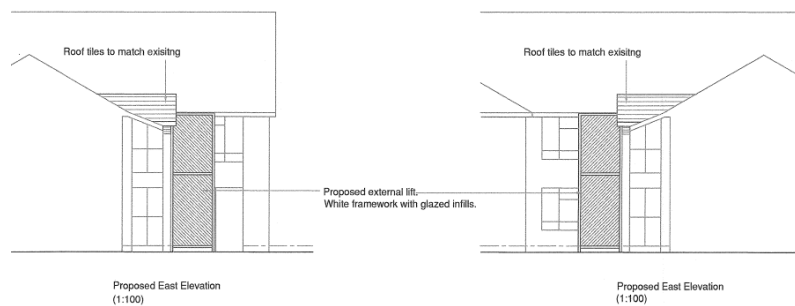
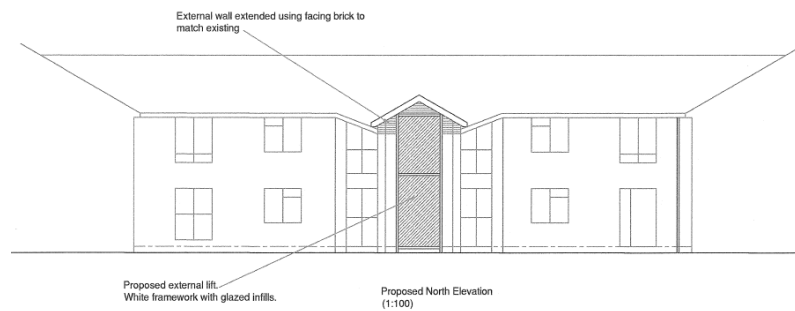
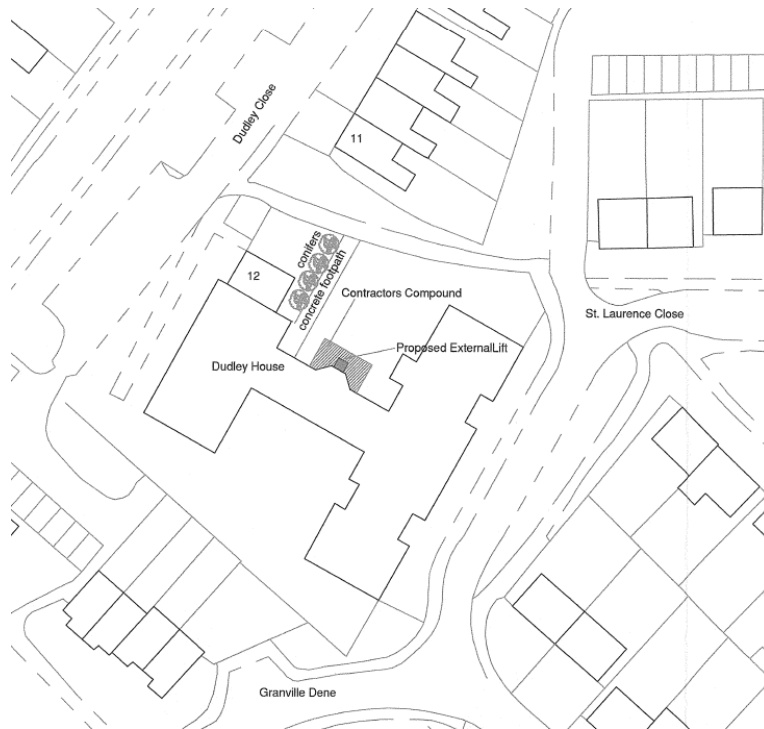
Item 5.5

4/01941/13/FUL - INSTALLATION OF EXTERNAL SINGLE PERSON LIFT ON NORTH ELEVATION AND ALTERATIONS TO EXISTING PITCHED ROOF TO ACCOMMODATE EXIT FROM LIFT
DUDLEY HOUSE, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NR



Item 5.5

**4/01941/13/FUL - INSTALLATION OF EXTERNAL SINGLE PERSON LIFT ON NORTH ELEVATION AND ALTERATIONS TO EXISTING PITCHED ROOF TO ACCOMMODATE EXIT FROM LIFT
DUDLEY HOUSE, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NR**



**5.5 4/01941/13/FUL - INSTALLATION OF EXTERNAL SINGLE PERSON LIFT ON NORTH ELEVATION AND ALTERATIONS TO EXISTING PITCHED ROOF TO ACCOMMODATE EXIT FROM LIFT
DUDLEY HOUSE, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NR
APPLICANT: DACORUM BOROUGH COUNCIL - PROPERTY AND PLACE DEPARTMENT**
[Case Officer - Andrew Parrish] [Grid Ref - TL 01425 03962]

Summary

The application is recommended for approval. The proposed lift shaft would be modest in size and have an acceptable design and appearance. There would be no significant impact on adjoining residential amenities in terms of noise, privacy, loss of light, visual impact. The proposals are considered acceptable for approval in accordance with Policies CS11, CS12 and CS13 of the Core Strategy.

Site Description

Dudley House is a Council owned housing development comprising some 38 flats on 2 stories. The H shaped block sits within a residential area with road frontages to Dudley Close and St Lawrence Close in the large village of Bovington. It also has a frontage to a public footpath which links the aforementioned roads. The front boundary here is defined by a 2m high hedge with pedestrian access via a secure gate.

The surrounding area comprises a mix of post war two storey semi-detached and terraced dwellings.

Proposal

Permission is sought for an external lift on the north east elevation fronting the footpath. The lift shaft would be two stories high and measure 1.6 m wide x 1.5 m deep with white framework to glazed infill panels. The shaft would be sited midway along the section of the building linking the north west wing with the south east wing.

Referral to Committee

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

Planning History

None

Policies

National Policy Guidance

NPPF
Circular 11/95

Core Strategy

Policies CS1, 4, 8, 10, 11, 12, 13, 29, 31, 32 and 35

Dacorum Borough Local Plan (saved policies)

Policies 1, 9, 11, 13, 58 and 100
Appendices 1, 5 and 7

Supplementary Planning Guidance

Environmental Guidelines
Water Conservation & Sustainable Drainage
Energy Efficiency & Conservation
Accessibility Zones for the Application of Parking Standards

Advice Notes

Sustainable Development Advice Note (March 2011)
Advice Note on Achieving Sustainable Development through Sustainability Statements

Representations

Bovingdon Parish Council

Supports

Building Control

Any comments received will be reported at the meeting.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

None

Considerations

Policy and Principle

In residential areas appropriate residential development is encouraged in accordance with Policy CS4 of the Core Strategy.

The main issues in this case relate to the impact of the lift on the visual and residential amenities of the area. Policies CS10, 11, 12 and 13 are relevant.

Effects on appearance of building

The glass lift shaft would be sited against an existing small projecting element of the building which has a catslide roof over. As the lift shaft would be higher than the eaves of this element, a small gable element would be introduced to visually encapsulate the shaft.

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

The proposal would comply with Policy CS12.

Impact on Street Scene

There would be no adverse effects on the street scene. The lift shaft would be concealed from most angles by the projecting wings of the building and only visible in close quarter views from the footpath. No significant trees or shrubs would need to be removed. As the site is well

screened by existing hedgerow alongside the footpath, further planting is not considered necessary to screen or soften the development.

The proposal would comply with Policy CS11, 12 and 13 and saved Policy 100.

Impact on Neighbours

The lift shaft would be sited in a semi-public area some 8.5 m from facing windows of flats in the same development. Given that these windows are already open to view from passing residents, it is not considered that there would be any material loss of privacy to these flats.

The lift shaft would be sited on an elevation which serves as a corridor on both the ground and first floors. Therefore, it is not considered that there would be any material loss of privacy or loss of light to this elevation.

The proposal would therefore accord with Policy CS12.

Sustainability

Sustainability statements through the online toolkit, C-Plan, and via a separate Sustainable Design and Construction Statement have been requested to demonstrate that the proposal would comply with paragraph 18.22 of the Core Strategy and the principles set down in Policy CS29.

Subject to the satisfactory receipt of these, the proposal would comply with the sustainability principles sought by the Development Plan.

An update will be provided at the meeting.

Other Material Planning Considerations

Car parking would not be affected by the development and therefore would comply with saved Policy 58.

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

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

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

**Site Location Plan
13107/01**

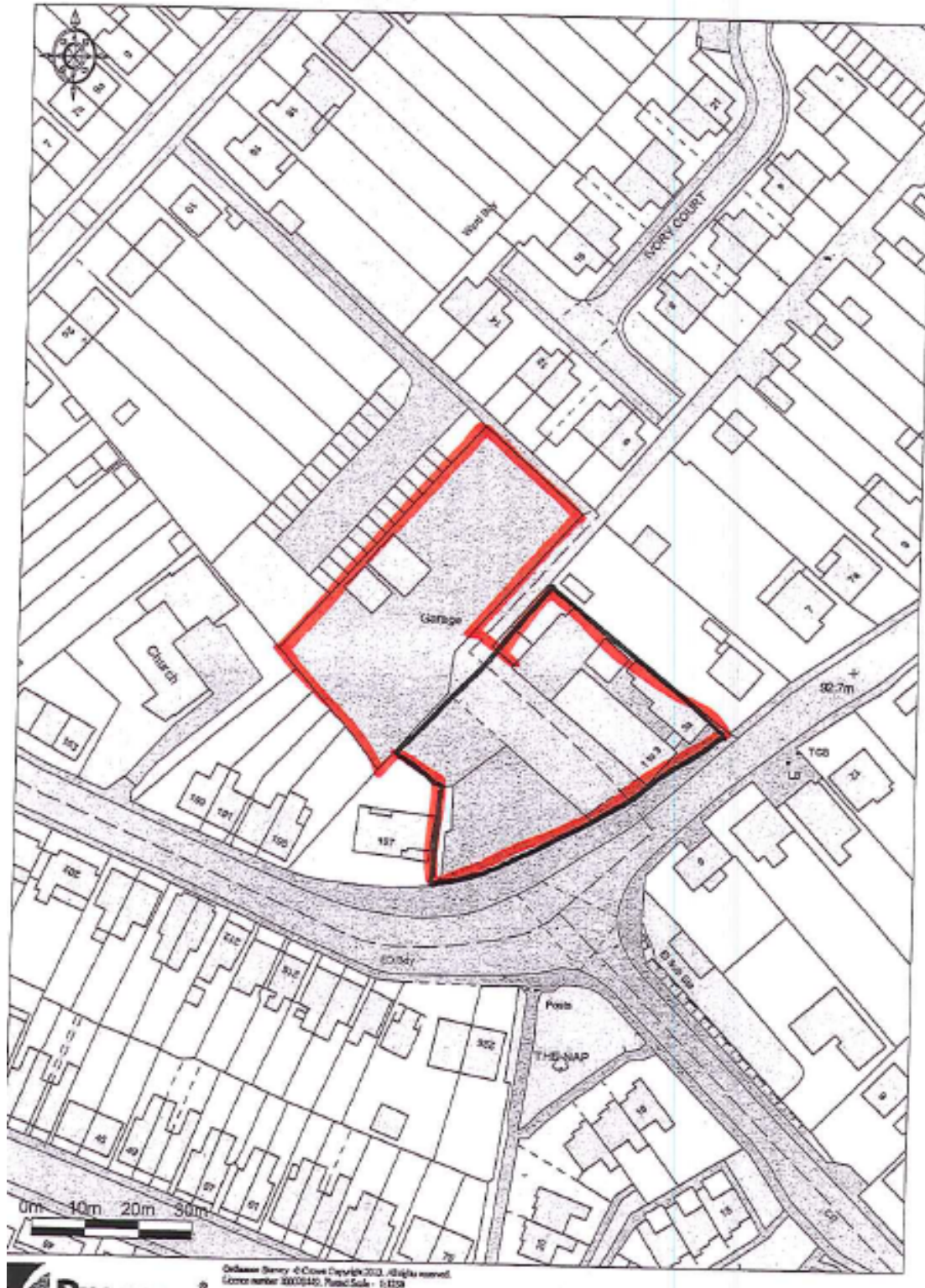
13022.02

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

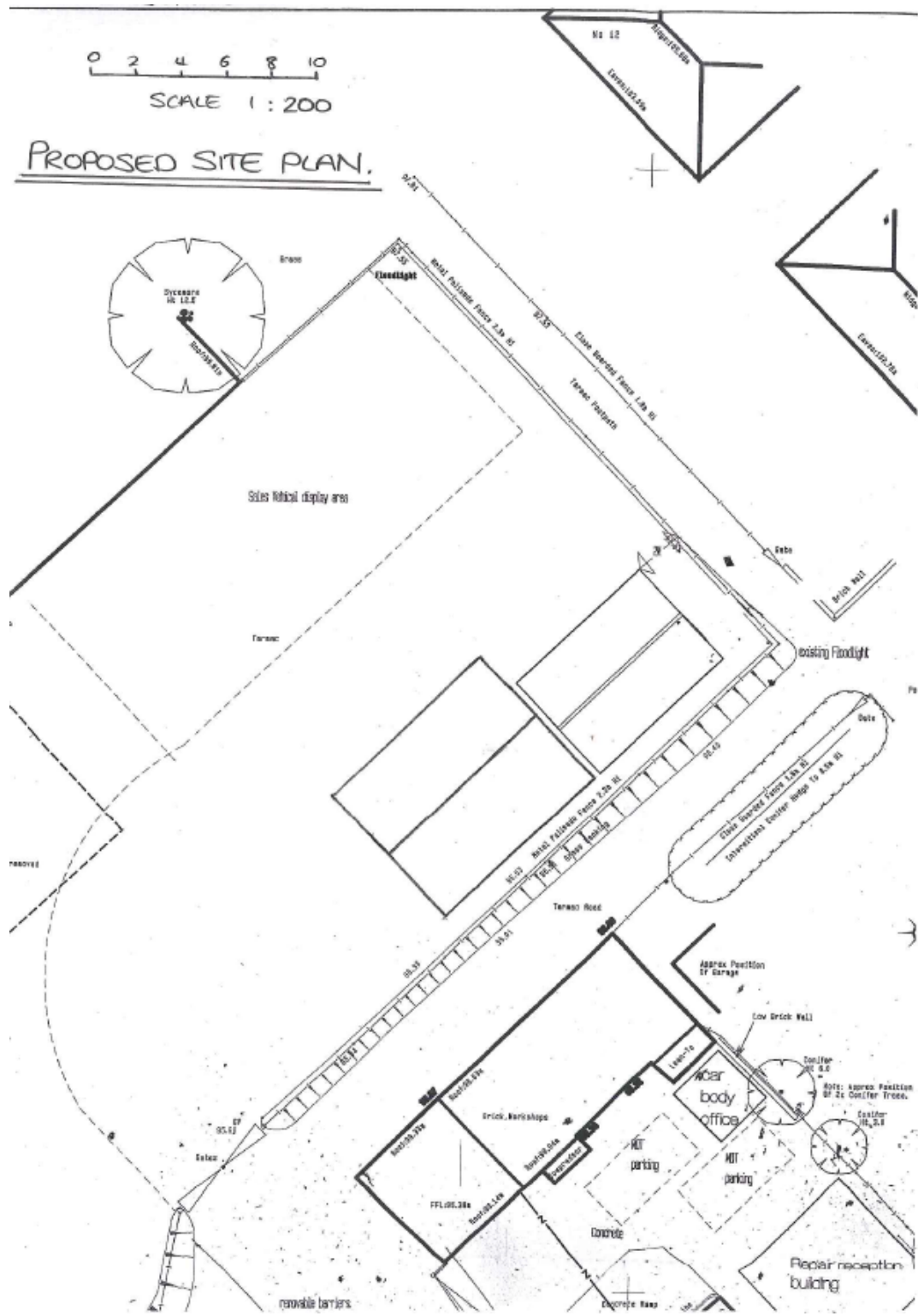
Article 31 Statement

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.

Item 5.6
4/01827/13/FUL - NEW WORKSHOP
NORTHRIDGE CARS, 1-3, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NG



Item 5.6
 4/01827/13/FUL - NEW WORKSHOP
 NORTHRIDGE CARS, 1-3, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NG



**5.6 4/01827/13/FUL - NEW WORKSHOP
NORTHRIDGE CARS, 1-3, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NG
APPLICANT: NORTHRIDGE CARS LTD**

[Case Officer - Michael Davey]

[Grid Ref - TL 06044 05750]

Summary

The application is recommended for approval.

The application relates to a used car showroom located on St. Albans Hill, Hemel Hempstead. The site includes car showrooms, forecourt parking and a fairly large yard to the rear of the site used for the valeting and maintenance of vehicles associated with the business.

A very similar application was approved in 2009 for a workshop to be used for cleaning and valeting vehicles, located close to neighbouring residential properties. A noise assessment report was undertaken following concerns relating to noise and disturbance which concluded that there would be no significant impact. As the currently proposed workshop is located further away from residential properties than the previous workshop and the applicant has confirmed the equipment to be used in the workshop is less noisy than that used in the previous workshop, the environmental health officer did not consider that the new workshop should require another noise assessment.

Site and Surroundings

This site is located on St Albans Hill with boundaries to the rear of dwellings in Lawn Lane, St Albans Hill and Ivory Court. It is on several levels stepping up the hill, with the proposed building located on the higher land on the easternmost corner of the site. This higher land is leased to the applicant by the Council and is used for vehicle sales, servicing, valeting and storage. There are low fences to boundaries on the west and a small amount of vegetation; to the eastern boundaries is metal palisade fencing. The site is bounded on the south-east by a public right of way giving access to the rear of properties in St Albans Hill; this in turn is accessed through the forecourt of the car showroom at 1-3 St Albans Hill which is leased by the applicant. It is bounded on the north-east by a footpath connecting through to Deaconsfield Road.

Proposals

The application proposes the construction of a new workshop building.

The new workshop building would be used for the purposes of maintaining vehicles associated with Northridge Cars. This building is associated with the recent application granted in 2009 for a new workshop on the site to be used for the purpose of valeting vehicles.

Referral to Committee

This application is before the committee as the land is in the ownership of Dacorum Borough Council.

Relevant History

4/01655/09/FUL - New Workshop

Relevant Policy

Dacorum Borough Local Plan 1991 - 2011

Appendix 1

Dacorum Core Strategy 2006 - 2031

NP1, CS1, CS4, CS16.

Constraints

Residential Area

Representations

Herts Highways

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Environmental Health

Due to the site's current and previous commercial/industrial use, there may be land contamination issues associated with this site. It would appear that the completed and proposed site works have involved and will involve minimal intrusive ground works. Additionally, buildings or hardstanding cover the vast majority of the site. As such, there are unlikely to be any significant land contamination issues with this proposal. Therefore I do not require a formal land contamination assessment for this development. However, I recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

Considerations

Policy and Principle

Development for businesses purposes is appropriate in residential areas provided it is compatible with its surroundings. As the proposed development is intended to support the established use on the site it is considered acceptable in principle. The proposal is intended to facilitate the continued use of the existing showroom and forecourt and would not result in additional visitors to the site.

Visual Impact / Impact on Street Scene

The proposed workshop is to be located within a service yard to the rear of the Northridge Cars site. The structure would not be seen from St. Albans Hill but there would be views of the building from the public footpath adjacent the site.

The visual impact of the new structure is not an issue given the context of the application site.

The proposed development is therefore in accordance with Adopted Core Strategy Policy CS12.

Impact on Neighbour Amenity

The proposed workshop building would be located a significant distance from neighbouring residential property such that it would not have the potential to result in loss of light, an overbearing appearance or visual intrusion. The proposals would not therefore give rise to any issues relating to neighbour amenity arising from the structure itself. Potential impact with regard to noise and disturbance associated with the use of the workshop has been considered separately.

Noise and Disturbance

The proposed workshop building is to be located further away from neighbouring residential properties than the workshop building previously approved. A noise assessment was undertaken in relation to the provision of the workshop previously approved, and concluded that no significant impact on neighbouring residential properties would be likely to occur. Provided that equipment and activities in the new workshop would be no louder than the workshop previously approved, the Environmental Health Officer concluded that a new noise report would not be required in order to assess whether a significant impact to neighbouring properties would arise as a result of the new workshop.

The applicants have provided details of the equipment to be used in the workshop and the activities likely to be undertaken in order to enable this assessment to be made:

'The proposed new building is going to be a "motor trade workshop" where vehicle preparation will be carried out, the work carried out in here will be the same as the work carried out in the current buildings on the land that we own adjacent. We are building the new workshop as we have outgrown the current ones.'

'There will be no excessively noisy machinery in this workshop just a vehicle hoist (ramp) and hand tools all of which are currently being used in the present buildings.'

With regards to the above clarification provided by the applicant there is to be no new concerns with regards to noise and disturbance over and above the existing situation through the provision of the new workshop.

The proposed development is therefore in accordance with Adopted Core Strategy Policy CS12.

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

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

- 3 The development hereby permitted shall be carried out in accordance with the**

submitted Noise Impact Assessment by 'Soundsolution Consultants' (February 2010) for protecting the neighbouring dwellings from noise resulting from activities taking place in the new the workshop.

Reason: In the interests of the amenity of adjoining residents in accordance with CS12.

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

S1

S2

PL-01

PL-02

PL-03

PL-04

Noise Impact Assessment - Technical Report

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

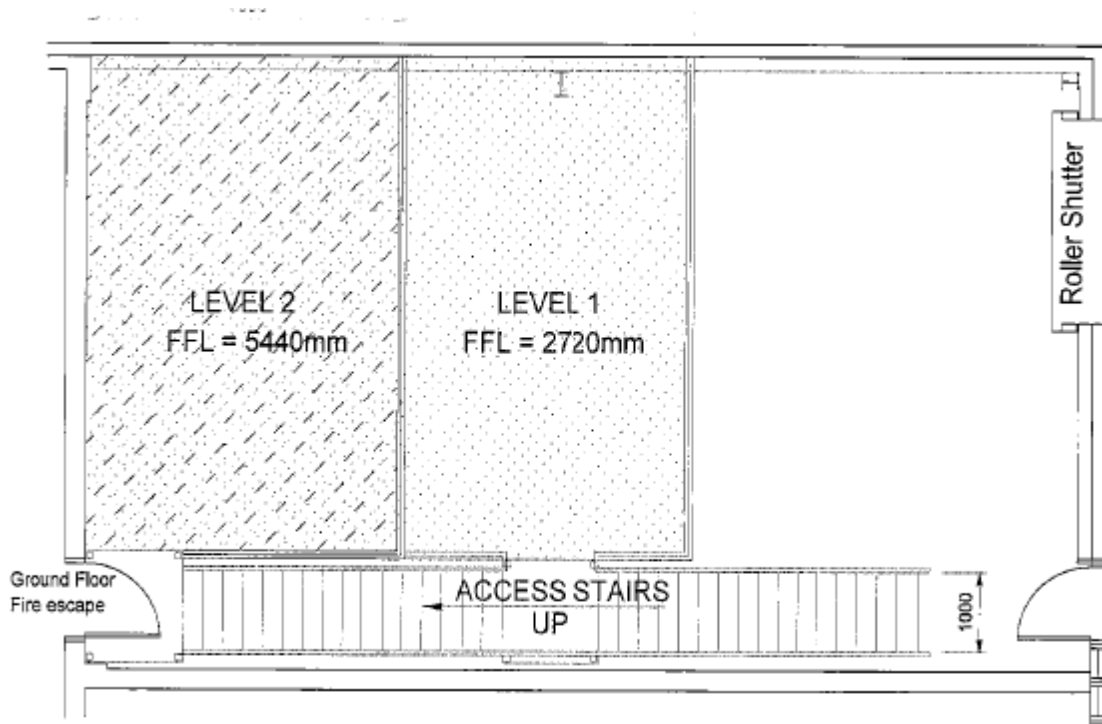
ARTICLE 31 STATEMENT:

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) (Amendment No. 2) Order 2012.

Item 5.7

4/01878/13/FUL - MEZZANINE FLOOR

UNIT 1, MAYLANDS BUSINESS CENTRE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2
7ES



12501

**5.7 4/01878/13/FUL - MEZZANINE FLOOR
UNIT 1, MAYLANDS BUSINESS CENTRE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2
7ES
APPLICANT: IGUANA CREATIVE SERVICES**

[Case Officer - Joan Reid]

[Grid Ref - TL 07337 09193]

Summary

The application is recommended for approval.

The site is located in an area where light industrial development is acceptable in principle in accordance with Policy CS4 and CS15 of the adopted Core Strategy. There would be no adverse effects on the appearance of the building or the appearance of the street scene. The amenity of adjoining neighbours would not be adversely affected. Car parking within the site is adequate. The proposals therefore accord with Policies CS4, CS12 and CS15 of the Core Strategy.

Site Description

The application relates to a unit within the industrial centre building on the Maylands Business Centre site. Maylands Business Centre is a DBC led business development centre providing business premises for small to medium sized developing businesses within the local area. The front building provides office space and meeting venues. The rear building provides small industrial units for slightly heavier industry. The application relates to a unit within the rear building, situated to the south side of the building. Car parking for the units is provided on site and managed on site. Access to the unit is from the Redbourn Road.

Proposal

The application seeks planning permission to insert a mezzanine floor within Unit 1 of the Maylands Business Centre. The mezzanine would create approximately 65sq.m of additional floor space within the unit for office use (Use Class B1). The building will be used between the hours of 9 to 5 during week days.

Referral to Committee

The application is referred to the Development Control Committee as the development is located on Council owned land.

Planning History

4/01804/09/MFA DEMOLITION OF EXISTING WAREHOUSE AND OFFICE UNIT, CONSTRUCTION OF INNOVATION CENTRE, SINGLE STOREY INCUBATOR UNITS, INDUSTRIAL WAREHOUSE UNIT WITH ANCILLARY FIRST FLOOR OFFICES WITH ASSOCIATED YARDS, CAR AND CYCLE PARKING. PROVISION OF NEW VEHICULAR ACCESS, FOOTWAY IMPROVEMENTS AND LANDSCAPING

Granted

25/01/2010

4/01188/10/NM NON-MATERIAL AMENDMENT TO PLANNING PERMISSION
A 4/01804/09/MFA (DEMOLITION OF EXISTING WAREHOUSE AND OFFICE UNIT, CONSTRUCTION OF INNOVATION CENTRE, SINGLE STOREY INCUBATOR UNITS, INDUSTRIAL WAREHOUSE UNIT WITH ANCILLARY FIRST FLOOR OFFICES WITH ASSOCIATED YARDS, CAR

AND CYCLE PARKING. PROVISION OF NEW VEHICULAR ACCESS,
FOOTWAY IMPROVEMENTS AND LANDSCAPING)
Granted
23/07/2010

Policies

National Policy Guidance

National Planning Policy Framework

Dacorum Borough Core Strategy

Policies NP1,CS1, CS4, CS12, CS14, CS15, CS29, CS30, CS31, CS32

Supplementary Planning Guidance

Accessibility Zones for the Application of Parking Standards

Representations

Response to Neighbour Notification

None received

Considerations

Policy and Principle

The principle of additional floorspace for light industrial uses or uses ancillary is considered appropriate for the site in accordance with policy CS15 whereby the policy states that development for small business will be encouraged.

Effects on appearance of building

There is no impact on the appearance of the building. All changes are internal.

Impact on Street Scene

There is no impact on the street scene, all changes are internal.

Impact on Neighbours

There are no residential properties within close proximity of this development that could be affected. The additional floorspace is at first floor, but no new window openings are required. There would be no material increase in use or noise emission from the development as a result of the development.

Parking and Highways

Appendix 5 of the local plan sets a maximum standard of 1 space per 35sq.m (gfa) There are 3 spaces available for this unit which will not change as a result of the proposals. The existing unit measures 90sq.m and as a result of the mezzanine this will increase to 155sq.m which would equate to a maximum demand of 4.4 car parking spaces. The existing provision of 3 spaces is below this maximum standard, however, it is considered that a refusal based on parking could not be sustained. The parking at Maylands business park is managed on site

and if spaces are not available within the site, staff and visitors are advised to park at the nearby Grovehill/woodhall adventure playground car park.

There will not be any alterations to the existing access arrangements as a result of the development.

Sustainability

Policy CS29 of the adopted core strategy requires all development to be sustainable. Due to the extent of the works, it is considered that the building would adhere to sustainable requirements of policy CS29 where applicable. There would be little waste during construction as materials would be ordered to measure and no demolition works are proposed. There would be no change to the means of water supply, surface water etc and the building works would utilise the existing sustainable measures already in place within the Maylands business centre. All lighting will be LED lighting.

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

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

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

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

Site Location Plan 1
Site Location Plan 2
Drawing No.4298-1
Plan unit 1 A
Plan unit 1 B

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

Article 31 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) (Amendment No. 2) Order 2012.

Item 5.8

4/01909/13/FUL - CONVERSION OF EXISTING OFFICE TO ONE-BEDROOM TEMPORARY ACCOMODATION. CONSTRUCTION OF SEMI-PERMANENT BUILDING IN GROUNDS TO PROVIDE OFFICE FACILITIES.

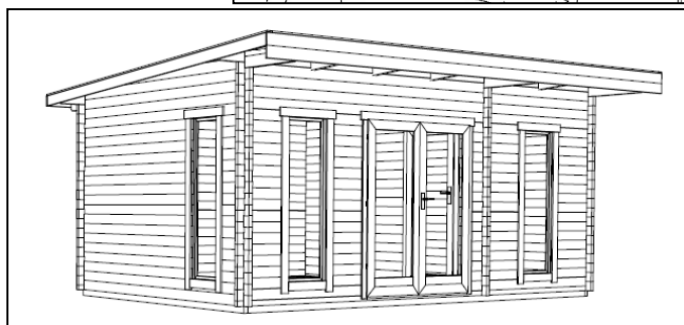
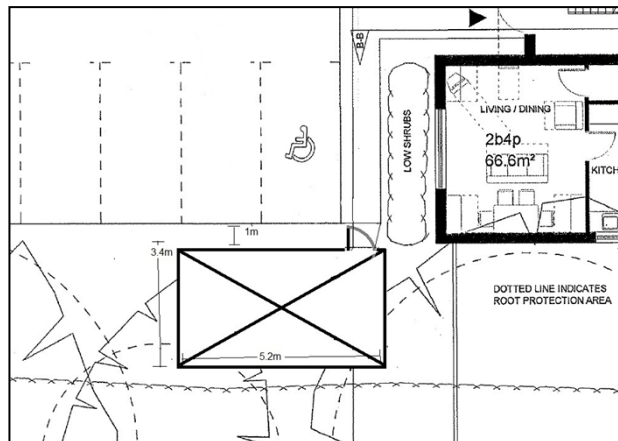
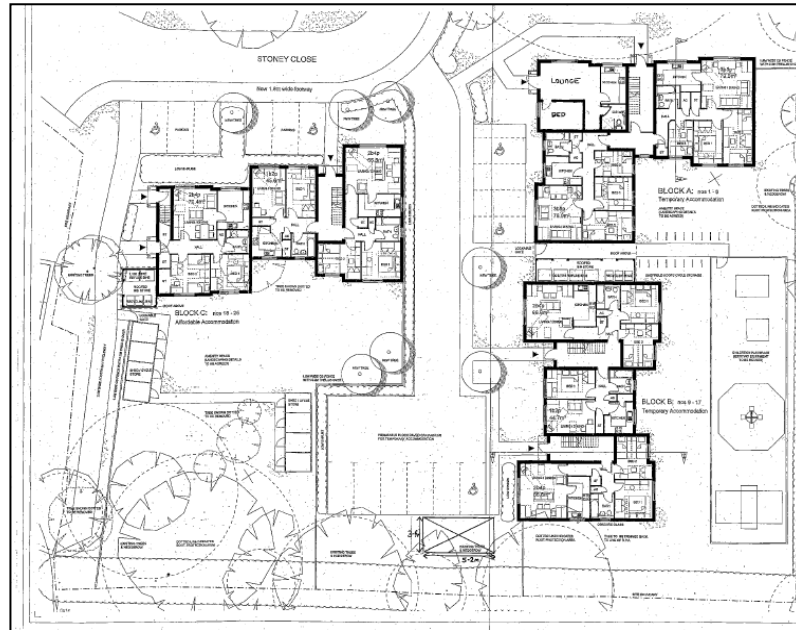
THE CHILTERN, STONEY CLOSE, NORTHCHURCH, BERKHAMSTED, HP4



Item 5.8

4/01909/13/FUL - CONVERSION OF EXISTING OFFICE TO ONE-BEDROOM TEMPORARY ACCOMMODATION. CONSTRUCTION OF SEMI-PERMANENT BUILDING IN GROUNDS TO PROVIDE OFFICE FACILITIES.

THE CHILTERN, STONEY CLOSE, NORTHCHURCH, BERKHAMSTED, HP4



5.8 4/01909/13/FUL - CONVERSION OF EXISTING OFFICE TO ONE-BEDROOM TEMPORARY ACCOMODATION. CONSTRUCTION OF SEMI-PERMANENT BUILDING IN GROUNDS TO PROVIDE OFFICE FACILITIES.

**THE CHILTERN, STONEY CLOSE, NORTHCHURCH, BERKHAMSTED, HP4
APPLICANT: HOUSING & REGENERATION**

[Case Officer - Intan Keen]

[Grid Ref - **SP 97653 08549**]

Summary

The application is recommended for approval.

The proposed conversion of the existing office to create one one-bedroom temporary accommodation (residential) unit would be acceptable in the site's location. The proposed outbuilding would also be acceptable in principle. The proposal represents an appropriate form of development and would not have any adverse implications on the site layout, or the appearance of the building and the street scene. The proposed conversion and development of the office outbuilding would not have an adverse impact on the amenity of neighbouring properties. The car parking arrangements are sufficient. The proposal is therefore in accordance with the National Planning Policy Framework, Policy CS12 of the Dacorum Core Strategy (September 2013), and saved Policies 19 and 99 of the Dacorum Borough Local Plan 1991-2011.

Site Description

The application site is currently occupied by a recent redevelopment comprising two three-storey apartment blocks accessed via a drive off the south-eastern side of Stoney Close and on the south-western side of High Street. Block A is located to the front of the application site proximate to the road frontage and contains an ancillary office at ground floor level. (The redevelopment area also included Block C to the west, however this building and surrounding amenity space does not form part of the application site.) Landscaping in the form of large and mature trees exist along the site's rear boundary. Car parking areas are scattered throughout the application site.

Proposal

Planning permission is sought for the conversion of an existing office at ground floor level to Block A to create one one-bedroom temporary accommodation residential unit. The internal layout would be altered however no external changes to the building are proposed.

It is also proposed to construct a single storey detached outbuilding at the rear of the site proximate to Block B to accommodate the relocated office facility (used for processing housing claims and associated admin with the housing block). The proposed outbuilding would have maximum dimensions of 5.2m in width and 3.4m in depth, with a 0.8m deep canopy overhang. It would feature a shallow monopitch roof to a maximum height of 2.62m. This outbuilding would be accessed by an existing pathway within the site.

Referral to Committee

The application is referred to the Development Control Committee as the application site comprises Council owned land.

Planning History

Application 4/02807/06/MFA for demolition of buildings and construction of 25 flats and one office in three blocks and improvements to Stoney Close (amended scheme) was granted on

12 March 2007.

Policies

National Policy Guidance

National Planning Policy Framework

Core Strategy

Policies NP1, CS1, CS4, CS12, CS17, CS18, CS29 and CS31

Dacorum Borough Local Plan (saved policies)

Policies 13, 18, 19, 21, 58 and 99
Appendices 1, 3 and 5

Supplementary Planning Guidance (saved)

Residential Character Area BCA16 - Durrants
Accessibility Zones for the Application of Parking Standards

Representations

Neighbours

Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17 and 18 The Chilterns, Nos. 1, 2, 3, 4, 5, 6, 7 and 8 Cherry Laurel Court, Nos. 6, 8, 10, 12, 14 and 16 Loxley Road, Westfield First School on Durrants Lane, and Nos. 2, 4, 6, 8 and 10 Lochnell Road were notified on 25 October 2013.

Two items of correspondence were received on 4 and 18 November 2013 from Town Amenities Sub-Committee of Berkhamsted Citizens Association raising the following concerns:

- No reasons for the increase in the level of accommodation since the original development (five years ago) have been provided;
- No additional car parking provision to offset the additional unit;
- The additional unit on the site will make it look scruffy and over-crowded;
- The proposal would set an undesirable precedent for the Chilterns development.

Berkhamsted Town Council

No objection.

Hertfordshire Highways

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Trees and Woodlands

No response received at the time of writing this report.

Considerations

The main issues of relevance to the consideration of this application relate to the policy and principle justification for the proposed change of use and detached office building, the impact of the development on the site layout and the character and appearance of the original building and the street scene, the impact on neighbouring properties, and the impact on car parking.

Policy and Principle

The application site is located within the town of Berkhamsted where appropriate residential development is encouraged. Additionally, the site is located within an established residential area (noting previous approval for the existing residential buildings on the application site) and as such the proposed residential conversion resulting in the addition of one new residential unit is supported in principle.

Saved Policy 19 of the Local Plan states that the conversion of buildings (other than houses) to incorporate flats or houses will be permitted in town centres, subject to an appropriate mix and balance with other uses being achieved. As the conversion would take place within an existing residential complex the proposed use would be compatible with its immediate surroundings.

The proposed office ancillary to the temporary accommodation unit is also a recognised use within town centres and its relocation therefore would not raise any policy objections. It is also noted that an existing ancillary office exists on the site and its relocation to a new building is currently proposed.

Policy CS4 of the Core Strategy states that in town centres, non-residential development for small-scale social, community, leisure and business purposes is encouraged. Therefore the principle of development to accommodate the relocated office within the site is acceptable.

The proposal is considered to generally accord with sustainable design and construction and water management objectives under Policies CS29 and CS31 of the Core Strategy, noting the proposal comprises a minor alteration to the wider site. A statement has been provided demonstrating the proposal's compliance with Policy CS29 noting that the office outbuilding would be constructed of sustainable timber and appropriate levels of insulation would be achieved. In this instance, it is not considered necessary for one additional tree to be planted for the proposed conversion, noting that a comprehensive landscaping scheme for the wider site appears to have been established during the construction of the existing development.

Impact on site layout, appearance of original building and street scene

The proposed conversion of the existing office within Block A (located proximate to the Stoney Close frontage) would not result in any external changes. The activity associated with the change of use would not be dissimilar to the remainder of residential units within the host building and the other two buildings. This element of the proposal therefore would not have an adverse impact on the appearance of the original building or the street scene.

The layout of the proposed residential unit would be convenient in terms of layout and with similar room dimensions to other units within the building. The unit would be self-contained as the existing external access would be utilised. Adequate amenities would be provided to the proposed unit noting it would share the same level of facilities as other existing residential units within the block. Refuse disposal facilities and access to outdoor amenity space available to the proposed unit is available within the site. It would appear that sufficient drying areas are available internally. The proposal therefore demonstrates compliance with saved Policy 19 of the Local Plan.

The introduction of a residential shed-type building proximate to the rear boundary of the site

would be acceptable in terms of the site layout and its design. The proposed office outbuilding would not result in an overly cramped layout, and sufficient areas around the building would be maintained to ensure it is easily accessible. The proposed outbuilding would be a low level structure so that it is subservient to the main buildings. Proposed external materials of timber would be akin to that of a garden shed expected in a residential area and is considered appropriate.

The proposed outbuilding would be supported by a base slab, avoiding the need for deep foundations. Advice from the applicant is that the support slab for the proposed outbuilding would not have a deep penetration beneath existing ground level, so that the health of nearby trees would not be seriously compromised. The retention of the site's landscaped character and the group of mature trees proximate to the site's south-western (rear) boundary is supported.

The siting of the proposed outbuilding at the end of the drive and rearmost parking area would achieve a substantial setback of over 35m from the road frontage. Together with its single storey nature and limited dimensions, the development would not detract from the appearance of the street scene.

In summary, the proposal would represent an appropriate form of development that would not compromise the site layout or the appearance of the original buildings or the street scene in accordance with the NPPF, Policy CS12 of the Core Strategy and saved Policy 99 of the Local Plan.

Impact on neighbouring properties

The proposed conversion to create one new residential unit within Block A would not have an adverse impact on the amenity of neighbouring properties. No alterations to openings are proposed as the new dwelling would rely on existing openings to serve its habitable rooms. As such, no concerns would be raised with respect to visual intrusion, loss of light or overlooking.

The proposed office outbuilding proximate to the site's rear (south-western) boundary would be located opposite the rear gardens of dwellings on Loxley Road. The single storey scale of the development would ensure it would not be visually intrusive from the perspective of these properties. The proposed outbuilding would front a row of parking bays with all openings facing in a north-easterly direction towards Stoney Close to alleviate any issues with respect to overlooking. The development would not have an adverse impact with respect to loss of light to surrounding residential properties.

The proposed outbuilding would be located due south and proximate to a ground floor lounge / dining room to one of the units within Block B. This window does not have a direct outlook towards the siting of the proposed outbuilding. The outbuilding would have a maximum height of 2.62m, and would be set back behind the rear wall of Block B. Due to the width of this window to Block B, together with the open nature of the area immediately in front, it is not considered the development would have a detrimental impact on the amenity of this dwelling in terms of visual intrusion or loss of light.

As such, the proposal accords with Policy CS12 (c) of the Core Strategy.

Impact on car parking

The application site (excluding Block C and associated parking area) contains a total of 10 car parking spaces, five of which are disabled spaces. The level of parking provision at 0.5 spaces per dwelling was considered sufficient under the original application (reference 4/02807/06/MFA) for temporary accommodation based upon a record of the car ownership of occupants of the previous temporary accommodation on the site. The report associated with

the original application continued to state that car ownership levels on this part of the site are expected to be reduced from usual levels due to the likelihood of occupants of temporary accommodation being in a lower income bracket. It was also considered that a reduction in parking provision is also acceptable due to the high accessibility of the site to public transport, shops, jobs and services. The total provision for the temporary accommodation currently comprising 17 flats is nine spaces including two disabled parking bays. These car parking spaces fall within the boundaries of the application site under the current application.

The proposal involves the addition of one (one-bedroom) flat for temporary accommodation which would increase the total number of flats on the application site to 18 units. When applying the above parking standard of 0.5 spaces per flat for temporary accommodation, nine parking spaces would be required. This is the current level of parking provision on the application site allocated to the temporary accommodation use.

The report associated with the original application (4/02807/06/FMFA) acknowledged that the remaining one space within the application site would serve the office. The relocated office would result in a reduction in floor area (from 45m² to 17.7m²). The proposed office would therefore technically generate a lower amount of car parking in comparison to the existing.

It follows that the car parking arrangements are sufficient.

Planning Obligations

Supplementary Planning Document - Planning Obligations states that standard charges for the provision or improvement of facilities and infrastructure would be applied to residential developments. These planning obligations are applicable only where there is an increase in units or occupancy which would result in a development impact. This echoes the aims of saved Policy 13 of the Local Plan which states that planning obligations will be used where necessary to control and meet the adverse effects of development proposals. Standard financial contributions would not be required if it can be demonstrated that a proposal would not result in an adverse effect on local facilities and infrastructure.

The proposal would result in the increase of units and as a result an increase in occupancy (through the creation of one one-bedroom unit). The proposed residential unit would be operated in the same way as the existing units in Block A, specifically it would be used as temporary accommodation where occupants would stay up to approximately six weeks and then would be moved elsewhere in the Borough. The household would not necessarily remain in the local area or within Berkhamsted. It is also not anticipated that all occupants of the proposed unit would be previous residents of the local area or of Berkhamsted.

The intended residents of the proposed unit would not therefore be present on a permanent or semi-permanent basis. Due to the length of time of occupancy and the types of households for which the proposed unit would be intended, the proposal would not place additional pressures on local infrastructures and facilities. Therefore, the proposed unit and occupancy would not result in a development impact for the purposes of applying saved Policy 13 of the Local Plan and Supplementary Planning Document - Planning Obligations. As such it is not considered necessary to seek financial contributions through a Section 106 agreement in this instance.

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 **This permission extends to the provision of one unit to provide temporary accommodation for persons that are homeless or at risk of homelessness under the statutory provisions of the Housing Act 1996.**

Reason: For the avoidance of doubt.

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the submitted specification brochure (received 16 October 2013) and letter dated 13 November 2013 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 Dacorum Core Strategy (September 2013).

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

**Site Location Plan (no reference) received 16 October 2013;
Existing Block and Ground Floor Plan (no reference) received 16 October 2013;
Proposed Block and Ground Floor Plan (no reference) received 16 October 2013;
Proposed Office Plan (no reference) received 13 November 2013;
Barbados 1 Specification Brochure received 16 October 2013;
Letter dated 13 November 2013; and
Policy 29 Checklist dated 14 November 2013.**

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

NOTE 1:

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively 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.

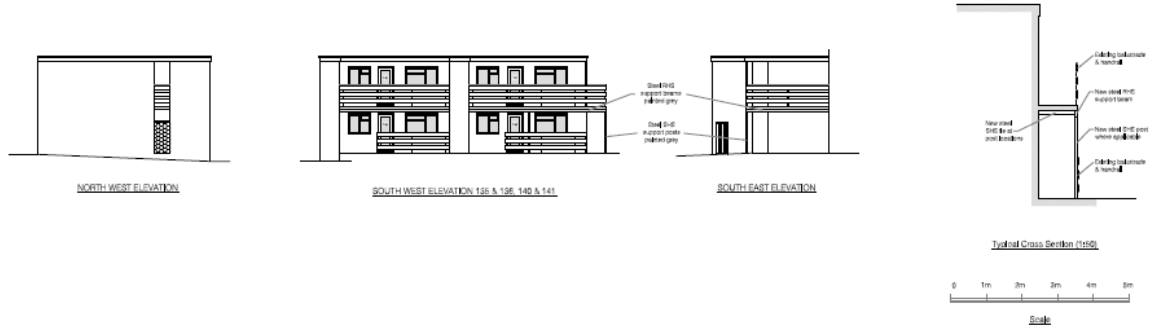
Item 5.9

4/01855/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
121 - 144, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NH



Item 5.9

**4/01855/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
121 - 144, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NH**



**5.9 4/01855/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
121 - 144, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9NH
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Joan Reid]

[Grid Ref - TL 06444 06173]

Summary

The application is recommended for approval.

Site Description

The application site is located to the north of St Albans Hill and south of Wheelers Lane and comprises three two storey blocks of residential units and 8 garages under numbers 131-134 St Albans Hill.

Proposal

The application seeks planning permission for the erection of support beams to the walkways

135-141 - insertion of supporting post between the door of no.136 and the window and a second post to corner of the wrap around walkway and supporting beam under the walkways 137-139 and 142 -144 - insertion of insertion of supporting beam under the walkways and a steel support to the corner of no.139.

121-130 (all residential) - insertion of support beam painted grey under each walkway;

131-132 (maisonette with garages below - garage doors are up and over doors) - insertion of supporting beams under walkways and two cantilever support brackets to the end of the block.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13
Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

**Site Location Plan
13120/P11/01**

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

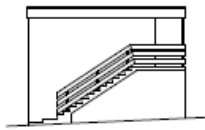
Item 5.10

**4/01924/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
16 - 22, RANDALLS RIDE, HEMEL HEMPSTEAD, HP2 5AQ**

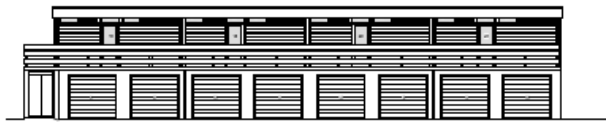


Item 5.10

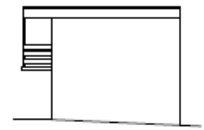
**4/01924/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
16 - 22, RANDALLS RIDE, HEMEL HEMPSTEAD, HP2 5AQ**



NORTH EAST ELEVATION AS EXISTING

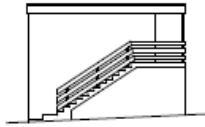


NORTH WEST ELEVATION AS EXISTING

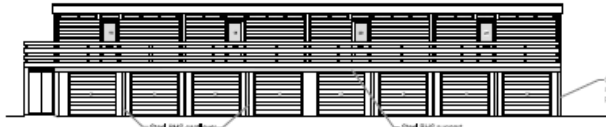


SOUTH WEST ELEVATION AS EXISTING

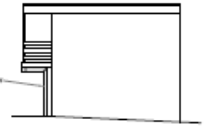
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Scale



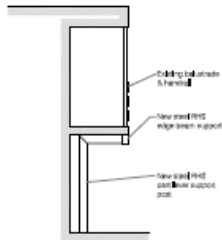
NORTH EAST ELEVATION AS EXISTING



NORTH WEST ELEVATION AS EXISTING



SOUTH WEST ELEVATION AS EXISTING



Typical Cross Section (1:20)

**5.10 4/01924/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
16 - 22, RANDALLS RIDE, HEMEL HEMPSTEAD, HP2 5AQ
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Patrick Doyle]

[Grid Ref - TL 06027 08055]

Summary

The application is recommended for approval.

Site Description

The application site comprises properties from 16 to 22 Pudding Lane which are first floor maisonettes all with walkways allowing access to the properties on the first floor. The ground floor of the building is occupied by garages and storage space. The properties are located within a single block adjacent the junction with Bowyers.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways. The supports are steel beams and steel SHS (Square Hollow Sections) posts which are to be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

[Location plan](#)
[13120/P10/01](#)

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

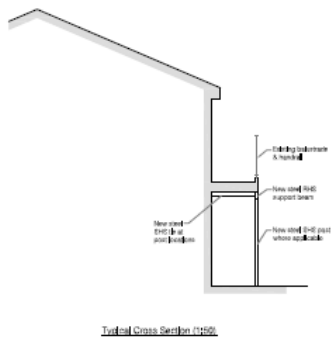
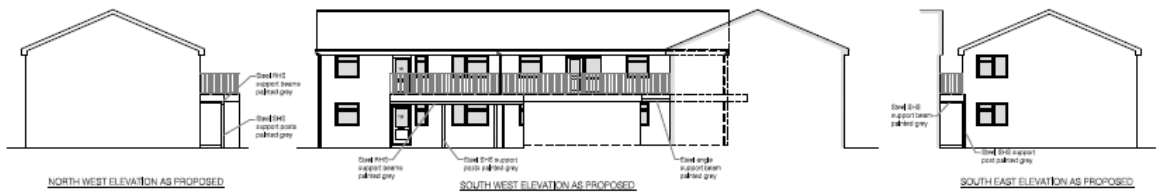
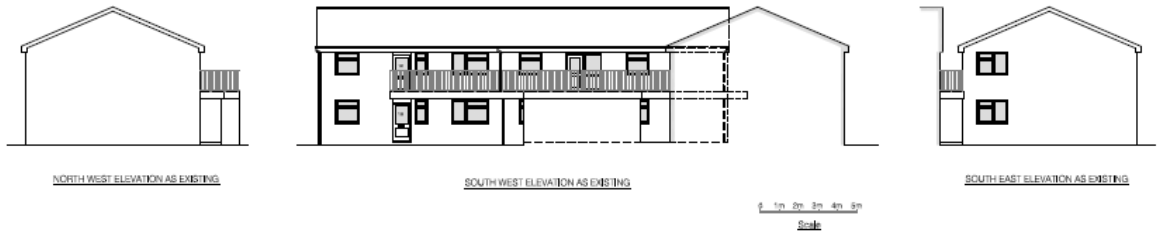
Item 5.11

**4/01862/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
131 - 141, SATURN WAY, HEMEL HEMPSTEAD, HP2 5PE**



Item 5.11

**4/01862/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
131 - 141, SATURN WAY, HEMEL HEMPSTEAD, HP2 5PE**



**5.11 4/01862/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
131 - 141, SATURN WAY, HEMEL HEMPSTEAD, HP2 5PE
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Joan Reid]

[Grid Ref - TL 07031 08742]

Summary

The application is recommended for approval.

Site Description

The application site comprises a block of residential units which has residential flats on both the ground floor and the first floor. There are two blocks of flats perpendicular to each other, and the supports to the walkways are proposed to the west elevation of the northern block of flats. The site itself is located to the north of Saturn Way, adjacent to Yewtree Woods and open land to the east.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the residential flats at 131-141 Saturn Way. The steel posts will be positioned forward of the walls to allow space for rainwater goods, lighting etc. New steel ties are proposed to reinforce the walkways at the new posts and a new steel support beam is proposed to run along the underside of the walkway.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recently

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13
Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the residential units. The posts would be positioned between the doors and windows and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures would not significantly alter the character or appearance of the flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents and there would not be any loss of privacy, sunlight or visual amenity for the neighbours. The posts have been positioned to avoid

any significant visual intrusion or loss of light. The posts should not impede access to any of the flats.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the residential accommodation and would not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

**Site Location Plan
13120/P14/01**

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with policy CS12 of the adopted core strategy.

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

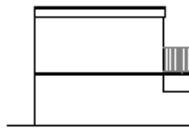
Item 5.12

**4/01927/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAY.
23-26, ST. MARGARETS WAY, HEMEL HEMPSTEAD, HP2**



Item 5.12

**4/01927/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAY.
23-26, ST. MARGARETS WAY, HEMEL HEMPSTEAD, HP2**

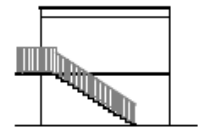


SOUTH EAST ELEVATION AS EXISTING

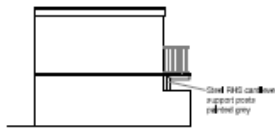


NORTH EAST ELEVATION AS EXISTING

0 1m 2m 3m 4m 5m
Scale



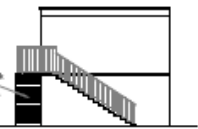
NORTH WEST ELEVATION AS EXISTING



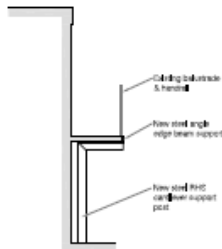
SOUTH EAST ELEVATION AS PROPOSED



NORTH EAST ELEVATION AS PROPOSED



NORTH WEST ELEVATION AS PROPOSED



Typical Cross Section (1:50)

**5.12 4/01927/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAY.
23-26, ST. MARGARETS WAY, HEMEL HEMPSTEAD, HP2
APPLICANT: Dacorum Borough Council**

[Case Officer - Joan Reid]

[Grid Ref - TL 08565 07099]

Summary

The application is recommended for approval.

Site Description

The application site comprises a row of 4 maisonettes above 7 garages, sited to the south west of St Margarets Way, within the residential area of Hemel Hempstead. The block itself is sited on a cul de sac and looks out onto an area of open land.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes. The supports comprise 9 steel posts and a new brick wall to support the landing where the access steps are located. Bricks of the wall are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the Council's maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a Council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable

to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site Location Plan 13120/P13/01

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

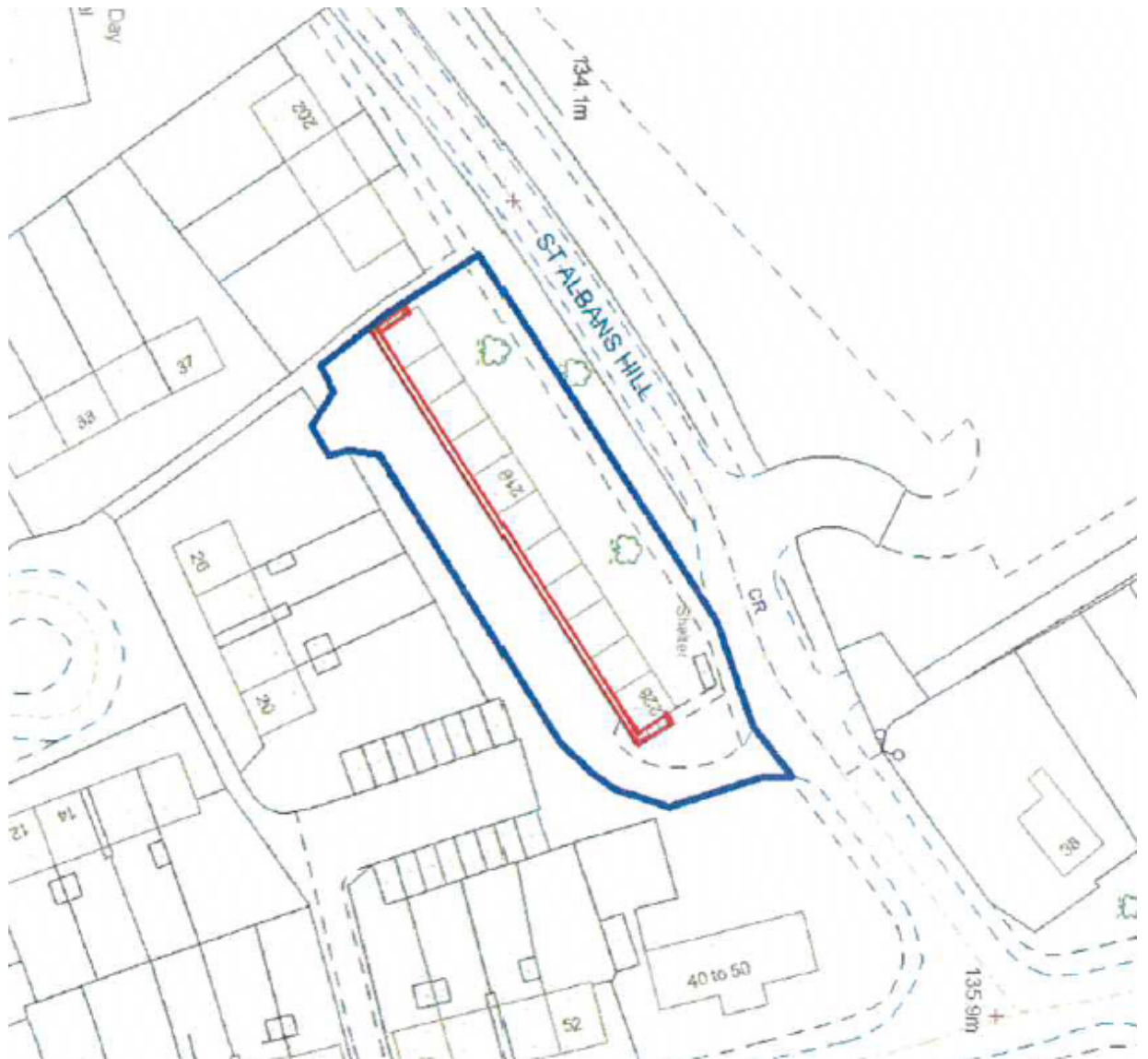
Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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 5.13

**4/01928/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
208 - 228, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9JW**



**5.13 4/01928/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
208 - 228, ST. ALBANS HILL, HEMEL HEMPSTEAD, HP3 9JW
APPLICANT: Dacorum Borough Council - Ms K Taylor**

[Case Officer - Joan Reid]

[Grid Ref - TL 06939 06546]

Summary

The application is recommended for approval.

Site Description

The application site comprises a row of 11 residential units on the first floor and 20 garages on the ground floor located to the south east of St Albans Hill.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes. The supports comprise 23 steel points to be painted grey and new brick walls to support the landing where the access steps are located at both ends of the block. Bricks of the wall are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posted to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the

highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 development hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy in accordance with policy CS12 of the adopted Core Strategy.

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

[Site Location Plan](#)
[13120/p1/01](#)

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

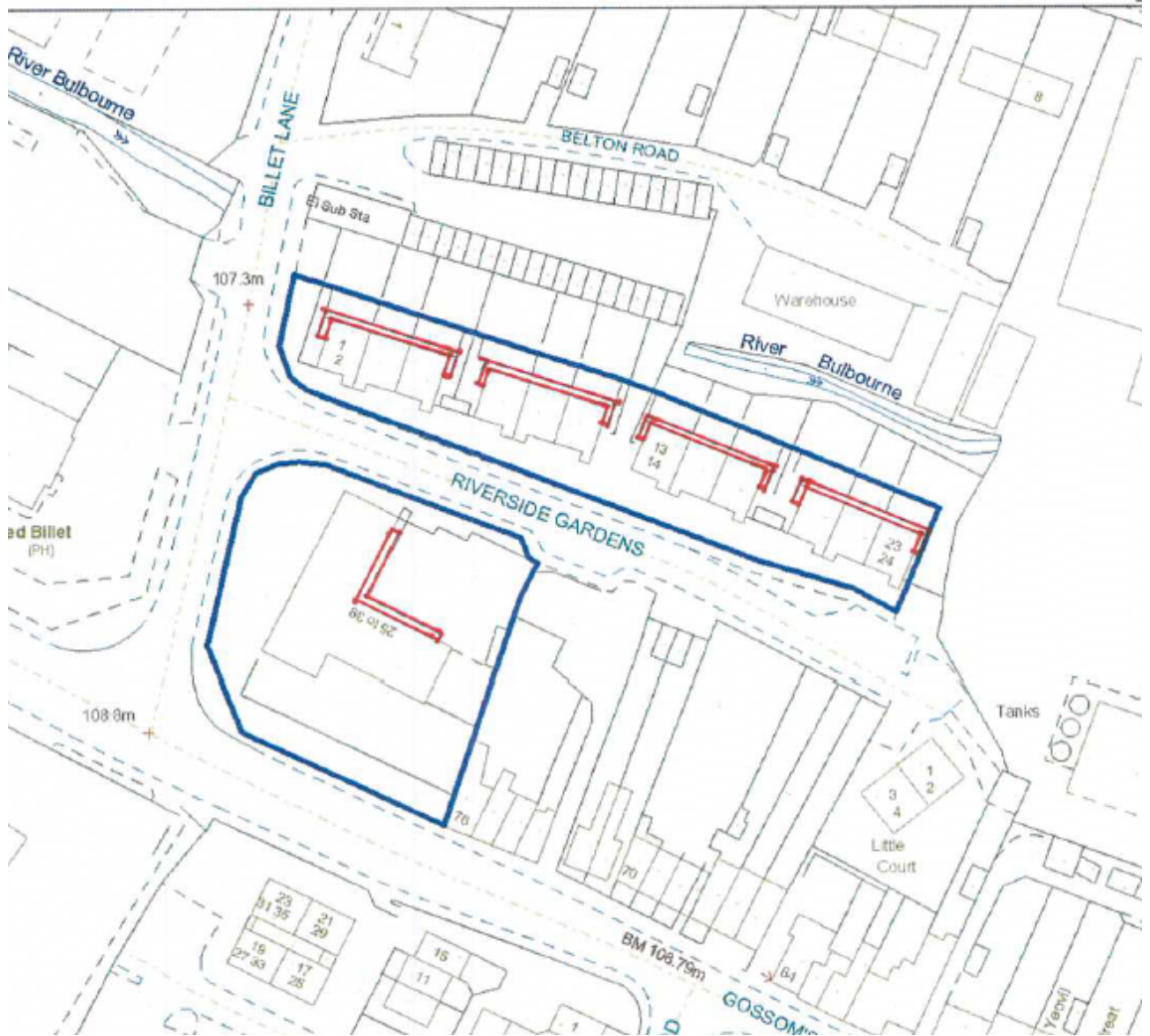
Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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 5.14
4/01845/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
1 - 39, RIVERSIDE GARDENS, BERKHAMSTED, HP4 1DN



Item 5.14

**4/01845/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
1 - 39, RIVERSIDE GARDENS, BERKHAMSTED, HP4 1DN**



**5.14 4/01845/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
1 - 39, RIVERSIDE GARDENS, BERKHAMSTED, HP4 1DN
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Joan Reid]

[Grid Ref - SP 98258 08364]

Summary

The application is recommended for approval.

Site Description

The application site comprises properties from 1 to 39 Riverside Gardens which are maisonettes all with walkways allowing access to the properties on the first floor. Numbers 25-39 Riverside Gardens are located within an 'L' shaped building which fronts onto the High Street and wraps around onto Billet Land. Numbers 1-24 are contained within four separate buildings which are located to the north of Riverside Gardens.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways to 1-39 Riverside Gardens. The supports are steel SHS (Square Hollow Sections) posts and installation of steel supports beams across the underside of the walkways. For properties 25-39 Riverside Gardens, the posts will extend up three storeys to enable support of the first floor and second floor walkways. The posts will be positioned on the outer edge of the walkways at intervals which would not be in front of any windows or doors. For properties at 1-24 Riverside Gardens, the posts will be positioned on the outer edge of the walkways on at ground floor level.

Planning History

None recently

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1,CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Berkhamsted wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the blocks of residential flats. The posts would be positioned between either the doors or windows. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the windows and doors would not significantly alter the character or appearance of the block of flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents and there would not be any loss of privacy, sunlight or visual amenity for the neighbours. In this case, due to the proposed positioning of the posts and beams, there would not be a significant harm to the amenities of the neighbouring property as posts have specifically been sited to avoid intrusion to windows and access to doors.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the flats and would not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

[13120/P11/02](#)
[13120/P11/03](#)
[Site Location](#)

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

Informative

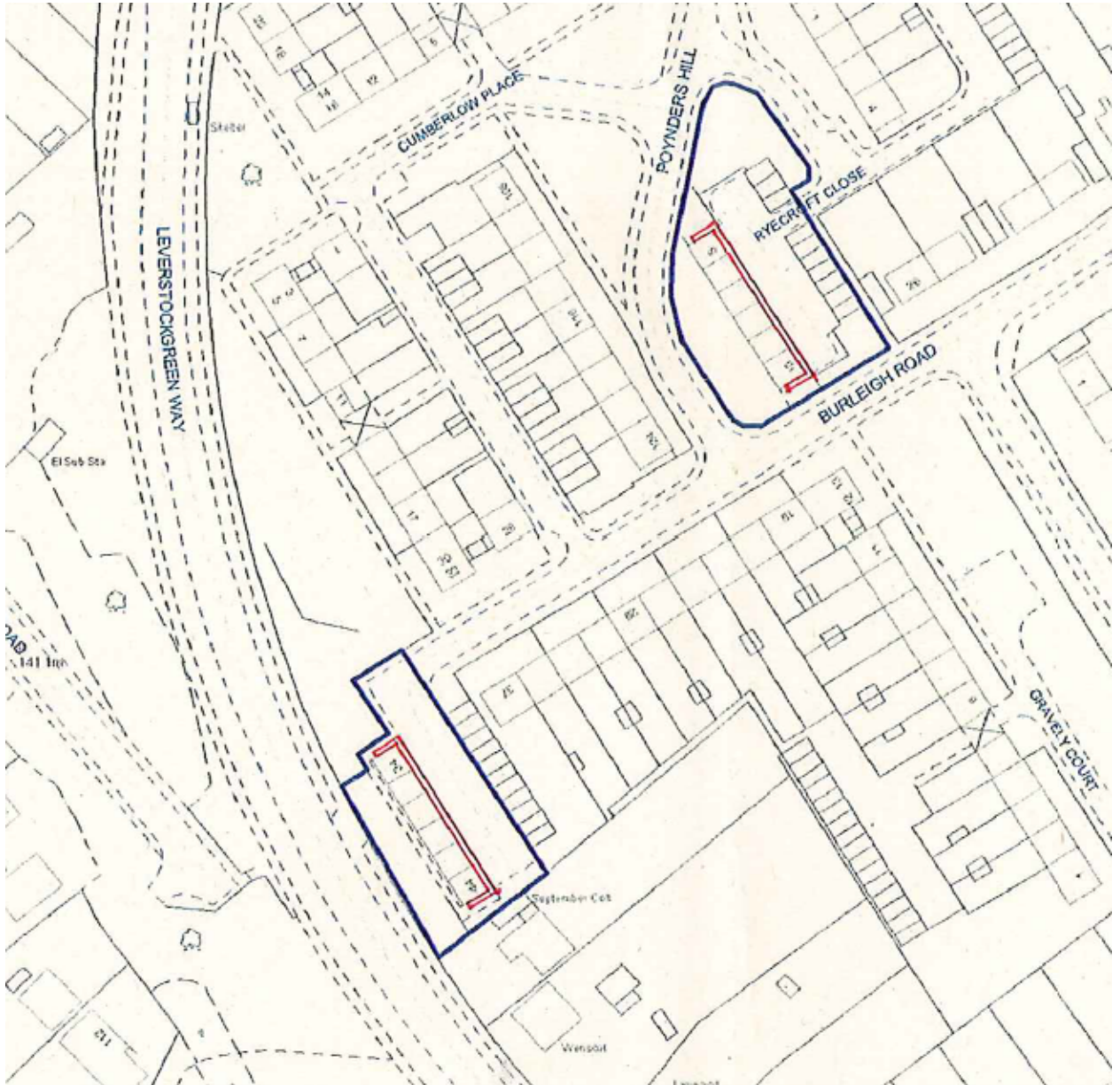
Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted proactively 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.

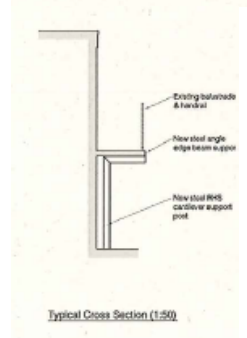
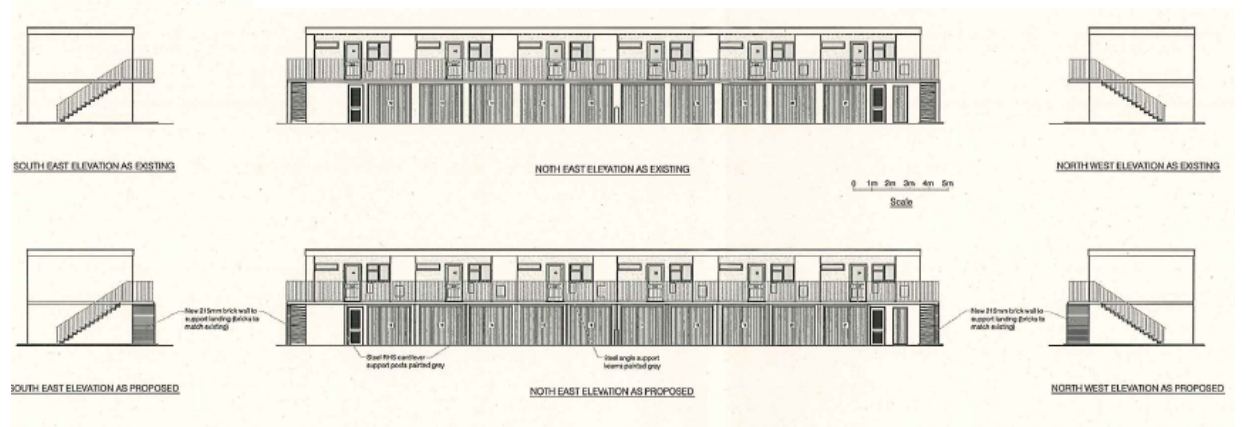
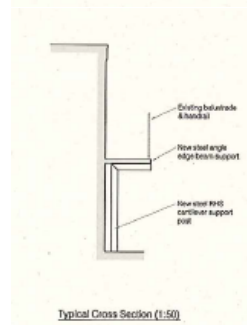
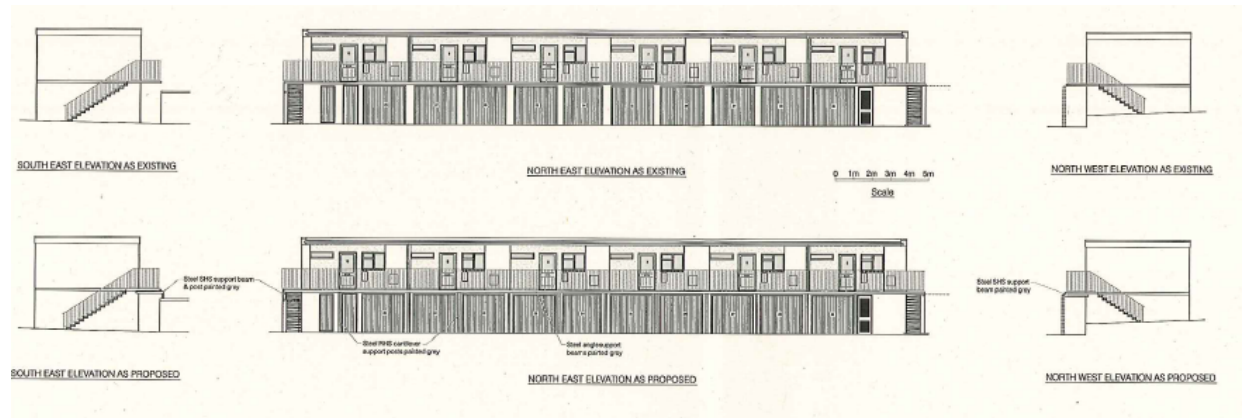
Item 5.15

**4/01929/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
5-10 RYECROFT CLOSE & 34-44, BURLEIGH ROAD, HEMEL HEMPSTEAD, HP2**



Item 5.15

**4/01929/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
5-10 RYECROFT CLOSE & 34-44, BURLEIGH ROAD, HEMEL HEMPSTEAD, HP2**



**5.15 4/01929/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
5-10 RYECROFT CLOSE & 34-44, BURLEIGH ROAD, HEMEL HEMPSTEAD, HP2
APPLICANT: DACORUM BOROUGH COUNCIL - MS.K. TAYLOR**

[Case Officer - Joan Reid]

[Grid Ref - TL 08171 06856]

Summary

The application is recommended for approval.

Site Description

The application relates to two separate garage and maisonette blocks. 5-10 Ryecroft Close is located to the west of Ryecroft Close on the corner with Poynders Hill and Burleigh Road. This row comprises 5 maisonettes above 10 garages.

34-44 Burleigh Road are a row of 6 maisonettes above 10 garages located to the west of Burleigh Road.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes to both blocks at Ryecroft Close and Burleigh Road.

Burleigh Road - comprises the installation of 11 structural supports and two new brick walls to the support landings at either end of the block.

Ryecroft Close - comprises the installation of 11 structural supports and two new brick walls to the support landings at either end of the block.

The supports comprise 9 steel points to be painted grey and a new brick wall to support the landing where the access steps are located. Bricks of the wall are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recently

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural post to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 development hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site Location Plan
13120/P12/02
1310/P12/01

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

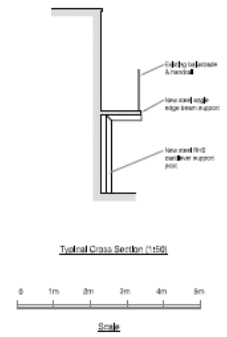
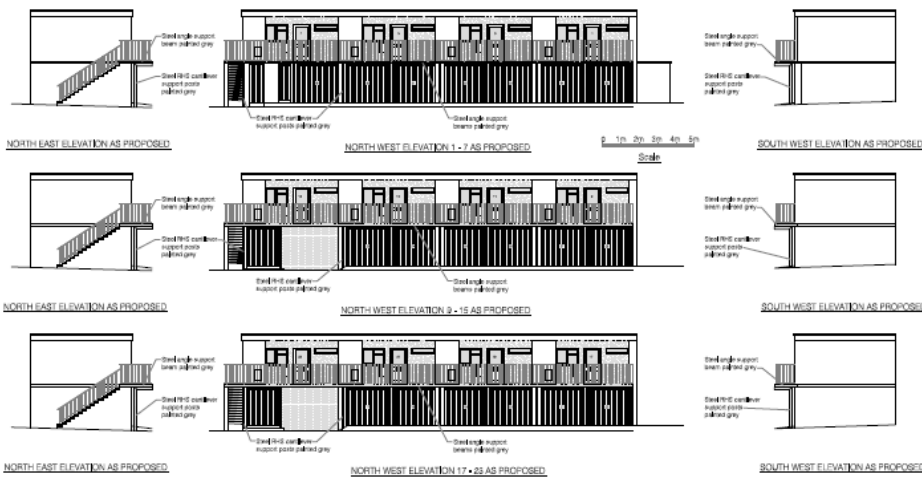
Item 5.16

**4/01933/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
1-23, DATCHWORTH TURN, HEMEL HEMPSTEAD, HP2 4NY**



Item 5.16

**4/01933/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
1-23, DATCHWORTH TURN, HEMEL HEMPSTEAD, HP2 4NY**



**5.16 4/01933/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
1-23, DATCHWORTH TURN, HEMEL HEMPSTEAD, HP2 4NY
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Patrick Doyle]

[Grid Ref - TL 08356 07270]

Summary

The application is recommended for approval.

Site Description

The application site comprises properties from 91 to 97 Chaulden House Gardens which are first floor maisonettes all with walkways allowing access to the properties on the first floor. The ground floor of the building is occupied by garages and storage space. The properties are located within 3 almost identical separate blocks which sit next to each other.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways. The supports are steel beams and steel SHS (Square Hollow Sections) posts which are to be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site Location Plan
13120/P2/01

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

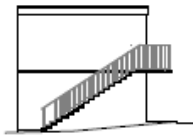
Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs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

Item 5.17
4/01900/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
74-80, LIME WALK, HEMEL HEMPSTEAD, HP3



Item 5.17

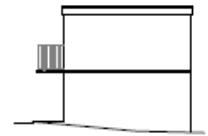
**4/01900/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
74-80, LIME WALK, HEMEL HEMPSTEAD, HP3**



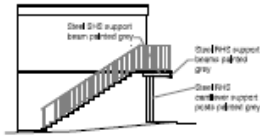
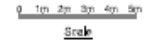
SOUTH ELEVATION AS EXISTING



EAST ELEVATION AS EXISTING



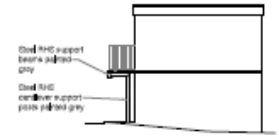
NORTH ELEVATION AS EXISTING



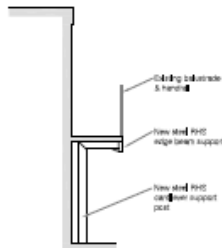
SOUTH ELEVATION AS PROPOSED



EAST ELEVATION AS PROPOSED



NORTH ELEVATION AS PROPOSED



Typical Cross Section (1:20)

**5.17 4/01900/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
74-80, LIME WALK, HEMEL HEMPSTEAD, HP3
APPLICANT: MS. K. TAYLOR**

[Case Officer - Patrick Doyle]

[Grid Ref - TL 06751 06197]

Summary

The application is recommended for approval.

Site Description

The application site comprises properties from 74 to 80 Lime Walk which are first floor maisonettes all with walkways allowing access to the properties on the first floor. The ground floor of the building is occupied by garages and storage space. The properties are located within a single block.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways. The supports are steel beams and steel SHS (Square Hollow Sections) posts which are to be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

[Location Plan](#)
13120/P6/01

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

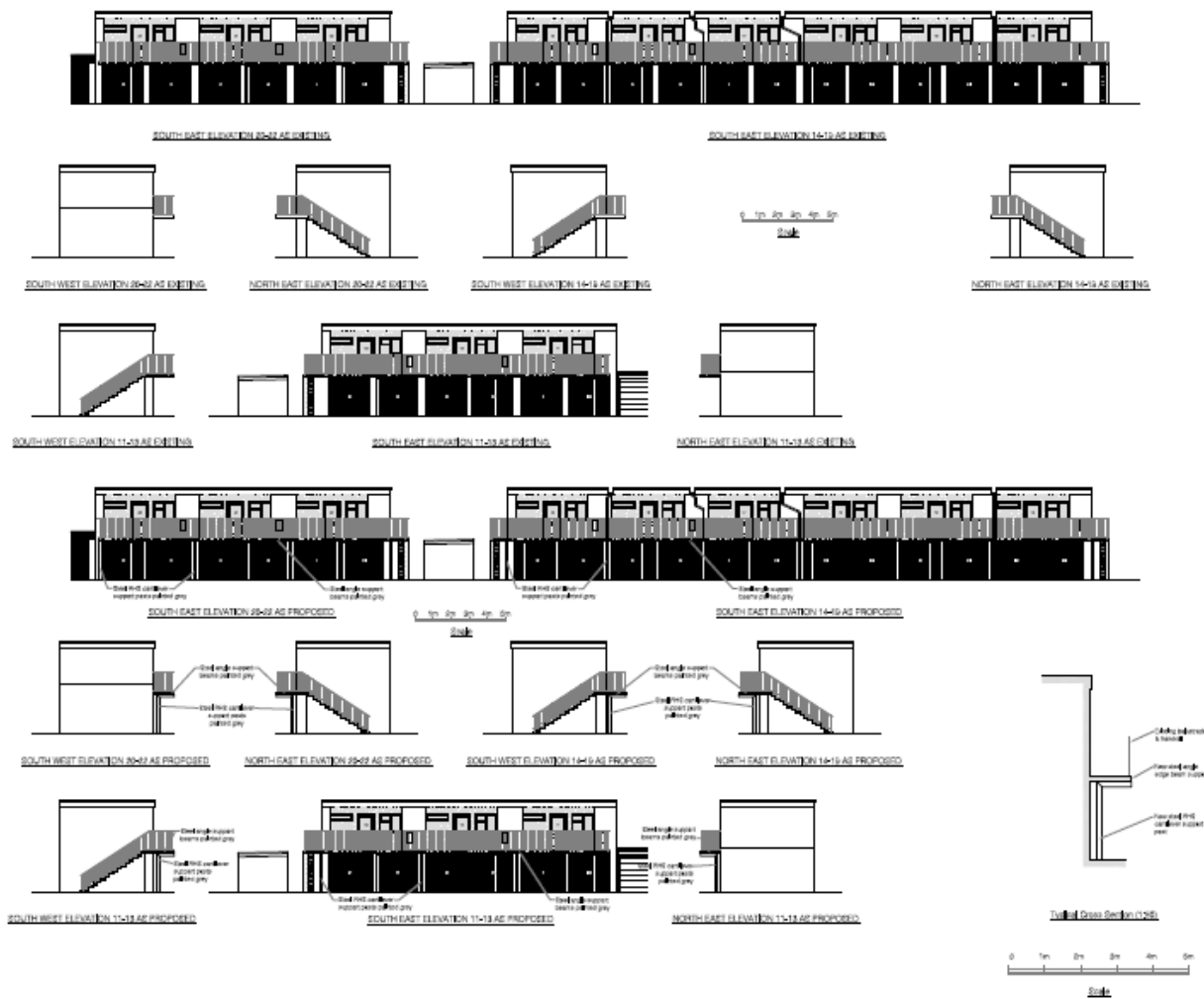
Item 5.18

**4/01937/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
11-22, LITTLE ROAD, HEMEL HEMPSTEAD, HP2 5EN**



Item 5.18

**4/01937/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
11-22, LITTLE ROAD, HEMEL HEMPSTEAD, HP2 5EN**



**5.18 4/01937/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
11-22, LITTLE ROAD, HEMEL HEMPSTEAD, HP2 5EN
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Paul Newton]

[Grid Ref - TL 06484 07840]

Summary

The application is recommended for approval

Site Description

The application site is situated at the end of Little Road which is sited within the Adeyfield Ward of Hemel Hempstead. The site comprises 3 two storey blocks of flat roofed buildings, accommodating garages on the ground floor and 12 maisonettes above.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes. The supports comprise a combination of steel cantilever support posts, brick wall supports and steel support beams. Bricks of the wall are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc. and be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Local Residents

23 Little Road

1 letter raising a number of concerns relating to the adequacy of the detail on the plans, the accuracy of the plans in relation to the overhang of the walkway which may affect the opening of the garage doors and the impact on existing lighting.

Further details to clarify these points has been requested from the applicants.

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The

permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours. The applicants have confirmed that any lighting affected by the proposed structures will be relocated to maintain existing lighting levels.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

The proposal will allow the walkways to be retained without the requirement for significant demolition and re-build.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. An informative will be added requiring the applicants/developer to contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

Although the structural supports will impact on the amount the garage doors can open they will not significantly impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site Location Plan
13120/P7/01

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

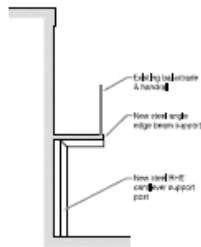
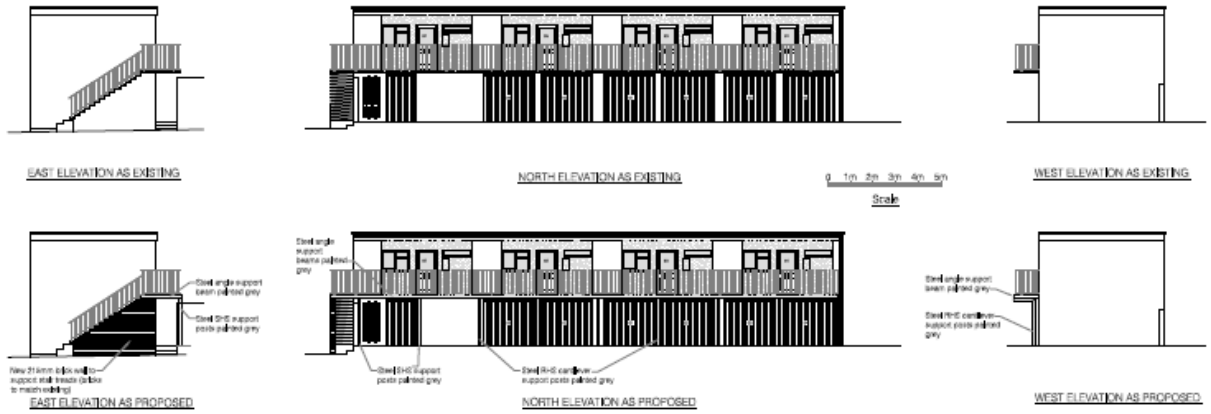
Item 5.19

**4/01906/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
91 - 97, CHAUDEN HOUSE GARDENS, HEMEL HEMPSTEAD, HP1**



Item 5.19

**4/01906/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
91 - 97, CHAUDEN HOUSE GARDENS, HEMEL HEMPSTEAD, HP1**



Typical Cross Section (1:50)

**5.19 4/01906/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS.
91 - 97, CHAUDEN HOUSE GARDENS, HEMEL HEMPSTEAD, HP1
APPLICANT: DACORUM BOROUGH COUNCIL**

[Case Officer - Patrick Doyle]

[Grid Ref - TL 03854 06428]

Summary

The application is recommended for approval.

Site Description

The application site comprises properties from 91 to 97 Chaulden House Gardens which are first floor maisonettes all with walkways allowing access to the properties on the first floor. The ground floor of the building is occupied by garages and storage space. The properties are located within a single block adjacent the junction with Bowyers.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways. The supports are steel beams and steel SHS (Square Hollow Sections) posts which are to be painted grey. A new brick wall to support the staircase with matching bricks is also proposed.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above. The supporting brick wall to the stairways will match with the existing structure and will have a neutral effect upon the appearance of the building.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area. The brick wall supporting the staircase will have no impact on the street scene.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Location Plan 13120/P1/01

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

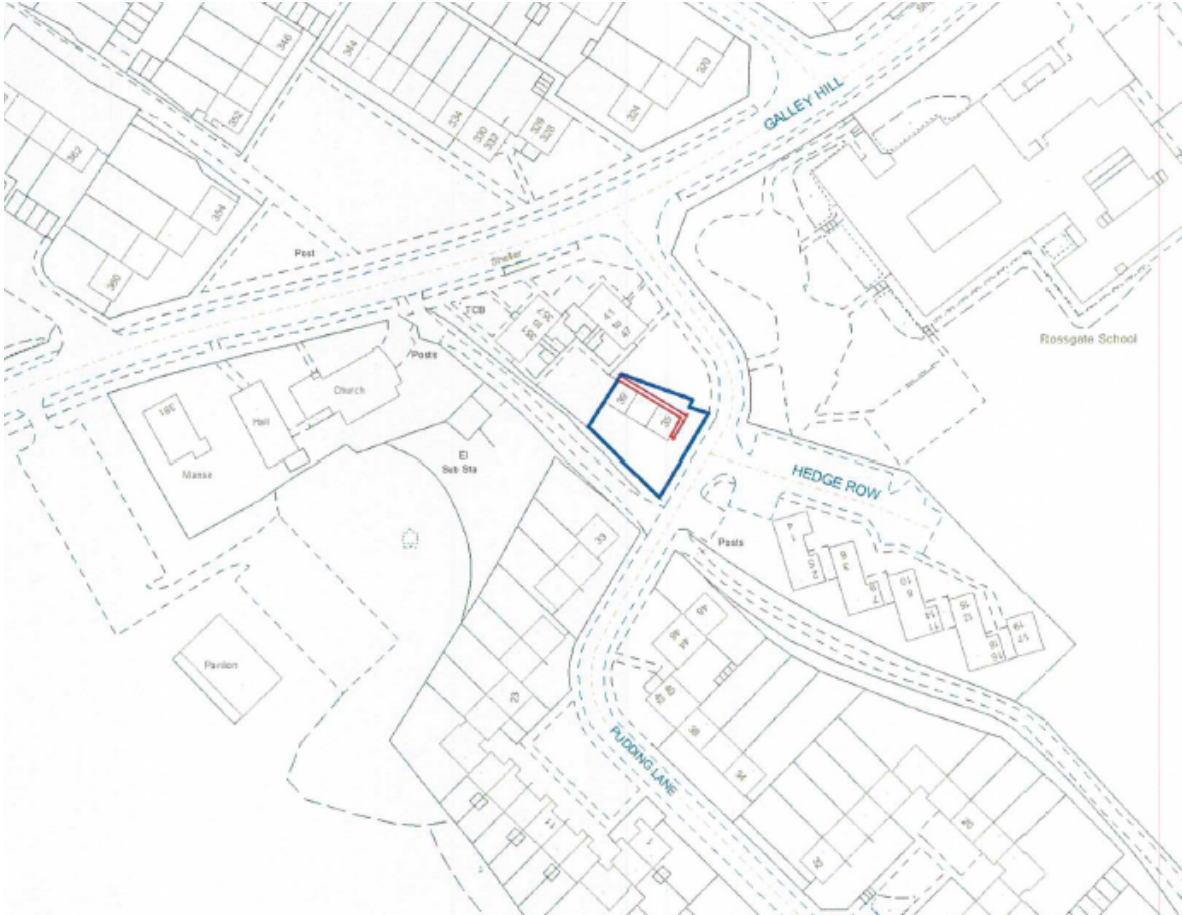
Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

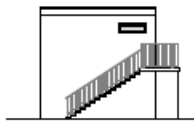
Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs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

Item 5.20
4/01908/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
35 - 39, PUDDING LANE, HEMEL HEMPSTEAD, HP1 3JU



Item 5.20

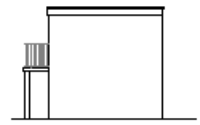
**4/01908/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
35 - 39, PUDDING LANE, HEMEL HEMPSTEAD, HP1 3JU**



SOUTH EAST ELEVATION AS EXISTING

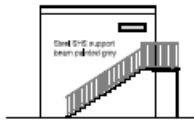


NORTH EAST ELEVATION AS EXISTING



NORTH WEST ELEVATION AS EXISTING

0 1m 2m 3m 4m 5m
Scale



SOUTH EAST ELEVATION AS PROPOSED

Steel RHS support
beam painted grey

Steel RHS support
post painted grey



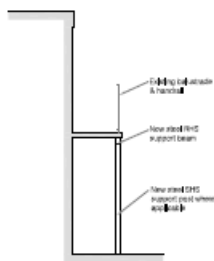
NORTH EAST ELEVATION AS PROPOSED

Steel RHS support
beam painted grey

Steel RHS support
post painted grey



NORTH WEST ELEVATION AS PROPOSED



Typical Cross Section (1:50)

Existing balustrade
& handrail

New steel RHS
support beam

New steel RHS
support post below
aperture

**5.20 4/01908/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
35 - 39, PUDDING LANE, HEMEL HEMPSTEAD, HP1 3JU
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Patrick Doyle]

[Grid Ref - TL 04221 08265]

Summary

The application is recommended for approval.

Site Description

The application site comprises properties from 35 to 39 Pudding Lane which are first floor maisonettes all with walkways allowing access to the properties on the first floor. The ground floor of the building is occupied by garages and storage space. The properties are located within a single block with access from Pudding Lane opposite the entrance to Hedge Row.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways. The supports are steel beams and steel SHS (Square Hollow Sections) posts which are to be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

[Location Plan](#)
[Drwg No. 13120/P9/01](#)

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

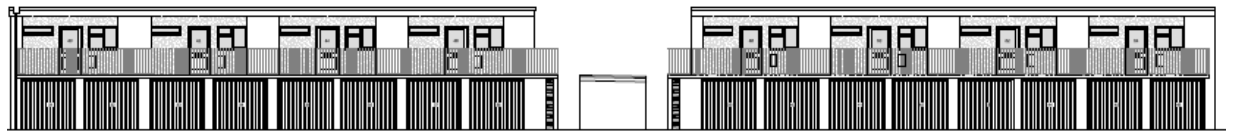
Item 5.21

4/01939/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
31-49 PARKWOOD DRIVE, 9-15 VARNEY RD, 2 & 4 GREAT STURGES RD AND 40-54,
STONEYCROFT, HEMEL HEMPSTEAD, HP1



Item 5.21

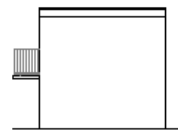
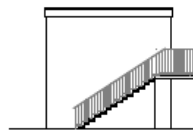
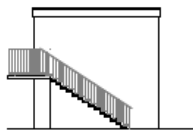
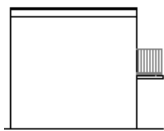
4/01939/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
 31-49 PARKWOOD DRIVE, 9-15 VARNEY RD, 2 & 4 GREAT STURGESS RD AND 40-54,
 STONECROFT, HEMEL HEMPSTEAD, HP1



NORTH ELEVATION 40-46 AS EXISTING

0 1m 2m 3m 4m 5m
 Scale

NORTH ELEVATION 48-54 AS EXISTING

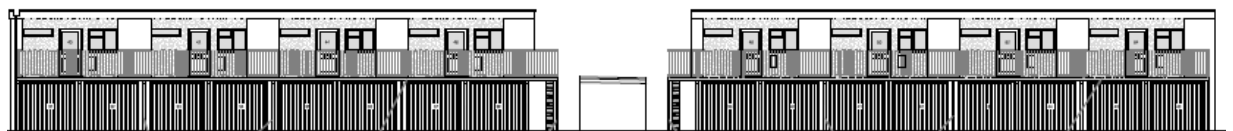


ELEVATION 40-46 AS EXISTING

WEST ELEVATION 40-46 AS EXISTING

EAST ELEVATION 48-54 AS EXISTING

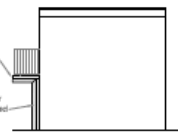
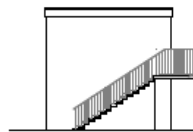
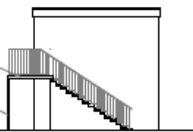
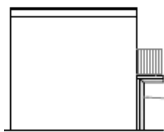
WEST ELEVATION 48-54 AS EX



NORTH ELEVATION 40-46 AS PROPOSED

0 1m 2m 3m 4m 5m
 Scale

NORTH ELEVATION 48-54 AS PROPOSED



ELEVATION 40-46 AS PROPOSED

WEST ELEVATION 40-46 AS PROPOSED

EAST ELEVATION 48-54 AS PROPOSED

WEST ELEVATION 48-54 AS PRO

**5.21 4/01939/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
31-49 PARKWOOD DRIVE, 9-15 VARNEY RD, 2 & 4 GREAT STURGESS RD AND 40-54,
STONEYCROFT, HEMEL HEMPSTEAD, HP1
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Paul Newton]

[Grid Ref - TL 03917 07438]

Summary

The application is recommended for approval

Site Description

The application site relates to four separate sites in the Chaulden/Warners End area of Hemel Hempstead. The sites in Parkwood Drive, Varney Rd, Great Sturgess Rd and Stoneycroft accommodate blocks of flat roofed maisonettes with garages below.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes. The supports comprise a combination of steel cantilever support posts, brick wall supports and steel support beams. Bricks of the walls are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc. and be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

The proposal will allow the walkway's to be retained without the requirement for significant demolition and re-build.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. An informative will be added requiring the applicants/developer to contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site location Plan

13120/p17/03

13120/p17/02

13120/p17/01

13120/p17/04

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

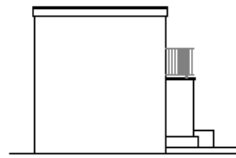
Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Item 5.22

**4/01911/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
75-79, GADEBRIDGE ROAD, HEMEL HEMPSTEAD, HP1 3DX**



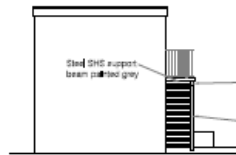
Item 5.22
4/01911/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
75-79, GA



SOUTH WEST ELEVATION AS EXISTING



SOUTH EAST ELEVATION AS EXISTING

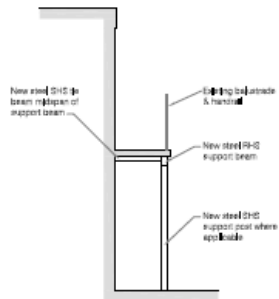


SOUTH WEST ELEVATION AS PROPOSED



SOUTH EAST ELEVATION AS PROPOSED

Steel SHS support beam painted grey
 Steel RHS support beam painted grey
 Steel SHS support post painted grey
 Steel RHS support beam painted grey
 New 210mm brick wall to support beam (to like to match existing)



Typical Cross Section (1:50)



**5.22 4/01911/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
75-79, GADEBRIDGE ROAD, HEMEL HEMPSTEAD, HP1 3DX
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Paul Newton]

[Grid Ref - TL 04542 07888]

Summary

The application is recommended for approval

Site Description

The application site is situated on the south side of Gadebridge Road and accessed from Saffron Lane via a garage court. The site falls within the Gadebridge area of Hemel Hempstead. The application site comprises a small block of flat roofed maisonettes with garages below.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes. The supports comprise a combination of steel cantilever support posts, brick wall supports and steel support beams. Bricks of the wall are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc. and be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13
Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Local Residents

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

The proposal will allow the walkway's to be retained without the requirement for significant demolition and re-build.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. An informative will be added requiring the applicants/developer to contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site Location Plan
13120/P3/01

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

Informative

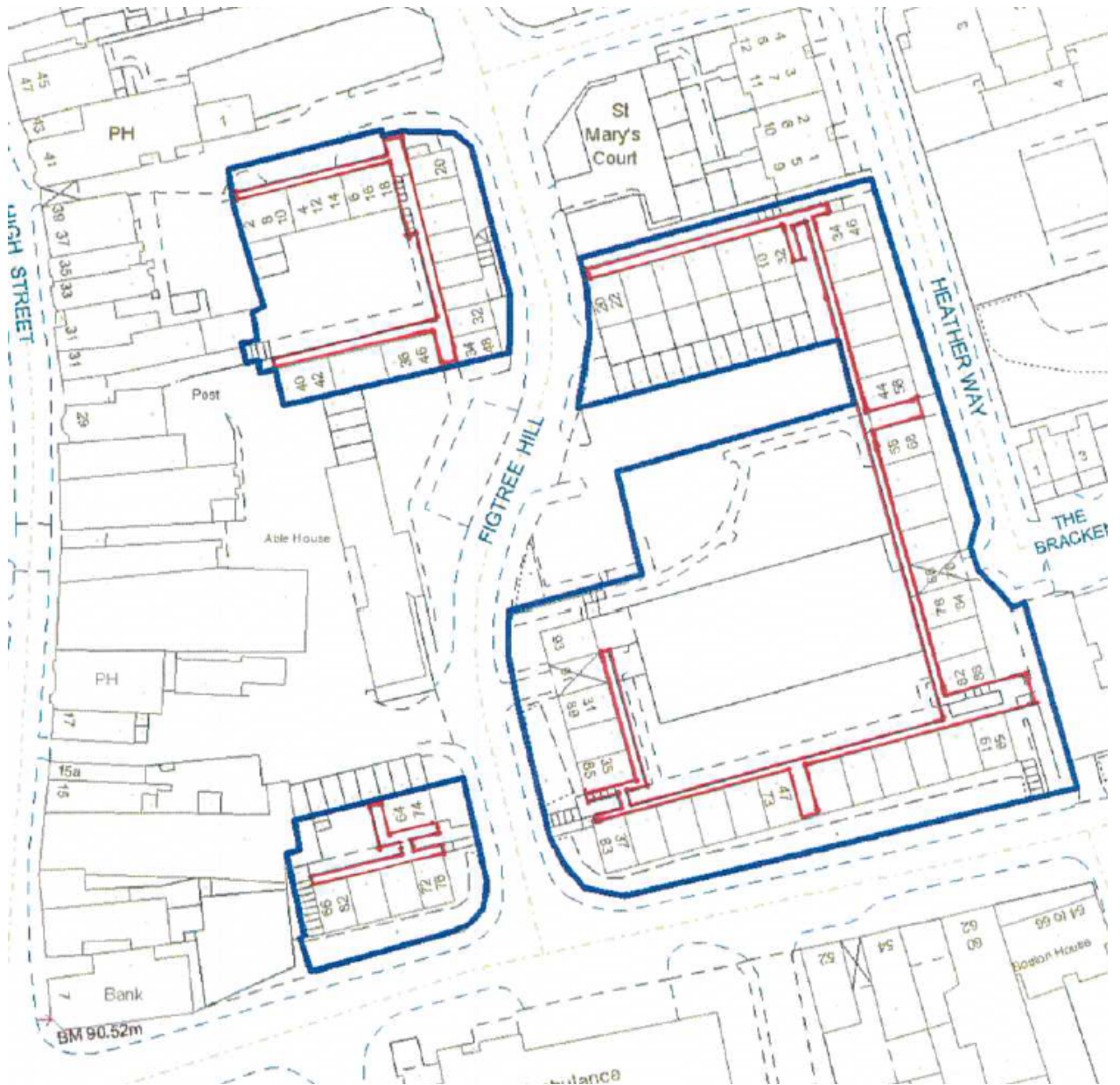
Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted proactively 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.

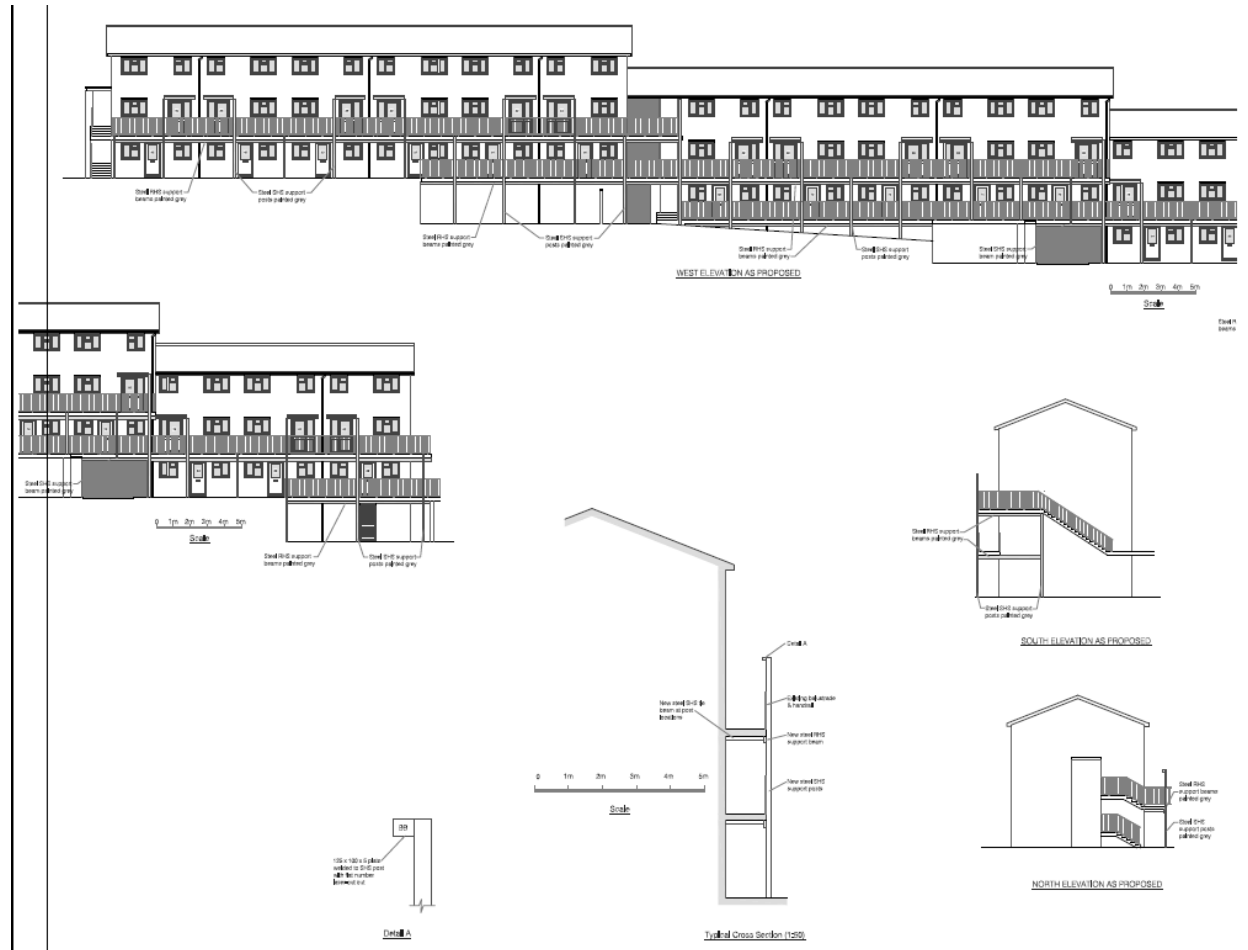
Item 5.23

4/01943/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
34 - 88 HEATHER WAY, & 10 - 91, FIGTREE HILL, HEMEL HEMPSTEAD, HP2



Item 5.23

**4/01943/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
34 - 88 HEATHER WAY, & 10 - 91, FIGTREE HILL, HEMEL HEMPSTEAD, HP2**



**5.23 4/01943/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
34 - 88 HEATHER WAY, & 10 - 91, FIGTREE HILL, HEMEL HEMPSTEAD, HP2
APPLICANT: Dacorum Borough Council - Ms K Taylor**

[Case Officer - Joan Reid]

[Grid Ref - TL 05640 07755]

Summary

The application is recommended for approval.

Site Description

The application site comprises a block of residential units which has residential flats on both the ground floor and the first floor. There are two blocks of flats perpendicular to each other, and the supports to the walkways are proposed to the west elevation of the northern block of flats. The site itself is located to the north of Saturn Way, adjacent to Yewtree Woods and open land to the east.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the residential flats at 37-83 Figtree Hill and 34088 Heather Way.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recently

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural post to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 colour those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Site Location Plan

13120/P8/01

13120/P8/02

13120/P8/03

13120/P8/04

13120/P8/05

13120/P8/06

13120/P8/07

13120/P8/08

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

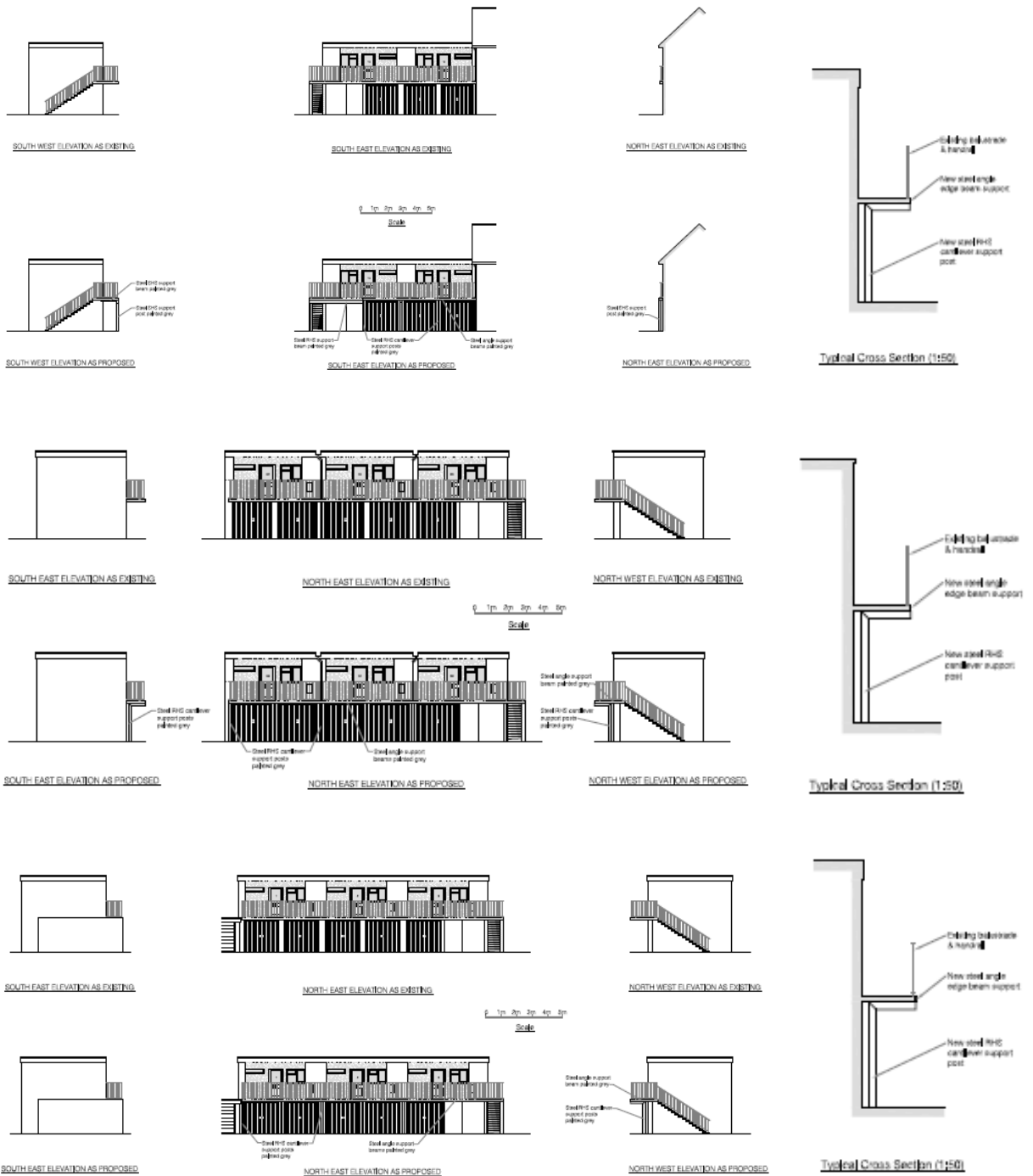
Item 5.24

**4/01952/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
32-36 DELLCUT RD, 7-9 SAINFOIN END & 16-18, LARCHWOOD ROAD, HEMEL
HEMPSTEAD, HP2**



Item 5.24

**4/01952/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
32-36 DELLCUT RD, 7-9 SAINFOIN END & 16-18, LARCHWOOD ROAD, HEMEL
HEMPSTEAD, HP2**



**5.24 4/01952/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
32-36 DELLCUT RD, 7-9 SAINFOIN END & 16-18, LARCHWOOD ROAD, HEMEL
HEMPSTEAD, HP2
APPLICANT: DACORUM BOROUGH COUNCIL - MS K TAYLOR**

[Case Officer - Patrick Doyle]

[Grid Ref - TL 07089 08363]

Summary

The application is recommended for approval.

Site Description

This a tripartite application the sites are located in close proximity of each other comprising of properties at 32-36 Dellcut Road, 7-9 Sainfoin End & 16-18 Larchwood Road which are first floor maisonettes all with walkways allowing access to the properties on the first floor. The ground floor of the buildings are occupied by garages and storage space.

Proposal

The application seeks planning permission for permanent structural supports to the external walkways. The supports are steel beams and steel SHS (Square Hollow Sections) posts which are to be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13 & CS29

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission. It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received to date

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping. A condition will be imposed requiring the structural posts to be kept the same colour as the railings above.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable

to this application.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. The limited and small scale nature of the works proposed means that it is not considered to be either necessary or reasonable to impose a planning condition. An informative will be added recommending that the applicants/developer contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

Location plan

13120/P5/01

13120/P5/02

13120/P5/03

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

Item 5.25

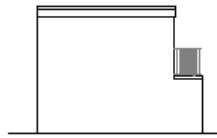
4/01904/13/EU PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS

12, 14, 16 &



Item 5.25
 4/01904/1:
 12, 14, 16

KWAYS

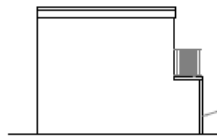


NORTH WEST ELEVATION AS EXISTING



SOUTH WEST ELEVATION AS EXISTING

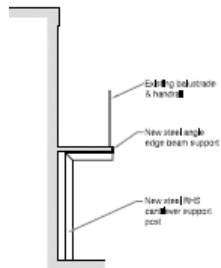
0 1m 2m 3m
 Scale



NORTH WEST ELEVATION AS PROPOSED



SOUTH WEST ELEVATION AS PROPOSED



Typical Cross Section (1:50)

**5.25 4/01904/13/FUL - PERMANENT STRUCTURAL SUPPORTS TO EXTERNAL WALKWAYS
12, 14, 16 & 18, HILLDOWN ROAD, HEMEL HEMPSTEAD, HP1 3JE
APPLICANT: Dacorum Borough Council - Ms K Taylor**

[Case Officer - Paul Newton]

[Grid Ref - TL 04459 08342]

Summary

The application is recommended for approval

Site Description

The application site relates to an existing two storey flat roofed building accommodating 6 garages on the ground floor with 4 first floor maisonettes above. The site falls within the Gadebridge Area of Hemel Hempstead and is accessed from Hilldown Road.

Proposal

The application seeks permission for the erection of permanent structural supports to the external walkways serving the maisonettes. The supports comprise a combination of steel cantilever support posts, brick wall supports and steel support beams. Bricks of the wall are to match the existing. The steel posts will be positioned 150mm forward of the garage walls to allow space for rainwater goods, lighting etc. and be painted grey.

Referral to Committee

The application is referred to the Development Control Committee as Dacorum Borough Council are the applicants and the land is owned by the Council.

Planning History

None recent

Background

Following national advice from HSE, the council maintenance team carried out structural surveys of the external concrete walks of a number of Council owned properties and the structural integrity of a number of the walkways were found to be unsatisfactory. Therefore, it is now a council priority that these walkways are made secure by introducing a system of additional permanent supports. Temporary supports have been put in place to the affected properties as a precautionary measure until more permanent supports are in place.

Policies

National Policy Guidance

National Planning Policy Framework

Adopted Core Strategy

NP1, CS4, CS10, CS12, CS13, CS29.

Dacorum Borough Local Plan

Policy 13

Appendices 1, 3, 5, 7

Supplementary Planning Guidance

Environmental Guidelines

Representations

Hertfordshire Highways

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: It appears that the proposed works will not affect the adjacent highway but there should be a construction management plan to make sure that deliveries associated with the works, contractors parking and risk of mud etc from being deposited onto the highway is prevented and managed.

Local Residents

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein the principle of development is considered acceptable in accordance with policy CS4 of the adopted Core Strategy.

Effects on appearance of building

The supports including the wall will satisfactorily assimilate with the garages and residential accommodation above. The posts would be positioned between the garage doors and considering that there are existing railings above the walkways, these works would not appear prominent or out of keeping.

Impact on Streetscene

There will not be any significant harm to the character of the streetscene as a result of the development. The fixing of the support structures between the garage doors would not significantly alter the character or appearance of the block of garages and flats and have limited impact on the character of the area.

Impact on Trees and Landscaping

There would not be any significant harm to any landscaping or trees as a result of the applications.

Impact on Neighbours

There would not be any significant impact on the amenities of the neighbouring properties. The permanent structures will improve safety for the residents above the garages and there would not be any loss of privacy, sunlight or visual amenity for the neighbours.

Sustainability

Policy CS29 of the adopted Core Strategy requires new development to comply with the highest standards of sustainable design and construction possible. Due to the limited development proposed, it is considered that the all of the policy criteria would not be applicable

to this application.

The proposal will allow the walkways to be retained without the requirement for significant demolition and re-build.

Highway Safety

Hertfordshire Highways have raised no objection to the works however they have asked for a construction management plan to make sure that deliveries associated within the works, contractors parking and risk of mud etc from being deposited onto the highway be prevented and managed. An informative will be added requiring the applicants/developer to contact the Highway authority prior to any works with details of their construction management scheme.

Other Material Planning Considerations

The structural supports would not impede access to the garages and should not have any implications for car parking provision.

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 works hereby permitted shall match in colour to those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with policy CS12 of the adopted Core Strategy.

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

ocation plan
13120/p4/01

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

Informative

Prior to commencement of development, a construction management plan shall be submitted to the Highway Authority for their approval. This construction management plan shall include details of how deliveries associated with the works, contractors parking etc will not have a harmful impact on highway safety.

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

6. APPEALS

A. LODGED

- | | | |
|-------|-----------------|--|
| (i) | 4/01571/12/ENA | Mr McLaughlin Appeal against Enforcement Notice – construction of 2 dwellings 11 Bank Mill, Berkhamsted Delegated |
| (ii) | 4/01829/12/FUL | Mr Cowman and Mr McLaughlin Construction of 2 No. 3-bed dwellings 11 Bank Mill, Berkhamsted Committee |
| (iii) | 4/00211/13/ENA | Mrs Louise Atkins Appeal against Enforcement Notice - Material change of use of land from grazing land to residential Lodge Farm Cottage, Rossway, Berkhamsted Delegated |
| (iv) | 4/00696/10/ENA | Mr and Mrs Clarke, Mr Parry and Mr McGregor Appeal against Enforcement Notice – Construction of extensions without permission Properties at Threefields, Sheethanger Lane, Felden Delegated |
| (v) | 4/00014/13/FHA | Mr William Jenkins Replacement front door 10 Shrublands Avenue, Berkhamsted Delegated |
| (vi) | 4/00146/13/FUL | Mr S Wright-Browne Replacement dwelling Site at Ivycote, St Albans Hill, Hemel Hempstead Committee |
| (vii) | 4/000171/13/FUL | Mr & Mrs Gill Detached dwelling and garage R/o 21 Pancake Lane, Hemel Hempstead Delegated |

- (viii) 4/00256/13/ROC Chipperfield Land Co.
Variation to conditions 15 and 16
The Pines, North Road, Berkhamsted

Committee
- (ix) 4/00224/12/FUL Chipperfield Land Co
Demolition of garage, swimming pool and extension.
Refurbishment of existing dwelling to form two dwellings
and construction of 4 new dwellings.
The Pines, North Road, Berkhamsted

Committee
- (x) 4/00147/13/ENA Mr S Rasa & Mr S Rasa
Two storey rear extension
54 Aycliffe Drive, Hemel Hempstead

Delegated
- (xi) 4/02246/12/FUL Chipperfield Land Company
Demolition of existing dwelling and construction of 3 4-bed
detached dwellings
37 Ashlyns Road, Berkhamsted

Committee
- (xii) 4/00896/13/LBC Mr Tim Crossley-Smith
Conservation roof light
1&2 The Red House, Little Gaddesden

Delegated
- (xiii) 4/00928/13/TPO Mr E Fry
Remove two trees
59 Watford Road, Kings Langley

Delegated
- (xiv) 4/01034/13/FHA Paul Haezewindt
New parking space, conversion of carport to
accommodation and fenestration alterations.
16 Sheldon Way, Berkhamsted

Delegated
- (xv) 4/01054/13/FUL Mr P Cowman

Two 3-bed dwellings
11 Bank Mill, Berkhamsted, HP4 2ER
Committee

(xvi) 4/01234/13/FHA

Mr S Rayner
Two Storey side extension
53 Risedale Rd, Hemel Hempstead

Delegated

(xvii) 4/0322/13/FUL

Mr S Wilbraham
Pony Stable and Tack Room
Bluebelle, Hogpits Bottom, Flaunden

Delegated

(xviii) 4/01716/12/FUL

Mr D Hosier
Demolition of existing Warehouse and Redevelopment with
1 x 4 bedroom House, 2 x 2 bed maisonettes and 3 x 2 bed
apartments
23 Kingsland Rd, Hemel Hempstead

Committee

(xix) 4/01009/13/FUL

Mr & Mrs Fifield and Mr & Mrs Hall
Two 4-bed detached dwellings
R/o 14 & 15 Oakwood, Berkhamsted

Delegated

(xx) 4/00971/13/FHA
4/01553/13/LBC

Mr Peter Murray
Roof lights
Site at The Old Barn, Castle Hill, Berkhamsted

Delegated

(xxi) 4/01573/13/FHA

Mr B Woolcott
Single storey front extension (amended)
Hatches Farm, Bradden Lane, Gaddesden Row

Delegated

B WITHDRAWN

None

C FORTHCOMING INQUIRIES

- (i) 4/00696/10/ENA Mr and Mrs Clarke, Mr Parry and Mr McGregor
Appeal against Enforcement Notice – Construction of
extensions without permission
Properties at Threefields, Sheethanger Lane, Felden

Delegated

19th November 2013 in the Bulbourne Room

D FORTHCOMING HEARINGS

None

E DISMISSED

None

F ALLOWED

None

7. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A of the Local Government Act 1972 Schedule 12A Part 1, Paragraph 12 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part II of the Agenda for the 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 this item there would be disclosure to them of exempt information relating to: